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Executive Orders

EXECUTIVE ORDER JBE 18-04

Carry-Forward Bond Allocation Amending Executive Order JBE 18-02

WHEREAS, pursuant to the Tax Reform Act of 1986 and Act 51 of the 1986 Regular Session of the Louisiana Legislature (hereafter “Act”), Executive Order Number JBE 2016-35 was issued to establish a method for allocating bonds subject to private activity bond volume limits, including

(1) the method of allocating bonds subject to the private activity bond volume limits for the calendar year 2016 and subsequent calendar years;

(2) the procedure for obtaining an allocation of bonds under the ceiling; and

(3) a system of central record keeping for such allocations;

WHEREAS, the SBC determined that four hundred sixty-eight million one hundred sixty-six thousand six hundred dollars (\$468,166,600) of the 2017 Ceiling is eligible for carry-forward and the Governor desires to allocate this amount as carry-forward for projects which are permitted and eligible under the Act;

WHEREAS, Section 1 of Executive Order JBE 18-02 allocated four hundred thirty-eight million one hundred sixty-six thousand six hundred dollars (\$438,166,600) of the four hundred sixty-eight million one hundred sixty-six thousand and six hundred dollars (\$468,166,600) eligible for carry-forward and the remaining thirty million dollars (\$30,000,000) previously approved by the SBC, but not yet allocated, remains to be allocated; and

WHEREAS, it is necessary to amend Executive Order Number JBE 18-02.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 1 of Executive Order JBE 18-02, issued on January 31, 2018, is hereby amended as follows:

Issuer	Carry-Forward Project	Carry-Forward Amount
Calcasieu Parish Public Trust Authority	Le Joliet Development Project	\$30,000,000
Louisiana Community Development Authority	American Biocarbon CT, LLC Project	\$30,000,000
Louisiana Housing Corporation	Single Family Housing	\$125,000,000
Louisiana Housing Corporation	Multifamily Housing	\$150,000,000

Issuer	Carry-Forward Project	Carry-Forward Amount
Louisiana Housing Corporation	Residential Rental Housing	\$100,000,000
Louisiana Public Facilities Authority	Solid Waste	\$33,166,600

SECTION 2: This Order is effective upon signature and shall continue in effect until amended, modified, terminated or rescinded by the Governor.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 14th day of February, 2018.

John Bel Edwards
Governor

ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State
1803#001

EXECUTIVE ORDER JBE 18-05

Flags at Half-Staff

WHEREAS, on Wednesday afternoon, February 14, 2018, 17 people were killed, with at least 15 more hospitalized, as a result of the shooting at the Marjory Stoneman Douglas High School in Parkland, Florida;

WHEREAS, as a mark of solemn respect, President Trump issued a Proclamation on February 15, 2018, ordering the flag of the United States to be flown at half-staff upon all public buildings and grounds until sunset, February 19, 2018; and

WHEREAS, Louisianans mourn with all whose loved ones were killed and injured in this horrible tragedy in Parkland, Florida.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: As an expression of respect for victims of the Marjory Stoneman Douglas High School shooting, the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all public buildings and institutions of the State of Louisiana until sunset on Monday, February 19, 2018.

SECTION 2: This Order is effective upon signature and shall remain in effect until sunset, Monday, February 19, 2018, unless amended, modified, terminated, or rescinded prior to that date.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 15th day of February, 2018.

John Bel Edwards
Governor

ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State
1803#005

EXECUTIVE ORDER JBE 18-06

Governor’s Taskforce on Sexual Harassment
and Discrimination Policy
Amending Executive Order Number JBE 17-30

WHEREAS, the Governor’s Taskforce on Sexual Harassment and Discrimination Policy (hereafter Taskforce), was established and created within the executive department, Office of the Governor through Executive Order Number JBE 17-30 on December 6, 2017;

WHEREAS, the Taskforce is required to make specific actionable recommendations for changes to each agency’s sexual harassment and discrimination policies to ensure that there is a uniform process among all agencies within the executive branch, including development of a protocol for sexual harassment and discrimination policy orientation and for employees promoted to supervisory positions; and

WHEREAS, it is necessary to amend Executive Order Number JBE 17-30.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 4 of Executive Order Number JBE 17-30, issued on December 6, 2017, is hereby amended as follows:

On or before September 1, 2018, the Task Force shall submit to the Governor a report regarding the issues set forth in Section 3 of this Order.

SECTION 2: This Order is effective upon signature and shall continue in effect until amended, modified, terminated or rescinded by the Governor.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 26th day of February, 2018.

John Bel Edwards
Governor

ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State
1803#007

EXECUTIVE ORDER JBE 18-07

Flags at Half-Staff
Reverend William Franklin “Billy” Graham, Jr.

WHEREAS, the Reverend William Franklin “Billy” Graham, Jr. died on February 21, 2018, at the age of 99;

WHEREAS, born on November 7, 1918, near Charlotte, North Carolina, Reverend Graham transformed American religious life through his preaching and activism reaching millions and earning him the title of “America’s pastor”;

WHEREAS, he counseled presidents from General Dwight Eisenhower to George W. Bush with a message of faith that transcended generations and was the most widely heard Christian evangelist in history;

WHEREAS, in 1983, President Reagan awarded Reverend Graham the Presidential Medal of Freedom, America’s highest civilian honor. When the Billy Graham Museum and Library was dedicated in 2007 in Charlotte, former Presidents George H.W. Bush, Jimmy Carter and Bill Clinton attended;

WHEREAS, he was so widely revered that he became one of only four private citizens to lie in honor at the U.S. Capitol;

WHEREAS, the Graham family has donated to and supported prison ministry at the Louisiana State Penitentiary, and inmates at the Louisiana State Penitentiary built, in the early 2000s, the casket in which Reverend Graham is laid to rest; and

WHEREAS, Reverend Graham is survived by children, Virginia Leftwich Graham, Anne Graham Lotz, Ruth Graham, Franklin Graham and Nelson Edman Graham, along with 19 grandchildren and numerous great-grandchildren.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: As an expression of respect and to honor the Reverend William Franklin “Billy” Graham, Jr., the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all state buildings on Friday, March 2, 2018.

SECTION 2: This Order is effective upon signature and shall remain in effect until sunset, Friday, March 2, 2018.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 1st day of March, 2018.

John Bel Edwards
Governor

ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State
1803#014

Emergency Rules

DECLARATION OF EMERGENCY

Department of Agriculture and Forestry Office of Agricultural and Environmental Sciences

Citrus Greening and Citrus Canker Disease Quarantine (LAC 7:XV.127)

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:953(B), and pursuant to the authority of the state entomologist in R.S. 3:1652, notice is hereby given that Department of Agriculture and Forestry is renewing these emergency regulations establishing a quarantine for citrus greening disease (“CG”) and citrus canker disease (“CC”) caused by the bacterial pathogens *Xanthomonas axonopodis* pv. *citri* and *Xanthomonas axonopodis* pv. *aurantifolii*. The Emergency Rule was initially published at LR 43:498 and LR 43:623. The state entomologist has determined that CG and CC has been found in this state and may be prevented, controlled, or eradicated by quarantine.

CG and CC pose an imminent peril to the health and welfare of the Louisiana commercial citrus industry due to their ability to infest rutaceous plants. This industry has a farm value of \$2,400,000-\$5,000,000 in southeastern Louisiana in the form of citrus nursery stock, and \$5,100,000 in the form of commercial citrus fruit in the state. CG renders the fruit unmarketable and ultimately causes death of infested plants. CC causes premature leaf and fruit drop, twig dieback and tree decline in citrus trees and is spread by wind-driven rain or through the movement of infected plants. Failure to prevent, control, or eradicate these diseases threatens to destroy Louisiana’s commercial citrus industry and the growing and harvesting of citrus by citizens of Louisiana for their own private use.

Louisiana’s commercial citrus industry adds \$7,500,000-\$10,000,000 to the state’s agriculture economy each year. Sales of citrus trees and plants by nursery stock dealers to private individuals also are important to the state’s economy. The loss of the state’s commercial citrus industry and privately owned citrus trees and fruit would be devastating to the state’s economy and to its private citizens. The quarantine and labeling requirements established by this emergency regulation is necessary to prevent the spread of CG and CC in Louisiana outside of the current areas where these diseases have already been found.

For these reasons, the outbreak CG and CC in Louisiana presents an imminent peril to the health, safety and welfare of Louisiana’s citizens and the state’s commercial and private citrus industry. As a result of this imminent peril, the Department of Agriculture and Forestry hereby exercises its full and plenary power pursuant to R.S. 3:1652 to deal with

crop and fruit pests and contagious and infectious crop and fruit diseases by imposing the quarantines set out in these emergency regulations.

This Rule shall have the force and effect of law March 1, 2018, and will remain in effect 120 days, unless renewed by the commissioner of agriculture and forestry or until permanent rules are promulgated in accordance with law.

Title 7

AGRICULTURE AND ANIMALS

Part XV. Plant Protection and Quarantine

Chapter 1. Crop Pests and Diseases

Subchapter B. Nursery Stock Quarantines

§127. Citrus Nursery Stock, Scions and Budwood

A. - C.6. ...

D. Citrus Greening

1. The department issues the following quarantine because the state entomologist has determined that citrus greening disease (CG), also known as Huanglongbing disease of citrus, caused by the bacterial pathogen *Candidatus Liberibacter spp.*, has been found in this state and may be prevented, controlled, or eradicated by quarantine.

2. Quarantined Areas. The quarantined areas in this state are the parishes of Orleans, Washington, Jefferson, and any other areas found to be infested with CG. The declaration of any other specific parishes or areas shall be published in the official journal of the state and in the *Louisiana Register*.

3. Regulated Materials. The following materials are hosts of CG and their movement is prohibited from CG-quarantined areas due to the presence of CG:

a. all plants and plant parts, including but not limited to nursery stock, cuttings, budwood, and propagative seed (but excluding fruit), of: *Aegle marmelos*, *Aeglopsis chevalieri*, *Afraegle gabonensis*, *Afraegle paniculata*, *Amyris madrensis*, *Atalantia spp.* (including *Atalantia monophylla*), *Balsamocitrus dawei*, *Bergera (=Murraya) koenigii*, *Calodendrum capense*, *Choisya ternata*, *Choisya arizonica*, *X Citroncirus webberi*, *Citropsis articulata*, *Citropsis gilletiana*, *Citrus madurensis (= X Citrofortunella microcarpa)*, *Citrus spp.*, *Clausena anisum-olens*, *Clausena excavata*, *Clausena indica*, *Clausena lansium*, *Eremocitrus glauca*, *Eremocitrus hybrid*, *Esenbeckia berlandieri*, *Fortunella spp.*, *Limonia acidissima*, *Merrillia caloxylon*, *Microcitrus australasica*, *Microcitrus australis*, *Microcitrus papuana*, *X Microcitronella spp.*, *Murraya spp.*, *Naringi crenulata*, *Pamburus missionis*, *Poncirus trifoliata*, *Severinia buxifolia*, *Swinglea glutinosa*, *Tetradium rutilarpum*, *Toddalia asiatica*, *Triphasia trifolia*, *Vepris (=Toddalia) lanceolata*, and *Zanthoxylum fagara*;

b. any other products, materials, articles, or means of conveyance, if an inspector determines that it presents a risk of spreading CG, and after the inspector provides

written notification to the person in possession of the products, materials, articles, or means of conveyance that it is subject to the restrictions of the regulations.

E. - E.3.d.iii.(b). ...

F. Citrus Canker Disease Quarantine

1. The department issues the following quarantine because the state entomologist has determined that citrus canker disease (CC), caused by the bacterial pathogen *Xanthomonas axonopodis* pv. *citri* (Xac A, A* and AW) with synonyms *X. citri* pv. *citri*, or *X. citri* subsp. *citri* or *X. campestris* pv. *citri* or *X. smithii* subsp. *citri*; and *X. axonopodis* pv. *aurantifolii* (Xac B and C) with a synonym *X. fuscans* subsp. *aurantifolii*, has been found in this state and may be prevented, controlled, or eradicated by quarantine.

2. No regulated materials as defined in this Subsection shall be moved out of any area of this state that is listed in this Subsection as a quarantined area for CC, except as provided in this Subsection.

3. Any person violating this quarantine shall be subject to imposition of the remedies and penalties provided for in R.S. 3:1653 for any violation of this quarantine.

4. Quarantined areas in this state include:

a. the entire parishes of Orleans, St. Bernard, Plaquemines, Jefferson, Lafourche, St. Charles, St. James and St. John;

b. a declaration of quarantine for CC covering any other specific parishes or areas of this state shall be published in the official journal of the state and in the *Louisiana Register*.

5. - 6.i.(iv). ...

G. Labeling Requirements for Citrus Related Quarantines

1. Any citrus nursery stock sold, moved, or distributed within an area quarantined for citrus greening, or citrus canker shall have attached to the article or to the container of the article, a permanent and weatherproof tag or label in a clear and legible format no less than 14 point font bearing the exact words: PROHIBITED FROM MOVEMENT OUTSIDE OF THE CITRUS QUARANTINE AREAS, PENALTY FOR VIOLATION, Louisiana Department of Agriculture and Forestry. For a current list of quarantine areas, please go to www.ldaf.state.la.us.

2. Citrus nursery stock that is not in or intended for movement within a citrus greening or citrus canker quarantined area shall not be required to be labeled as described in Paragraph 1 of this Subsection.

3. Citrus nursery stock labeled or tagged according to Paragraph 1 of this Subsection that is offered for retail sale in an area that is not quarantined for citrus greening or citrus canker may be subject to stop order.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1652.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Agricultural and Environmental Sciences, LR 11:319 (April 1985), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 40:1308 (July 2014), LR 42:730 (May 2016), LR 44:

Mike Strain, DVM
Commissioner

1803#009

DECLARATION OF EMERGENCY

Department of Agriculture and Forestry Office of Agricultural and Environmental Sciences

Emerald Ash Borer Quarantine (LAC 7:XV.167)

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:953(B), and pursuant to the authority of the state entomologist set forth in R.S. 3:1652, and in order to avoid a lapse in coverage until a permanent Rule is in effect, notice is hereby given that Department of Agriculture and Forestry is adopting these emergency regulations establishing a quarantine in Bienville, Jackson, Morehouse and Ouachita Parishes for the following pest: emerald ash borer (EAB), *Agilus planipennis* Fairmaire. The state entomologist has determined that EAB has been found in Bienville, Jackson, Morehouse and Ouachita Parishes and may be prevented, controlled, or eradicated by quarantine.

EAB poses an imminent peril to the health and welfare of Louisiana forests, commercial and private forestry/wood product industries, and nursery growers due to its ability to infest ash trees. In 2013, the wholesale value of woody ornamental sales for nursery growers in the state was \$62.6 million, a portion of which is comprised of sales of ash trees (Louisiana State University AgCenter 2013 *Louisiana Summary, Agriculture and Natural Resources*). Louisiana's forests and forestry/wood products industries generated an output industry production value of \$10,860,000,000 in 2012, a portion of which is comprised of ash trees and ash tree products (Louisiana State University AgCenter publication 3367-G, 2015). Sales of ash firewood by retail and wholesale suppliers to private individuals also are important to the state's economy.

Natural spread of EAB is limited to relatively short distances. However, without restriction, EAB can spread through human-assisted means over long distances via infested ash nursery stock, ash logs/timber and cut firewood. Once an ash tree is infested, it experiences twig dieback and tree decline. Tree death occurs within a few years. Failure to prevent, control, or eradicate this pest threatens to damage Louisiana's commercial ash tree nursery industry, and over time this pest poses a threat to destroy the majority of ash in our state, both commercial and residential. The loss of the state's commercial nursery-grown ash trees, forestry/wood ash products and even residential ash trees would be devastating to the state's economy and to its private citizens. The quarantine established by this emergency regulation is necessary to prevent the spread of EAB to all areas in Louisiana where ash may exist, outside of the current areas where this pest has been found.

For these reasons, the presence of EAB in Louisiana presents an imminent peril to the health, safety and welfare of Louisiana's citizens and forests, the state's commercial and private forestry/wood product industries, and nursery growers. As a result of this imminent peril, the Department of Agriculture and Forestry, Office of Forestry and Office of Agricultural and Environmental Sciences, hereby exercises its full and plenary power pursuant to R.S. 3:1652 to deal

with crop and fruit pests and contagious and infectious crop and fruit diseases by imposing the quarantines set out in these emergency regulations.

This Rule shall have the force and effect of law effective February 27, 2018, and will remain in effect 120 days, unless renewed by the commissioner of agriculture and forestry or until permanent rules are promulgated in accordance with law.

Title 7

AGRICULTURE AND ANIMALS

Part XV. Plant Protection and Quarantine

Chapter 1. Crop Pests and Diseases

Subchapter F. Emerald Ash Borer Quarantine

§167. Emerald Ash Borer Quarantine

A. The department issues the following quarantine because the state entomologist has determined that the insect emerald ash borer (EAB), *Agilus planipennis*, has been found in this state and may be prevented, controlled, or eradicated by quarantine.

B. Quarantined areas in this state include:

1. the entire parishes of Bienville, Bossier, Claiborne, Jackson, Morehouse, Lincoln, Ouachita, Union and Webster;

2. a declaration of quarantine for EAB covering any other specific parishes or areas of this state shall be published in the official journal of the state and in the *Louisiana Register*.

C. No regulated articles as defined in this Subsection shall be moved out of any area of this state that is listed in this Subsection as a quarantined area for EAB, except as provided in this Subsection.

D. The following articles are hosts of EAB and are deemed to be regulated articles for purposes of this Subsection.

1. The emerald ash borer in all of its life stages; firewood of all hardwood (non-coniferous) species; nursery stock, green lumber, and other material living, dead, cut, or fallen, including logs, stumps, roots, branches, and composted and uncomposted chips of the genus *Fraxinus*.

2. Any other article, product, or means of conveyance not listed in this section may be designated as a regulated article if an inspector determines that it presents a risk of spreading emerald ash borer and notifies the person in possession of the article, product, or means of conveyance that it is subject to the restrictions of the regulations.

E. Regulated articles may be moved from quarantined areas to non-quarantined areas within or outside of Louisiana only if moved under the following conditions.

1. The regulated articles being moved are accompanied by a certificate or limited permit issued by LDAF and attached in accordance with the EAB federal requirements.

2. The regulated articles being moved are not accompanied by a certificate or limited permit but are being moved by the United States Department of Agriculture for experimental or scientific purposes.

3. The regulated articles being moved are not accompanied by a certificate or limited permit but originated outside of any EAB quarantined area and are moved interstate through the quarantined area under the following conditions:

a. the points of origin and destination are indicated on a waybill accompanying the regulated article; and

b. the regulated article, if moved through the quarantined area, is moved in an enclosed vehicle or is completely covered to prevent access by the EAB; and

c. the regulated article is moved directly through the quarantined area without stopping (except for refueling or for traffic conditions, such as traffic lights or stop signs), or has been stored, packed, or handled at locations approved by an inspector as not posing a risk of infestation by emerald ash borer; and

d. the article has not been combined or commingled with other articles so as to lose its individual identity.

F. Persons or businesses engaged in growing, handling, or moving regulated articles intrastate may enter into a compliance agreement with LDAF if such persons or businesses review with an LDAF inspector each provision of the compliance agreement. Any person or business who enters into a compliance agreement with LDAF must agree to comply with the provisions of this Subpart and any conditions imposed under this Subpart.

1. Any compliance agreement may be canceled orally or in writing by an inspector whenever the inspector determines that the person who has entered into the compliance agreement has not complied with this subpart or any conditions imposed under this Subpart. If the cancellation is oral, the cancellation will become effective immediately, and the cancellation and the reasons for the cancellation will be confirmed in writing as soon as circumstances permit. Any person whose compliance agreement has been canceled may appeal the decision in writing to LDAF within 10 days after receiving the written cancellation notice. The appeal must state all of the facts and reasons that the person wants LDAF to consider in deciding the appeal. A hearing may be held to resolve a conflict as to any material fact. Rules of practice for the hearing will be adopted by LDAF. As soon as practicable, LDAF will grant or deny the appeal, in writing, stating the reasons for the decision.

G. Any person violating this quarantine shall be subject to imposition of the remedies and penalties set forth in R.S. 3:1653.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1652 and 3:1653.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 41:2577 (December 2015), amended LR 43:245 (February 2017), LR 44:

Mike Strain DVM
Commissioner

1803#008

DECLARATION OF EMERGENCY

Department of Health Bureau of Health Services Financing

Abortion Facilities—Licensing Standards
(LAC 48:I.4431)

The Department of Health, Bureau of Health Services Financing amends LAC 48:I.4431 in the Medical Assistance Program as authorized by R.S. 36:254 and R.S. 40:2175.1 et seq. This Emergency Rule is promulgated in accordance

with the provisions of the Administrative Procedure Act, R.S. 49:953(B)(1) et seq., and shall be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

The Department of Health and Hospitals, Bureau of Health Services Financing repealed and replaced the provisions governing the licensing standards for abortion facilities in order to incorporate the changes imposed by legislation, and further revise and clarify those provisions (*Louisiana Register*, Volume 41, Number 4).

Act 97 of the 2016 Regular Session of the Louisiana Legislature increased the time period required for certain pre-operative services. Act 563 of the 2016 Regular Session of the Louisiana Legislature provides that at least 72 hours before the abortion, the pregnant woman seeking an abortion shall be given a copy of certain printed information, including resources, programs and services for pregnant women who have a diagnosis of fetal genetic abnormality, and given printed information about resources, programs and services for infants and children born with disabilities, as well as other related matters. Act 593 of the 2016 Regular Session of the Louisiana Legislature provides for the disposal, by interment or cremation, of fetal remains and designates procedures for giving patients options for arrangements. The department promulgated an Emergency Rule which amended the provisions governing outpatient abortion clinics in order to comply with the provisions of Acts 97, 563 and 593 (*Louisiana Register*, Volume 42, Number 12).

This Emergency Rule is being promulgated in order to continue the provisions of the December 3, 2016 Emergency Rule. This action is being taken to protect the health and welfare of Louisiana citizens by assuring the health and safety of women seeking health care services at licensed abortion facilities.

Effective April 1, 2018, the Department of Health, Bureau of Health Services Financing amends the provisions governing the licensing standards for abortion facilities.

Title 48

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 44. Abortion Facilities

Subchapter C. Pre-operative, Intra-operative, and Post-Operative Procedures

§4431. Screening and Pre-Operative Services

A. - E.1. ...

2. Requirements

a. Except as provided in Subparagraph b below, at least 72 hours prior to the pregnant woman having any part of an abortion performed or induced, and prior to the administration of any anesthesia or medication in preparation for the abortion on the pregnant woman, the physician who is to perform the abortion or a qualified person who is the physician's agent shall comply with all of the following requirements:

i. perform an obstetric ultrasound on the pregnant woman, offer to simultaneously display the screen which depicts the active ultrasound images so that the pregnant woman may view them and make audible the fetal heartbeat, if present, in a quality consistent with current medical practice. Nothing in this Section shall be construed to

prevent the pregnant woman from not listening to the sounds detected by the fetal heart monitor, or from not viewing the images displayed on the ultrasound screen;

ii. provide a simultaneous and objectively accurate oral explanation of what the ultrasound is depicting, in a manner understandable to a layperson, which shall include the presence and location of the unborn child within the uterus and the number of unborn children depicted, the dimensions of the unborn child, and the presence of cardiac activity if present and viewable, along with the opportunity for the pregnant woman to ask questions;

iii. offer the pregnant woman the option of requesting an ultrasound photograph or print of her unborn child of a quality consistent with current standard medical practice that accurately portrays, to the extent feasible, the body of the unborn child including limbs, if present and viewable;

iv. from a form that shall be produced and made available by the department, staff will orally read the statement on the form to the pregnant woman in the ultrasound examination room prior to beginning the ultrasound examination, and obtain from the pregnant woman a copy of a completed, signed, and dated form; and

v. retain copies of the election form and certification prescribed above. The certification shall be placed in the medical file of the woman and shall be kept by the outpatient abortion facility for a period of not less than seven years. If the woman is a minor, the certification shall be placed in the medical file of the minor and kept for at least ten years from the time the minor reaches the age of majority. The woman's medical files shall be kept confidential as provided by law.

b. If the pregnant woman certifies in writing that she currently lives 150 miles or more from the nearest licensed outpatient abortion facility that is willing and able to perform the abortion at the particular woman's stage of pregnancy, then the physician who is to perform the abortion or a qualified person who is the physician's agent shall comply with all of the requirements of §4431.E.2.a at least 24 hours prior to the woman having any part of an abortion performed or induced.

c. - e. Repealed.

E.3. - G.1. ...

a. Except as provided in Subparagraph b below, at least 72 hours before the abortion the physician who is to perform the abortion or the referring physician shall provide informed consent to the pregnant woman seeking an abortion, pursuant to all laws, rules and regulations regarding informed consent. The informed consent shall be communicated both orally and in-person, and in writing, and shall be provided in a private room. Documentation of all such informed consent provided shall be maintained in the patient's medical record.

b. If the woman certifies in writing that she currently lives 150 miles or more from the nearest licensed outpatient abortion facility that is willing and able to perform the abortion at the particular woman's stage of pregnancy, then the physician who is to perform the abortion or the referring physician shall comply with all of the requirements of §4431.G.1 at least 24 hours prior to the abortion.

1.c. - 3. ...

a. Except as provided in Subparagraph b below, at least 72 hours before a scheduled abortion the physician who is to perform the abortion, the referring physician, or a qualified person shall inform the pregnant woman seeking an abortion, orally and in-person that:

i. - iv. ...

b. If the woman certifies in writing that she currently lives 150 miles or more from the nearest licensed outpatient abortion facility that is willing and able to perform the abortion at the particular woman's stage of pregnancy, then the physician who is to perform the abortion the referring physician, or a qualified person shall comply with all of the requirements of §4431.G.3 at least 24 hours prior to the abortion.

4. ...

a. At least 72 hours before the abortion, the pregnant woman seeking an abortion shall be given a copy of the printed materials, pursuant to any applicable state laws, rules, and regulations, by the physician who is to perform the abortion, the referring physician, or a qualified person. These printed materials shall include any printed materials necessary for a voluntary and informed consent, pursuant to R.S. 40:1061.17. However, if the pregnant woman certifies in writing that she currently lives 150 miles or more from the nearest licensed outpatient abortion facility that is willing and able to perform the abortion at the particular woman's stage of pregnancy, she shall be given a copy of the printed materials at least 24 hours prior to an elective abortion procedure by the physician who is to perform the abortion or a qualified person as defined in R.S. 40:1061.17(B)(4)(c).

i. - NOTE. Repealed.

b. At least 72 hours before the abortion, the pregnant woman or minor female considering an abortion shall be given a copy of the department's *Point of Rescue* pamphlet and any other materials described in R.S. 40:1061.16 by the physician who is to perform the abortion or a qualified person as defined in R.S. 40:1061.17(B)(4)(c), except in the case of medical emergency defined by applicable state laws. However, if the pregnant woman or minor female considering an abortion certifies in writing that she currently lives 150 miles or more from the nearest licensed outpatient abortion facility that is willing and able to perform the abortion at the particular woman's stage of pregnancy, she shall be given a copy of these printed materials at least 72 hours prior to an elective abortion procedure by the physician who is to perform the abortion or a qualified person as defined in R.S. 40:1061.17(B)(4)(c), except in the case of medical emergency defined by applicable state laws.

i. The physician or qualified person shall provide to the woman, or minor female seeking an abortion, such printed materials individually and in a private room for the purpose of ensuring that she has an adequate opportunity to ask questions and discuss her individual circumstances.

ii. The physician or qualified person shall obtain the signature of the woman or minor female seeking an abortion on a form certifying that the printed materials were given to the woman or minor female.

iii. In the case of a minor female considering an abortion, if a parent accompanies the minor female to the appointment, the physician or qualified person shall provide

to the parent copies of the same materials given to the female.

iv. The signed certification form shall be kept within the medical record of the woman or minor female for a period of at least seven years.

c. At least 72 hours before the abortion, the pregnant woman seeking an abortion shall be given a copy of a printed informational document including resources, programs and services for pregnant women who have a diagnosis of fetal genetic abnormality and resources, programs and services for infants and children born with disabilities. However, if the pregnant woman certifies in writing that she currently lives 150 miles or more from the nearest licensed outpatient abortion facility that is willing and able to perform the abortion at the particular woman's stage of pregnancy, she shall be given a copy of these printed materials at least 24 hours prior to an elective abortion procedure by the physician who is to perform the abortion or a qualified person as defined in R.S. 40:1061.17(B)(4)(c).

d. If the pregnant woman seeking an abortion is unable to read the materials, the materials shall be read to her. If the pregnant woman seeking an abortion asks questions concerning any of the information or materials, answers shall be provided to her in her own language.

NOTE: The provisions of this Section requiring a physician or qualified person to provide required printed materials to a woman considering an abortion shall become effective 30 days after the department publishes a notice of the availability of such materials.

5. ...

a. Prior to the abortion, the outpatient abortion facility shall ensure the pregnant woman seeking an abortion has certified, in writing on a form provided by the department that the information and materials required were provided at least 72 hours prior to the abortion, or at least 24 hours prior to the abortion in the case of a woman who has given prior certification in writing that she currently lives 150 miles or more from the nearest licensed outpatient abortion facility that is willing and able to perform the abortion at the particular woman's stage of pregnancy. This form shall be maintained in the woman's medical record.

b. ...

c. The pregnant woman seeking an abortion is not required to pay any amount for the abortion procedures until the 72-hour period has expired, or until expiration of the 24-hour period applicable in the case of a woman who has given prior certification in writing that she currently lives 150 miles or more from the nearest licensed outpatient abortion facility that is willing and able to perform the abortion at the particular woman's stage of pregnancy.

6. - 7.b. ...

8. Disposition of Fetal Remains

a. Each physician who performs or induces an abortion which does not result in a live birth shall ensure that the remains of the fetus are disposed of by interment or cremation, in accordance with the provisions of R.S. 8:651 et seq., and the provisions of LAC 51:XXVI.102 of the *Sanitary Code*.

b. Prior to an abortion, the physician shall orally and in writing inform the pregnant woman seeking an abortion in the licensed abortion facility that the pregnant woman has the following options:

i. the option to make arrangements for the disposition and/or disposal of fetal remains by interment or cremation, in accordance with the provisions of R.S. 8:651 et seq.; or

ii. the option to have the outpatient abortion facility/physician make the arrangements for the disposition and/or disposal of fetal remains by interment or cremation, in accordance with the provisions of R.S. 8:651 et seq.

c. The pregnant woman shall sign a consent form attesting that she has been informed of these options, and shall indicate on the form whether she wants to make arrangements for the disposition of fetal remains or whether she wants the facility to make arrangements for the disposition and/or disposal of fetal remains.

d. the requirements of §4431.G.8 regarding dispositions of fetal remains, shall not apply to abortions induced by the administration of medications when the evacuation of any human remains occurs at a later time and not in the presence of the inducing physician or at the facility in which the physician administered the inducing medications.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2175.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:700 (April 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 44:

Interested persons may submit written comments to Cecile Castello, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821 or by email to MedicaidPolicy@la.gov. Ms. Castello is responsible for responding to inquiries regarding this Emergency Rule. A copy of this Emergency Rule is available for review by interested parties at parish Medicaid offices.

Rebekah E. Gee MD, MPH
Secretary

1803#039

DECLARATION OF EMERGENCY

Department of Public Safety and Corrections Office of State Fire Marshal

Amusement Attraction and Ride Safety (LAC 55:V.Chapter 25)

In accordance with the provisions of R.S. 40:1484.2(B) et seq., relative to the authority of the Office of State Fire Marshal regarding the regulation of inflatable amusement devices, amusement attraction, and amusement rides, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Office of State Fire Marshal finds that an imminent peril to the public safety and welfare, requires adoption of a Rule upon shorter notice than that provided in R.S. 49:953(A), as provided in R.S. 49:953(B)(1)(a), as rule is in response to the newly enacted Act No. 462, Regulation of Amusement Attractions and Rides, 2016 Regular Session, that provides the guidelines for maintaining the inflatable amusement devices, amusement attractions, and amusement rides for operational and safety purposes; provides the procedures for reporting death and injury; provides the inspection process to ensure the devices,

attractions, and rides are operating safely and properly; provides for the set-up inspection process that ensures that the device, attraction, or ride is set-up safely in a particular location; provides for the notification to the OSFM in the event the ride or attraction is significantly modified; etc., it is necessary to adopt this Emergency Rule in place until the corresponding permanent rules can be adopted. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(B)(1) et seq., and is adopted on the date signed by the undersecretary for the department, and shall take effect February 22, 2018, and be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

Title 55

PUBLIC SAFETY

Part V. Fire Protection

Chapter 25. Amusement Attractions and Rides

§2501. Purpose

A. The purpose of these rules is to regulate the activity of firms, employees of firms, and individuals who own, operate, set-up, and/or inspect inflatable amusement devices, amusement attractions, or amusement rides in the interest of protecting and preserving human lives pursuant to the authority of R.S. 40:1484.1 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2503. Administration

A. The Office of State Fire Marshal, which administers the provisions of R.S. 40:1484.1 et seq., relating to the amusement rides safety law, is located at 8181 Independence Blvd., Baton Rouge, LA 70806.

B. The following nationally-recognized standards are to be used in the formulation and enforcing of these rules and regulations. Should there arise a conflict between these standards and R.S. 40:1484.1 et seq., or the rules and regulations, the provisions of R.S. 40:1484.1 et seq., and/or these rules shall apply:

1. ASTM F2374-10, Standard Practice for Design, Manufacture, Operation, and Maintenance of Inflatable Amusement Devices (approved February 1, 2010; published March 2010);

2. ASTM F1159-15b, Standard Practice for Design of Amusement Rides and Devices that are Outside the Purview of Other F24 Design Standards (approved November 1, 2015; published November 2015);

3. ASTM F1193-16, Standard Practice for Quality, Manufacture, and Construction of Amusement Rides and Devices (approved February 15, 2016; published March 2016);

4. ASTM F2959-16, Standard Practice for Aerial Adventure Courses (approved May 1, 2016; published May 2016);

5. ASTM F2970-15, Standard Practice for Design, Manufacture, Installation, Operation, Maintenance, Inspection and Major Modification of Trampoline Courts (approved February 15, 2015; published April 2015);

6. ASTM F2291-15, Standard Practice for Design of Amusement Rides and Devices (approved August 1, 2015; published October 2015);

7. ASTM F2375-09, Standard Practice for Design, Manufacture, Installation and Testing of Climbing Nets and Netting/Mesh used in Amusement Rides, Devices, Play Areas and Attractions (approved March 1, 2009; published April 2009);

8. ASTM F2974-15, Standard Guide for Auditing Amusement Rides and Devices (edition approved September 1, 2015; published December 2015);

9. ASTM F3099-14, Standard Practices for Parasailing (edition approved September 1, 2014; published September 2014);

10. ASTM F770-15, Standard Practice for Ownership, Operation, Maintenance, and Inspection of Amusement Rides and Devices (edition approved May 1, 2015; published May 2015);

11. ASTM F2007-12, Standard Practice for Design, Manufacture, and Operation of Concession Go-Karts and Facilities (approved March 1, 2012; published March 2012);

12. ASTM F2460-11, Standard Practice for Special Requirements for Bumper Boats (edition approved March 1, 2011; published April 2011);

13. ASTM F2960-16, Standard Practice for Permanent Amusement Railway Ride Tracks and Related Devices (edition approved November 1, 2016; published November 2016);

14. ASTM F3054-15, Standard Practice for Operations of Amusement Railway Rides, Devices, and Facilities (edition approved December 1, 2015; published January 2016);

15. ASTM F747-15, Standard Terminology Relating to Amusement Rides and Devices (edition approved October 1, 2015; published November 2015);

16. ASTM F1957-99 (Reapproved 2011), Standard Test Method for Composite Foam Hardness-Durometer Hardness (edition approved January 15, 2011; published June 2011);

17. ASTM F2137-16, Standard Practice for Measuring the Dynamic Characteristics of Amusement Rides and Devices (edition approved October 15, 2016; published November 2016);

18. ASTM F2376-13, Standard Practice for Classification, Design, Manufacture, Construction, and Operation of Water Slide Systems (edition approved June 1, 2013; published May 2014);

19. ASTM F2461-09, Standard Practice for Manufacture, Construction, Operation, and Maintenance of Aquatic Play Equipment (edition approved March 15, 2009; published May 2009);

20. ASTM F1957-99 (Reapproved 2011), Standard Test Method for Composite Foam Hardness-Durometer Hardness (edition approved January 15, 2011; published June 2011);

21. NFPA 101 (2015 edition), *Life Safety Code*; and

22. NFPA 70 (2014 edition), *National Electrical Code*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2505. Applicability of Rules

A. These rules shall apply to all firms and persons engaged in the activity of owning, operating, setting up of, and/or inspecting inflatable amusement devices, amusement attractions, or amusement rides.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2507. Notices of Violations and Penalties; Cease and Desist Orders

A. Any notice required to be given by the state fire marshal or his designee to any firm, owner, or operator found to have violated the provisions of R.S. 40:1484.1 et seq., or these rules shall include any proposed penalty and may be provided in the following manner:

1. by personal service, to include hand delivery to the firm, owner, operator, employee, or individual;

2. by domiciliary service, to include hand delivery to a person of suitable age and discretion who resides with the owner, operator, employee, or individual;

3. when mailed, postage prepaid, to the subject person's residence or entity address as it appears in the records in the Office of State Fire Marshal;

4. by electronic transmission or electronic mail (email) if the electronic transmission or email is retrievable in a perceivable form and the Office of State Fire Marshal and the recipient have consented in writing to the use of such form of electronic transmission or email for purposes of notice or communication between the parties; or

5. on the seventh calendar day after it is mailed with correct postage to the most recent address of the firm, owner, operator, employee, or individual furnished in writing or electronically to the Office of State Fire Marshal.

B. It is the responsibility of the person or entity involved to ensure that the office has a correct email address or electronic notification information for the person or firm. It is the responsibility of the person or entity involved to ensure that the office has a correct address for the person or firm.

C. Any cease and desist order issued by the Office of State Fire Marshal in accordance to R.S. 40:1484.1 et seq., or these rules must be given in the following manners:

1. personal service; or

2. mail, certified return receipt.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2509. Definitions

A. As used in this Part, the following terms have the meanings specified in this Section, except where the context expressly indicates otherwise.

AIMS—the Amusement Industry Manufacturers and Suppliers association.

ANSI—the American National Standards Institute.

ASTM—the American Society of the International Association for Testing and Materials.

Certificate of Licensure—that document issued by the Office of State Fire Marshal to a firm or individuals authorizing it or him to engage in such activities as defined in R.S. 40:1484.1 et seq., and these rules.

Employee—a person who works for a “firm” as defined by R.S. 40:1484.1 et seq., in return for financial or other compensation.

a. For the purposes of the licensing requirements, contained in R.S. 40:1484.1 et seq., employees shall not include secretaries, drivers, accounting, or other administrative personnel.

b. For the purposes of licensing requirements, the firm owner or owners shall be considered an “employee” if he or she is or will be inspecting or operating an inflatable amusement device, amusement attraction, or amusement ride.

Endorsement—a category of license authorizing its holder to operate, and/or perform inspections of inflatable amusement devices, amusement attractions, or amusement rides.

Event Foreman—that employee at least 18 years of age or older designated by an inflatable amusement device, amusement attraction, or amusement ride operating firm, as the person responsible for amusement event operations. A foreman is not required to be licensed, but the employing firm shall provide to the Office of State Fire Marshal the name and contact information of at least one foreman for each event. The foreman shall also be knowledgeable as to the required notification procedures involving reportable accidents at an event.

Event Tag—a tag that is affixed to inflatable amusement devices, amusement attractions, or amusement rides designating the duration of an individual event. The color of the tag determines whether the ride is approved for use or identifies impairments.

Limited Third-Party Specialty Inspector Endorsement—that document issued by the Office of State Fire Marshal authorizing its holder to test and inspect only inflatable amusement devices.

Major Modification—any change in the structural or operational characteristics of the inflatable amusement device, amusement attraction, or amusement ride which may alter the safety or performance characteristics from that specified in the original design criteria of the manufacturer.

Material and/or Structural Testing—the nondestructive testing of inflatable amusement devices, amusement attractions, or amusement rides, conducted by licensed third-party inspectors at least annually for safety in accordance with ASTM-F-24 and other applicable standards, regulations, manuals, service bulletins, and notices. This differs from the set-up and functional status of inflatable amusement devices, amusement attractions, or amusement rides at an individual event.

Minor Modification—a change that does not affect the original manufacturer safety or performance characteristics or criteria of an inflatable amusement device, amusement attraction, or amusement ride. Examples of minor modifications are changes in signage or the thematic references of an inflatable amusement device, amusement attraction, or amusement ride.

NAARSO—the National Association of Amusement Ride Safety Officials.

NFPA—the National Fire Protection Association.

OSFM-IMS—the Office of State Fire Marshal information management system.

Office—the Office of State Fire Marshal.

Operator—a person who possesses the appropriate training or experience enabling an inflatable amusement device, amusement attraction, or amusement ride firm to obtain an operator firm license. An operator shall be a paid employee of the firm and shall be actively engaged in the direct supervision of operations of the licensed firm and its

employees. Every operating firm shall employ and license at least one operator.

Operator Endorsement—that document issued by the Office of State Fire Marshal authorizing its holder to manage, coordinate, or possess the duty to control the operation of the inflatable amusement devices, amusement attractions, or amusement rides at an event.

Reidentification—the creation by an operator or owner of a new name, number, or both of an inflatable amusement device, amusement attraction, or amusement ride that has been the subject of a major modification.

Reinspection—an inspection conducted by a licensed inspector subsequent to an initial inspection during which deficiencies were identified. The purpose of a reinspection is to ensure corrective measures have been taken that will result in bringing the inflatable amusement device, amusement attraction, or amusement ride into compliance with R.S. 40:1484.1 et seq., manufacturer specifications, and these rules.

Set-Up Inspector Endorsement—that document issued by the Office of State Fire Marshal authorizing its holder to conduct the set-up inspection prior to the opening of an amusement attraction or prior to the operation of an inflatable amusement device or amusement ride at each event in accordance with R.S. 40:1484.1 et seq., and these rules.

Third-Party Inspector Endorsement—that document issued by the Office of State Fire Marshal authorizing its holder to test and inspect inflatable amusement devices, amusement attractions, and amusement rides in accordance with R.S. 40:1484.1 et seq., and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2511. Registration of Inflatable Amusement Devices, Amusement Attractions, Amusement Rides; Registration Requirements

A. Required

1. Any owner of an inflatable amusement device, amusement attraction, or amusement ride shall register each of his inflatable amusement devices, amusement attractions, or amusement rides with the Office of State Fire Marshal in accordance with these rules prior to its use in this state.

B. Registration Requirements

1. To register the inflatable amusement device, amusement attraction, or amusement ride being used in this state, the owner shall electronically submit the following information utilizing the Office of State Fire Marshal information management system (OSFM-IMS) or in writing on the forms provided by the Office of State Fire Marshal and accompanied by the required fee as specified in R.S. 40:1484.18 et seq., and these rules:

a. a registration application;

b. a certificate of inspection dated no earlier than 60 days prior to the date of submission of a registration application; and

c. a copy of the general liability insurance policy in which all inflatable amusement devices, amusement attractions, and amusement rides being registered are listed on the submitted insurance declaration page.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2513. Certificate of Registration; Registration Plates; Placement; Annual Decals; Replacement Fees

A. Certificate of Registration

1. Upon approval of the firm or individual to be licensed by the Office of State Fire Marshal, a certificate of registration shall be issued to the owner of each inflatable amusement device, amusement attraction, or amusement ride registered. The certificate or a copy thereof shall be kept where it is accessible upon demand by the state fire marshal or his representative.

B. Registration Plates

1. Once an inflatable amusement device, amusement attraction, or amusement ride is registered, a registration plate shall be issued bearing a permanent registration number. The plate is to be permanently affixed to the amusement attraction or amusement ride in a conspicuous location.

2. To prevent damage to inflatable devices, owners and operators shall be allowed to temporarily affix the plate to or near the inflating mechanism or to a grommet at or near the inflating mechanism for the duration of each event where the device is in use. It shall be the responsibility of the owner and operator to ensure that the correct plate is affixed to the registered inflatable device.

C. Annual Decals

1. Annual Registration Renewal. After renewing the annual registration of an inflatable amusement device, amusement attraction, or amusement ride, a decal signifying the month and year of the annual renewal shall be issued by the Office of State Fire Marshal.

2. The registration decal shall be affixed to the front, bottom-right corner of the registration plate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2515. License Required; Firm Applicability; Individual Applicability; Types of Endorsement

A. Each firm engaged in the activity of operating, and/or inspecting inflatable amusement devices, amusement attractions, or amusement rides shall obtain a certificate of licensure from the Office of State Fire Marshal, as provided by R.S. 40:1481.1 et seq., and these rules prior to conducting any such activity in this state.

B. Firm License Applicability

1. The following shall apply to firms.

a. Changes of Ownership. The change of a firm's majority ownership invalidates the current license. To ensure continuance of the firm's ability to operate and/or inspect inflatable amusement devices, amusement attractions, or amusement rides in the state, an application for a new certificate shall be submitted to the Office of State Fire Marshal within 10 days after any change in ownership.

b. Change of Firm Officers. Any change in corporate officers of an incorporated firm or members and/or managers of a limited liability corporation or similar entities within the licensure period, must be reported in writing to the Office of State Fire Marshal within 10 days of the change.

c. Changes in Firm Address. The firm shall give written or electronic notification to the Office of State Fire Marshal of the physical location of their principal place of business. If, after notification, the location of their principal place of business changes, the firm shall notify the Office of State Fire Marshal within 10 days of the change.

d. Duplicates. A duplicate certificate of licensure must be obtained from the Office of State Fire Marshal to replace a lost or destroyed certificate. The firm must submit written or electronic notification of the loss or destruction within 10 days, accompanied by the required fee pursuant to R.S. 40:1484.1 et seq.

e. Revisions/Changes to License. The change of a firm's name, location, or mailing address or operating status requires a revision of the certificate of registration. Licenses requiring changes must be surrendered to the Office of State Fire Marshal within 10 days after the change requiring the revision. The firm must submit written or electronic notification of the change with the surrendered license, accompanied by the required fee specified in by R.S. 40:1484.1 et seq.

f. Non-Transferability. A certificate of licensure is not transferable from one firm to another.

h. Validity. A certificate of licensure is valid for one year from date of issue, and must be renewed annually.

C. Each person or employee engaged in the activity of operating and/or inspecting inflatable amusement devices, amusement attractions, or amusement rides shall obtain a license from the Office of State Fire Marshal, as provided by R.S. 40:1484.1 et seq., and these rules prior to conducting any such activity in this state. This does not apply to ride operators as defined in R.S. 40:1484.3.

D. Applications for individual licenses shall be deemed as an acknowledgement from the employer certifying the applicant's competency to perform inspections of inflatable amusement devices, amusement attractions, and amusement rides authorized by the endorsements applied for and that the individual is an employee who receives a W-2 or K-1 tax form from the firm.

E. Individual License Applicability

1. The following shall apply to individual persons.

a. Changes in Licensed Individual's Address. An individual licensed with the Office of State Fire Marshal to inspect inflatable amusement devices, amusement attractions, or amusement rides shall give written or electronic notification to the Office of State Fire Marshal of his home address. If, after notification, the location of their principal place of business changes, the individual responsible shall immediately notify the Office of State Fire Marshal of the change.

b. Pocket licenses issued by the Office of State Fire Marshal are for immediate identification purposes and shall be kept on the recipient's person at all times when conducting regulated activity. The pocket license need not be visibly displayed when working in areas where the license may be damaged or lost. The license must still be available for inspection upon request. The license shall bear the name of firm that employs the person.

c. Duplicate Licenses. A duplicate license must be obtained from the Office of State Fire Marshal to replace a lost or destroyed license. The license holder or his employer must submit written or electronic notification within 10 days

of the loss or destruction of a license, accompanied by the required fee as specified in R.S. 40:1484.18(H).

d. Revised Licenses. The change of a licensee's employer, home or mailing address, or employment status requires a revised license. Licenses requiring revision must be surrendered to the Office of State Fire Marshal within 10 days after the change. The license holder or his employer must submit written or electronic notification of the necessary change with the surrendered license, accompanied by the required fee as specified in R.S. 40:1484.18(H).

e. Non-Transferable. A license is not transferable from one person to another.

f. Validity. A license is valid for one year from date of issue, and must be renewed annually.

g. Transfer of Employer. When a currently licensed employee transfers to a new employer, a revised license shall be required indicating the new firm's information. Upon receipt of the revision application by the Office of State Fire Marshal, the individual may go to work for the new employer while waiting for the processing of the license. This go-to-work allowance shall not authorize the employee to engage in any activity for which he/she was not previously licensed to perform or for which the firm is not currently licensed to perform.

h. Age Limitations. For the purpose of licensing, no one under the age of 21 shall be eligible for a license.

F. Types of Endorsement

1. Each license shall be identified by endorsement, which indicates the authorized act or acts which may be performed by the licensee. The endorsements are as follows:

a. operator endorsement (firm; individual);

b. third-party inspector endorsement (firm; individual);

c. limited third-party specialty inspector endorsement (firm; individual);

d. set-up inspector endorsement (firm; individual).

G. Any firm and/or person described in this Section, which or who has not applied for and received a current and valid license, shall immediately cease and desist such activities. The Office of State Fire Marshal shall take all steps necessary to enforce an order to cease and desist.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2517. Application for Certificates of Licensure

A. Applications for a certificate of licensure for firms, employees of firms, and individuals who operate, and/or inspect inflatable amusement devices, amusement attractions, or amusement rides shall be submitted and processed electronically utilizing the Office of State Fire Marshal information management system (OSFM-IMS), or in writing on the forms provided by the State Fire Marshal and accompanied by the required fee as specified in these rules.

B. The application for certificates of licensure shall:

1. be executed by the sole proprietor, each partner of a partnership, member or manager, if a limited liability company, or by the authorized officer of the firm;

2. identify the type of license and endorsement applied for;

3. identify the physical and mailing address, if different, from the firm's operating location;

4. identify any and all names by which the firm may conduct activity regulated by R.S. 40:1484.1 et seq., and these rules. Only one trade or "doing business as" name shall be permitted per each certificate of licensure;

5. identify each principal, officer, and member of the firm;

6. identify the contact person and email address of such, as defined by these rules;

7. identify any and all past violations or pending administrative or legal action(s) against the firm in other state or local jurisdictions;

8. include a separate employee application for each person along with the requisite training and/or certification(s), as established by these rules and an originally signed and notarized affidavit detailing the training and/or certification(s), and digital photographs of each applicant's unobscured face/head;

9. be accompanied by:

a. an original certificate of insurance showing the minimum of \$1,000,000 coverage insuring the operator against liability for injury suffered by persons riding the amusement attraction or ride; or

b. a bond in a like amount, provided the aggregate liability of the surety under any such bond shall not exceed the face amount thereof;

c. an original certificate of insurance documenting that the firm has a current and valid worker's compensation insurance policy as required by state law.

C. Errors and Omissions Coverage. In compliance with R.S. 40:1484.16(5), the state fire marshal has suspended the requirement to obtain errors and omissions coverage by those firms and individuals who engage in the inspections of inflatable amusement devices, amusement attractions, or amusement rides.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2519. Fees—General Information

A. Every fee required in accordance with the provisions of R.S. 40:1484.18 et seq., and these rules, shall be paid in the following manners:

1. by firm check or certified funds made payable to the "Office of State Fire Marshal." Fees shall be paid at or mailed to the Office of State Fire Marshal, Attention Licensing Section, at 8181 Independence Blvd., Baton Rouge, LA 70806; or

2. by credit card when submitting an application(s) electronically using the Office of State Fire Marshal information management system (OSFM-IMS).

B. Late fees are required on all licenses which are not timely renewed as outlined in R.S. 40:1484.18 et seq.

C. A renewal application accompanied by the required renewal fee and deposited with the United States Postal Service is deemed to be timely filed, regardless of actual date of delivery, when its envelope bears a legible postmark date which is on or before the expiration date of the certificate or license being renewed.

D. Licenses which have been expired for more than 60 days will be suspended.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44: **§2521. Alteration of Certificates and Licenses**

A. Any alteration of a certificate of licensure or individual license renders it invalid and such alteration shall be the basis for administrative action in accordance with penalties set forth in R.S. 40:1484.1 et seq., and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2523. Event Tags; Required; Design and Color Significance; Impairment Notification Requirement and Procedure

A. Required

1. Every inflatable amusement device, amusement attraction, or amusement ride in operation in this state shall have an event tag placed thereon and after it has been inspected by a licensed set-up inspector.

2. Event tags shall be valid only for the dates of the event's duration and shall be removed at the end of each event. The dates of the event shall be clearly indicated and written in indelible ink, or with a permanent marker.

3. In the event of an annual inspection, the licensed third-party inspector shall only affix a red event (impairment) tag when the inflatable amusement device, amusement attraction, or amusement ride has been found to be not in compliance with all applicable adopted laws, rules, standards, and corresponding manufacturer's installation manuals, maintenance and service repair bulletins, or notices. The inspector shall detail on the reverse of the tag the deficiencies.

4. A red event tag shall have the same effect as a cease and desist order issued by the Office of State Fire Marshal.

B. Design and Color Significance

1. Event tags shall be constructed of a material able to withstand inclement weather or placed in a clear plastic sleeve that is able to withstand inclement weather.

2. The dimensions of the tag shall be 3 inches by 5 inches and shall contain the following information printed thereon:

a. "DO NOT REMOVE BY ORDER OF THE STATE FIRE MARSHAL" (all letters capitalized and in bold face type);

b. the operating firm's name, physical address, and telephone number;

c. the firm's Office of State Fire Marshal license number;

d. the printed name of the licensed inspector and his Office of State Fire Marshal license number;

e. the signature of the licensed inspector. Pre-printed or stamped signatures are not permitted;

f. the name of the inflatable amusement device, amusement attraction, and/or amusement ride and its serial number;

g. dates of the event during which the inflatable amusement device, amusement attraction, or amusement ride will be in operation or not in operation if not approved for use.

3. For inflatable amusement devices, amusement attractions, and amusement rides that are approved for operation by a licensed inspector, the event tags shall be green in color.

4. For inflatable amusement devices, amusement attractions, and amusement rides that are not approved for operation by a licensed inspector, the event tags shall be red in color. A red event tag shall have the same effect as a cease and desist order issued by the Office of State Fire Marshal.

5. Where only individual units of a ride, such as cars, seats, or other carriers are defective and not in compliance with R.S. 40:1484.1 et seq., and/or these rules, such units shall be taken out of service and clearly marked with a yellow impairment tag reading "Out of Service;" provided, however, such defects do not jeopardize the safety of the entire ride.

6. The tags shall be conspicuously placed on or as close to the operator controls of the amusement ride in a location that limits access to the tag by patrons. For inflatable devices, the tag shall be conspicuously placed at or near the inflating mechanism. For amusement attractions, the tag shall be conspicuously placed at or near the entrance to the attraction in a location that limits access to the tag by patrons.

C. Impairment Notification Requirement and Procedure

1. When a red event (impairment) tag is affixed to an inflatable amusement device, amusement attraction, or amusement ride, or to an individual unit of an inflatable amusement device, amusement attraction, or amusement ride after a set-up inspection has been conducted, the licensed inspector shall notify the Office of State Fire Marshal within two hours of affixation of the tag.

2. If, during an annual inspection, a licensed third-party inspector finds that the inflatable amusement device, amusement attraction, or amusement ride does not comply with all applicable adopted laws, rules, standards, and its corresponding manufacturer's installation manuals, maintenance and service bulletins, and notices, the licensed third-party inspector shall notify the Office of State Fire Marshal within two hours of his findings. The third-party inspector shall include in the notification a copy of his inspection report detailing his findings.

3. Notification of findings as listed in Paragraphs 1 and 2 of this Subsection shall be made by calling the Office of State Fire Marshal at 1-800-256-5452.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2525. Certificate of Inspection Form

A. Certificate of Inspection Form

1. A certificate of inspection form shall be provided by the Office of State Fire Marshal for use by licensed third-party and/or set-up inspectors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2527. Prohibited Acts

A. The following acts are prohibited and shall be considered grounds for administrative and/or legal action to be taken against firms, persons and/or employees committing such:

1. charging a customer for an inspection that was not performed;

2. misrepresenting oneself and/or one's firm to a patron, the Office of State Fire Marshal or designated representative, or other public official;

3. impersonating the state fire marshal, his designated representative, or any other public official;

4. operating, certifying, testing, or inspecting an inflatable amusement device, amusement attraction, or amusement ride without a valid license obtained from the Office of State Fire Marshal;

5. certifying, testing, or inspecting an inflatable amusement device, amusement attraction, or amusement ride contrary to applicable manufacturer standards and/or specifications, or NAARSO, ASTM, or other standards adopted by the Office of State Fire Marshal;

6. falsifying an application or any other document submitted to obtain a license, or other documentation requested by or submitted to the Office of State Fire Marshal;

7. falsifying tags; inspection reports; device, attraction, or ride reports; or other relative documents;

8. operating an inflatable amusement device, amusement attraction, and/or amusement ride without it first being inspected and approved for use by a licensed inspector;

9. operating an inflatable amusement device, amusement attraction, and/or amusement ride prior to or without a set-up inspection being conducted by a licensed inspector;

10. operating an inflatable amusement device, amusement attraction, and/or amusement ride without it being registered with the Office of State Fire Marshal;

11. operating an inflatable amusement device, amusement attraction, and/or amusement ride with an expired license;

12. failing to notify the Office of State Fire Marshal of any changes that affect licensure;

13. failure to notify the Office of State Fire Marshal of an inflatable amusement device, amusement attraction, or amusement ride accident, or an accident resulting in an injury or fatality;

14. failing to abide by the tagging requirements of the Office of State Fire Marshal;

15. engaging in false, misleading, or deceptive practices;

16. aiding and abetting an unlicensed firm or individual in the operation, certifying, testing, or inspecting of an inflatable amusement device, amusement attraction, or amusement ride;

17. failure to adhere to all applicable laws and rules governing the owning, licensing, registering, inspection, and operation of inflatable amusement devices, amusement attractions, or amusement rides;

18. working an employee without the appropriate license endorsement; and

19. working without the proper license endorsement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2529. Enforcement; Investigations

A. The state fire marshal or his designated representative shall make, or cause to be made, from time to time, inspections of a firm's physical locations or operational sites to verify required certificates, employee lists, employee licenses, business records and insurances, equipment, tools, compliance with applicable NFPA codes, standards, and manufacturer's manuals, and as circumstances dictate, to determine that firms and their employees are engaging in activity in accordance with the requirements of R.S. 40:1484.1 et seq., and these rules.

B. The state fire marshal shall investigate all complaints of alleged violations of R.S. 40:1484.1 et seq., and these rules. Complaints of alleged violations shall be made in writing to the Office of State Fire Marshal. The office shall make available a complaint form to be used as needed. Penalties shall be administered to those firms and/or employees found to have violated these laws and/or rules. Proposed administrative penalty letters shall act as official notification of alleged violations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2531. Administrative Actions; Enhanced Fine Amounts; Fine Schedule

A. The Office of State Fire Marshal may refuse the issuance or renewal of, suspend, or revoke a license and impose administrative penalties, if, after notice, as required by the Administrative Procedures Act, it is found that a person, licensed firm, or licensee, or an applicant for licensure, failed to comply with the provisions of R.S. 40:1484.1 et seq., or these rules. The state fire marshal may consider violations in other states or failing to pay outstanding fine amounts as grounds for refusing the issuance of or the renewing of a license. Additionally, where it is brought to the attention of the Office of State Fire Marshal, violations in other states or failing to pay outstanding fine amounts may result in the suspension of or revocation of a license.

B. In the event that a firm or individual is found to be in violation of R.S. 40:1484.1 et seq., and these rules, the Office of State Fire Marshal reserves the right to assess enhanced administrative fines for repeated substantiated violations over a period of the preceding 36 months.

C. The following fine schedule shall be used to assess fines to persons, firms, and/or employees who violate the laws and rules governing the amusement industry. Penalties will be imposed to persons, firms and/or employees based on the classification of offense. Other administrative penalty(ies) may also be imposed.

Violation		Fine Amount		
		1st Offense	2nd Offense	3rd Offense
(1)	Failure to register an inflatable amusement device, amusement attraction, or amusement ride.	\$100.00	\$200.00	\$300.00
(2)	Operation of inflatable amusement device, amusement attraction, or amusement ride without a certificate of inspection issued by a licensed third-party inspector.	\$250.00	\$500.00	\$750.00
(3)	Notifying the Office of State Fire Marshal of the intent to operate an amusement attraction, or amusement ride less than five days of the operation of the attraction or ride.	250.00 (Per device)	500.00 (Per device)	1,500.00 (Per device)
(4)	Failure to immediately notify the Office of State Fire Marshal of any change in schedule of location or date that occurs less than five days prior to the commencement of operation of the attraction or ride.	250.00 (Per device)	500.00 (Per device)	1,500.00 (Per device)
(5)	Failure to submit to the State Fire Marshal or his designee the set-up and annual reports and any other documentation relating to the set-up inspection or annual inspection of an amusement attraction, amusement ride, or amusement inflatable device during an Office of State Fire Marshal event inspection or audit.	WARNING	\$150.00 and 30 DAY DEVICE SUSPENSION	\$350.00 and 90 DAY DEVICE SUSPENSION
(6)	Denying access to the State Fire Marshal or his designee to any premises in the state where an inflatable amusement device, amusement attraction, or amusement ride is being installed, built, repaired, or operated for the purpose of ascertaining whether such inflatable amusement device, amusement attraction, or amusement ride is being installed, built, repaired, or operated in accordance with the provisions of this Part and adopted standards, rules, regulations, and applicable manuals, service bulletins, and notices.	\$500.00	\$1000.00	\$2500.00
(7)	Notifying the Office of State Fire Marshal of the intent to operate an inflatable amusement device less than five days of the operation of the device.	200.00 (Per device)	400.00 (Per device)	1,200.00 (Per device)
(8)	Failure to immediately notify the Office of State Fire Marshal of any change in schedule of location or date that occurs less than five days prior to the commencement of operation of the inflatable amusement device.	200.00 (Per device)	400.00 (Per device)	1,200.00 (Per device)
(9)	Failure to submit to the State Fire Marshal or his designee the set-up report and any other documentation relating to the set-up inspection or an annual inspection of an inflatable amusement device during an Office of State Fire Marshal event inspection or audit.	WARNING	\$150.00 and 30 DAY DEVICE SUSPENSION	\$350.00 and 90 DAY DEVICE SUSPENSION
(10)	Denying access to the State Fire Marshal or his designee to any premises in the state where an inflatable amusement device is being installed, built, repaired, or operated for the purpose of ascertaining whether such inflatable amusement device is being installed, built, repaired, or operated in accordance with the provisions of this Part and adopted standards, rules, regulations, and applicable manuals, service bulletins, and notices.	\$500.00	\$1000.00	\$2500.00
(11)	Failure to conduct a set-up inspection of an inflatable amusement device, amusement attraction, or amusement ride prior to operating the device, attraction, or ride at each event in the state.	\$500.00 (Per device)	\$750.00 (Per device)	\$750.00 (Per device)
(12)	Failure to affix a green event tag on an inflatable amusement device, amusement attraction, or amusement ride that has been inspected and found to be in compliance pursuant to the findings of a set-up inspection and corresponding adopted rules and regulations.	\$50.00	\$100.00	\$200.00
(13)	Failure to notify the Office of State Fire Marshal within two hours after finding that an inflatable amusement device, amusement attraction, or amusement ride is not in compliance pursuant to the findings of a set-up inspection and corresponding adopted rules and regulations; or affixing an impairment tag on the device, attraction, or ride.	\$100.00	\$250.00	\$500.00
(14)	Failure to properly affix an impairment tag on an inflatable amusement device, amusement attraction, or amusement ride that is not in compliance pursuant to the findings of a set-up inspection and corresponding adopted rules and regulations.	\$100.00	\$250.00	\$500.00
(15)	Inspecting or testing of an inflatable amusement device, amusement attraction, or amusement ride by the owner or operator of the same.	\$500.00	\$750.00	\$1000.00
(16)	Failure to notify the Office of State Fire Marshal of a change in the business address of the firm within 10 days of the change.	WARNING	\$100.00	\$250.00
(17)	Failure to notify the Office of State Fire Marshal of a change in the ownership of or interest in the firm within 10 days of the change.	\$250.00	\$250.00	\$250.00
(18)	Failure to notify the Office of State Fire Marshal of a change in home address within 10 days of the change (Individual).	WARNING	\$25.00	\$50.00
(19)	Failure to notify the Office of State Fire Marshal of a separation from an employer or change in employer within 10 days of the change (Individual).	WARNING	\$25.00	\$50.00
(20)	Licensed individual contracting his services as an independent contractor or agent with any other firm, whether such firm is engaged in testing, inspection, or operation.	\$750.00	\$1000.00	\$1250.00
(21)	Engaging in the operation of an inflatable amusement device, amusement attraction, or amusement ride without a valid license issued by the Office of State Fire Marshal (Operator).	\$1000.00	\$1250.00	\$1500.00
(22)	Aiding and abetting an unlicensed individual, employee, or firm in the testing, inspection, or operation of an inflatable amusement device, amusement attraction, or amusement ride (Operator).	\$500.00	\$750.00	\$1000.00
(23)	Operating an inflatable amusement device, amusement attraction, or amusement ride contrary to applicable codes, standards, or manufacturer's specifications without specific written authorization from the Office of State Fire Marshal (Operator).	\$500.00	\$750.00	\$1000.00
(24)	Submitting an application or any other document to the Office of State Fire Marshal when the person reasonably should have known the document contained false or misleading information (Operator).	\$500.00	\$750.00	\$1000.00
(25)	Engaging in false, misleading, or deceptive acts or practices (Operator).	\$500.00 (can include suspension or revocation of license)	\$750.00 (can include suspension or revocation of license)	\$1000.00 (can include suspension or revocation of license)
(26)	Failure to maintain a valid license (Operator).	\$500.00	\$1000.00	\$2500.00

Violation		Fine Amount		
		1st Offense	2nd Offense	3rd Offense
(27)	Failure to maintain valid insurance coverage as required (Operator).	\$500.00	\$750.00	\$1000.00
(28)	Refusal to admit the state fire marshal or his designated representative to any operating location or to cooperate in the purposes of such admittance (Operator).	\$500.00	\$750.00	\$1000.00
(29)	Failure to maintain his license on his person and present it for inspection (Operator).	WARNING	\$100.00	\$250.00
(30)	Refusal to cooperate with any lawful investigation by the Office of State Fire Marshal (Operator).	\$500.00 (can include suspension or revocation of license)	\$1000.00 (can include suspension or revocation of license)	\$2500.00 (can include suspension or revocation of license)
(31)	Failure to abide by the administrative rules (Operator).	\$500.00	\$750.00	\$1000.00
(32)	Engaging in the inspection or testing of an inflatable amusement device, amusement ride, or amusement attraction without a valid license issued by the Office of State Fire Marshal (Third-Party Inspector).	\$750.00	\$1000.00	\$1250.00
(33)	Aiding and abetting an unlicensed operator in the operation of an inflatable amusement device, amusement attraction, or amusement ride (Third-Party Inspector).	\$250.00	\$500.00	\$750.00
(34)	Aiding and abetting an unlicensed individual or firm in the inspection or testing of an inflatable amusement device, amusement ride, or amusement attraction (Third-Party Inspector).	\$250.00	\$500.00	\$750.00
(35)	Certifying, testing, or inspecting an inflatable amusement device, amusement attraction, or amusement ride contrary to the provisions of this Part and adopted standards, regulations, and applicable manuals, service bulletins, and notices (Third-Party Inspector).	\$1000.00	\$2500.00	\$3500.00
(36)	Submitting an application or any other document to the Office of State Fire Marshal when the third-party inspector reasonably should have known the document contained false or misleading information (Third-Party Inspector).	\$500.00	\$1000.00	\$2500.00
(37)	Engaging in false, misleading, or deceptive acts or practices (Third-Party Inspector).	\$1000.00 (can include suspension or revocation of license)	\$2500.00 (can include suspension or revocation of license)	\$5000.00 (can include suspension or revocation of license)
(38)	Failure to maintain valid license (Third-Party Inspector).	\$500.00	\$1000.00	\$2500.00
(39)	Failure to maintain valid insurance coverage as required (Third-Party Inspector).	\$500.00	\$1000.00	\$2500.00
(40)	Refusal to admit the state fire marshal or his designated representative to any operating location or to cooperate in the purposes of such admittance (Third-Party Inspector).	\$250.00	\$500.00	\$100.00
(41)	Failure to maintain his license on his person and present it for inspection (Third-Party Inspector).	WARNING	\$100.00	\$250.00
(42)	Refusal to cooperate with any lawful investigation by the Office of State Fire Marshal (Third-Party Inspector).	\$ (can include suspension or revocation of license)	\$ (can include suspension or revocation of license)	\$ (can include suspension or revocation of license)
(43)	Failure to abide by the administrative rules (Third-Party Inspector).	\$500.00	\$750.00	\$1000.00
(44)	Engaging in the set-up inspection of an inflatable amusement device, amusement ride, or amusement attraction without a valid license issued by the Office of State Fire Marshal (Set-Up Inspector).	\$500.00	\$750.00	\$1000.00
(45)	Aiding and abetting an unlicensed operator in the operation of an inflatable amusement device, amusement attraction, or amusement ride (Set-Up Inspector).	\$150.00	\$250.00	\$350.00
(46)	Certifying or inspecting an inflatable amusement device, amusement attraction, or amusement ride contrary to the provisions of this Part and adopted standards, regulations, and applicable manuals, service bulletins, and notices (Set-Up Inspector).	\$1000.00	\$2500.00	\$5000.00
(47)	Submitting an application or any other document to the Office of State Fire Marshal when the set-up inspector reasonably should have known the document contained false or misleading information (Set-Up Inspector).	\$500.00	\$1000.00	\$2500.00
(48)	Engaging in false, misleading, or deceptive acts or practices (Set-Up Inspector).	\$1000.00 (can include suspension or revocation of license)	\$2500.00 (can include suspension or revocation of license)	\$5000.00 (can include suspension or revocation of license)
(49)	Failure to maintain valid license (Set-Up Inspector).	\$250.00	\$500.00	\$750.00
(50)	Refusal to admit the state fire marshal or his designated representative to any operating location or to cooperate in the purposes of such admittance (Set-Up Inspector).	\$150.00	\$250.00	\$350.00
(51)	Failure to maintain his license on his person and present it for inspection (Set-Up Inspector).	WARNING	\$100.00	\$250.00
(52)	Refusal to cooperate with any lawful investigation by the Office of State Fire Marshal (Set-Up Inspector).	\$500.00 (can include suspension or revocation of license)	\$1000.00 (can include suspension or revocation of license)	\$2500.00 (can include suspension or revocation of license)
(53)	Altering a license, certificate, or other document received from the Office of State Fire Marshal.	\$1000.00 (can include suspension or revocation of license)	\$2500.00 (can include suspension or revocation of license)	\$5000.00 (can include suspension or revocation of license)
(54)	Failure to abide by the administrative rules (Set-Up Inspector).	\$500.00	\$750.00	\$1000.00
(55)	Violation of a cease and desist order by operating an inflatable amusement device, amusement attraction, or amusement ride that was the subject of a red tag affixation or the removal of a red tag by person(s) other than the state fire marshal or his designee.	\$1000.00	\$2500.00	\$5000.00

Violation		Fine Amount		
		1st Offense	2nd Offense	3rd Offense
(56)	Failure to notify the Office of State Fire Marshal after affixing a red event (impairment) tag on an inflatable amusement device, amusement attraction, or amusement ride.	\$500.00	\$1000.00	\$2500.00
(57)	Modification of the passenger restraints, cushioning, or containing devices of an inflatable amusement device, amusement attraction, or amusement ride without prior approval of the manufacturer and the Office of State Fire Marshal.	\$500.00	\$1000.00	\$2500.00
(58)	Failure to maintain an inflatable amusement device, amusement attraction, or amusement ride in accordance with the manufacturers' designs and recommendations.	\$500.00	\$1000.00	\$2500.00
(59)	Failure to immediately notify the Office of State Fire Marshal in the event of an inflatable amusement device, amusement attraction, or amusement ride accident that resulted in serious injury or death.	\$1000.00	\$2000.00	\$3000.00
(60)	Failure to notify the Office of State Fire Marshal in the event of an inflatable amusement device, amusement attraction, or amusement ride accident.	\$500.00	\$1000.00	\$2000.00
(61)	Altering a certificate of licensure or individual license.	\$100.00	\$250.00	\$500.00

D. The state fire marshal may deviate from this fine schedule where circumstances and/or evidence warrant a more stringent or more lenient penalty.

E. In lieu of fine payments, the state fire marshal may require remedial or additional training be obtained by those found in violation.

F. Those offenses not enumerated in this list shall receive penalties for violations of similar nature.

G. The Office of State Fire Marshal may also pursue injunctive relief for any of the above enumerated offenses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2533. Severability

A. If any provision of these rules or the application thereof to any firm, person, employee or circumstance is held invalid for any reason, the invalidity shall not affect the other provisions or any other application of these rules which can be given effect without the invalid provisions or application. To this end, all provisions of these rules are declared to be severable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2535. Third-Party Inspectors; Required Certification; Equivalent Certification; Licensed Engineers; Continuing Education Requirements

A. Required Certification

1. Applicants for third-party inspectors' licenses are required to meet the certification requirements pursuant to R.S. 40:1484.10 et seq., and these rules.

B. Equivalent Certification

1. The Office of State Fire Marshal establishes AIMS associate ride inspector certification, level 1 as an equivalent certification, which satisfies the requirements established in R.S. 40:1487.10 et seq.

C. Licensed Engineers

1. Education and Experience Requirements

a. Applicants shall provide documented evidence that the license field and experience in materials testing are relevant to the materials and structural components inherent in the inflatable amusement device, amusement attraction, and amusement ride industry.

D. Continuing Education Requirements

1. The Office of State Fire Marshal reserves the right to establish continuing education requirements for licensees in accordance with R.S. 40:1484.14 et seq., and these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2537. Limited Third-Party Specialty Inspector Endorsement

A. In order to conduct material and/or structural testing and perform inspections of inflatable amusement devices within this limited endorsement, a firm and individual must obtain a license from the Office of State Fire Marshal in accordance R.S. 40:1484.1 et seq., and these rules.

B. Required Certification

1. Applicants for limited third-party specialty inspector are required to have an NAARSO limited specialty certification.

C. Continuing Education Requirements

1. The Office of State Fire Marshal reserves the right to establish continuing education requirements for licensees in accordance with R.S. 40:1484.14 et seq., and these rules.

D. Insurance requirements:

1. to engage in the material and/or structural testing and inspection of inflatable amusement devices, firms and individuals are required to obtain a minimum of general liability insurance in the amount of \$300,000 coverage insuring the operator against liability for injury suffered by persons occupying, traversing, or otherwise utilizing inflatable amusement devices; or

2. a bond in a like amount; provided, the aggregate liability of the surety under any such bond shall not exceed the face amount thereof;

3. an original certificate of insurance documenting that the firm has a current and valid worker's compensation insurance policy as required by state law.

E. Errors and Omissions Coverage

1. Pursuant to R.S. 40:1484.16(5), the state fire marshal has suspended the requirement to obtain errors and omissions coverage by those firms and individuals who engage in the material and/or structural testing and inspection of amusement rides, amusement attractions, and inflatable amusement devices.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2539. Set-Up Inspectors; Minimum Qualification Requirements

A. In order to obtain a license from the Office of State Fire Marshal to conduct set-up inspections of inflatable amusement devices, amusement attractions, and amusement

rides, individuals are required to provide the following documented evidence of education or experience that is relevant to the amusement ride industry:

1. education requirements:

a. shall provide a certified transcript detailing specialized schooling or training (i.e. trade, vocational, armed forces, or business). The name and location of school and/or training courses including dates attended, subjects studied, numbers of classroom hours, certificate(s), and any other pertinent information demonstrating the qualifications of the individual to be licensed as a set-up inspector shall be included in the transcript; or

b. shall provide documentation that the individual holds a current level 1 certification by the National Association of Amusement Ride Safety Officials (NAARSO); or

c. shall provide documentation that the individual holds a current AIMS associate ride inspector, level 1 certification;

2. experience requirements:

a. two years of experience with an insurance company as an inspector of inflatable amusement devices, amusement attractions, and amusement rides;

b. two years of experience inspecting inflatable amusement devices, amusement attractions, and amusement rides and enforcing applicable codes while employed by a state or other governmental body regulating inflatable amusement devices, amusement attractions, and amusement rides;

c. possess a minimum of three years of experience in the design, repair, operation, or inspection of inflatable amusement devices, amusement attractions, and amusement rides; or

d. a minimum of five years documented field operation and maintenance experience in inflatable amusement devices, amusement attractions, and amusement rides, including responsibility for erection, assembly, and disassembly.

B. Basic requirements in addition to education or experience the candidate must attest to having:

1. shall be at least 21 years of age and provide date of birth;

2. shall possess a high school diploma or equivalent general education development (GED) diploma;

3. shall possess basic knowledge of ASTM requirements for amusement rides and devices; and

4. supplemental requirements of which the candidate will check the ones that apply:

a. possess knowledge of nondestructive testing methods and procedures;

b. possess knowledge of the requirements of the American Welding Society pertaining to the welding of parts;

c. possess basic knowledge of requirements of NFPA 70 (2014 edition), *National Electrical Code*, article 525, carnivals, circuses, fairs and similar events; and/or

d. possess basic principles of mechanical and structural engineering.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2541. Set-up Inspections; Individual Ride Units

A. At each event, prior to the operation of an inflatable amusement device, amusement attraction, or amusement ride, licensed set-up inspectors shall utilize the set-up inspection form provided by the Office of State Fire Marshal when conducting inspections. One form shall be completed by each licensed inspector listing the device(s) inspected. Inspection forms shall be maintained for a minimum period of 24 months and be available upon request.

B. Inspections shall include, but are not limited to, a review of necessary documents, observation of and/or examination of the inflatable amusement device, amusement attraction, or amusement ride.

C. Inspections of inflatable amusement devices, amusement attractions, and amusement rides shall include, at a minimum, the foundation, blocking, fuel containers, mechanical and electrical condition and visual operation of the inflatable amusement device, amusement attraction, and amusement ride.

D. Where only individual units of a ride, such as cars, seats, or other carriers are defective and not in compliance with R.S. 40:1484.1 et seq., and/or these rules, such units shall be taken out of service and clearly marked with a yellow event (impairment) tag, provided, however, such defects do not jeopardize the safety of the entire ride.

1. When a red event (impairment) tag is affixed to an individual unit(s) of a ride, the licensed inspector shall notify the Office of State Fire Marshal within two hours of affixation of the tag. Notification shall be made by calling the Office of State Fire Marshal emergency contact number, 1-866-946-1097.

E. The state fire marshal or his designee, upon presenting credentials to the owner and/or operator of the inflatable amusement device, amusement attraction, or amusement ride, is authorized without prior notice to inspect and investigate at reasonable times, and within reasonable limits and manner, any area where inflatable amusement devices, amusement rides or amusement attractions are assembled or are in use.

F. Inflatable amusement devices, amusement attractions, and amusement rides shall be operated in accordance with the manufacturer recommended restrictions and limitations, such as, but not limited to height, weight, age, or passenger placement. In the event the manufacturer has not provided such recommended restrictions, such restrictions and limitations must be established by the operator and shall be submitted to the Office of State Fire Marshal for approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2543. Prohibited Use

A. If the state fire marshal, his designee, or a licensed inspector finds that an inflatable amusement device, amusement attraction, or amusement ride, presents an imminent danger to life, of injury, or of mechanical/electrical failure, he will attach to such device, attraction, or ride a red event (impairment) tag/cease and desist order. The device, attraction, or ride shall not be used until it is made safe to the satisfaction of a licensed third-party inspector, the state fire marshal, or his designee, and the tag has been removed by the licensed third-party

inspector, the state fire marshal, or his designee and replaced with a green event tag with the requisite information thereon.

B. No person shall use or permit to be used, an inflatable amusement device, amusement attraction, or amusement ride which is not properly assembled or which is defective or unsafe in any of its parts, components, controls, or safety equipment.

C. During a lightning storm, a period of tornado alert or warning, or fire, or when violence, riot, or other civil disturbance occurs or threatens an inflatable amusement device, amusement attraction, or amusement ride, or in an area adjacent thereto, passengers shall be unloaded or evacuated from the device, attraction, or ride and the device, attraction, or ride shall be shut down and secured immediately. Operation shall not resume until the situation has returned to a normal, safe operating condition.

D. An inflatable amusement device, amusement attraction, or amusement ride which is exposed to wind or storm with lightning or wind gust above that recommended by the manufacturer, shall not be operated except to release or discharge occupants.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2545. Medical and First Aid

A. The owner and/or operator of an inflatable amusement device, amusement attraction, or amusement ride shall ensure the availability of medical aid. In the absence of an infirmary, clinic, or hospital used for the treatment of an injured person, within a 10-mile radius of the device, attraction, or ride, the owner and/or operator shall ensure that a person(s) shall be trained to render first aid. First aid supplies, recommended by the American Red Cross are obtainable from the local Red Cross office, shall be readily available.

1. The operator shall have conspicuously posted at the park, carnival, fair or festival office, the telephone numbers and locations for local physicians, hospitals, ambulance services, and fire departments to be called in the event of an emergency.

2. In the event of a reportable accident involving an inflatable amusement device, amusement attraction, or amusement ride incident resulting in serious injury, the operator or event foreman shall immediately notify the Office of State Fire Marshal by calling the Office of State Fire Marshal emergency contact number, 1-866-946-1097.

3. A *reportable accident* is defined as:

a. any fatality resulting from the victim's inclusion or participation on, or proximity to an inflatable amusement device, amusement attraction, or amusement ride;

b. bodily injuries resulting from the victim's proximity to the structural collapse or mechanical failure (e.g., flying parts, fragments, etc.) of an inflatable amusement device, amusement attraction, or amusement ride;

c. an injury resulting from the boarding or off-boarding from a stationary amusement attraction or ride; or

d. an injury resulting from the traversing of patrons utilizing stairs, ramps, etc., onto and from an inflatable amusement device, amusement attraction, or amusement ride.

4. After determination and consultation with the owner and/or operator, the Office of State Fire Marshal may require the scene of such incident to be secured and not disturbed to any greater extent than necessary for the removal of the deceased or injured person or persons. If the ride is removed from service by the state fire marshal or his designee, an immediate investigation shall be completed and the ride shall not be released for repair and operation until after a complete investigation has been made by the Office of State Fire Marshal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2547. Operation of Amusement Rides or Attractions

A. The ride operator shall be at least 18 years of age.

B. A ride operator may, however, be between the ages of 15 and 17 only if the subject ride's manual allows a person of that age to perform operations and only if documents are presented to the Office of State Fire Marshal evidencing that the person has received training as to the operation of that ride.

C. The operator of an inflatable amusement device, amusement attraction, or amusement ride shall operate the inflatable amusement device, amusement attraction, or amusement ride in compliance with adopted, applicable standards and these rules, or the equivalence thereof as submitted to and approved by the Office of State Fire Marshal.

D. The operator shall refuse a passenger seeking admission to an inflatable amusement device, amusement attraction, or amusement ride if the passenger cannot meet a guardian or height restriction if the ride is subject to such a restriction. Legible signs to this effect shall be posted in full view of the public seeking admission to inflatable amusement devices, amusement attractions, or amusement rides.

E. The operator of an inflatable amusement device, amusement attraction, or amusement ride shall deny entry to any person, if in the opinion of the operator, the entry may cause above normal exposure to risk of discomfort or injury to the person who desires to enter, or if in the opinion of the operator, the entry may jeopardize the safety of other patrons or employees.

F. All parts of inflatable amusement devices, amusement attractions, or amusement rides, and temporary structures used by passengers or customers shall be maintained in a clean condition.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2549. Maintenance and Inspection Records

A. The operator shall retain, for a period of 24 calendar months, maintenance and inspection records for each

inflatable amusement device, amusement attraction, and amusement ride.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2551. Notification Requirement Regarding Modification of Inflatable Amusement Devices, Amusement Attractions, Amusement Rides; Reidentification

A. If an inflatable amusement device, amusement attraction, or amusement ride is subjected to a minor modification, the owner or operator shall notify the Office of State Fire Marshal prior to the operation of the inflatable amusement device, amusement attraction, or amusement ride and submit an application for a revision of the device, attraction, or ride.

B. In the event of a major modification of an inflatable amusement device, amusement attraction, or amusement ride, the owner or operator shall notify the Office of State Fire Marshal and submit the appropriate registration application in which the owner shall reidentify the inflatable amusement device, amusement attraction, or amusement ride by a different name or identification number, or both. In addition, the owner shall submit for approval documentation equivalent to that required in ASTM Standard F1159-15b, detailing the modification(s). The inflatable amusement device, amusement attraction, or amusement ride shall also be subject to all other provisions of all applicable rules, regulations and statutes as if it were a new ride not previously used.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2553. Assembly and Disassembly

A. The operator of an inflatable amusement device, amusement attraction, or amusement ride shall comply with the construction manual or the equivalency thereof as determined by the Office of State Fire Marshal, for the assembly and disassembly of the inflatable amusement device, amusement attraction, or amusement ride. The construction manual or the equivalency thereof as determined by the Office of State Fire Marshal, shall be kept with the inflatable amusement device, amusement attraction, or amusement ride and shall be available by request of a licensed inspector, the state fire marshal, or his designee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2555. Brakes and Stops

A. On an amusement attraction or amusement ride where coasting renders the operation dangerous, either during the period while the ride or attraction is being loaded or unloaded, or in the case of power failure or other unforeseeable situation a method of braking shall be provided.

B. If cars or other components of an amusement attraction or amusement ride may collide in such a way as to cause injuries upon failure of normal controls, emergency brakes sufficient to prevent these collisions shall be provided in accordance with the manufacturer's design, or the

equivalency thereof as determined by the Office of State Fire Marshal.

C. On amusement attractions or amusement rides that make use of inclined tracks, automatic anti-rollback devices shall be installed to prevent backward movement of the passenger carrying units in case of failure of the propelling mechanism.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2557. Internal Combustion Engines

A. Internal combustion engines for amusement attractions or amusement rides shall be capable of handling the assigned load.

B. Where fuel tanks of internal combustion engines for amusement rides are not of adequate capacity to permit uninterrupted operation during normal operating hours, the amusement ride shall be closed down and unloaded or evacuated during the refueling procedure. The fuel supply shall not be replenished while the engine is running.

C. Where an internal combustion engine for an amusement attraction or amusement ride is operated in an enclosed area, the exhaust fumes shall be discharged to outside the enclosed area, as required by NFPA 70 (2014 edition), *National Electrical Code*.

D. Internal combustion engines for amusement attractions or amusement rides shall be located to permit proper maintenance and shall be protected by guards, fencing or enclosure in accordance with NFPA 70 (2014 edition), *National Electrical Code*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2559. Wire Rope

A. Wire rope on amusement attractions or amusement rides shall be thoroughly examined weekly. Wire rope found to be damaged shall be replaced with new rope of proper design and capacity as per the manufacturer's data tag or as approved by the Office of State Fire Marshal. Any of the following conditions shall be cause for rope replacement:

1. in running ropes, six randomly distributed broken wires in one rope lay or three broken wires in one strand of one rope lay;
2. in pendants or standing ropes, evidence of more than one rope lay or three broken wires in one strand of one rope lay;
3. abrasion, scrubbing or peening causing loss of more than 1/3 of the original diameter of the outside diameter of the outside individual wires;
4. corrosion;
5. kinking, crushing, birdcaging, or other damage resulting in distortion of the rope structure;
6. heat damage;
7. reduction from normal diameter of more than 3/64 inch for diameters up to and including 3/4 inch, 1/16 inch for diameters 7/8 inch to 1 1/8 inches, 3/32 inch for diameters 1-1/4 inch to 1 1/2 inches;
8. birdcaging or other distortion resulting in some members of the rope structure carrying more load than others; or

9. noticeable rusting or development of broken wires in the vicinity of attachments. When this condition is localized in an operational rope, it may be eliminated by making a new attachment.

B. Wire ropes used to support, suspend, bear or control forces and weights involved in the movement and utilization of tubs, cars, chairs, seats, gondolas, other carriers, the sweeps, or other supporting members of an amusement ride or attraction shall not be lengthened or repaired by splicing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2561. Hydraulic Systems

A. Hydraulic systems and other related equipment used in connection with amusement attractions or amusement rides shall be free of leaks and maintained to ensure safe operation at all times.

B. An amusement attraction or amusement ride which depends upon hydraulic pressure to maintain safe operation shall be provided with a positive means of preventing loss in hydraulic pressure that could result in injury to passengers.

C. Hydraulic lines shall be guarded so that sudden leaks or breakage will not endanger the passengers or the public.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2563. Protection against Moving Parts

A. The interior and exterior parts of all amusement attractions or amusement rides with which a passenger may come in contact shall be smooth and rounded, free from sharp, rough or splintered edges and corners, with no protruding studs, bolts, screws, or other projections which might cause injury.

B. Interior parts of passenger carrying apparatus upon which a passenger may be forcibly thrown by the action of the ride or attraction shall be adequately padded.

C. Amusement attractions or amusement rides which are self-powered and which are operated by a passenger shall have the driving mechanism guarded and the guard secured in place as to prevent passengers from gaining access to the driving mechanism.

D. Handholds, bars, footrests, and other equipment, as may be necessary for safe entrance and exit to and from amusement attractions or amusement rides, shall be provided and maintained in a safe condition. Such equipment shall be of sufficient strength to support the passengers.

E. Restraining, containing, or cushioning devices, or a combination of these, shall comply with this Subsection and be provided and used on all amusement attractions or amusement rides where:

1. centrifugal and other forces mechanical malfunction could unseat or dislodge a passenger;

2. inadvertent movement of a passenger could cause injury to the passenger or any other passenger; or

3. the speed of the ride presents a hazard to a passenger.

F. Restraining, containing or cushioning devices shall be designed, constructed, installed and maintained so as to provide safe support for passengers.

G. Anchorage for the restraining, containing, or cushioning devices shall have a strength at least equal to the strength of such devices.

H. All passenger restraints, cushioning, or containing devices shall be provided and maintained in accordance with the manufacturers' designs and recommendations and shall not be modified without the approval of the manufacturer and the Office of State Fire Marshal.

I. All exposed mechanical parts shall have guards installed to prevent possible personal contact while in operation. Any means of safeguarding, which may cause injury, shall not be used.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2565. Electrical Equipment

A. The *National Electrical Code*, NFPA 70 (2014 edition), shall be considered as the standard for application in the enforcement of the provisions of R.S. 40:1484.1 et seq. This document may be purchased from the:

National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169-7471

B. All electrical wiring and equipment used for amusement rides or attractions or for lighting shall be installed and maintained in accordance with the *National Electrical Code*, NFPA 70 (2014 edition).

1. The outlets of electrical power lines carrying more than 120 volts shall be clearly marked to show their voltage.

2. All electrical transformer substations shall be properly enclosed and proper warning signs shall be posted.

3. Electrical wiring and equipment located outdoors shall be of such quality and construction or protection that exposure to weather will not interfere with its normal operation.

4. Elevated power lines crossing access or other roads within the proximity of an amusement ride or attraction shall be so suspended as to provide a vertical clearance of at least 15 feet from the road surface or 3 above any vehicle used within the grounds of a carnival or amusement park, whichever is greater. A horizontal clearance of at least three feet shall be provided on each side of the normal passage space of vehicles.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2567. Temporary Wiring

A. If temporary wiring is used it shall be in compliance with the applicable section of the *National Electrical Code*, NFPA 70 (2014 edition).

B. Temporary electrical power and lighting installations shall be permitted during the period of construction and remodeling of buildings, structures, equipment or similar activities.

C. Temporary electrical power and lighting installations shall be permitted for a period not to exceed 90 days.

D. All lamps for general illumination shall be protected from accidental contact or breakage. Protection shall be provided by elevation of at least 7 feet from normal working surface or by a suitable fixture or lamp holder with a guard.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44: **§2569. Grounding**

A. All grounding shall comply with article 525 of the *National Electrical Code*, NFPA 70 (2014 edition).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44: **§2571. Construction**

A. All amusement attractions or amusement rides shall meet the requirements of the ASTM Standard for the Design and Manufacture of Amusement *Rides and Devices* and the NFPA 101 *Life Safety Code* (2015 edition).

B. Water ride data plates shall contain a location number of the ride or flume and the maximum dispatch time interval.

C. The ride operator shall maintain all of the information as required by ASTM F770-15, Standard Practice for Ownership, Operation, Maintenance, and Inspection of Amusement Rides and Devices, and make it available to the state fire marshal, or his designee, upon request. If this information is not available, it shall be developed by the owner/operator and submitted to the Office of State Fire Marshal for approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44: **§2573. Means of Access and Egress**

A. Safe and adequate means of access and egress from amusement attractions or amusement rides shall be provided as required by the NFPA *Life Safety Code* 101 (2015 edition), and the ASTM Standard F1159-15b, Standard Practice for Design of Amusement Rides and Devices that are Outside the Purview of Other F24 Design Standards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44: **§2575. Walkways and Ramps**

A. Walkways and ramps shall be erected with a slope not greater than 1 in 10 except that when nonslip surfaces are provided, the grade may be increased to a maximum of 1 in 8.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44: **§2577. Fire Prevention**

A. All buildings over one story in height shall be constructed or protected in accordance with NFPA 101 (2015 edition), chapter 8.

B. All buildings located within 20 feet of lot lines or other buildings on the same lot, shall be of protected noncombustible or protected masonry enclosed construction or better.

C. Fabrics constituting part of an amusement ride or attraction shall be flame resistant to meet the provisions of NFPA 101 (2015 edition), chapter 8.

D. Approved fire extinguishers in accordance with NFPA 10 (2013 edition) and certified by a Louisiana contractor licensed through the Office of State Fire Marshal to inspect

and service portable fire extinguishers, shall be provided at the following locations to secure reasonable and adequate protection from fire hazards:

1. at or near all operating gasoline or diesel engines;
2. at or near all amusement attraction or amusement ride stands, excluding water flumes; and
3. at each food handling booth where cooking is done.

E. Flammable waste such as oily rags and other flammable materials shall be placed in covered metal containers which shall be kept in easily accessible locations. Such containers shall not be kept at or near exits.

F. Gasoline and other flammable liquids and flammable gases when stored shall be kept in reasonably cool and ventilated places. Such liquids shall be in containers as prescribed by NFPA 30 (2015 edition), chapter 4. Smoking and the carrying of lighted cigars, cigarettes, or pipes is prohibited within 50 feet of any area where such liquids or gases are stored, or are transferred from one container to another. Signage shall be posted stating "No Smoking".

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44: **§2579. Water Flumes, Structural Design**

A. Structural Design. The flumes' structural design and materials shall be in accordance with ASTM Standard F1159-15b, Standard Practice for Design of Amusement Rides and Devices that are Outside the Purview of Other F24 Design Standards. The flumes and pools shall be watertight and their surfaces shall be smooth and easy to clean.

B. All stairways used as part of an amusement attraction or amusement ride shall be constructed to meet the requirements of NFPA 101 (2015 edition).

C. Visitor and Spectator Areas. The space used by visitors and spectators shall be distinctly and absolutely separated from those spaces used by sliders. Visitors and spectators in street clothes may be allowed within the perimeter enclosure if they are confined to an area separated from the space the sliders use.

D. Typical posted user safety warnings for slide operational use:

- i. no running, standing, kneeling, rotating, tumbling, or stopping in flumes or tunnels;
- ii. no diving from flume at any time;
- iii. never use this slide when under the influence of alcohol or drugs;
- iv. only one person at a time. Obey instructions of top pool supervisor and lifeguard at all times;
- v. never form chains unless authorized by slide manager or by posted instructions;
- vi. keep hands inside the flume;
- vii. leave the landing pool promptly after exiting from slide; and
- viii. keep all glasses, bottles and food away from pools.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44: **§2581. Pumps**

A. Pumps and motors shall be provided to circulate the water in the splash pool and slide.

B. Pump units shall be accessible for inspection and service in accordance with NFPA 70 (2014 edition).

C. All motors shall have thermal overload protection in accordance with NFPA 70 (2014 edition).

D. The motor frame shall be properly grounded, in accordance with NFPA 70 (2014 edition).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2583. Water Quality

A. Water quality shall be maintained to meet the requirements established by the Louisiana Department of Health.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2585. Electrical Safety and Lighting

A. The 2011 edition of the *National Electrical Code*, as published by the National Fire Protection Association, shall be used for the wiring and grounding of all electrical equipment associated with a flume and for the grounding of all metallic appurtenances.

B. Whenever flumes are operated after dark, artificial lighting shall be provided in upper and lower pool and deck areas, walkways, stairways, and flumes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2587. Operation, Water Flumes

A. The manufacturer or the general contractor of the flume shall provide the operator with a detailed written operational manual, or guide, for all phases of operations and normal maintenance of each component of the system as per ASTM Standard F770-15, Standard Practice for Ownership, Operation, Maintenance, and Inspection of Amusement Rides and Devices.

B. The guide shall be kept in a secure area and made available to each employee or inspector as needed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2589. Responsibility of Flume Operators

A. Flume operators shall meet the requirements of ASTM Standard F770-15, Standard Practice for Ownership, Operation, Maintenance, and Inspection of Amusement Rides and Devices.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2591. Fixed Operation Location Emergency

Procedures

A. For fixed operation locations, a written plan for emergencies shall be carefully devised, kept current, and a copy of which shall be readily available upon demand. All employees shall be trained and drilled periodically in the execution of the plan.

B. The emergency plan shall encompass crowd control and safe evacuation, drownings, electrical shock, heat prostration, fractures, poisonings, cuts and burns, neck and back or spinal injuries, and exposure to chlorine gas.

C. All water flume locations shall have posted by the phones a list of current emergency numbers, to include the nearest available ambulance service, hospital, rescue squad, police assistant secretaries, and fire department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

§2593. Go-Kart Rules and Regulations

A. Kart Design

1. The speed of each kart shall be limited or governed to not exceed the following: The maximum adult track speed shall not exceed 25 mph and kiddie track speed shall not exceed 10 mph. Speeds other than defined will require approval from the Office of State Fire Marshal.

2. Whenever the design of a kart enables the readjustment of the governing speed, the means of adjustment shall not be accessible to the patron of the kart.

3. The seat, backrest, seat belts, and leg area of every kart shall be designed to retain the patron inside the kart in the event of a collision or overturn.

4. Karts shall be fitted with a shoulder harness and/or belt restraint system as required by the kart manufacturer and acceptable to the Office of State Fire Marshal.

5. Karts shall be provided with sufficient guards to prevent anyone from coming in contact with the drive chains, belts, hot mufflers, engines or rotating parts.

6. Karts shall have bumpers, wheels, and body parts that are comparable to that installed by the original manufacturer.

7. Kart wheels shall be enclosed, guarded, or operated so the wheels of a kart cannot interlock with or ride over the wheels of another kart.

8. The kart steering wheel, hub, and all exposed components shall be padded or helmets and face shields worn to minimize the risk of injury to any patron in the event of a collision or overturn.

9. The kart fuel tank shall be designed and mounted to prevent it from damage or leaking in the event of a collision or overturn.

10. Headrests or roll bars on a kart shall extend above the patron's head and be capable of supporting the weight of the kart and patron as required by the manufacturer. In the event the manufacturer fails to recommend or address this area, the karts shall be equipped with roll bars acceptable to the Office of State Fire Marshal.

11. Karts shall be provided with impact absorbing bumpers, or energy absorption body parts.

12. Karts shall have sufficient muffler systems installed to prevent any noise levels which will interfere with the track operations, adjacent businesses, residential areas, or damage the hearing of employees or patrons.

13. The brake and throttle controls on a kart shall be clearly identified. The brake and throttle controls shall be foot operated and return automatically to a non-operational position when released.

14. Karts shall be individually identified either by numbers, alpha characters, or other markings acceptable to the Office of State Fire Marshal.

15. Karts shall be inspected and maintained in accordance to manufacturer standards to include, but not limited to, the frame, engine, body, safety restraints, tires, etc.

16. Records of kart inspections and maintenance shall be retained by the operator for a period of 24 calendar months.

B. Track Design

1. The design of the kart track shall be consistent with the kart manufacturers' recommendations. In the absence of any manufacturers' recommendations, the track design shall comply with the current industry standards acceptable to the Office of State Fire Marshal.

2. Cones may be used on tracks as a warning device and to notify the patron of upcoming changes in the track conditions and are used for the following specific reasons:

- a. to notify drivers of impending course changes;
- b. to outline the track and mark key points such as the apex of the turns; and
- c. as a warning device to notify the drivers of the severity of upcoming turns by the location and number of cones prior to the turn;
- d. cone placement:
 - i. on the inside corners; one cone to alert the driver and locate the apex;
 - ii. on the outside corner; two cones to identify minor course changes;
 - iii. three cones to identify course changes which requires a slower speed to safely negotiate the turn; and
 - iv. four and five cones to identify areas where both slower speed and applied braking will be necessary to safely complete the course;
- e. once the proper cone locations have been located for the track, these locations shall be marked with high visibility paint under the proper location of the cone. This will alert racing attendants to the correct location of the cones when they are displaced.

3. The track shall have a hard, smooth surface.

4. The track shall provide road grip sufficient to enable the kart to be driven safely at maximum speed and shall be free of ruts, holes, bumps, water, oil, dirt, or other debris.

5. Track surface and design not covered by manufacturers' recommendations or in the absence of such recommendations must be approved by the Office of State Fire Marshal.

6. The width of the track must be a minimum of 16 feet and maximum of 25 feet. The turns on an oval track must be a minimum of 5 feet wider than the straight away. The minimum radius of the turns is 15 feet.

7. The track shall have signs that indicate one direction of travel and no U-turns permitted. These signs shall be posted at various locations around the track perimeter. Signs, signal lights and other safety equipment shall be maintained in operational condition at all times when open to the public.

8. The track shall have no intersecting course configurations. Pit entrances and exits are allowed but

appropriate clearly posted signage indicating the entry and exit locations are required to prevent collisions.

9. The shoulder shall be level with the track and marked with cones. White or yellow lines at least 4 inches in width shall be used to mark all inside and outside edges of the kart track except where barriers are provided along the inside and outside edges of the kart track.

10. Barriers shall be designed to prevent a kart from overturning or running over or under the barrier and designed to bring a kart safely to a full stop or guide the kart safely back onto the track.

a. Barriers shall be placed:

i. between tracks or sections of tracks within 30 feet of each other and constructed of materials that will not readily ignite;

ii. between the track and obstructions or hazards located with 30 feet from the track;

iii. along all non-access and non-egress edges of the pit area; and

iv. between the track and any area accessible to spectators.

11. Fencing shall be at least 48 inches in height. The fence and gates shall be designed so a 4-inch sphere cannot pass through any opening. Fencing shall be located around every kart track.

12. Pit area for loading and unloading must be separated from the track by a fence or barrier. The pit area must be the same surface as the track and have separate, clearly marked entrance and exit lanes.

13. Electrical installations must comply with the *National Electrical Code*, NFPA 70 (2014 edition), and include lighting for night operation, if operations are conducted after dark.

14. Proposals for construction of new kart tracks in the state of Louisiana shall be submitted to the Office of State Fire Marshal and other appropriate agencies before beginning construction. The following information shall accompany any application or proposal and shall include but not be limited to:

a. one copy of site plans and all accompanying documentation;

b. a copy of all required local, parish or state permits such as (but not limited) to business license, electrical, building, or plumbing permits. When all inspections are completed by local, parish or state agencies one copy of the completed inspection report shall be sent to the Office of State Fire Marshal for enclosure in the facility's permanent file. Any alterations or modifications shall be approved prior to beginning work as required for new construction.

NOTE: All plans and accompanying documents can be submitted online to the Office of State Fire Marshal by utilizing the agency's Information Management System (OSFM-IMS), which is accessible via the agency's website (www.lasfm.org).

15. Fire Protection

a. Kart tracks shall be equipped with ABC dry chemical fire extinguishers with a minimum of 5 pounds capacity as provided for in NFPA 10 (2013 edition), Standard for Portable Fire Extinguishers.

b. A fire extinguisher shall be readily accessible from all areas of the track and one fire extinguisher shall be

kept in the pit and refueling area(s). The fire extinguisher location shall be prominently marked, easily accessible and approximately 36 inches above the ground.

16. Refueling Area

a. Karts shall be refueled in a designated location remote from any area accessible to the public. Fuel storage and transfer cans must meet the requirements of NFPA 30 (2015 edition). Any fuel spillage must be promptly cleaned and prevented from running onto the track or any area accessible to the public. Warning signs must be prominently displayed stating that smoking is prohibited in the refueling area.

b. All kart motors shall be turned off during refueling.

17. Track Operation

a. Karts may only be operated by patrons within height limits set by the manufacturer. If no height limit is set by the manufacturer, patrons shall be at least 52 inches tall and have a leg length that can reach the brake and throttle controls from the patron's seat in order to drive an adult kart.

b. Only patrons less than 52 inches in height with a leg length sufficient to reach the brake and throttle controls from the patron's seat shall be permitted to operate a kiddie kart.

c. Adult karts and kiddie karts shall not be operated on the same track at the same time.

d. No kart shall be operated during a lightning storm, a period of tornado warning, fire, riot, or other civil disturbance in the area of the track or in an adjacent area. If any of these events occur while the track is in operation, patrons shall be unloaded and evacuated from the ride and the ride shut down until normal, safe operational conditions are established.

e. Kart tracks shall be monitored during operation either directly by attendants, or indirectly by electronic visual and audio means acceptable to the Office of State Fire Marshal.

f. A kart losing oil or fuel shall immediately be removed from the kart track. All karts must be stopped immediately and the track cleaned prior to restarting.

g. When the kart manufacturer recommends, or they are deemed necessary by the Office of State Fire Marshal, the use of helmets must be provided for all patrons to use. Helmets, if used, must fit the patron's head correctly. All helmets must be cleaned with disinfectant twice daily.

h. Karts designed for single or multiple riders shall use a shoulder harness and/or belt restraint system as required by the kart manufacturer. When deemed necessary for additional protection of kart patrons, the Office of State Fire Marshal may require the addition and use of a shoulder harness or belt restraint system on all karts.

i. Patron's loose clothing and hair longer than shoulder length must be secured prior to operating any kart. Fully enclosed shoes must be worn by kart patrons at all times during operation of a kart.

j. Patrons are prohibited from smoking during kart operation.

k. Track attendants shall not allow patrons to leave their karts either in the pit or on the track unless assisted by track or pit attendants.

l. The kart track operator shall post a conspicuous warning sign at the entrance to the kart track. The sign shall

be at least 2 feet by 2 feet in sharply contrasting colors and shall contain manufacturer warnings regarding medical restrictions, if any, for ride patrons.

m. The kart track operator must have a sign posted at the ticket window or track entrance and in the pit area that conveys, at a minimum, the following rules and regulations:

i. the patron height limit specified by the manufacturer, or no less than 52 inches for adult karts and no more than 52 inches for kiddie karts;

ii. keep both hands on the wheel and both feet in the kart at all times. Do not get out of the kart unless track attendant is present;

iii. all loose clothing and hair longer than shoulder length must be secured. Fully enclosed shoes must be worn by kart patrons at all times during operation of kart;

iv. no smoking in kart or pit area;

v. persons under the influence of intoxicants will not be allowed to operate karts;

vi. the use of private karts or vehicles will be prohibited on kart track when they are open to the public.

C. Record Retention and Inspection

1. Daily inspections must be made on all karts prior to operation. Inspections shall include but not be limited to: tires, padding, steering wheel, frame welds, spindles, axles, seat or shoulder belts, roll bars, gasoline tank condition, brake and gas pedal operation, and other parts as recommended by the kart manufacturer or the Office of State Fire Marshal.

2. Weekly, monthly and annual inspections shall be performed as recommended by the kart manufacturer or the Office of State Fire Marshal.

3. A track operation manual shall be written in the English language and available for review by the Office of State Fire Marshal.

4. The kart track shall have and demonstrate an emergency plan for evacuation of patrons and employees in the event of an emergency. This shall include, but not be limited to, fires, kart collisions, dangerous weather, obstructions on the track, handling intoxicated patrons, and emergency first aid.

5. The kart track shall maintain records of all required inspections.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1484.2(B).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 44:

Jason Starnes
Chief Administrative Officer

1803#006

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Commercial Bait Gulf Menhaden Season—2018

In accordance with the provisions of R.S. 49:953, which allows the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission to employ emergency procedures to establish seasonal rules to set finfish seasons, R.S. 56:6(25)(a) and 56:326.3, which provide that the

Wildlife and Fisheries Commission may set seasons for saltwater finfish, and R.S. 56:325.6, which provides for an extended bait gulf menhaden season outside of the regular commercial menhaden season, the Wildlife and Fisheries Commission, at its March 1, 2018 meeting, hereby sets the following season for the commercial harvest of bait gulf menhaden in Louisiana state waters.

The commercial season for the harvest of bait gulf menhaden taken within Louisiana state waters or landed in Louisiana shall open at 12:01 a.m., March 15, 2018. The harvest of bait gulf menhaden shall not exceed the established quota of 3,000 metric tons for the 2017-18 bait gulf menhaden season.

The commission also grants authority to the secretary of the Department of Wildlife and Fisheries to modify the season for the commercial harvest of bait gulf menhaden as needed to effectively implement the provisions herein upon notification to the chairman of the Wildlife and Fisheries Commission.

Robert J. Samanie III
Chairman

1803#011

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Supplemental Feeding Ban in East Carroll,
Madison and Tensas Parishes

In accordance with the emergency provisions of R.S. 49:953 and under the authority of R.S. 56:115 and 116, the

Wildlife and Fisheries Commission hereby adopts the following Emergency Rule.

On January 25, 2018, a chronic wasting disease (CWD) -positive buck was discovered in Issaquena County, Mississippi. The CWD-positive buck was located only a few miles from the Louisiana border on the east side of the Mississippi River. Deer routinely swim the Mississippi River, as normal behavior or to escape floodwaters.

Therefore, in response to the discovery of CWD in Mississippi, the Department of Wildlife and Fisheries (LDWF) is implementing its CWD response plan to monitor and curb the potential spread of CWD into Louisiana. The immediate cessation of all supplemental feeding, including mineral or salt licks, is hereby initiated for East Carroll, Madison and Tensas Parishes. The purpose of this feeding ban is to reduce the potential for the spread of CWD into Louisiana by reducing the risk of exposure when deer are concentrated around feeding sites.

The use of approved bait not normally ingested by deer for feral hog trapping will still be allowed. All bait must be placed and contained within the trap itself. Backyard bird feeders are also exempt from this Declaration of Emergency.

This Declaration of Emergency shall become effective March 5, 2018, and will remain in effect for the maximum period allowed under the Administrative Procedure Act. The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Declaration of Emergency and extend it if necessary.

Robert J. Samanie III
Chairman

1803#010

Rules

RULE

Department of Agriculture and Forestry Agricultural Finance Authority

2016 Louisiana Farm Recovery Grant Program (LAC 7:III.101 and 501-509)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to authority set forth in R.S. 3:266, the Department of Agriculture and Forestry (“department”), through the Louisiana Agricultural Finance Authority (“LAFa”), has amended its rules to establish the 2016 Louisiana Farm Recovery Grant Program (“program”). Louisiana’s agricultural industry was impacted by two major weather events in 2016. The first event occurred in March 2016 when many areas of north Louisiana received more than 30 inches of rain in a 24-48-hour time period. The LSU AgCenter estimated agricultural damage from this weather event at roughly \$90,000,000. The second event occurred in August 2016 when many areas of south Louisiana received upwards of 34 inches of rain in a 24-48-hour time period. The LSU AgCenter estimated agricultural damage at roughly \$277,000,000. \$9,500,000 of federal funds has become available to assist the state’s agricultural producers in recovering from the effects of the two storms. The source of funding for the Program is the Community Development Block Grant Disaster Recovery Program (CDBG-DR) from the United States Department of Housing and Urban Development (HUD). The Office of Community Development, Disaster Recovery Unit, who receives the CDBG-DR grant from HUD, serves as HUD’s grantee. The Department of Agriculture and Forestry, through the Louisiana Agricultural Finance Authority, is a subrecipient of funds granted to OCD-DRU and will administer the funds for the LFRGP. The total funding available to LAFa for distribution is approximately \$9,500,000. LAFa, by these rules, establishes the program and the guidelines under which the money will be disbursed. This Rule is hereby adopted on the day of promulgation.

Title 7

AGRICULTURE AND ANIMALS

Part III. Agricultural Finance

Chapter 1. General Provisions

§101. Definitions

A. - C. ...

* * *

D. The following words and terms are defined for the purposes of the 2016 Louisiana Farm Recovery Grant Program.

Expected Gross Crop Revenue (for 2016)—the level of revenue that would have been expected to have been generated in 2016 under normal weather conditions and is calculated using the applicant’s response to the number of acres harvested in 2016, a 5-year parish average for crop yields and the estimated average market price in 2016.

Gross Crop Revenue (for 2016)—calculated by multiplying total acres harvested times the total average yield times an estimated average selling price. The estimated average selling price is calculated by dividing the applicant’s share of crop revenue by the amount of the crop marketed by the applicant.

Increases in either Harvest or Production Costs—the costs of having to replant crops that were ruined due to high levels of rainfall and flooding; costs associated with harvesting crops under excessively wet field conditions causing reduced harvest speeds and efficiency; and costs associated with increased tillage and land preparation due to damage caused to land resulting from either having to harvest under excessively wet conditions or resulting from the impact of pounding rainfall and flooding.

Loss of Stored Hay—calculated by using the number of bales destroyed and then converting them into tons of hay assuming an average bale weight of 1,200 pounds. A market value for hay lost due to flooding is then calculated using the average 2016 market price as defined by the 2016 *Louisiana Summary* publication.

Lost or Dead Cattle—cattle that were lost or killed and calculated on a value per head by for the two classes of cattle using average 2016 market prices obtained from the 2016 *Louisiana Summary* publication and assuming an average weight for calves of 500 pounds and breeding animals of 1,200 pounds.

Net Estimated Losses—the amount of losses eligible for assistance under the 2016 Louisiana Farm Recovery Grant Program calculated by the difference between the total estimated losses and any assistance received by the applicant from other sources.

Producer—one who engages, as an occupation, in farming operations as a distinct activity for the purpose of producing a farm crop and assumes the production and market risks associated with the agricultural production of those crops. A corporation or farmer’s cooperative may be a “producer” if engaged in actual farming of the nature and extent there indicated.

Reductions in Grazing Availability—the economic loss associated with pastures that were flooded making grazing unavailable to cattle which is calculated using a hay equivalent methodology. The methodology assumes the economic loss is equal to the value of the amount of hay that would be needed to compensate for the lost grazing. The methodology assumes that each mature cow weighs 1,200 pounds and eats 2 percent of her body weight per day. With this information, the total amount of hay needed for the number of days grazing was unavailable is calculated. The value of that hay is then estimated using the average 2016 market price for hay as defined by the 2016 *Louisiana Summary* publication.

Total Estimated Losses (suffered by the farming operation)—a summation of the estimated economic losses associated with each crop produced and any cattle related losses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:266.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Agricultural Finance Authority, LR 10:866 (November 1984), amended LR 36:464 (March 2010), amended by the Department of Agriculture and Forestry, Agricultural Finance Authority, LR 44:437 (March 2018).

Chapter 5. 2016 Louisiana Farm Recovery Grant Program

§501. 2016 Louisiana Farm Recovery Grant Program; Establishment; Purpose; Limitations

A. The 2016 Louisiana Farm Recovery Grant Program is hereby established.

B. The 2016 Louisiana Farm Recovery Grant Program provides a 100 percent grant to agricultural producers for working capital expenses related to the 2017 planting year for the purpose of aiding in the recovery from the 2016 floods.

C. The limits on the grants from the 2016 Louisiana Farm Recovery Grant Program are as follows.

1. Agricultural producers may receive a maximum grant of \$100,000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:266.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Agricultural Finance Authority, LR 44:438 (March 2018).

§503. Eligibility of Applicant

A. An agricultural producer experiencing a 2016 flood related loss shall be eligible to receive money from the 2016 Louisiana Farm Recovery Grant Program upon meeting all of the following requirements.

1. The farm upon which a loss occurred must be located in one of the following parishes: Acadia, Allen, Ascension, Avoyelles, Beauregard, Bienville, Bossier, Caddo, Calcasieu, Caldwell, Catahoula, Claiborne, DeSoto, East Baton Rouge, East Carroll, East Feliciana, Evangeline, Franklin, Grant, Iberia, Iberville, Jackson, Jefferson Davis, Lafayette, LaSalle, Lincoln, Livingston, Madison, Morehouse, Natchitoches, Ouachita, Point Coupee, Rapides, Red River, Richland, Sabine, St. Helena, St. James, St. Landry, St. Martin, St. Tammany, Tangipahoa, Union, Vermilion, Vernon, Washington, Webster, West Baton Rouge, West Carroll, West Feliciana or Winn.

2. Active agricultural operations must have been ongoing before March 1, 2016 and continue to be ongoing in 2017.

3. The applicant must have annual gross farm revenue of \$25,000 in 2014, 2015 or 2016.

4. The applicant must have suffered a minimum storm related loss of \$10,000 as determined by the crop loss calculator.

5. The applicant must have grown one of the following crops in 2016: cattle, corn, cotton, crawfish, grain sorghum, hay, rice, soybeans, strawberries, sugarcane, sweet potatoes or wheat.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:266.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Agricultural Finance Authority, LR 44:438 (March 2018).

§505. Application Procedure and Forms

A. The application period shall be publicly announced or published in a manner that fairly puts agricultural producers on notice of the 2016 Louisiana Farm Recovery Grant Program and the start and end of the application period.

B. Only application forms prepared by LAFA for this purpose may be used.

C. Each applicant for a grant shall submit all of the following documents to LAFA.

1. The completed application form signed by the agricultural producer, if a sole proprietorship. If the agricultural producer is not a sole proprietorship then the application form must be signed by all owners, unless an applicant has more than 10 owners.

2. Proof of Identity of the Signer of the Application. A government issued photo identification must be presented.

3. Proof of Address of the Farm. One or more of the following may be used as proof of address:

- a. a copy of utility bill;
- b. Louisiana tax return from the previous year;
- c. lease agreement;
- d. map;
- e. title to land; or
- f. a USDA Farm Service Administration (FSA)

certification.

4. Proof of Ownership of the Farm. Tax returns with appropriate schedules must be presented.

5. Proof of National Objective. One or more of the following may be used as proof of employees:

- a. federal Form 941;
- b. LMI form;
- c. Louisiana unemployment tax records; or
- d. internal payroll register.

6. Proof of Revenue. Tax returns with appropriate schedules must be presented.

7. Proof of Crop Loss. A completed crop loss calculator must be presented.

8. Proof of Harvesting an Eligible Crop in 2016. Tax returns with appropriate schedules must be presented in calendar year 2017.

9. Proof of Planting or Harvesting an Eligible Crop in 2017. Paid receipts, invoices, copies of checks or other evidence must be presented for expenses in calendar year 2017.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:266.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Agricultural Finance Authority, LR 44:438 (March 2018).

§507. Disbursement of Funds

A. After the LAFA staff has approved an application, the proceeds of the grant shall be disbursed by LAFA's staff upon the signing of the grant documents by the applicant and LDAF's director of grant recovery programs.

B. If the total amount of proceeds to be disbursed under the 2016 Louisiana Farm Recovery Grant Program exceeds the amount of available money then the amount received by each approved applicant shall be reduced on a pro-rata basis.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:266.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Agricultural Finance Authority, LR 44:438 (March 2018).

§509. Use of Grant Proceeds

A. Grant proceeds may be used to pay current year working capital expenses that are related to the preparation, planting, management and harvesting the current year crop including, but limited to feed, bait, seed, fertilizer, fuel, chemicals, herbicides, crawfish traps, office supplies, insurance, utilities, labor/payroll, veterinarian services and supplies, custom harvester, custom aerial applicator, and written land leases for crawfish producers.

B. Grant proceeds may not be used for any of the following:

1. acquisition of buildings or land;
2. new construction or reconstruction;
3. repayment or refinancing loans;
4. payments of tax arrearages, government fines or penalties;
5. political or religious activities;
6. buying out any stockholder or equity holder in a business;
7. buying out or reimbursing any family member;
8. investing in instruments or investments for the sole purpose of a return on investment;
9. a loss or expense for which insurance benefits has been or will be paid or financial assistance that has been or will be provided from federal, state or any other source;
10. purchasing or repairing of equipment;
11. placing new land into production.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:266.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Agricultural Finance Authority, LR 44:439 (March 2018).

Mike Strain, DVM
Commissioner

1803#027

RULE

Department of Agriculture and Forestry Office of Agricultural and Environmental Sciences

Horticulture and Quarantine Program
Citrus Greening and Citrus Canker Disease Quarantine
(LAC 7:XV.127)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority of the state entomologist in R.S. 3:1652, the Department of Agriculture and Forestry ("department") has amended its rules to establish a quarantine for citrus greening disease ("CG") and citrus canker disease ("CC") caused by the bacterial pathogens *Xanthomonas axonopodis* pv. *citri* and *Xanthomonas axonopodis* pv. *aurantifolii*. The state entomologist has determined that CG and CC has been found in this state and may be prevented, controlled, or eradicated by quarantine. CG renders the fruit unmarketable and ultimately causes death of infested plants. CC causes premature leaf and fruit drop, twig dieback and tree decline in citrus trees and is spread by wind-driven rain or through the movement of infected plants. Failure to prevent, control,

or eradicate these diseases threatens to destroy Louisiana's commercial citrus industry and the growing and harvesting of citrus by citizens of Louisiana for their own private use.

Louisiana's commercial citrus industry adds \$7,500,000-\$10,000,000 to the state's agriculture economy each year. Sales of citrus trees and plants by nursery stock dealers to private individuals also are important to the state's economy. The loss of the state's commercial citrus industry and privately owned citrus trees and fruit would be devastating to the state's economy and to its private citizens. The quarantine and labeling requirements established by this regulation are necessary to prevent the spread of CG and CC in Louisiana outside of the current areas where these diseases have already been found.

For these reasons, the outbreak CG and CC in Louisiana presents an imminent peril to the health, safety and welfare of Louisiana's citizens and the state's commercial and private citrus industry. As a result of this imminent peril, the Department of Agriculture and Forestry hereby exercises its full and plenary power pursuant to R.S. 3:1652 to deal with crop and fruit pests and contagious and infectious crop and fruit diseases by imposing the quarantines set out in these regulations. This Rule is hereby adopted on the day of promulgation.

Title 7

AGRICULTURE AND ANIMALS

Part XV. Plant Protection and Quarantine

Chapter 1. Crop Pests and Diseases

Subchapter B. Nursery Stock Quarantines

§127. Citrus Nursery Stock, Scions and Budwood

A.- C.6. ...

D. Citrus Greening

1. The department issues the following quarantine because the state entomologist has determined that citrus greening disease (CG), also known as Huanglongbing disease of citrus, caused by the bacterial pathogen *Candidatus Liberibacter spp.*, has been found in this state and may be prevented, controlled, or eradicated by quarantine.

2. Quarantined Areas. The quarantined areas in this state are the parishes of Orleans, Washington, Jefferson, and any other areas found to be infested with CG. The declaration of any other specific parishes or areas shall be published in the official journal of the state and in the *Louisiana Register*.

3. Regulated Materials. The following materials are hosts of CG and their movement is prohibited from CG-quarantined areas due to the presence of CG:

a. all plants and plant parts, including but not limited to nursery stock, cuttings, budwood, and propagative seed (but excluding fruit), of: *Aegle marmelos*, *Aeglopsis chevalieri*, *Afraegle gabonensis*, *Afraegle paniculata*, *Amyris madrensis*, *Atalantia spp.* (including *Atalantia monophylla*), *Balsamocitrus dawei*, *Bergera (=Murraya) koenigii*, *Calodendrum capense*, *Choisya ternata*, *Choisya arizonica*, *X Citroncirus webberi*, *Citropsis articulata*, *Citropsis gillettiana*, *Citrus madurensis (= X Citrofortunella microcarpa)*, *Citrus spp.*, *Clausena anisum-olens*, *Clausena excavata*, *Clausena indica*, *Clausena lansium*, *Eremocitrus glauca*, *Eremocitrus hybrid*, *Esenbeckia berlandieri*, *Fortunella spp.*, *Limonia acidissima*, *Merrillia caloxylon*, *Microcitrus australasica*, *Microcitrus australis*, *Microcitrus*

papuana, *X Microcitronella* spp., *Murraya* spp., *Naringi crenulata*, *Pamburus missionis*, *Poncirus trifoliata*, *Severinia buxifolia*, *Swinglea glutinosa*, *Tetradium ruticarpum*, *Toddalia asiatica*, *Triphasia trifolia*, *Vepris (=Toddalia) lanceolata*, and *Zanthoxylum fagara*;

b. any other products, materials, articles, or means of conveyance, if an inspector determines that it presents a risk of spreading CG, and after the inspector provides written notification to the person in possession of the products, materials, articles, or means of conveyance that it is subject to the restrictions of the regulations.

E. - E.3.d.iii.(b). ...

F. Citrus Canker Disease Quarantine

1. The department issues the following quarantine because the state entomologist has determined that citrus canker disease (CC), caused by the bacterial pathogen *Xanthomonas axonopodis* pv. *citri* (*Xac* A, A* and AW) with synonyms *X. citri* pv. *citri*, or *X. citri* subsp. *citri* or *X. axonopodis* pv. *citri* or *X. smithii* subsp. *citri*; and *X. axonopodis* pv. *aurantifolii* (*Xac* B and C) with a synonym *X. fuscans* subsp. *aurantifolii*, has been found in this state and may be prevented, controlled, or eradicated by quarantine.

2. No regulated materials as defined in this Subsection shall be moved out of any area of this state that is listed in this subsection as a quarantined area for CC, except as provided in this Subsection.

3. Any person violating this quarantine shall be subject to imposition of the remedies and penalties provided for in R.S. 3:1653 for any violation of this quarantine.

4. Quarantined areas in this state include:

a. the entire parishes of Orleans, St. Bernard, Plaquemines, Jefferson, Lafourche, St. Charles, St. James and St. John;

b. A declaration of quarantine for CC covering any other specific parishes or areas of this state shall be published in the official journal of the state and in the *Louisiana Register*.

5. - 6.i.iv. ...

G. Labeling Requirements for Citrus Related Quarantines

1. Any citrus nursery stock sold, moved, or distributed within an area quarantined for citrus greening, or citrus canker shall have attached to the article or to the container of the article, a permanent and weatherproof tag or label in a clear and legible format no less than 14 point font bearing the exact words: PROHIBITED FROM MOVEMENT OUTSIDE OF THE CITRUS QUARANTINE AREAS, PENALTY FOR VIOLATION, Louisiana Department of Agriculture and Forestry. For a current list of quarantine areas, please go to www.ldaf.state.la.us.

2. Citrus nursery stock that is not in or intended for movement within a citrus greening or citrus canker quarantined area shall not be required to be labeled as described in Paragraph 1 of this Subsection.

3. Citrus nursery stock labeled or tagged according to Paragraph 1 of this Subsection that is offered for retail sale in an area that is not quarantined for citrus greening or citrus canker may be subject to stop order.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1652.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Office of Agricultural and Environmental Sciences,

LR 11:319 (April 1985), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 40:1308 (July 2014), LR 42:730 (May 2016), LR 44:439 (March 2018),

Mike Strain, DVM
Commissioner

1803#028

RULE

Department of Agriculture and Forestry Office of Forestry

Logos for State Products (LAC 7:V.Chapter 29)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and through authority granted in R.S. 3:4271, the Department of Agriculture and Forestry (“department”) has amended LAC 7:V.2901-2913 in order to create standards for use of a department-adopted logo for certain products. This Rule is hereby adopted on the day of promulgation

Title 7

AGRICULTURE AND ANIMALS

Part V. Advertising, Marketing and Processing

Chapter 29. Logos for State Products

§2901. Purpose; Definitions

A. This Chapter is adopted pursuant to R.S. 3:4721 et seq., and shall govern the department’s logo program.

B. For purposes of this Chapter, the following terms shall have the meaning hereafter ascribed to them, unless the context clearly indicates otherwise.

Commissioner—the commissioner of the Louisiana Department of Agriculture and Forestry.

Department—the Louisiana Department of Agriculture and Forestry.

License—written authorization from the Louisiana Department of Agriculture and Forestry for the non-exclusive use of the logo.

Licensee—applicant who applied to the department for a license to use the logo(s) and whose application was approved.

Logo—the logos adopted by the department pursuant to R.S. 3:4721 to promote products made, grown, manufactured, processed, produced or substantially transformed in the state of Louisiana. The logos include:

- certified Louisiana;
- certified Louisiana Cajun;
- certified Louisiana Creole; and
- certified Louisiana farm to table restaurant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4721.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:393 (March 2016), repromulgated LR 42:540 (April 2016), amended LR 44:440 (March 2018).

§2903. Eligibility

A. The department shall have sole discretion to determine whether an agricultural product, restaurant or agritourism activity is eligible to be labeled with one of the certified logos. To be eligible, a company must possess and be in compliance with all applicable state and federal permits, licenses and laws.

B. In order for a product to be eligible for inclusion in the logo program, it must be made, grown, manufactured, processed, produced or substantially transformed in the state of Louisiana.

C. In order for a product to be eligible to use the certified Louisiana Creole logo, at least 50 percent of the product must be made, grown, produced, manufactured, processed or packed in Louisiana.

D. In order for an agricultural product to be eligible to use the certified Louisiana Cajun logo, the product must be representative of the culture that is generally of Acadian descent and be at least 50 percent of the product must be made, grown, produced, manufactured, processed or packed in Louisiana.

E. In order for a restaurant to be eligible to use the certified farm to table logo, a majority of the restaurant's raw and value added products shall be produced and sourced as locally as possible, within Louisiana and or less than 200 miles from its origin, which means going directly from the farm to the table.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4721.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:393 (March 2016), repromulgated LR 42:540 (April 2016), amended LR 44:440 (March 2018).

§2905. Application Process and Product Verification

A. Applications for use of the logos shall be made in writing on a form prescribed by the department. All applications must be signed and notarized.

B. Each application shall be accompanied by a non-refundable \$25 application fee.

C. Applicant's proposed use of the logo shall be included in the application and is subject to review and approval by the department.

D. Within 30 days of receipt of the application by department, the department shall either grant or deny the applicant's application to use the logo(s).

E. Upon approval of an application, a registration fee of \$30 per logo shall be paid to the department. Upon receipt of the registration payment, the department shall provide the registrant a certificate of registration and a digital jpeg and/or eps copies of the logo(s) suitable for reproduction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4721.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:393 (March 2016), repromulgated LR 42:540 (April 2016), amended LR 44:441 (March 2018).

§2907. Denial of Registration

A. Applications for use of the logo(s) may be denied if:

1. the product or activity falls outside of the definition as prescribed by law;

2. the product is of a quality markedly inferior to that representative of similar products produced in Louisiana;

3. the applicant has misused the logo(s) prior to the date of application; or the applicant has used the logo(s) without permission of the department;

4. the applicant's use of the logos would, in the department's opinion, either:

a. impair or frustrate the department's efforts to expand or encourage development of the markets for Louisiana agricultural and other products; or

b. fail to enhance the integrity and image of the program.

B. Any applicant whose request to use the logo(s) is denied may protest the department's decision by filing a notice of protest with the department within 15 days of receipt by the applicant of notice of denial. A notice of protest which has been timely filed shall be administered as a contested case as provided for in the Administrative Procedure Act. If notice of protest has not been filed with the department within 15 days of receipt by the applicant of notice of denial, such denial shall become final.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4721.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:393 (March 2016), repromulgated LR 42:540 (April 2016), amended LR 44:441 (March 2018).

§2909. Renewal of Registration

A. All licenses shall expire on December 31 of the third calendar year after issuance. For example, if a license is issued on July 1, 2017, it will expire on December 31, 2019.

B. Applications for renewal of registration shall be made in writing on a form prescribed by the department. The fee for renewal of registration is \$30.

C. Applicant's application for renewal of registration and \$30 renewal fee must be received on or before 5 p.m. CST on December 31 in the year in which the license expires. Upon receipt of the renewal application and renewal fee, the department will send the approved registrant a certificate of registration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4721.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:393 (March 2016), repromulgated LR 42:540 (April 2016), amended LR 44:441 (March 2018).

§2911. Use of Logo

A. No person shall, in commerce, advertise, sell, offer or expose for sale, distribute, package or in any other manner identify any services or goods with the logo affixed to such service or good, unless the logo use has been previously approved by the department.

B. Any permission granted by the department to licensee for use of the logo shall be nonexclusive and nontransferable to another person or another product. The logo may only be used on the product(s) set forth in the application and listed on the registration certificate.

C. Licensee's authorization to use the logo(s) shall not be construed to grant or assign any right, title or interest in or to the logo(s) or the goodwill attached thereto.

D. Licensee shall not alter the appearance of the logo(s) in any manner. Licensee may use the logo in any color he desires, but logo wording may not be altered.

E. Other than the authorized use of the logo(s), no licensee shall use any statement of affiliation or endorsement by the state of Louisiana or the department in the selling, advertising, marketing, packaging, or other commercial handling of products and services, or restaurants.

F. The following shall constitute misuse of the logo:

1. using the logo(s) on any product for which use has not been granted by the department;

2. using the logo(s) on a product that is not in compliance with state or federal law;

3. using the logo(s) in a manner that is disparaging to the department;

4. using the logo(s) in violation of any rule promulgated by the department;

5. using the logo(s) without a valid registration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4721.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:393 (March 2016), repromulgated LR 42:540 (April 2016), amended LR 44:441 (March 2018).

§2913. Enforcement

A. In the event that the department determines that a licensee has misused the logo(s), the department shall conduct an adjudicatory hearing in accordance with the Administrative Procedure Act in order to determine whether to suspend or revoke the licensee's permission to use the logo(s).

B. All hearings conducted pursuant to this section shall be heard by a three-person hearing panel appointed by the commissioner. The commissioner may appoint a hearing officer to conduct the hearing.

C. At the conclusion of the administrative hearing, the hearing panel may recommend that the licensee's permission to use the logo(s) be suspended or revoked. The hearing panel's recommendation shall be submitted to the commissioner for his determination.

D. The commissioner may institute civil proceedings to enforce his rulings in the district court for the parish where the violation occurred.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4721.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Forestry, LR 42:394 (March 2016), repromulgated LR 42:541 (April 2016), amended LR 44:442 (March 2018).

Mike Strain, DVM
Commissioner

1803#026

RULE

Department of Children and Family Services Division of Child Welfare

Daycare Services (LAC 67:V.2301)

In accordance with the provisions of the Administrative Procedure Act R.S. 49:953(A), the Department of Children and Family Services (DCFS) has repealed LAC 67:V, Subpart 4, Daycare Services, Chapter 23, Daycare.

Chapter 23 has been repealed as the Child Welfare Daycare Services Program has been terminated. Additionally, the Child Care and Development Block Grant Program, which funded the Child Care Assistance Program, has been transferred to the Louisiana Department of Education in accordance with R.S. 17:407.28. This Rule is hereby adopted on the day of promulgation.

Title 67 SOCIAL SERVICES Part V. Child Welfare Subpart IV. Reserved

Chapter 23. Daycare

§2301. Daycare Services

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 45 CFR Part 98.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Services, LR 11:689 (July 1985), amended LR 18:868 (August 1992), LR 25:2443 (December 1999), LR 31:101 (January 2005), LR 33:1685 (August 2007), LR 35:961 (May 2009), LR 35:1256 (July 2009), repealed by the Department of Children and Family Services, Division of Child Welfare, LR 44:442 (March 2018).

Marketa Garner Walters
Secretary

1803#051

RULE

Department of Children and Family Services Economic Stability Section

Public Assistance Programs
(LAC 67:III.301, 307, 309, 313, 1209, 1229, 1255,
1987, 1988, 1999, 2103, 2107, 5307, and 5345)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(A), the Department of Children and Family Services (DCFS) has amended the *Louisiana Administrative Code* (LAC), Title 67, Part III, Economic Stability.

Amendment is pursuant to the authority granted to the department by the Food and Nutrition Act of 2008, in accordance with federal regulations for the Supplemental Nutrition Assistance Program (SNAP) in 7 CFR and Louisiana's Temporary Assistance for Needy Families (TANF) block grant.

Sections 301, 307, 309, and 313 have been amended to remove references to the Child Care Assistance Program (CCAP).

Sections 1209, 1999, and 5307 have been amended to update circumstances in which a concurrent notice is allowable.

Section 1229 has been amended to allow a dependent care deduction for any child who is not receiving CCAP.

Sections 1255 and 5345 have been repealed and Sections 1987, 1988, and 2103 are being amended to maintain compliance with Act 265 of the 2017 Regular Session of the Louisiana Legislature, which eliminated restrictions on eligibility for certain persons with prior drug convictions.

Section 2107 has been amended to update that there are three standard benefit amounts.

This Rule is hereby adopted on the day of promulgation.

Title 67
SOCIAL SERVICES
Part III. Economic Stability

Subpart 1. General Administrative Procedures

Chapter 3. Hearings

§301. Definitions

A. For all purposes of these rules and regulations, the terms defined in this Chapter shall have the following meanings, unless the context of use clearly indicates otherwise.

* * *

Benefits—any kind of assistance, payments or benefits made by the department for Family Independence Temporary Assistance Program (FITAP), Strategies to Empower People (STEP) Program, Kinship Care Subsidy Program (KCSP), or Supplemental Nutrition Assistance Program.

* * *

AUTHORITY NOTE: Promulgated in accordance with 42 USC 601 et seq., R.S. 36:474, and R.S. 46:237.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Family Security, LR 11:689 (July 1985), amended by Department of Social Services, Office of Family Support, LR 25:2259 (November 1999), LR 26:350 (February 2000), amended by the Department of Children and Family Services, Division of Programs, Economic Stability, LR 38:965 (April 2012), amended by the Department of Children and Family Services, Economic Stability Section, LR 44:443 (March 2018).

§307. Time Limits for Requesting a Fair Hearing

A.1. When a decision is made on a case, the client is notified and is allowed the following number of days from the date of the notice to request a fair hearing:

- a. FITAP—30 days;
- b. STEP Program—30 days;
- c. KCSP—30 days;
- d. SNAP—90 days.

2. The client may appeal at any time during a certification period for a dispute of the current level of benefits.

B. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with 42 USC 601 et seq., and R.S.36:474.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 25:2260 (November 1999), amended LR 26:350 (February 2000), amended by the Department of Children and Family Services, Division of Programs, Economic Stability, LR 38:965 (April 2012), amended by Department of Children and Family Services, Economic Stability Section, LR 44:443 (March 2018).

§309. Time Limits for Decisions to be Rendered

A. A prompt, definitive, and final decision must be provided within the number of days from the date of the fair hearing request as listed below:

1. FITAP—90 days;
2. STEP Program—90 days;
3. KCSP—90 days;
4. SNAP—60 days.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with 42 USC 601 et seq., R.S. 36:474, and R.S. 46:237.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 25:2261 (November 1999), amended LR 26:351 (February 2000), amended by the

Department of Children and Family Services, Division of Programs, Economic Stability, LR 38:965 (April 2012), amended by Department of Children and Family Services, Economic Stability Section, LR 44:443 (March 2018).

§313. Continuation of Benefits

A. Recipients in all categories, except STEP Program, who request a fair hearing prior to the expiration of the advance notice of adverse action or within 13 days of the date of concurrent notice must have benefits continued at, or reinstated to, the benefit level of the previous month, unless:

1. the recipient indicates he does not want benefits continued;
2. a determination is made at the hearing that the sole issue is one of existing or changing state or federal law; or
3. a change unrelated to the appeal issue affecting the client's eligibility occurs while the hearing decision is pending and the client fails to request a hearing after receiving the notice of change.

B. ...

AUTHORITY NOTE: Promulgated in accordance with 42 USC 601 et seq., and R.S. 36:474.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 25:2261 (November 1999), amended by the Department of Children and Family Services, Division of Programs, Economic Stability, LR 38:966 (April 2012), amended by Department of Children and Family Services, Economic Stability Section, LR 44:443 (March 2018).

Subpart 2. Family Independence Temporary Assistance Program

Chapter 12. Application, Eligibility, and Furnishing Assistance

Subchapter A. Application, Determination of Eligibility, and Furnishing Assistance

§1209. Notices of Adverse Actions

A. A notice of adverse action shall be sent at least 13 days prior to taking action to reduce or terminate benefits. In some circumstances advance notice is not required. A concurrent notice shall be sent to the client at the time of action in the following situations:

1. the agency has factual information confirming the death of the FITAP payee;
2. the client signs a statement requesting reduction or closure and waiving the right to advance notice;
3. the client's whereabouts are unknown and agency mail directed to the client has been returned by the Post Office indicating no known forwarding address;
4. a client has been certified in another state and that fact has been established;
5. a child is removed from the home as a result of a judicial determination, or is voluntarily placed in foster care by his legal guardian;
6. the client has been admitted or committed to an institution;
7. the client has been placed in a skilled or intermediate nursing care facility or long-term hospitalization;
8. the agency disqualifies a household member because of an intentional program violation and the benefits of the remaining household members are reduced or terminated because of the disqualification;
9. the worker reduces or ends benefits at the end of a normal period of certification when the client timely reapplies;

10. the case is closed due to the amount of child support collected through child support enforcement services;

11. the client has been certified for supplemental security income or foster care payments and that fact has been established;

12. the child is certified for kinship care subsidy payments;

13. the agency receives a written report signed by the head of household or other responsible household member which provides sufficient information for the agency to determine the household's benefit amount or ineligibility;

14. are reduced or terminated effective the month following the simplified report month;

15. mass changes.

AUTHORITY NOTE: Promulgated in accordance with 42 USC 601 et seq., R.S. 36:474, R.S. 46:231.1(B), and R.S. 46:237; Act 58, 2003 Reg. Session and Act 16, 2005 Reg. Session.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 25:2447 (December 1999), amended LR 26:349 (February 2000), LR 28:2565 (December 2002), LR 30:493 (March 2004), LR 32:1911 (October 2006), amended by the Department of Children and Family Services, Economic Stability Section, LR 44:443 (March 2018).

Subchapter B. Conditions of Eligibility

§1229. Income

A. - B.2. ...

C. Earned Income Deductions. Each individual in the income unit who has earned income is entitled to the following deductions only:

1. standard deduction of \$120;

2. \$900 time-limited deduction. This deduction is applied for six months when a recipient's earnings exceed the \$120 standard deduction. The months need not be consecutive nor within the same certification periods. The deduction is applicable for a six-month lifetime limit for the individual;

3. dependent care deduction. Recipients may be entitled to a deduction for dependent care for:

a. an incapacitated adult;

b. a child who is not receiving CCAP; or

c. effective May 1, 2006, the amount charged by a child care provider that exceeds the CCAP maximum for a child in care.

D. - G. ...

AUTHORITY NOTE: Promulgated in accordance with 42 USC 601 et seq., and 10602(c), R.S. 36:474, R.S. 46:231.1(B), R.S. 46:231.2, P.L. 108-447, Act 16, 2005 Reg. Session, and 7 CFR 273.2(j).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 25:2449 (December 1999), amended LR 26:1342 (June 2000), LR 26:2831 (December 2000), LR 31:2956 (November 2005), LR 32:1616 (September 2006), LR 32:1912 (October 2006), LR 34:2678 (December 2008), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2524 (November 2010), amended by the Department of Children and Family Services, Economic Stability Section, LR 40:1675 (September 2014), LR 42:1651 (October 2016), LR 44:444 (March 2018).

§1255. Individuals Convicted of a Felony Involving a Controlled Substance

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 42 USC 601 et seq., R.S. 36:474, and R.S. 46:231.2.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 25:2454 (December 1999), repealed by the Department of Children and Family Services, Economic Stability Section, LR 44:444 (March 2018).

Subpart 3. Supplemental Nutritional Assistance Program (SNAP)

Chapter 19. Certification of Eligible Households

Subchapter J. Determining Household Eligibility and Benefit Levels

§1987. Categorical Eligibility for Certain Recipients

A. Households Considered Categorically Eligible

1. Households in which a member is a recipient of benefits from the FITAP, STEP, and/or Kinship Care Subsidy Program, and households in which all members are recipients of SSI, shall be considered categorically eligible for SNAP.

2. Recipient includes an individual determined eligible for TANF or SSI benefits, but the benefits have not yet been paid.

3. Recipient shall also include a person determined eligible to receive zero benefits, i.e., a person whose benefits are being recouped or a TANF recipient whose benefits are less than \$10 and therefore does not receive any cash benefits.

4. A household shall not be considered categorically eligible if:

a. any member of that household is disqualified for an intentional program violation;

b. the household is disqualified for failure to comply with the work registration requirements.

5. The following persons shall not be considered a member of a household when determining categorical eligibility:

a. an ineligible alien;

b. an ineligible student;

c. an institutionalized person;

d. an individual who is disqualified for failure to comply with the work registration requirements;

e. an individual who is disqualified for failure to provide or apply for a Social Security number;

f. an individual who is on strike.

6. Households which are categorically eligible are considered to have met the following SNAP eligibility factors without additional verification:

a. resources;

b. Social Security numbers;

c. sponsored alien information;

d. residency.

7. These households also do not have to meet the gross and net income limits. If questionable, the factors used to determine categorical eligibility shall be verified.

8. Categorically eligible households must meet all SNAP eligibility factors except as outlined above.

9. Changes reported by categorically-eligible SNAP households shall be handled according to established procedures except in the areas of resources or other categorical eligibility factors.

10. Benefits for categorically-eligible households shall be based on net income as for any other household. One- and two-person households will receive a minimum benefit of \$15. Households of three or more shall be denied if net income exceeds the level at which benefits are issued.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with F.R. 51:28196 et seq., 7 CFR 271, 272, 273.10, and 274, F.R. 56:63612-63613, P.L. 104-193, 7 CFR 273.2(j)(2)(xi), Act 58, 2003 Reg. Session, 7 CFR 273.2, (j), and P.L. 110-246.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Family Security, LR 13:90 (February 1987), amended by the Department of Social Services, Office of Family Support, LR 18:1267 (November 1992), LR 24:1783 (September 1998), LR 26:349 (February 2000), LR 27:867 (June 2001), LR 27:1934 (November 2001), LR 30:495 (March 2004), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2531 (November 2010), amended by the Department of Children and Family Services, Economic Stability Section, LR 40:1312 (July 2014), LR 44:444 (March 2018).

§1988. Eligibility Disqualification of Certain Recipients

A. Fleeing felons and probation/parole violators are ineligible for benefits.

AUTHORITY NOTE: Promulgated in accordance with P.L. 104-193, R.S. 46:233.1, P.L. 105-33, and P.L. 110-246.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 23:83 (January 1997), amended LR 23:590 (May 1997), LR 23:1710 (December 1997), LR 24:1783 (September 1998), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2532 (November 2010), amended by Department of Children and Family Services, Economic Stability Section, LR 44:445 (March 2018).

Subchapter M. Notice of Adverse Action

§1999. Reduction or Termination of Benefits

A. A notice of adverse action shall be sent at least 13 days prior to taking action to reduce or terminate benefits. In some circumstances advance notice is not required. A concurrent notice shall be sent to the household at the time of action in the following situations:

1. the agency disqualifies a household member because of an intentional program violation and the benefits of the remaining household members are reduced or ended because of the disqualification;
2. benefits are reduced or terminated at the end of the certification period when the client timely reapplies;
3. the client has been certified in another state and that fact has been established;
4. the client signs a statement requesting closure or reduction in benefits and waives the right to advance notice;
5. benefits are reduced or terminated effective the month following the simplified report month;
6. the agency receives a written report signed by the head of the household or other responsible household member which provides sufficient information for the agency to determine the household's benefit amount or ineligibility;
7. mass changes;
8. based on reliable information, the agency determines that the household has moved or will be moving out of the state prior to the next monthly issuance;
9. the household applied for cash assistance and SNAP at the same time and has been getting SNAP benefits while waiting for approval of the cash assistance grant;
10. the client was a certified resident in a drug or alcohol treatment center or a group living arrangement which loses its state certification or FNS disqualifies it as a retailer;

11. a household certified under expedited processing rules provides postponed verification which reduces or terminates benefits.

B. - B.4. ...

AUTHORITY NOTE: Promulgated in accordance with F.R. 7 CFR 273.12(a)(1)(vii) and P.L. 110-246.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Family Security, LR 9:324 (May 1983), amended by the Department of Social Services, Office of Family Support, LR 24:108 (January 1998), LR 32:2270 (December 2006), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2533 (November 2010), amended by Department of Children and Family Services, Economic Stability Section, LR 44:445 (March 2018).

Chapter 21. Louisiana Combined Application Project (LaCAP)

Subchapter A. Household Concept

§2103. Household Definition

A. The definition of a household is an individual who is receiving supplemental security income (SSI) and:

1. is at least 60 years old;
2. has a federal living arrangement of code "A" as determined by the Social Security Administration (SSA);
3. is not institutionalized, or otherwise ineligible for SNAP due to immigration status or an intentional program violation; and
4. lives alone or declares to purchase and prepare food separately from others in a shared living situation.

B. ...

AUTHORITY NOTE: Promulgated in accordance with 7 CFR 271.3(c), 7 CFR Part 282, and Section 17 of the Food Stamp Act of 1977, and P.L. 110-246.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 32:2271 (December 2006), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2534 (November 2010), amended by Department of Children and Family Services, Economic Stability Section, LR 44:445 (March 2018).

§2107. Benefits

A. Participants will receive one of three standard amounts of SNAP benefits based on the household's total combined shelter (housing and utilities) costs.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with 7 CFR 271.3(c), 7CFR Part 282, and Section 17 of the Food Stamp Act of 1977, and P.L. 110-246.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 32:2271 (December 2006), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2534 (November 2010), amended by Department of Children and Family Services, Economic Stability Section, LR 44:445 (March 2018).

Subpart 13. Kinship Care Subsidy Program (KCSP) Chapter 53. Application, Eligibility, and Furnishing Assistance

Subchapter A. Application, Determination of Eligibility, and Furnishing Assistance

§5307. Notices of Adverse Actions

A. A notice of adverse action shall be sent at least 13 days prior to taking action to terminate benefits. In some

circumstances advance notice is not required. A concurrent notice shall be sent to the client at the time of action in the following situations:

1. the agency has factual information confirming the death of the KCSP payee;
2. the client signs a statement requesting reduction or closure and waiving the right to advance notice;
3. the client's whereabouts are unknown and agency mail directed to the client has been returned by the post office indicating no known forwarding address;
4. a client has been certified in another state and that fact has been established;
5. a child is removed from the home as a result of a judicial determination, or is voluntarily placed in foster care by his legal guardian;
6. the client has been admitted or committed to an institution;
7. the client has been placed in a skilled or intermediate nursing care facility or long-term hospitalization;
8. the agency disqualifies a household member because of an intentional program violation and benefits are terminated because of the disqualification;
9. the worker reduces or ends benefits at the end of a normal period of certification when the client timely reapplies;
10. the case is closed due to the amount of child support collected through child support enforcement services;
11. the agency receives a written report signed by the head of household or other responsible household member which provides sufficient information for the agency to determine the client's ineligibility;
12. benefits are reduced or terminated effective the month following the simplified report month;
13. mass changes;
14. effective May 1, 2006, the child has been certified for supplemental security income and that fact has been established;
15. the child has been certified for foster care payments and that fact has been established.

AUTHORITY NOTE: Promulgated in accordance with 42 USC 601 et seq., R.S. 36:474, R.S. 46:231.1(B), R.S. 46:237, and Act 16, 2005 Reg. Session.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 26:351 (February 2000), amended LR 28:2565 (December 2002), LR 32:1913 (October 2006), amended by the Department of Children and Family Services, Economic Stability Section, LR 44:445 (March 2018).

Subchapter B. Conditions of Eligibility

§5345. Individuals Convicted of a Felony Involving a Controlled Substance

Repealed.

AUTHORITY NOTE: Promulgated in accordance with 42 USC 601 et seq., R.S. 36:474, R.S. 46:231.1(B), and R.S. 46:237.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 26:356 (February

2000), repealed by the Department of Children and Family Services, Economic Stability Section, LR 44:446 (March 2018).

Marketa Garner Walters
Secretary

1803#034

RULE

Board of Elementary and Secondary Education

Bulletin 111—The Louisiana School,
District, and State Accountability System
(LAC 28:XI.Chapters 1-24, 2501, 2505, 2901,
3101, 3103, Chapters 33-40, 4104, 4301, and 4310)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education (BESE) has amended *Bulletin 111—The Louisiana School, District, and State Accountability System*: §101, School Accountability; §301, School Performance Score Goal; §303, Transition from Fall 2013 to Spring 2016 (2014, 2015, and 2016 SPS Release); §305, Transition from 2017-2018 to 2024-2025 SPS Release; §405, Calculating a K-8 Assessment Index; §409, Calculating a 9-12 Assessment Index; §411, ACT/WorkKeys Index; §413, Dropout/Credit Accumulation Index Calculations; §501, Calculating an Elementary/Middle School Progress Index; §503, Calculating a High School Progress Index; §615, State Assessments and Accountability; §617, Inclusion of Students; §619, Inclusion of Schools; §621, Pairing/Sharing of Schools with Insufficient Test Data; §701, Defining a Graduation Index; §703, Determining a Cohort for a Graduation; §707, Safe Harbor; §708, Using a Graduation Rate in the Subgroup Component; §709, Failing the Subgroup Component; §711, Documenting a Graduation Index; §712, Calculating a Cohort Graduation Index; §713, Calculating a Strength of Diploma Index; §801, Subgroup Performance; §803, Inclusion of Students in the Subgroup Component Performance; §805, Urgent Intervention Needed; §807, Urgent Intervention Required; §809, Comprehensive Intervention Required; §811, Required Interventions; §1101, Letter Grades; §1102, Academically Unacceptable Schools (AUS); §1105, Turnaround Schools; §1107, Unknown School and District Performance Due to Nonparticipation in State Assessments (2014-2015 Only); §1605, Entry and Exit from Subgroup Component Failure; §1301, Reward Eligibility; §1601, Identification as an Academically Unacceptable School; §1603, Requirements for Academically Unacceptable Schools; §1607, Requirements for Schools Identified as Failing the Subgroup Component for Two Consecutive Years; §2101, State Support at Each Level; §2401, Eligibility for Transfer to the Recovery School District; §2501, Schools Requiring Choice; §2505, Transfer Options; §2901, State Annual Reporting; §3101, Appeals/Waivers and Data Certification Processes; §3103, Definitions; §3301, Inclusion of New Schools; §3303, Reconfigured Schools; §3901, Assessment of Students with Disabilities; §3903, LEAP Alternate

Assessment Participation Criteria; §3905, Inclusion of Alternate Assessment Results; §4001, Proficient in English; §4003, Making Progress in Learning English; §4005, English Language Proficiency Descriptors; §4104, Data Validation; §4301, Inclusion of All Districts; and §4310, Subgroup Component AYP (Adequate Yearly Progress). This Rule is hereby adopted on the day of promulgation.

**Title 28
EDUCATION**

Part XI. Accountability/Testing

Subpart 1. Bulletin 111—The Louisiana School, District, and State Accountability System

Chapter 1. General Provisions

**§101. School Accountability
[Formerly LAC 28:LXXXIII.101]**

A. ...

B. Under the Every Student Succeeds Act (ESSA), which reauthorized the federal Elementary and Secondary Education Act, a state’s accountability system must apply the same high standards of academic achievement to all public elementary and secondary school students in the state and result in continuous and substantial academic improvement for all students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2737 (December 2003), amended LR 44:447 (March 2018).

Chapter 3. School Performance Score Component

**§301. School Performance Score Goal
[Formerly LAC 28:LXXXIII.301]**

A. - B. ...

C. Final accountability results shall be issued by the fall semester of each year and all accountability reports will reflect the configuration of the school as it existed the prior spring semester.

1. Beginning in the 2017-2018 school year (2018 SPS), the school performance score for K-7 schools will include an assessment index and a progress index. An interests and opportunities indicator will be included in school performance scores no later than the 2019-2020 school year (2020 SPS).

2. Beginning in 2017-2018 (2018 SPS), the school performance score for K-8 schools will include an assessment index, progress index, and dropout/credit accumulation index. The interests and opportunities indicator will be included in school performance scores no later than 2019-2020 school year (2020 SPS).

K-8 School Performance Score Indices and Weights			
Index	Grades	Beginning in 2017-18	No Later than 2019-20
3-8 and high school LEAP 2025, EOC, LEAP Connect, and ELPT*	Grades K-7	75 percent	70 percent
	Grades K-8	70 percent	65 percent
Progress Index	Grades K-8	25 percent	25 percent
Dropout/Credit Accumulation Index	Grade 8	5 percent	5 percent
Interests and Opportunities	Grades K-8	NA	5 percent

*Beginning in 2018-19

3. Beginning in the 2017-2018 school year (2018 SPS), the school performance score for schools with a grade 12 will include five indicators as outlined in the table below. The interests and opportunities indicator will be included in school performance scores no later than 2019-2020 school year (2020 SPS).

High School Performance Score Indices and Weights			
Index	Grades	Beginning in 2017-2018	No Later than 2019-2020
High school LEAP 2025, EOC, LEAP Connect, LAA 1, and ELPT*	Grades 9-12	12.5 percent	12.5 percent
Progress Index	Grades 9-12	12.5 percent	12.5 percent
ACT/WorkKeys**	Grade 12 and graduating students with last enrollment as grade 11	25 percent	25 percent
Strength of Diploma Index	Grade 12	25 percent	25 percent
Cohort Graduation Rate	Grade 12	25 percent	20 percent
Interests and Opportunities	Grades 9-12	NA	5 percent

*Beginning in 2018-19

**When calculating a school’s ACT index score, students participating in the LEAP Connect or LAA 1 assessment shall not be included in the denominator of such calculation.

4. - 4.b. ...

i. assessment units from students who are initial testers for EOC or high school LEAP 2025 plus the students eligible to test ACT (students with EOC or high school LEAP 2025 and ACT will count only one time);

4.b.ii. - 5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2737 (December 2003), amended LR 31:1512 (July 2005), LR 32:1017 (June 2006), LR 32:2034, 2035 (November 2006), LR 33:424 (March 2007), LR 33:2349 (November 2007), LR 33:2593 (December 2007), LR 34:430 (March 2008), LR 35:639 (April 2009), LR 36:1987 (September 2010), LR 38:3105 (December 2012), LR 39:305 (February 2013), LR 39:1421 (June 2013), LR 39:2441 (September 2013), LR 40:1313 (July 2014), LR 40:2507 (December 2014), LR 41:1481 (August 2015), LR 41:2578 (December 2015), LR 42:2171, 2172 (December 2016), LR 44:447 (March 2018).

**§303. Transition from Fall 2013 to Spring 2016 (2014, 2015, and 2016 SPS Release)
[Formerly LAC 28:LXXXIII.303]**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:2442 (September 2013), amended LR 40:760 (April 2014), LR 40:1314 (July 2014), LR 41:1263 (July 2015), repealed LR 44:447 (March 2018).

§305. Transition from 2017-2018 to 2024-2025 SPS Release

A. Beginning in the 2017-2018 school year (2018 SPS), the overall grading scale will be adjusted to allow schools time to respond to higher expectations in each index. In 2018, the minimum score required for an A, B, and C school letter grade will be lowered by 10 points as compared to the

2012-13 baseline grading scale. In 2022, the scales will partially increase by five points each, and by 2025 the scale will return to the 2013 baseline ranges as detailed below.

Beginning in 2017-2018 and through 2020-2021	
School Performance Score	Letter Grade
90.0-150.0	A
75.0-89.9	B
60.0-74.9	C
50.0-59.9	D
0-49.9	F

Beginning in 2021-2022 and through 2023-2024	
School Performance Score	Letter Grade
95.0-150	A
80.0-94.9	B
65.0-79.9	C
50.0-64.9	D
0-49.9	F

Beginning in 2024-2025 and Beyond	
School Performance Score	Letter Grade
100-150	A
85-99.9	B
70-84.9	C
50-69.9	D
0-49.9	F

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:447 (March 2018).

Chapter 4. Assessment and Dropout/Credit Accumulation Index Calculations

§405. Calculating a K-8 Assessment Index [Formerly LAC 28:LXXXIII.405]

A. For all grades 3-8 use the values from the following table.

LEAP 2025 Index Points	
Label	Subject-Test Index Points
Advanced	150
Mastery	100
Basic	80
Approaching Basic	0
Unsatisfactory	0

B. Beginning in the 2018-2019 school year, the K-8 assessment index will also include a measure of progress to English language proficiency for English learners. Every English learner's improvement on the English language proficiency exam counts in equal weight to all other exams.

C. Weight each subject-test index score by the corresponding value from the table below.

Unit Weights for K-8 Assessment Index				
Grade	ELA	Math	Science	Social Studies
3rd	2	2	1	1
4th	2	2	1	1
5th	2	2	1	1
6th	2	2	1	1
7th	2	2	1	1
8th	2	2	1	1

- D. Sum all weighted subject-test index scores.
- E. Sum all weights applied to subject-test index scores from the table above (in Subsection B).
- F. Divide the sum from Subsection D by the total scores.
- G. When 8th grade students participate only in the algebra I exam and not also the grade-level math assessment, the algebra I test results shall be used in the middle school's assessment index (80 for basic, 100 for good/mastery, and 150 for excellent/advanced) and will be weighted by content as noted in the table above. Middle schools will also earn incentive points for all EOC or high school LEAP 2025 scores of good/mastery or excellent/advanced earned during the same year in which the test was administered.

- 1. Incentive points will be awarded as follows:
 - a. excellent or advanced = 50;
 - b. good or mastery = 25.

H. The policy, as outlined in Subsection F of this Section, shall also apply to combination schools. The EOC or high school LEAP 2025 score will be used in middle school results for the year in which the assessment is taken, incentive points may be awarded, and the score will be banked for use in the high school score once the student arrives in 9th grade, as outlined in §409.A.3.

I. In the 2017-2018 school year, the science test will be administered as a field test only. When calculating the K-8 assessment index for the 2017-2018 school year, either the 2015-2016 or 2016-2017 science assessment index, whichever yields the higher school performance score, shall be used as the science component of the overall assessment index and will be weighted by the 2017-2018 social studies assessment index tested population in order to limit impact of population changes from prior years.

J. In the 2018-2019 school year, the science test will be operational again. When calculating the K-8 assessment index, for the 2018-2019 school year, either the 2016-2017 or 2018-2019 science assessment index, whichever yields the higher school performance score, shall be used as the science component of the overall assessment index and will be weighted by the 2018-2019 social studies assessment index tested population in order to limit impact of population changes from prior years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1021 (June 2006), amended LR 36:1989 (September 2010), LR 38:3106 (December 2012), LR 41:2579 (December 2015), LR 42:548 (April 2016), LR 42:2172 (December 2016), LR 44:448 (March 2018).

§409. Calculating a 9-12 Assessment Index [Formerly LAC 28:LXXXIII.409]

A. All operational end-of-course (EOC) and high school LEAP 2025 tests will be used in the calculation of the grade 9-12 assessment index.

- 1. ...
- 2. The performance level will be used in the calculation of the assessment index as described in the chart below.

EOC or High School LEAP 2025 Performance Level	Index Points
Advanced (or Excellent)	150
Mastery (or Good)	100

EOC or High School LEAP 2025 Performance Level	Index Points
Basic	80
Approaching Basic (or Fair)	0
Unsatisfactory (or Needs Improvement)	0

3. Test scores of basic, good/mastery, or excellent/advanced earned by students at a middle school will be included in the SPS calculations of the high school to which the student transfers as well. The scores for the high school will be included in the accountability cycle that corresponds with the students' first year of high school. EOC or high school LEAP 2025 test scores considered "not proficient" (approaching basic/fair, unsatisfactory/needs improvement) will not be transferred, or banked, to the high school. Students will retake the test during summer remediation or at the high school, and the highest achievement level earned by the student from the first (middle school) or second administration of the test will be used in the calculation of the high school assessment index in the first year of high school.

4. Students who are completing their third year in high school must have taken the algebra I and English II tests, or LAA 1 or LEAP connect. If they do not, the students will be assigned a score of zero and be counted as non-participants in high school testing. All students must be included in the assessment cohort regardless of course enrollment, grade assignment or program assignment.

5. Beginning in the 2018-2019 school year, the grade 9-12 assessment index will also include a measure of progress to English language proficiency for English learners. Every English learner's improvement on the English language proficiency exam counts in equal weight to all other exams.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1021 (June 2006), amended LR 33:252 (February 2007), LR 36:1989 (September 2010), LR 37:2118 (July 2011), repromulgated LR 37:2382 (August 2011), amended LR 37:3200 (November 2011), LR 38:1212 (May 2012), LR 38:2357 (September 2012), LR 38:3106 (December 2012), LR 39:305 (February 2013), LR 39:1421 (June 2013), LR 40:1314 (July 2014), LR 41:2579 (December 2015), LR 42:548 (April 2016), LR 44:448 (March 2018).

§411. ACT/WorkKeys Index

A.1. The ACT composite score will be used in the calculation of the ACT assessment index as described in the chart below. To the extent practicable, a student's highest earned score for any ACT administration shall be used in the calculation.

ACT Composite	Index Points Beginning in 2017-2018
0-17	0
18	70.0
19	80.0
20	90.0
21	100.0
22	103.4
23	106.8
24	110.2
25	113.6
26	117.0
27	120.4
28	123.8
29	127.2

ACT Composite	Index Points Beginning in 2017-2018
30	130.6
31	134.0
32	137.4
33	140.8
34	144.2
35	147.6
36	150

2.a. Starting in the 2015-16 school year, student performance on the WorkKeys shall be included within the ACT index, where a student takes both assessments and earns a greater number of index points for WorkKeys than for ACT.

b. The concordance tables below shall be used to award points beginning in the 2017-18 school performance score results and shall be reevaluated annually for continued alignment with ACT performance.

WorkKeys Index (2017-2018)	
WorkKeys Level	Index Points
Platinum	134.0
Gold	110.2
Silver	70.0

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:449 (March 2018).

§413. Dropout/Credit Accumulation Index Calculations

[Formerly LAC 28:LXXXIII.413]

A. - B.3. ...

4. Students who are completing their third year in grade 8 shall be included in the calculation and earn zero points.

Number of Carnegie Units	Index Point Award
7 or more	150
6.5	125
6	100
5.5	75
5	50
4.5	25
4 or less	0
3rd year 8th grade student	0
Dropout	0

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 36:1990 (September 2010), LR 38:3107 (December 2012), LR 39: 2443 (September 2013), LR 40:1315 (July 2014), LR 44:449 (March 2018).

Chapter 5. Progress Index Calculations
§501. Calculating an Elementary/Middle School Progress Index

A. Beginning in the 2017-2018 school year (2018 SPS), the progress index will be calculated for ELA and math LEAP 2025 assessments as follows.

B. For students scoring unsatisfactory, approaching basic, or basic in the prior school year, the progress index will award 150 points for each ELA and math score meeting

or exceeding the “growth to mastery” target set by the department.

1. The growth to mastery target will be calculated by adding to the prior year scaled score the difference between the 8th grade scaled score required for mastery (750) and the prior year assessment scaled score divided by the number of years for the student to reach 8th grade (8 - prior-year grade). For students with prior-year grade 7, the growth to mastery target is a score of mastery.

2. Growth to mastery targets will be rounded to the nearest whole number but must be at least one point above the prior year scaled score.

C. For students scoring mastery on the prior year assessment, the progress index will award 150 points for meeting or exceeding the “continued growth” target.

1. The continued growth target will be calculated by adding to the prior-year scaled score the difference between the 8th grade scaled score required for advanced (794 in ELA and 801 in math) and the prior-year assessment scaled score divided by the number of years for the student to reach 8th grade (8 - prior-year grade). For students with prior-year grade 7, the continued growth target is a score of advanced.

2. Continued growth targets will be rounded to the nearest whole number but must be at least one point above the prior year scaled score.

3. If the continued growth target as calculated above exceeds the minimum score for advanced in the current year, the target is advanced.

D. A score of advanced in the current year will be awarded 150 points in the progress index.

E. If a student does not earn 150 points in Subsections B-E above, the value-added model will be used to measure individual student performance relative to similar peers.

1. For the purpose of school performance score calculations, the value-added model uses student characteristics including but not limited to prior academic achievement up to three years, special education exceptionality, economically disadvantaged status, English learner status, gifted status, section 504 status, suspensions, mobility, and absences to calculate typical outcomes for comparable students in ELA and math based on a longitudinal dataset from all students who took Louisiana state assessments in grades 3-12. Based on typical outcomes for comparable students, each student is assigned an expected score.

2. The difference between each student’s actual achievement score and that student’s expected score is the growth result. If actual achievement for a student was higher than expected achievement for that student with that history (e.g., actual: 725; expected: 700), then the result would be positive (e.g., growth result: 25). In contrast, if the actual score was less than the expected score, the growth result would be negative.

3. Each student growth result will be compared to all other student growth results in the same subject area (ELA or math) and percentile ranked from the 1st to 99th percentile.

4. Value-added model points will be awarded as follows.

Student Growth Percentile	Index points
80-99th percentile	150
60-79th percentile	115

Student Growth Percentile	Index points
40-59th percentile	85
20-39th percentile	25
1-19th percentile	0

5. Students scoring mastery in the current year shall be awarded up to 150 points, but no fewer than 85 points in the progress index, including students who score in the 1st to 39th percentiles of VAM.

F. The progress index calculation will include all students who meet the inclusion requirements outlined in Chapter 5 and who have eligible LEAP or EOC assessment results in both the current and prior school year for the same content area. Student scores will be excluded from the progress index (growth to mastery and value-added model) if any of the following are true:

1. student did not take the ELA or math assessment, or assessment result was voided in current or prior year;

2. student has more than one missing prior year score in the available subject tests. For example, if the contents available in the prior year were ELA, math, science, and social studies, a student missing more than one score in those contents would be excluded;

3. assessment results for current or prior school year are in multiple grade levels in the same year;

4. current or prior year assessment results could not be matched to a valid student enrollment record needed for student characteristics used in the model;

5. assessment results for current and prior year are not sequential. For example, a student’s prior year assessment record was for a 5th grade test and his/her current year assessment record was for a 4th grade test. Assessment results that are for 3rd grade tests in both the current and prior year are excluded;

6. insufficient numbers of comparable students for valid calculations within the value-added model.

G. The progress index will combine the results of two school years.

1. If only one year of data is available for a school, the progress index will be calculated based on one year only.

2. All students who meet the inclusion rules at a school for each individual school year will be included in the combined calculation. For example, in 2018-2019, the number of points earned by students in 2018-2019 will be added to the number of points earned by students in 2017-2018 and divided by the total number of students in 2018-2019 and 2017-2018.

H. If the EOC or high school LEAP 2025 result earned by students at a middle school is transferred, or banked, to the high school, the progress index result for the relevant assessment will also be transferred.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:449 (March 2018).

§503. Calculating a High School Progress Index

A. Beginning in the 2017-2018 school year (2018 SPS), the progress index will be calculated for algebra I, geometry, English I, and English II assessments as follows.

B. Progress is measured between a student’s 8th grade ELA and math assessments and the high school EOC or LEAP 2025 ELA and math assessments (algebra I, geometry, English I, and English II).

1. If a student took only the EOC or high school LEAP 2025 assessment in middle school, the middle school progress index results will carry forward to the high school.

2. Retests will not be counted in the progress index.

C. For students scoring unsatisfactory, approaching basic, or basic on the baseline assessment, the progress index will award 150 points for each English and math score meeting or exceeding the growth to mastery target.

1. The growth to mastery target for students taking their first EOC or high school LEAP 2025 in a content area will be calculated by adding to the baseline scaled score the difference between the scaled score required for mastery (750) and the baseline scaled score divided by two. The growth to mastery target for students taking their second EOC or high school LEAP 2025 in a content area will be mastery (750).

2. Growth to mastery targets will be rounded to the nearest whole number but must be at least one point above the baseline scaled score.

D. For students scoring mastery on the baseline assessment, the progress index will award 150 points for meeting or exceeding the “continued growth” target.

1. The continued growth target will be calculated by adding to the baseline scaled score the difference between the English II and geometry scores required for advanced and the prior year assessment scaled score divided by two. For students taking their second EOC or high school LEAP 2025 in a content area, the continued growth target is a score of advanced.

2. Continued growth targets will be rounded to the nearest whole number but must be at least one point about the baseline scaled score.

3. If the continued growth target as calculated above exceeds the minimum score for advanced in the current assessment, the target is advanced.

E. A score of advanced in the current year will be awarded 150 points in the progress index.

F. If a student does not earn 150 points in B-D above, the value-added model will be used to measure individual student performance relative to similar peers.

1. For the purpose of school performance score calculations, the value-added model uses student characteristics including but not limited to prior academic achievement up to three years, special education exceptionality, economically disadvantaged status, English learner status, gifted status, section 504 status, suspensions, mobility, and absences to estimate typical outcomes for comparable students in ELA and math based on a longitudinal dataset from all students who took Louisiana state assessments in grades 3-12. Based on typical outcomes for comparable students, each student is assigned an expected score.

2. The difference between each student’s actual achievement and that student’s expected score is the growth result. If actual achievement for a student was higher than expected achievement for that student with that history (e.g., actual: 725; expected: 700), then the result would be positive

(e.g., growth result: 25). In contrast, if the actual score was less than the expected score, the growth result would be negative.

3. Each student growth result will be compared to all other student residuals in the same subject area (ELA or math) and percentile ranked from the 1st to 99th percentile.

4. Value-added model points will be awarded as follows.

Student Growth Percentile	Index points
80-99th percentile	150
60-79th percentile	115
40-59th percentile	85
20-39th percentile	25
1-19th percentile	0

5. Students scoring mastery in the current year shall be awarded up to 150 points, but no fewer than 85 points in the progress index, including students who score in the 1st to 39th percentiles of VAM.

G. The progress index calculation will include all students who meet the inclusion requirements outlined in Chapter 5 and have eligible LEAP or EOC assessment results in both the current and prior school year for the same content area. Student scores will be excluded from the progress index (growth to mastery and value-added model) if any of the following are true:

1. student did not take the ELA or math assessment or assessment result was voided in current or prior year;

2. student has more than one missing prior year score in the available subject tests. The value-added model uses tests in all contents available to analyze any given content. For example, if the contents available in the prior year were ELA, math, science, and social studies, a student missing more than one score in those contents would be excluded;

3. assessment results for current or prior school year are in multiple grade levels in the same year;

4. current or prior year assessment results could not be matched to a valid student enrollment record needed for student characteristics used in the model;

5. insufficient numbers of comparable students for valid calculations within the value-added model;

6. student is dually enrolled in algebra I and geometry courses (applies to geometry only).

H. The progress index will combine the results of two school years.

1. If only one year of data is available for a school, the progress index will be calculated based on one year only.

2. All students who meet the inclusion rules at a school for each individual school year will be included in the combined calculation. For example, in 2018-2019, the number of points earned by students in 2018-2019 will be added to the number of points earned by students in 2017-2018 and divided by the total number of students in 2018-2019 and 2017-2018.

3. In 2017-2018 only, the high school progress index will be based only on one year of results.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:450 (March 2018).

§515. State Assessments and Accountability
[Formerly LAC 28:LXXXIII.515]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 31:2422 (October 2005), LR 32:1022 (June 2006), LR 33:253 (February 2007), LR 36:1990 (September 2010), LR 37:2119 (July 2011), LR 38:1212 (May 2012), LR 38:3107 (December 2012), 39:2443 (September 2013), LR 40:2507 (December 2014), repealed LR 44:452 (March 2018).

§517. Inclusion of Students
[Formerly LAC 28:LXXXIII.517]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 31:1512 (July 2005), LR 31:2422 (October 2005), LR 31:2764 (November 2005), LR 33:2594 (December 2007), LR 38:3107 (December 2012), LR 39:305 (February 2013), LR 40:1315 (July 2014), repealed LR 44:452 (March 2018).

§519. Inclusion of Schools
[Formerly LAC 28:LXXXIII.519]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 31:1512 (July 2005), LR 32:1022 (June 2006), LR 34:431 (March 2008), LR 36:1991 (September 2010), LR 38:3108 (December 2012), LR 40:2507 (December 2014), LR 41:1263 (July 2015), repealed LR 44:452 (March 2018).

§521. Pairing/Sharing of Schools with Insufficient Test Data
[Formerly LAC 28:LXXXIII.521]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 30:1445 (July 2004), LR 32:1023 (June 2006), LR 36:1991 (September 2010), LR 38:3108 (December 2012), LR 39:1422 (June 2013), LR 40:1315 (July 2014), repealed LR 44:452 (March 2018).

Chapter 6. Inclusion in Accountability

§601. State Assessments and Accountability
[Formerly §515]

A. Louisiana students in grades 3-8 will participate in at least one of the following state assessments on an annual basis:

1. LEAP; or
2. LEAP connect.

B. Louisiana students in grades 9, 10, 11, and 12 will participate in at least one of the following state assessments:

1. EOC or high school LEAP 2025 (when they are enrolled in the course for which a test is available);
2. LEAP alternate assessment level 1 (LAA 1) or LEAP connect;
3. ACT in grade 11 or 12.

C. All students who are English learners shall take the Louisiana English language proficiency test (ELPT) assessment annually, as well as the appropriate state assessment for their enrolled grade.

D. EOC or high school LEAP 2025 scores for repeaters (in any subject) shall not be included in high school SPS calculations except for middle school students who earn a score of unsatisfactory/needs improvement or approaching basic/fair and retake the EOC or high school LEAP 2025 test.

E. English learners who have not been enrolled in a school in the United States for one full school year shall participate in all required academic assessments and the ELPT.

1. In the first year, academic assessment and ELPT scores will not be included in school performance score calculation as indicated by the application of an assigned accountability code and verification of first year enrollment.

2. In the second year, ELA and math assessment scores will be included in the progress index only, and as outlined in chapter 5 ELPT improvement will be included in the assessment index.

3. In the third year, academic assessment will be included in the assessment and progress indices and ELPT improvement will be included in the assessment index for school performance score calculations.

F. Scores earned by any student during an academic year who transferred into the LEA after October 1 of the same academic year shall not be included in the school performance score (SPS) or subgroup performance score.

G. An ACT score from a 12th grade student will count in only one accountability cycle.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 31:2422 (October 2005), LR 32:1022 (June 2006), LR 33:253 (February 2007), LR 36:1990 (September 2010), LR 37:2119 (July 2011), LR 38:1212 (May 2012), LR 38:3107 (December 2012), 39:2443 (September 2013), LR 40:2507 (December 2014), LR 44:452 (March 2018).

§603. Inclusion of Students
[Formerly §517]

A. The test score of every student who is enrolled in any school in an LEA on October 1 of the academic year and who is eligible to take a test at a given school within the same LEA shall be included in the LEA's district performance score (DPS). The score of every student that will count in the DPS will be counted at the school where the student was enrolled on February 1 for SPS and subgroup performance.

1. For EOC or high school LEAP 2025 tests taken in December the score will count in the SPS at the school where the student is enrolled for the test.

2. For ACT, a grade 12 student will be considered full academic year at the school and district from which the student graduated in December of the current school year if the student was enrolled in the district on October 1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December

2003), amended LR 31:1512 (July 2005), LR 31:2422 (October 2005), LR 31:2764 (November 2005), LR 33:2594 (December 2007), LR 38:3107 (December 2012), LR 39:305 (February 2013), LR 40:1315 (July 2014), LR 44:452 (March 2018).

§605. Inclusion of Schools
[Formerly §519]

A. All K-8 schools shall have a minimum of 40 testing units in any combination of LEAP or LEAP connect assessments.

B. All 9-12 and combination schools shall have a minimum number of 40 units in any combination of graduation cohort membership and 3-8 and high school LEAP 2025, LAA 1, EOC, LEAP connect, or ACT assessments.

C. Each member of a cohort used to calculate a graduation index shall be counted as 4 units when determining the minimum number of units required calculating an SPS.

D. Inclusion of Indices

1. A school must have ten students in the graduation cohort to receive the cohort graduation indices.

2. For schools with early graduates, an increasing grade configuration, and without cohort graduation members, ACT assessment scores shall be banked for the calculation of school performance scores until the accountability cycle associated with those early graduates, per cohort graduation policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 31:1512 (July 2005), LR 32:1022 (June 2006), LR 34:431 (March 2008), LR 36:1991 (September 2010), LR 38:3108 (December 2012), LR 40:2507 (December 2014), LR 41:1263 (July 2015), LR 44:453 (March 2018).

§607. Pairing/Sharing of Schools with Insufficient Test Data
[Formerly §521]

A. Any school with at least one testing grade (3-11) will receive its SPS based only on its own student data provided it meets the requirements of §605.

B. Any K-2 school with insufficient testing data will be awarded an SPS equal to the SPS of the school to which it is paired.

C. Any school enrolling only twelfth grade students will be awarded an SPS based on shared data from a school or schools containing grades 9-11 that send it the majority of its students. This sharing relationship is to define the cohort that will provide the starting roster on which its graduation index will be based

D. Any K-2, 9-12 configuration shall receive an SPS based solely on the 9-12 data.

E. A district must identify the school where each of its non-standard schools shall be paired in order to facilitate the proper sharing of data for reporting purposes, as described above. The paired school must be the one that receives by promotion the largest percentage of students from the non-standard school. In other words, the paired school must be the school into which the largest percentage of students feed. If two schools receive an identical percentage of students from a non-standard school, or when there is no distinct feeder pattern, the district shall select the paired school.

F. Requirements for the number of test/graduation index units shall be the sum of the units used to calculate the school's SPS (see §605).

G. If a school has too few test units to be a "stand-alone" school, it may request to be considered stand-alone.

1. It shall receive an SPS that is calculated solely on that school's data, despite the small number of test units.

2. The request shall be in writing to the LDE from the LEA superintendent.

3. The school forfeits any right to appeal its SPS and status based on minimum test unit counts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2741 (December 2003), amended LR 30:1445 (July 2004), LR 32:1023 (June 2006), LR 36:1991 (September 2010), LR 38:3108 (December 2012), LR 39:1422 (June 2013), LR 40:1315 (July 2014), LR 44:453 (March 2018).

§611. Documenting a Graduation Index
[Formerly LAC 28:LXXXIII.611]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1024 (June 2006), amended LR 35:639 (April 2009), LR 35:2312 (November 2009), LR 36:2242 (October 2010), LR 36:2841 (December 2010), LR 38:3108 (December 2012), LR 40:1316 (July 2014), LR 42:2172 (December 2016), repealed LR 44:453 (March 2018).

§612. Calculating a Cohort Graduation Index
[Formerly LAC 28:LXXXIII.612]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:306 (February 2013), repealed LR 44:453 (March 2018).

§613. Calculating a Graduation Index
[Formerly LAC 28:LXXXIII.613]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1025 (June 2006), amended LR 33:2031 (October 2007), LR 33:2594 (December 2007), LR 35:1472 (August 2009), LR 36:1769 (August 2010), repromulgated LR 36:1994 (September 2010), LR 36:2243 (October 2010), LR 37:3201 (November 2011), LR 38:1391 (June 2012), LR 38:3109 (December 2012), LR 39:306 (February 2013), LR 39:2444 (September 2013), LR 40:1317 (July 2014), LR 41:615 (April 2015), LR 42:1017 (July 2016), LR 42:2172 (December 2016), repealed LR 44:453 (March 2018).

Chapter 7. Graduation Cohort, Index, and Rate
[Formerly Chapter 7]

§701. Defining a Graduation Index
[Formerly §601]

A. The Louisiana Department of Education (LDE) will calculate a graduation index based on a cohort of students for use in the school performance score of each school with students in grade 12.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1024 (June 2006),

amended LR 38:1391 (June 2012), LR 38:3108 (December 2012), LR 44:453 (March 2018).

§703. Determining a Cohort for a Graduation [Formerly §603]

A. A cohort of students is all students who entered 9th grade for the first time in the state of Louisiana in a given academic year.

B. Each cohort of students will be tracked for four years, from entry as first-time ninth graders through four academic years. Transitional ninth graders will enter automatically the first-time ninth grade cohort in the year after enrolling in transitional ninth grade.

C. Students who exit Louisiana's student information system (SIS) system in fewer than four years for legitimate reasons shall not be included in the cohort's graduation index calculations.

1. For graduation cohort calculations, exit codes 07, 10, 14, 16, and 20 from §611 are legitimate, along with any special codes created to deal with natural disasters.

2. Beginning with accountability decisions made in fall 2010 (using 2009 grad data), the only legitimate leavers from a cohort are those who:

- a. transfer from Louisiana K-12 public education to a diploma awarding school or program;
- b. emigrate to another country;
- c. are deceased.

3. Specific documentation is required for students to be considered legitimate leavers.

a. The only acceptable documentation for transfers to other diploma awarding schools is a request for student records from the qualifying school or program, or a letter from an official in the receiving school or program acknowledging the students enrollment. The LDE can, during data certification and audits, require proof that the school or program is recognized as a "diploma awarding" by the state in which it is located.

b. Documentation for a student transfer to home school is an official document from LDE indicating approval dated before October 1 following the student's exit from the Louisiana SIS.

c. Students who emigrate to another country must be documented with a statement signed by a parent, a request for student records, or an approved application for participation in a foreign exchange program which verifies dates of enrollment.

d. An obituary or a letter from a parent is sufficient documentation for a deceased student.

4. The LDE shall maintain and post on the LDE website a list of schools that are considered "non-diploma awarding."

5. A school is classified as "non-diploma awarding" if it:

- a. awards fewer than five regular diplomas a year for two consecutive years; or
- b. enrolls fewer than 10 twelfth graders for a full academic year for each of two consecutive years;
- c. the LDE can grant exceptions to these rules for new schools and schools with small populations upon district request if it can be determined that no circumvention of accountability consequences will occur. The district is responsible for providing any data requested by the LDE.

D. Students that LEAs exit from a school or the LEA using anything other than legitimate leaver codes or those codes indicating completion of a high school course of study must subsequently appear in the Student Information System or they shall be considered dropouts from the state, LEA and school.

E. Students with no high school records in the Louisiana SIS who transfer from a home school, non-public school, or another state into a Louisiana school on or before October 1 of their eleventh grade year will enter the "on-time" cohort at the students' assigned grade level. Students with existing Louisiana public high school records will re-enter their original cohort.

F. Students transferring within the public school system in Louisiana will remain in their same cohort.

1. Students transferring within an LEA on or before October 1 of their cohort's fourth year will be included in the calculation of the graduation index at the school into which they transfer and complete their fourth year of high school.

2. Students who exit their high school for more than 45 calendar days during their fourth year shall not be included in that high school's grad cohort calculation.

G. Students who graduate or complete high school in fewer than four years will be included in the cohort in which they started 9th grade.

H. Any student who exits K-12 education to enter a school or program that does not award a state-recognized high school diploma shall be considered a dropout in graduation cohort calculations.

I. Beginning with the 2016-2017 academic year, for students who exit and have no subsequent enrollment in a school, the school of last record will be considered the school that sent a valid request for student records to the school that applied the exit code.

1. If the last exit from enrollment is for expulsion (exit code 01), then the request for records will not be used to determine last school of record. The last school of enrollment shall be used.

2. This policy shall apply to dropout assignment for any cohort graduation period or DCAI year that includes 2016-2017 and beyond. Years prior to 2016-2017 that are included in a cohort graduation period or DCAI year will continue to use the historical rule, established by the student information system (SIS), of assigning the dropout to the school of last enrollment record in SIS.

J. All students (excluding those defined in Subsection C of this Section), regardless of entry or exit dates, are included in the state-level cohort.

K. Students assessed using the LAA 1 or LEAP connect shall be included in the graduation rate for the year in which they graduated or the year in which they exited after at least four years in high school with no subsequent re-enrollment by October 1 of the following academic year. Students who are not exited will be counted in the year that they reach the age of 22.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1024 (June 2006), amended LR 33:424 (March 2007), LR 33:2031 (October 2007), LR 35:2312 (November 2009), LR 36:2242 (October 2010), LR

36:2840 (December 2010), LR 38:3108 (December 2012), LR 40:1316 (July 2014), LR 43:302 (February 2017), LR 44:454 (March 2018).

§705. Documenting a Graduation Index
[Formerly §611]

A. Beginning with academic year 2005-2006, all schools are required to maintain the following documentation if the corresponding exit code is used.

Exit Code Documentation		
Code	Descriptions	Required Documentation
07	Death (of student) or permanent incapacitation	Letter from parent or obituary
10	Transferred out of state or country	Request for records from the receiving school (out of state). Request for records or a statement written and signed by the parent. Documentation proving a student was a foreign exchange student.
14	Transferred to approved non-public school (must award high school diplomas)	Request for records from the receiving school
16	Transferred to BESE-approved home study	LDE Approval letter
20	Transferred to Early College Admissions Program	School withdrawal form and request for records from the College or University and proof of full-time enrollment in an academic program

B. Valid alternate documentation that provides sufficient justification for the use of an exit code is allowable.

C. Schools without sufficient documentation to support exit codes are subject to the actions described in Chapter 41.

D. Schools shall maintain documentation that supports exit codes for at least four years after the data has been used in school performance scores.

E. The authenticity of exit code documentation is determined by the LDE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1024 (June 2006), amended LR 35:639 (April 2009), LR 35:2312 (November 2009), LR 36:2242 (October 2010), LR 36:2841 (December 2010), LR 38:3108 (December 2012), LR 40:1316 (July 2014), LR 42:2172 (December 2016), LR 44:455 (March 2018).

§707. Calculating a Cohort Graduation Index
[Formerly §612]

A. To calculate the cohort graduation index, the following formulas shall be used.

Cohort Graduation Rate (CGR)	Formula Used
0 percent to 75 percent	CGR x 0.9
76 percent to 90 percent	CGR x 1.111112
91 percent to 100 percent	+5 points per percent increase (91=105, 92=110)

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 39:306 (February 2013), amended LR 44:455 (March 2018).

§708. Using a Graduation Rate in the Subgroup Component
[Formerly LAC 28:LXXXIII.708]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1026 (June 2006), amended LR 33:424 (March 2007), LR 36:2243 (October 2010), LR 37:1122 (April 2011), LR 38:3110 (December 2012), repealed LR 44:455 (March 2018).

§709. Calculating a Strength of Diploma Index
[Formerly §613]

A. Beginning in 2017-2018 (2016-2017 cohort), points shall be assigned for each member of a cohort according to the following table.

Student Result	Points
HS Diploma plus Associate's Degree	160
HS Diploma plus (a) AP score of 3 or higher, IB Score of 4 or higher, or CLEP score of 50 or higher OR (b) Advanced statewide Jump Start credential *Students achieving both (a) and (b) will generate 160 points.	150
HS Diploma plus (a) At least one passing course grade for TOPS core curriculum credit of the following type: AP**, college credit, dual enrollment, or IB** OR (b) Basic statewide Jump Start credential *Students achieving both (a) and (b) will generate 115 points. **Students must take the AP/IB exam and pass the course to earn 110 points.	110
Four-year graduate (includes Career Diploma student with a regional Jump Start credential)	100
Five-year graduate with any diploma *Five-year graduates who earn an AP score of 3 or higher, an IB score of 4 or higher, a CLEP score of 50 or higher, or an Advanced statewide Jump Start credential will generate 140 points.	75
Six-year graduate with any diploma	50
HiSET plus Jump Start credential	40
HiSET	25
Non-graduate without HiSET	0

B. The graduation index of a school shall be the average number of points earned by cohort members, except that students assessed using the LAA 1 or LEAP connect shall be included in the graduation index for the year in which they graduated or the year in which they exited after at least four years in high school with no subsequent re-enrollment by October 1 of the following academic year. Students who are not exited will be counted in the year that they reach the age of 22.

1. Starting with the graduating class of 2017-2018 (2019 SPS), only WIC-approved industry-based certifications (IBCs) will be included as basic statewide credentials.

2. A credential must be earned no later than August 31 following on-time graduation.

C.1. When related to awarding fifth-year graduate points, the enrollment must be continuous and consist of at least 45 calendar days only if the student graduates from an LEA different than the one to which the student was assigned in the fourth year.

D. To ensure the accuracy of data used to calculate the graduation index, the calculation shall lag one year behind the collection of the data. (The index earned by the

graduating class of 2012 will be used for 2013 accountability calculations.)

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1025 (June 2006), amended LR 33:2031 (October 2007), LR 33:2594 (December 2007), LR 35:1472 (August 2009), LR 36:1769 (August 2010), repromulgated LR 36:1994 (September 2010), LR 36:2243 (October 2010), LR 37:3201 (November 2011), LR 38:1391 (June 2012), LR 38:3109 (December 2012), LR 39:306 (February 2013), LR 39:2444 (September 2013), LR 40:1317 (July 2014), LR 41:615 (April 2015), LR 42:1017 (July 2016), LR 42:2172 (December 2016), LR 44:455 (March 2018).

Chapter 9. Urgent Intervention and Comprehensive Intervention

§901. Subgroup Performance

A. A subgroup performance score shall be calculated for each school and district in the same manner as defined in Chapter 3 of this bulletin.

1. A subgroup performance score shall be calculated, at a minimum, for each major racial and ethnic group, as well as the following student groups:

- a. economically-disadvantaged;
- b. students with disabilities;
- c. English learners;
- d. foster care;
- e. homeless; and
- f. military-affiliated.

2. In order to receive a subgroup performance score, a school must have in the subgroup a minimum of 10 students included in each graduation, dropout credit, and ACT index and 40 units in each assessment and progress index included in the school's overall school performance score calculation.

B. School subgroup performance scores will be reported publicly by percentile rank relative to all other schools receiving a score for each subgroup.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:456 (March 2018).

§903. Inclusion of Students in the Subgroup Component Performance [Formerly §703]

A. Students that meet the full academic year criteria, as described in §603 and as described in Paragraphs A.1-2 of this Section, shall be included in all subgroup performance score calculations:

1. student is a former English learner student for up to two years after no longer being considered an English language learner under state rules. These students will not count toward the minimum n for the EL subgroup;

2. student was previously identified as having a disability, but has exited IEP status within the past two years. These students will not count toward the minimum n for the students with disabilities subgroup.

B.1. In calculating the school performance score:

a. the alternate academic achievement standards for students participating in LAA 1 or LEAP connect will be used, provided that the percentage of students assessed using the LAA 1 or LEAP connect at the district level does not exceed 1.0 percent of all students in the grades assessed. If the district exceeds the 1.0 percent cap, the district shall request a waiver. The students exceeding the cap shall be

assigned a 0 on the assessment and be considered non-proficient if:

i. the district fails to request the waiver; or
ii. if the district requests the waiver but it is determined by LDE that ineligible students were administered LAA 1 or LEAP connect;

b. when calculating the 1.0 percent cap for alternate assessment purposes, all decimals in results shall be rounded to the next highest whole number:

i. 1.0 percent of 628 students is 6.28 students. The 1.0 percent cap, in this instance, is 7 students.

2. Students participating in LAA 1 or LEAP connect shall be included in the students with disabilities subgroup.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2743 (December 2003), amended LR 30:1619 (August 2004), repromulgated LR 30:1996 (September 2004), amended LR 30:2256 (October 2004), amended LR 30:2445 (November 2004), LR 31:912 (April 2005), LR 31:2762 (November 2005), LR 33:253 (February 2007), LR 34:428 (March 2008), LR 34:867 (May 2008), LR 36:1991 (September 2010), LR 37:2119 (July 2011), LR 38:3110 (December 2012), LR 40:2507 (December 2014), LR 44:456 (March 2018).

§905. Urgent Intervention Needed

A. Schools will be labeled "urgent intervention needed" for each subgroup in which the subgroup performance score is equivalent to a "D" or "F" letter grade on the school performance score scale.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:456 (March 2018).

§907. Urgent Intervention Required

A. Schools will be labeled "urgent intervention required" for each subgroup in which the subgroup performance score is equivalent to an "F" letter grade on the school performance score scale for two consecutive years in the same subgroup. Any such school shall not earn an overall letter grade of an "A." A school that would otherwise earn an "A" letter grade will instead earn a "B."

B. Schools exhibiting excessive out-of-school suspension rates more than double the most recent national average for the school type (elementary/middle, high, combination), as defined by the *Civil Rights Data Collection*, for three consecutive years will also be labeled "urgent intervention required."

1. Schools without tested grades shall not be paired for the purposes of identification relative to out of school suspension rates.

2. Schools must have at least 10 students enrolled in each of the three years.

C. To be no longer labeled "urgent intervention required," the school must not earn the equivalent of "urgent intervention required" for the same subgroup or for excessive out of school discipline for two consecutive years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:456 (March 2018).

§909. Comprehensive Intervention Required

A. Any school that earns a "D" or "F" letter grade in the state accountability system for three consecutive years or

with a cohort graduation rate of less than 67 percent in the most recent year will be labeled “comprehensive intervention required.”

1. For a turnaround school that has earned one or more T letter grades as provided for in §1105.A, the department shall determine the “A,” “B,” “C,” “D,” or “F” equivalent letter grade for the purpose of determining whether the school has earned the “comprehensive intervention required” label.

2. A new school, as defined in §3301, will be labeled “comprehensive intervention required” if it earns a “D” or “F” letter grade in both the first and second year of operation.

B. Beginning in 2019-2020 (2020 SPS), a school that is labeled “urgent intervention required” for a period of three consecutive years for the same subgroup or for excessive out of school discipline will be labeled “comprehensive intervention required,” unless in the current year the school has improved the subgroup score or suspension rate for which it has earned the label, such that the school no longer has a subgroup score equivalent to a “F” or out of school suspension rate more than double the national average.

C. Schools that have fewer than 40 units may be labeled “comprehensive intervention required” based on the available data.

D. To no longer be labeled as requiring comprehensive intervention, the school must earn an “A,” “B,” or “C” letter grade for two consecutive years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:456 (March 2018).

§911. Required Interventions

A. In accordance with Louisiana’s approved consolidated State plan under the Every Student Succeeds Act (ESSA), each LEA shall develop a plan that describes the goals, strategies, and monitoring processes that will be used to address the challenges of each school labeled “urgent intervention required” or “comprehensive intervention required” for approval according to timelines and procedures developed by the LDE. Such plan shall remain in effect until such time as the school achieves established exit criteria set for in §907 and §909 of this bulletin, or until an amended plan is required.

B. The LDE shall support LEAs through providing assistance and feedback in the development of the plans and reviewing the implementation and effectiveness of the plans. The LDE shall increase involvement with LEAs for those schools that do not make progress.

C. To ensure continued progress to improve student academic achievement and school success, the LDE shall implement more rigorous actions for schools labeled “urgent intervention required” and “comprehensive intervention required” that fail to show improvement over time.

D. For each school that has been labeled “comprehensive intervention required” for four or more consecutive years, the LDE and BESE, if applicable, shall require one or more rigorous interventions permitted under state law

E. Each LEA required to submit a plan under this Section and §1601 of this bulletin shall submit a single plan to LDE that addresses the requirements of both Sections.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:457 (March 2018).

Chapter 11. School Performance Categories

§1101. Letter Grades

[Formerly LAC 28:LXXXIII.1101]

A. Letter grades shall be assigned pursuant to §305 of this bulletin.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2120 (July 2011), amended LR 38:3110 (December 2012), LR 40:760 (April 2014), LR 41:2579 (December 2015), LR 44:457 (March 2018).

§1102. Academically Unacceptable Schools (AUS)

[Formerly LAC 28:LXXXIII.1102]

A. A school with a letter grade of “F” shall be identified as an academically unacceptable school (AUS).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2121 (July 2011), amended LR 39:304 (February 2013), LR 40:760 (April 2014), LR 44:457 (March 2018).

§1105. Turnaround Schools

[Formerly LAC 28:LXXXIII.1105]

A. A turnaround school is a school in which a turnaround provider assumes operation over the operation of the entire school, continuing to offer the same or additional grade levels as the previous school, and enrolling all former students who choose to continue attending the school.

B. A turnaround school that was labeled “F” in the year in which the state board or the local school board approved the turnaround shall be reported as “T” for the first two years of operation under the turnaround provider.

C. However, all other metrics of the school performance report shall still be reported (e.g., SPS, subgroup performance).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:3111 (December 2012), amended LR 44:457 (March 2018).

§1107. Unknown School and District Performance Due to Nonparticipation in State Assessments (2014-2015 Only)

[Formerly LAC 28:LXXXIII.1107]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:549 (April 2016), repealed LR 44:457 (March 2018).

Chapter 13. Rewards/Recognition

§1301. Reward Eligibility

[Formerly LAC 28:LXXXIII.1301]

A. A school shall be labeled a “reward school” if it earns the equivalent to an “A” letter grade on the progress index.

B. ...

C. Schools will not be eligible for reward status if they are labeled “urgent intervention required” for any reason.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2744 (December 2003), amended LR 30:1446 (July 2004), LR 31:1513 (July 2005), LR 33:1334 (July 2007), LR 33:2595 (December 2007), LR 38:3111 (December 2012), LR 39:2444 (September 2013), LR 40:1317 (July 2014), LR 44:457 (March 2018).

Chapter 16. Academically Unacceptable Schools

§1601. Identification as an Academically Unacceptable School

A. A school with a letter grade of “F” shall be identified as an academically unacceptable school (AUS).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:458 (March 2018).

§1603. Requirements for Academically Unacceptable Schools

[Formerly LAC 28:LXXXIII.1603]

A. For each academically unacceptable school operating under the jurisdiction of any city, parish, or other local public school board, the school’s LEA shall be required to develop a reconstitution plan to describe the goals, strategies, and interventions that will be used to address the challenges of each academically unacceptable school as provided for in the table below according to timelines and procedures developed by the LDE.

Years of Consecutive “F” Letter Grades for Academically Unacceptable School	Content of Plan	Approval of Plan Required by
1st “F” Letter Grade	Evidence-based interventions	LDE
2nd consecutive “F” Letter Grade	Evidence-based interventions, with adjustments as needed	LDE, which may recommend BESE review and approval
3rd consecutive “F” Letter Grade	More intensive interventions as recommended by the LDE	BESE
4th or subsequent consecutive “F” Letter Grade	More intensive interventions, including but not limited to possible transfer to RSD	BESE

B. Each reconstitution plan shall include a school choice policy as required by Chapter 25 of this bulletin.

C. For plans submitted during the 2017-2018 school year based on 2016-2017 school year results, BESE shall consider reconstitution plans for schools earning a fourth or subsequent consecutive “F” letter grade that include evidence-based interventions developed by the LEA and recommended by the state superintendent.

D. Pursuant to the timelines set forth in Subsection A of this Section, the state superintendent shall approve or recommend to BESE appropriate interventions for alternative education schools or Office of Juvenile Justice schools as defined in Chapters 35 and 36 of this bulletin, respectively.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2596 (December 2007), amended LR 35:2313 (November 2009), LR 38:3112 (December 2012), LR 44:458 (March 2018).

§1605. Entry and Exit from Subgroup Component Failure

[Formerly LAC 28:LXXXIII.1605]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2597 (December 2007), repealed LR 44:458 (March 2018).

§1607. Requirements for Schools Identified as Failing the Subgroup Component for Two Consecutive Years

[Formerly LAC 28:LXXXIII.1607]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2597 (December 2007), amended LR 38:3112 (December 2012), repealed LR 44:458 (March 2018).

Chapter 21. State-Level School Improvement, Academically Unacceptable Schools and Subgroup Component Failure Tasks

§2101. State Support at Each Level

[Formerly LAC 28:LXXXIII.2101]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2748 (December 2003), amended LR 30:2745 (December 2004), LR 31:1516 (July 2005), LR 32:1027 (June 2006), LR 33:2598 (December 2007), LR 35:2313 (November 2009), LR 38:3112 (December 2012), repealed LR 44:458 (March 2018).

Chapter 24. Recovery School District

Editor’s Note: Section 2403 has been incorporated into Bulletin 129—The Recovery School District. See LAC 28:CXLV.505.

§2401. Eligibility for Transfer to the Recovery School District

[Formerly LAC 28:LXXXIII.2401]

A. The Louisiana Legislature established the recovery school district with the passage of R.S. 17:1990. Pursuant to R.S. 17:10.5, a school is eligible for the recovery school district under any of the following conditions.

1. The city, parish, or other local public school board or other public entity fails to submit a reconstitution plan for a school to BESE for approval as required by §1603 of this bulletin.

2. A school's reconstitution plan is submitted to BESE but is deemed to be unacceptable.

3. A school and/or the city, parish, or other local public school board or other public entity fails to comply with the terms of a BESE approved reconstitution plan.

4. A school is labeled academically unacceptable for four consecutive years.

5. A successful parent petition as provided for in §502 of Bulletin 129.

B. The recovery school district under R.S. 17:10.5 shall retain jurisdiction of any school transferred to it for a period of not less than five school years not including the school year in which the transfer occurred if the transfer occurred during a school year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1028 (June 2006), amended LR 33:2599 (December 2007), LR 34:431 (March 2008), LR 35:640 (April 2009), LR 37:2595 (September 2011), LR 44:458 (March 2018).

Chapter 25. School Choice

§2501. Schools Requiring Choice

[Formerly LAC 28:LXXXIII.2501]

A. - B.2. ...

C. An LEA must adopt a policy relative to school choice for students who previously attended or would otherwise attend a D-rated school, pursuant to R.S. 17:4035.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2749 (December 2003), amended LR 33:2599 (December 2007), LR 38:3113 (December 2012), LR 44:459 (March 2018).

§2505. Transfer Options

[Formerly LAC 28:LXXXIII.2505]

A. - B.2. ...

C. Students may not transfer to any school that is academically unacceptable.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2749 (December 2003), amended LR 33:2599 (December 2007), LR 44:459 (March 2018).

Chapter 29. Reporting

§2901. State Annual Reporting

[Formerly LAC 28:LXXXIII.2901]

A. The SBESE shall report annually on the state's progress in reaching Louisiana's 2025 goals. The Louisiana Department of Education shall publish individual school reports to provide information on every school's performance. The school reports shall, at minimum, include the following information: school performance scores, percent proficient scores, and student growth.

1. In addition to the overall letter grade, LDE shall report individual ratings equivalent to a letter grade for key indices within the formula.

2. The LDE shall report subgroup performance to schools for the following subgroups:

- a. African American;
- b. American Indian/Alaskan Native;
- c. Asian;
- d. Hispanic;
- e. white;
- f. two or more races;
- g. economically disadvantaged;
- h. English learners;
- i. students with disabilities;
- j. homeless;
- k. military-affiliated;
- l. foster care.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2751 (December 2003), amended LR 38:3113 (December 2012), LR 44:459 (March 2018).

Chapter 31. Data Correction and Appeals/Waivers Procedure

§3101. Appeals/Waivers and Data Certification Processes

[Formerly LAC 28:LXXXIII.3101]

A. An appeal/waiver procedure and a data certification process have been authorized by the state Board of Elementary and Secondary Education (SBESE) and shall be used to address unforeseen and aberrant factors and to correct inaccurate accountability data impacting schools in Louisiana.

1. The LDE shall establish a data certification period for all schools/LEAs to correct any inaccurate accountability data prior to the release of accountability results.

A.1.a. - C.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2751 (December 2003), amended LR 30:1620 (August 2004), repromulgated LR 30:1996 (September 2004), amended LR 30:2257 (October 2004), LR 31:2422 (October 2005), LR 35:2313 (November 2009), LR 38:3113 (December 2012), LR 40:1318 (July 2014), LR 44:459 (March 2018).

§3103. Definitions

[Formerly LAC 28:LXXXIII.3103]

Appeal—a request for the calculation or recalculation of the school or district performance score.

Waiver—a temporary “withholding” of accountability decisions for no more than one accountability year. Waivers shall be denied to aggrieved parties attempting to subvert the intent of provisions outlined in the state statute.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2751 (December 2003), amended LR 30:2258 (October 2004), LR 44:459 (March 2018).

Chapter 33. New Schools and/or Significantly Reconfigured Schools

§3301. Inclusion of New Schools

[Formerly LAC 28:LXXXIII.3301]

A. ...

B. When two or more schools are created from an existing school (e.g., grades 4-6 "split" from an existing K-6 structure, creating a K-3 school and a 4-6 school), the LEA must consult with the LDE prior to implementing such changes to determine how the impacted schools will retain reward and/or academically unacceptable (AUS) or subgroup status and any sanctions, remedies, and funds (e.g., a 3-8 school in AUS 3 should retain the AUS 3 status in both schools if it is reconfigured into a 3-5 and a 6-8 school and if all grade levels contributed to its poor performance). After this consultation, the LDE shall make all decisions regarding the effects of these changes on accountability results and sanctions for all schools effected by the changes and will notify the LEA of its decision.

C. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2753 (December 2003), amended LR 31:2765 (November 2005), LR 33:2599 (December 2007), LR 36:1992 (September 2010), LR 37:3201

(November 2011), LR 38:2358 (September 2012), LR 38:3114 (December 2012), LR 40:1318 (July 2014), LR 44:459 (March 2018).

§3303. Reconfigured Schools
[Formerly LAC 28:LXXXIII.3303]

A. Reconfigured schools are identified as schools that change grade configuration, combine two schools with separate site codes into one school with a single site code, or divide one school into two separate schools with different site codes. Data collected at one site shall not be moved to another site and included in accountability results except when two or more schools with dissimilar configurations combine to create one school.

B. Prior to any reconfiguration, the LDE will review the changes to school sites in the planned reconfiguration and will consult with the LEA on the effects that the reconfiguration will have on rewards and/or academically unacceptable (AUS) or subgroup performance. After this consultation, the LDE shall make all decisions regarding the effects of these changes on rewards, AUS or subgroup performance, and sanctions for all schools effected by the changes and will notify the LEA of its decision. AUS status and eligibility for participating in any specific programs shall be determined by the LDE.

C. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2753 (December 2003), amended LR 30:2446 (November 2004), LR 31:2765 (November 2005), LR 33:2600 (December 2007), LR 36:1993 (September 2010), LR 37:3201 (November 2011), LR 38:3114 (December 2012), LR 40:1318 (July 2014), LR 44:460 (March 2018).

Chapter 39. Inclusion of Students with Disabilities

§3901. Assessment of Students with Disabilities
[Formerly LAC 28:LXXXIII.3901]

A. All students, including those with disabilities, shall participate in Louisiana's testing program. The scores of all students who are eligible to take the 3-8 or high school LEAP 2025, EOC assessments, ACT, LAA 1, LEAP connect, or Louisiana English language proficiency test (ELPT) shall be included in the calculation of the SPS. Students with disabilities shall take the assessments with accommodations, if required by their individualized education program (IEP).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003), amended LR 31:2763 (November 2005), LR 36:1994 (September 2010), LR 38:3115 (December 2012), LR 40:2508 (December 2014), LR 44:460 (March 2018).

§3903. LEAP Alternate Assessment Participation Criteria

[Formerly LAC 28:LXXXIII.3903]

A. Students with disabilities participating in the LEAP alternate assessment level 1 (LAA 1) or LEAP connect must meet specific participation criteria as stated in *Bulletin 1530—Louisiana's IEP Handbook for Students with Disabilities*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003), amended LR 31:2763 (November 2005), LR 40:2508 (December 2014), LR 44:460 (March 2018).

§3905. Inclusion of Alternate Assessment Results
[Formerly LAC 28:LXXXIII.3905]

A. All SPS shall include LAA 1 or LEAP connect scores.

B. Each LAA 1 or LEAP connect exam will be assigned one of four achievement levels and each achievement level will be assigned points for use in assessment index calculations as follows.

LAA 1 or LEAP Connect Performance Level	Assessment Points
Exceeds Standard or Level 4: High Complexity	150
Meets Standard or Level 3: Moderate Complexity	100
Level 2: Low Complexity	80
Working Toward Standard or Level 1: Low Complexity	0

1. Students taking LAA 1 or LEAP connect exams shall be included in accountability calculations at the grade level in which they are enrolled in the student information system (SIS).

C. Students participating in LEAP alternate assessment level 1 (LAA 1) or LEAP connect will be assigned scores of zero in SPS calculations if they do not meet the specific participation criteria as stated in *Bulletin 1530—Louisiana's IEP Handbook for Students with Disabilities*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2754 (December 2003), amended LR 30:767 (April 2004), LR 31:2763 (November 2005), LR 33:254 (February 2007), LR 35:2031 (October 2008), LR 35:640 (April 2009), LR 35:641 (April 2009), LR 38:3115 (December 2012), LR 40:2508 (December 2014), LR 44:460 (March 2018).

Chapter 40. Definitions Related to English Proficiency

§4001. Proficient in English

[Formerly LAC 28:LXXXIII.4001]

A. To be considered English proficient and exit English language learner (ELL) status, an ELL student must score level 4 (early advanced) or level 5 (advanced) on all four ELPT domains:

1. speaking;
2. listening;
3. reading; and
4. writing.

B. Students with disabilities who are unable to meet the above exit criteria after four years or more in ELL status because of their disability, as decided only by consensus of the members of the school building level committee (SBLC), may be exited from ELL status, but will still be required to take statewide assessments.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:767 (April 2004), amended LR 33:254 (February 2007), LR 34:2552 (December 2008), LR 36:2243 (October 2010), LR 38:3115 (December 2012), LR 44:460 (March 2018).

§4003. Making Progress in Learning English
[Formerly LAC 28:LXXXIII.4003]

A. Making progress in learning English will be defined by BESE following the first administration of the ELPT assessment in the 2017-2018 school year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:767 (April 2004), amended LR 36:2244 (October 2010), LR 44:461 (March 2018).

§4005. English Language Proficiency Descriptors
[Formerly LAC 28:LXXXIII.4005]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:767 (April 2004), repealed LR 44:461 (March 2018).

Chapter 41. Data Collection and Data Verification

§4104. Data Validation
[Formerly LAC 28:LXXXIII.4104]

A. The LDE may review and validate attendance, dropout, graduation, discipline, accountability code and exit code data:

A.1. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1029 (June 2006), amended LR 38:3116 (December 2012), LR 44:461 (March 2018).

Chapter 43. District Accountability

§4301. Inclusion of All Districts

[Formerly LAC 28:LXXXIII.4301]

A. - B.2. ...

C. District Performance Score (DPS). A district performance score (DPS) shall be calculated in the same manner as a combination school performance score, aggregating all of the students in the district.

1. Data from students enrolled in a district for a full academic year shall be used to calculate the DPS, to include all indices for which data are available.

2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2755 (December 2003), amended LR 30:1446 (July 2004), LR 32:543 (April 2006), LR 37:2119 (July 2011), LR 38:3116 (December 2012), LR 40:760 (April 2014), LR 40:1318 (July 2014), LR 44:461 (March 2018).

§4310. Subgroup Component AYP (Adequate Yearly Progress)

[Formerly LAC 28:LXXXIII.4310]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 30:1447 (July 2004), amended LR 30:2446 (November 2004), LR 31:424 (February 2005), LR 31:633 (March 2005), LR 31:913 (April 2005), LR 32:1029 (June 2006), amended LR 33:635 (April 2007), LR 34:429

(March 2008), LR 34:868 (May 2008), LR 36:1994 (September 2010), LR 40:2509 (December 2014), repealed LR 44:461 (March 2018).

Shan N. Davis
Executive Director

1803#003

RULE

Board of Elementary and Secondary Education

Bulletin 118—Statewide Assessment
Standards and Practices (LAC 28:XI.Chapters 51-85)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education (BESE) has amended *Bulletin 118—Statewide Assessment Standards and Practices*: §5105, Testing and Accountability; §5107, Assessment Programs; §5109, Assessment Populations; §5305, Test Security Policy; §5307, Change of District Test Coordinator Notification; §5309, Erasure Analysis and Online Answer Changes; §5311, Addressing Suspected Violations of Test Security and Troubling Content in Written Responses; §5312, Administrative Error; §5315, Emergencies during Testing; §5501, District Test Coordinator Role; §5511, School Test Coordinator Role; §5701, Overview of Assessment Programs in Louisiana; §5901, Statement of Purpose; §5903, Definitions; §5905, Target Population; §5907, Agency Administrative Participation; §6101, Introduction; §6113, Achievement Levels; §6115, Performance Standards; §6155, Student Membership Determination; §6301, Introduction; §6311, Achievement Levels; §6313, Performance Standards; §6323, Introduction; §6325, Grade 10 Achievement Level Descriptors; §6327, Grade 11 Achievement Level Descriptors; §6345, Double Jeopardy Rule; §6347, First and Second Cohorts; §6348, Last Cohorts; §6501, Description; §6700, Sunset Provision; §6701, Introduction; §6705, Introduction; §6707, Performance Standards; §6801, Overview; §6803, Introduction; §6804, EOCT Development and Implementation Plan; §6811, LEAP 2025 for High School Achievement Levels; §6813, Performance Standards; §6819, Double Jeopardy Rule; §6821, High School Test Cohorts; §6825, LEAP 2025 for High School Administration Rules; §6827, LEAP 2025 Retest Administration; §6829, LEAP 2025 Transfer Rules; §6831, College and Career Diploma; §6900, Sunset Provision; §6903, Introduction; §6911, LEAP Connect Achievement Levels; §6913, Performance Standards; §7000, Sunset Provision; §7001, Introduction; §7005, Achievement Levels; §7007, Performance Standards; §7009, Introduction; §7017, Grade 10 Achievement Level Descriptors; §7019, Grade 11 Achievement Level Descriptors; §7021, Content Standards; §7023, English Language Arts Tests Structure; §7025, Mathematics Test Structure; §7027, Science Tests Structure; §7029, Social Studies Tests Structure; §7031, Double Jeopardy Rule; §7033, Rescores; §7035, LAA 2 High School Assessment Administration Rules; §7037, Summer Retest

Administration; §7041, Student Membership Determination; §7101, General Provisions; §7203, EXPLORE; §7205, PLAN; §7209, WorkKeys; §7301, Overview; §7303, Introduction; §7307, Participation Criteria; §7309, Proficiency Levels; §7311, Proficiency Standards; §7400, Sunset Provision; §7501, General Provisions; §7503, Field Test Administration; §7901, General Provisions; §7903, Performance Standards; §7905, Transfer Students; §7907, Student Membership Determination; §8101, Special Education Needs; §8301, Participation; §8303, Students with Disabilities; §8305, Students with One or More Disabilities According to Section 504; §8306, Approved Accommodations for Students with IEPs or 504 Plans; §8307, English Language Learners; §8503, Homebound Students; and §8507, Office of Juvenile Justice. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part XI. Accountability/Testing

Subpart 3. Bulletin 118—Statewide Assessment

Standards and Practices

Chapter 51. General Provisions

§5105. Testing and Accountability

[Formerly LAC 28:CXL105]

A. Every school shall participate in a school accountability system based on student achievement as approved by the SBESE.

B. All LEAs must administer all assessments according to the testing schedule dates approved by SBESE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1526 (July 2005), amended LR 33:255 (February 2007), LR 44:462 (March 2018).

§5107. Assessment Programs

[Formerly LAC 28:CXL107]

A. Kindergarten Developmental Readiness Screening Program (KDRSP). Each school district is required to administer an approved entry assessment instrument to each child entering kindergarten for the first time, with the results to be used for placement and planning instruction.

B. Louisiana Educational Assessment Program (LEAP) 2025. Criterion-referenced tests in English language arts, mathematics, science, and social studies in grades 3-8 and end-of-course tests in English I, English II, algebra, geometry, biology and U.S. history in high school assess student performance relative to specific benchmarks established in the state's content standards and provide data for evaluating student, school, and district performance. The tests assess a student's complex thinking skills as well as knowledge and application of information. These assessments will be administered to high school students enrolled in and/or receiving credit for a high school course having a LEAP assessment or retesting for the purposes of graduation.

C. LEAP Alternate Assessment, Level 1 (LAA 1)/LEAP Connect. The LAA 1/LEAP Connect is an assessment that evaluates each eligible special education student's knowledge and skills in targeted areas.

D. English Language Proficiency Test (ELPT). The ELPT is an assessment program designed to measure proficiency in reading, writing, speaking, and listening of English learners.

E. National Assessment of Educational Progress (NAEP). Also known as the nation's report card, NAEP is administered nationally to a random stratified sample population of students to gather data about subject-matter achievement, instructional experiences, and school environment.

F. Field Tests. Representative student populations from school districts throughout Louisiana are chosen to field test new items to be used in future statewide assessments. The items are tested, scored, ranked statistically, and identified as effective or ineffective.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1526 (July 2005), amended LR 32:233 (February 2006), LR 33:255 (February 2007), LR 36:477 (March 2010), LR 40:2509 (December 2014), LR 44:462 (March 2018).

§5109. Assessment Populations

[Formerly LAC 28:CXL109]

A. Classified Populations

1. ...

* * *

2. Regular Education Students. These are students who have not been identified as eligible for special education and related services under the Individuals with Disabilities Education Act.

3. Students with Disabilities. These are students who have been evaluated in accordance with CFR 300.530-300.536 and are receiving special education and related services as a result of an intellectual disability, a hearing disability including deafness or hearing loss, a speech or language impairment, a visual impairment including blindness, serious emotional disturbance (hereafter referred to as emotional disturbance), an orthopedic impairment, autism, traumatic brain injury, other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities (*Federal Register*, Vol. 64, No. 48).

4. Gifted and Talented Students. These are students who have been identified as possessing demonstrated or potential abilities that give evidence of high-performing capabilities in intellectual, creative, specific academic or leadership areas, or ability in the performing or visual arts and who require services or activities not ordinarily provided by the school in order to fully develop such capabilities;

5. Section 504 Students. These are students with one or more disabilities according to the regulations for section 504 of the Rehabilitation Act of 1973, which defines disability as a physical or mental impairment which substantially limits one or more major life activities.

6. English Learners. These are students who are aged 3 through 21; who were not born in the United States or whose native language is a language other than English; who are Native Americans or Alaska Natives or native residents of the outlying areas and come from an environment where a language other than English has had significant impact on their level of English language proficiency; or who are

migratory, whose native language is a language other than English, and who come from an environment where a language other than English is dominant; and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny them:

- a. the ability to meet the state's proficient level of achievement on state assessments;
- b. the ability to successfully achieve in classrooms where the language of instruction is English; or
- c. the opportunity to participate in society.

B. - B.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1527 (July 2005), amended LR 33:255 (February 2007), LR 44:462 (March 2018).

Chapter 53. Test Security

§5305. Test Security Policy

[Formerly LAC 28:CXL305]

A. - A.2.b. ...

c. statewide schools authorized through acts of the Louisiana Legislature;

d. - e. ...

f. participating nonpublic/other schools that utilize tests administered through the SBESE or the LDE.

3. - 3.f.iv. ...

g. administer published parallel, previously administered, or current forms of any statewide assessment;

h. ...

i. conduct testing in environments that differ from the usual classroom environment without prior written permission from the LDE except for the purpose of providing accommodations;

j. fail to report any testing irregularities to the district test coordinator (a testing irregularity is any incident in test handling or administration that leads to a question regarding the security of the test or the accuracy of the test data), who must report such incidents to the LDE;

k. participate in, direct, aid, counsel, assist in, encourage, or fail to report any of the acts prohibited in the section.

4. Each local education agency (LEA) as described in this policy shall develop and adopt a LEA test security policy and procedures for handling emergencies during testing that is in compliance with the state's test security policy. The LDE shall audit LEA test security policies every three years to ensure compliance with all aspects of Bulletin 118. The policy shall provide:

4.a. - 5.b. ...

c. Interviews regarding testing administration and security procedures shall be conducted with the principal, school test coordinator(s), test administrator(s), and proctor(s) at the identified schools. All individuals who had access to the test materials at any time must be interviewed, when necessary.

5.d. - 9.b. ...

c. Any discrepancies noted in the serial numbers of test booklets, answer documents, and any supplementary secure materials, or the quantity received from contractors must be reported to the LDE by the designated institutional or school district personnel prior to the administration of the test.

d. - e. ...

f. Each district superintendent or institution must annually designate one individual in the district or institution as district test coordinator, who is authorized to procure test materials that are utilized in testing programs administered by or through the SBESE of the LDE. The name of the individual designated must be provided in writing to the LDE, and included on the statement of assurance.

g. Testing shall be conducted in class-sized groups. Bulletin 741 (§913.A) states that K-3 classroom enrollment should be no more than 26 students, and in grades 4-12, no more than 33, except in certain activity types of classes in which the teaching approach and the material and equipment are appropriate for large groups. For grades K-8, the maximum class size for health and physical education classes may be no more than 40. Class size for exceptional students is generally smaller [Bulletin 741, (§915)]. Permission for testing in environments that differ from the usual classroom environment must be obtained in writing from the LDE at least 30 days prior to testing. If testing outside the usual classroom environment is approved by the LDE, the school district must provide at least one proctor for every 30 students.

h. The state superintendent of education may disallow test results that may have been achieved in a manner that is in violation of test security.

10. - 10.c. ...

d. excessive wrong-to-right answer changes;

10.e. - 17. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.7(C)(G).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1528 (July 2005), amended LR 32:233 (February 2006), LR 33:255 (February 2007), LR 33:424 (March 2007), LR 33:2033 (October 2007), LR 34:65 (January 2008), LR 34:431 (March 2008), LR 34:1351 (July 2008), LR 35:217 (February 2009), LR 37:858 (March 2011), repromulgated LR 37:1123 (April 2011), amended LR 38:747 (March 2012), LR 39:1018 (April 2013), LR 40:2510 (December 2014), LR 43:634 (April 2017), LR 44:463 (March 2018).

§5307. Change of District Test Coordinator Notification

[Formerly LAC 28:CXL307]

A. If during the academic year the person appointed as district test coordinator changes, the district superintendent must notify the LDE. The notification must be in writing and must be submitted within 15 days of the change in appointment.

1. The former district test coordinator must inform the new district test coordinator of the location of placement tests and other relevant testing materials.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1530 (July 2005), amended LR 32:234 (February 2006), LR 33:257 (February 2007), LR 34:1351 (July 2008), LR 35:217 (February 2009), LR 43:634 (April 2017), LR 44:463 (March 2018).

§5309. Erasure Analysis and Online Answer Changes

[Formerly LAC 28:CXL309]

A. To investigate erasures on student answer documents of the state testing programs, the SBESE and the LDE have developed the following procedures.

1. - 7. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1530 (July 2005), amended LR 32:234 (February 2006), LR 33:257 (February 2007), LR 35:217 (February 2009), LR 35:443 (March 2009), LR 40:2512 (December 2014), LR 43:634 (April 2017), LR 44:463 (March 2018).

§5311. Addressing Suspected Violations of Test Security and Troubling Content in Written Responses
[Formerly LAC 28:CXL311]

A. - A.1.d. ...

2. Reported Violations by School Personnel or Other Persons. All suspected instances of cheating should be reported directly to the school's district test coordinator (DTC) for further investigation, and a report of the incident must be sent by the DTC to LDE. If it is deemed necessary to void tests, the DTC must submit a completed void form to the LDE. The original void verification form along with a written report of the investigation carried out must be mailed to the LDE.

3. Suspected Violations Discovered by Scoring Contractors

a. In addition to erasure analysis for multiple-choice and multi-select items, possible incidents of the following violations may be discovered during the scoring process:

i. ...

ii. use of unauthorized materials, including cell phones or other unauthorized electronic devices. Students brought unauthorized materials into the testing environment and used them to assist in written responses;

3.a.iii. - 4.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1531 (July 2005), amended LR 33:257 (February 2007), LR 35:217 (February 2009), LR 43:635 (April 2017), LR 44:464 (March 2018).

§5312. Administrative Error
[Formerly LAC 28:CXL312]

A. Administrative errors that result in questions regarding the security of the test or the accuracy of the test data are considered testing irregularities. If it is deemed necessary to void the test, the district test coordinator must submit a completed void form to the LDE, as directed in the *District and School Test Coordinators Manual*.

B. If tests are voided by the district due to administrative error, the LEA superintendent, on behalf of individual students, must initiate a request to the state superintendent of education for an opportunity to retest prior to the next scheduled test administration on behalf of individual students.

C. If the LDE determines that an administrative error that allows for a retest did occur the tests will be voided. LDE will notify the LEA of the determination and of arrangements for the retest. The LEA must provide a corrective plan of action.

D. To offset costs involved in retesting, the vendor will assess the LEA a fee for each test.

E. The LDE will provide a report to the SBESE of retests due to administrative errors.

F. Administrative errors on tests that result from failure to transfer answers from a test form onto an answer form require the following steps:

1. the LEA superintendent will place a request on behalf of individual students, which request must include a description of the administrative error and a corrective plan of action, to the state superintendent of education to have the testing vendor send to the district the student's test booklet and a new answer document;

2. the DTC and STC will transfer only the answers not initially transferred from the test booklet onto the new answer document; and

3. the DTC will return all testing materials to the vendor, who will assess the LEA a fee for the service.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 32:390 (March 2006), amended LR 33:257 (February 2007), LR 34:66 (January 2008), LR 34:1351 (July 2008), LR 35:218 (February 2009), LR 36:967 (May 2010), LR 38:33 (January 2012), amended LR 38:748 (March 2012), LR 38:2358 (September 2012), LR 40:2512 (December 2014), LR 44:464 (March 2018).

§5315. Emergencies during Testing
[Formerly LAC 28:CXL315]

A. For emergencies (e.g., fire alarms, bomb threats) that require evacuation of the classroom during administration of statewide assessments, the following procedures should be followed.

1. If the room can be locked, the test administrator should direct the students to pause a computer-based test or place the answer document inside the test booklet and leave both on the desk for paper-based tests. For computer-based tests, students will resume the test after returning to the classroom. For paper-based tests, before students are allowed back into the room, the test administrator should return to the room, pick up the test booklets, answer documents, and other secure materials, and then distribute them individually to the students when they have returned to their desks.

2. - 7. ...

B. Online Testing Emergency Plan

1. - 2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1532 (July 2005), amended LR 32:234 (February 2006), LR 33:258 (February 2007), LR 34:66 (January 2008), LR 35:218 (February 2009), LR 37:858 (March 2011), LR 38:33 (January 2012), LR 44:464 (March 2018).

Chapter 55. Test Coordinator Responsibilities

Subchapter A. District Test Coordinator

§5501. District Test Coordinator Role

[Formerly LAC 28:CXL501]

A.1 - A.1.c. ...

2. Specific tasks include:

a. coordinating with the district data coordinator to ensure the enrollment data are submitted by the yearly deadline;

b. - d. ...

e. coordinating with the district section 504, English learner, and special education coordinators the

submission of student section 504, English language learner, and IEP data to the student information system (SIS) and/or special education reporting system (SER);

f. - i. ...

j. maintaining the security of test materials immediately upon receipt of testing materials, including materials used for computer-based tests, from testing contractors and from schools;

k. - r. ...

s. maintaining the district password and all school passwords within the district that are used with assessment and data systems;

t. training district and school users within a district to effectively use the systems; ensure they are familiar with the Family Educational Rights and Privacy Act (FERPA) law governing confidentiality of student records, and ensure they have signed a security agreement before receiving a password for access to assessment and data systems;

u. ensuring:

i. that all district/school users maintain the security of and access to all student information obtained via assessment and data systems;

ii. that all school users are aware that student test data shall not be disclosed to anyone other than another school official and only for a legitimate educational purpose;

v. confirming that test administrator numbers have been assigned at each school for each scheduled test administration;

w. - x. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1533 (July 2005), amended LR 33:258 (February 2007), LR 34:1352 (July 2008), LR 34:2552 (December 2008), repromulgated LR 35:57 (January 2009), amended LR 35:218 (February 2009), LR 38:748 (March 2012), LR 44:464 (March 2018).

Subchapter B. School Test Coordinator

§5511. School Test Coordinator Role [Formerly LAC 28:CXL.511]

A. - A.2. ...

3. making arrangements to test students with accommodations or accessibility features when needed;

4. - 6. ...

7. ensuring the security of testing materials;

8. - 11. ...

12. compiling a list of students approved for accommodations, with the accommodations they are to receive, and providing a list of such students in a testing group to individual test administrators;

13. verifying that classrooms have been prepared for testing (test-related content material removed or covered, sufficient space for students, testing sign on door);

14. distributing materials to test administrators on the appropriate testing day and collecting, checking in and putting into the secure storage area all secure testing materials at the end of each day of testing and during any extended breaks;

15. monitoring testing sessions;

16. supervising test administrators who must transfer student answers from large-print, braille, or other accommodation formats to a scorable test form;

17. collecting and returning any computer disks or other accommodation-format testing materials;

18. reporting any testing irregularities to the district test coordinator; and

19. packaging test materials as instructed in the manuals for return to the district test coordinator;

20. assigning TA numbers before scheduled test administrations;

21. distributing student reports and summary reports to teachers and parents in a timely manner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1533 (July 2005), amended LR 33:258 (February 2007), LR 34:1352 (July 2008), LR 34:2552 (December 2008), repromulgated LR 35:57 (January 2009), amended LR 44:465 (March 2018).

Chapter 57. Assessment Program Overview

§5701. Overview of Assessment Programs in Louisiana [Formerly LAC 28:CXL.701]

A. Norm-Referenced and Criterion-Referenced Testing Programs Since 1986

Name of Assessment Program	Assessment Population	Administered
Kindergarten Screening		
Kindergarten Developmental Readiness Screening Program (KDRSP)	Kindergarten	fall 1987-
Norm-Referenced Tests (NRTs)		
California Achievement Test (CAT/F)	grades 4, 6, and 9	spring 1988-spring 1992 (no longer administered)
California Achievement Test (CAT/5)	grades 4 and 6 grade 8	spring 1993-spring 1997 spring 1997 only (no longer administered)
Iowa Tests of Basic Skills (ITBS) (form L) and Iowa Tests of Educational Development (ITED) (form M)	grades 4, 6, 8, 9, 10, and 11	spring 1998 (no longer administered)
ITBS ITED (form M)	grades 3, 5, 6, and 7 grade 9	spring 1999-spring 2002 (no longer administered)
ITBS ITED (form B)	grades 3, 5, 6, and 7 grade 9	spring 2003-spring 2005 (no longer administered)
ITBS	grade 2	spring 2012-spring 2013 (no longer administered)
Criterion-Referenced Tests (CRTs)		
National Assessment of Educational Progress (NAEP)	grades 4, 8, and 12	spring 1990-
Louisiana Educational Assessment Program (LEAP)	grades 3, 5, and 7	spring 1989-spring 1998 (no longer administered)
Graduation Exit Examination ("old" GEE)	grades 10 and 11	spring 1989-spring 2003 (state administered) fall 2003- (district administered)

Name of Assessment Program	Assessment Population	Administered
Louisiana Educational Assessment Program (LEAP) (ELA and Mathematics)	grades 4 and 8	spring 1999-2014
LEAP (Science and Social Studies)	grades 4 and 8	spring 2000–2016 Social Studies spring 2000- Science
LEAP 2025 (ELA, Mathematics)	grades 3-8	Spring 2015-
LEAP 2025 (Science)		Spring 2019 -
LEAP 2025 (Social Studies)	grades 3-8	Spring 2017-
Graduation Exit Examination (GEE) (ELA and Mathematics)	grade 10	spring 2001-fall 2014 (district administered)
GEE (Science and Social Studies)	grade 11	spring 2002-fall 2014 (district administered)
End-Of-Course Tests (EOCT)	Algebra I	fall 2007-summer 2017
EOCT	English II	fall 2008- summer 2017
EOCT	Geometry	fall 2009 -summer 2017
EOCT	Biology	fall 2010-spring 2018
EOCT	Applied Algebra I form	spring 2011-summer 2013
EOCT	English III	fall 2011- summer 2017 (available for students who have entered a high school cohort prior to 2017-2018 school year)
EOCT	U. S. History	fall 2012-2017 (continued for graduating seniors and retesters in 2017-2018 only)
EXPLORE	grades 8 and 9	spring 2013-2015
PLAN	grade 10	spring 2013-2015
ACT	grade 11	spring 2013-
LEAP 2025	English I English II US History Geometry Algebra	fall 2017-
Integrated NRT/CRT		
Integrated Louisiana Educational Assessment Program (iLEAP) (science and social studies)	grades 3, 5, 7	spring 2006-2017
iLEAP (ELA and math)	Grades 3, 5, 7, and 9	spring 2006-2014 (grades 3, 5, 7) spring 2006-2010 (grade 9)
Special Population Assessments		
LEAP Connect	Students with Individualized Education Programs (IEPs) who meet participation criteria in grades 3–11	ELA and Math Grades 3 to 8: Spring 2018- ELA and Math Grade 11: Spring 2019 -

Name of Assessment Program	Assessment Population	Administered
Louisiana Alternate Assessment, Level 1 (LAA 1)	Students with Individualized Education Programs (IEPs) who meet participation criteria in grades 3–11	spring 2000-2007
LAA 1	ELA and Mathematics (grade spans 3-4; 5-6; 7-8; 9-10); Science (grades 4, 8, and 11)	Revised spring 2008-2017 (ELA and Math) (available for high school students who need to participate in 2017-2018 only) Spring 2008-present (Science)
LAA 1 ELA and Mathematics	grade 9	spring 2010-Spring 2010 (last administration of grade 9 LAA 1)
Louisiana Alternate Assessment, Level 2 (LAA 2) ELA and Mathematics (Grades 4 and 8)	grades 4, and 8	spring 2006-spring 2014 (no longer administered)
LAA 2 ELA and Mathematics (Grade 10) Science and Social Studies (Grade 11)	grades 10 and 11	spring 2006- (available for students who have entered a high school cohort in 13-14 or prior)
LAA 2 ELA and Mathematics	grades 5, 6, and 7	spring 2007-spring 2014 (no longer administered)
LAA 2 ELA and Mathematics	grade 9	spring 2010 (last state administration of grade 9 LAA 2)
LAA 2 Science and Social Studies	grades 4 and 8	spring 2008–spring 2014 (no longer administered)
Louisiana Alternate Assessment-B (LAA-B) ["out-of-level" test]	Students with Individualized Education Programs (IEPs) who met eligibility criteria in grades 3-11.	spring 1999–spring 2003 (no longer administered)
English Language Proficiency Test (ELPT)	Limited English Proficient (LEP) students in grades K-12	Spring 2018-
English Language Development Assessment (ELDA)	Limited English Proficient (LEP) students in grades K-12	spring 2005-2017
Academic Skills Assessment (ASA) and ASA LAA 2 form	Students pursuing a State-Approved Skills Certificate (SASC) or GED	spring 2012 (one administration only, spring 2012)

B. As a result of these initiatives, the SBESE in May, 1997 approved content standards in English language arts, mathematics, science, social studies, foreign languages, and the arts. The LDE initiated new criterion-referenced tests to align with these standards. In the 1997 Regular Session of

the Louisiana Legislature, the state law was changed to require that criterion-referenced tests be given in grades 4 and 8 rather than in grades 3, 5, and 7. In spring 2002, the new state criterion-referenced tests at grades 4, 8, 10, and 11 were completely phased in and previous criterion-referenced tests were phased out.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1534 (July 2005), amended LR 32:235 (February 2006), LR 34:66 (January 2008), LR 34:1352 (July 2008), LR 35:218 (February 2009), LR 36:967 (May 2010), LR 37:858 (March 2011), LR 38:34 (January 2012), LR 39:74 (January 2013), LR 39:1019 (April 2013), LR 40:1319 (July 2014), LR 40:2512 (December 2014), LR 44:465 (March 2018).

Chapter 59. Kindergarten Entry Assessment

§5901. Statement of Purpose

[Formerly LAC 28:CXI.901]

A. This Chapter provides for the implementation of a kindergarten entry assessment to identify children's developmental levels as required by Act 146, Regular Session, 1986. Activities conducted under this Chapter shall be coordinated with other forms of assessment conducted by the school district.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(1)(b).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1535 (July 2005), amended LR 44:467 (March 2018).

§5903. Definitions

[Formerly LAC 28:CXI.903]

Developmental Levels—a set of skills or specific tasks that most children can do at a certain age range.

Kindergarten Entry Assessment—the process of identifying the developmental levels of kindergarten children through gathering of information concerning their social-emotional, language and literacy, math, cognitive, and physical development.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.11, R.S. 17:24.4(F)(1)(b), and R.S. 17:151.3.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1535 (July 2005), amended LR 44:467 (March 2018).

§5905. Target Population

[Formerly LAC 28:CXI.905]

A. Every child entering public school kindergarten for the first time shall be assessed with a research-based, standards-aligned assessment. If a student is identified as having a disability according to Bulletin 1508 and has a current multidisciplinary evaluation, he or she shall not be excluded from this assessment. The results of the assessment shall not exclude any child who meets the age requirements from entering public school kindergarten.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:151.3, R.S. 17:1941, and USCS §1400 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1535 (July 2005), amended LR 44:467 (March 2018).

§5907. Agency Administrative Participation

[Formerly LAC 28:CXI.907]

A. Kindergarten Entry Assessments. Each school district shall select and administer one assessment from among those recommended by the LDE and approved by the

SBESE. The results of this assessment shall be used with the goals of informing efforts to close the school readiness gap at kindergarten entry and informing instruction and services to support children's success in school.

B. Administrative Timelines

1. Each school district shall submit to the LDE by the date established by the LDE and annually thereafter the name of the assessment selected for system-wide use by the local school board for the purpose of program implementation.

2. Beginning with the 1987-1988 academic year and annually thereafter, assessment administration and reporting shall occur by September 30.

C. Parental Advisement. Beginning with the 1987-1988 academic year and annually thereafter, school districts shall inform the parent or guardian of the results of the individual student's performance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24 et seq., and R.S. 17:139 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1535 (July 2005), amended LR 44:467 (March 2018).

Chapter 61. Louisiana Educational Assessment Program 2025 (LEAP 2025)

Subchapter A. General Provisions

§6101. Introduction

[Formerly LAC 28:CXI.1101]

A. The LEAP 2025 is a criterion-referenced testing program that is directly aligned with the state content standards, which by law are as rigorous as those of NAEP. The LEAP measures how well students in grades three through eight have mastered the state content standards. Test results are reported in terms of achievement levels.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(1)(c).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1536 (July 2005), amended LR 32:235 (February 2006), LR 44:467 (March 2018).

Subchapter B. Achievement Levels and Performance Standards

§6113. Achievement Levels

[Formerly LAC 28:CXI.1113]

A.1. - A.2. ...

B. Achievement Level Definitions

1. *Advanced (Proficient)*—students performing at this level have exceeded college and career readiness expectations, and are well prepared for the next level of studies in this content area.

2. *Mastery (Proficient)*—students performing at this level have met college and career readiness expectations, and are prepared for the next level of studies in this content area.

3. *Basic*—students performing at this level have nearly met college and career readiness expectations, and may need additional support to be fully prepared for the next level of studies in this content area.

4. *Approaching Basic*—students performing at this level have partially met college and career readiness expectations, and will need much support to be prepared for the next level of studies in this content area.

5. *Unsatisfactory*—students performing at this level have not yet met the college and career readiness

expectations, and will need extensive support to be prepared for the next level of studies in this content area.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(1) and (C).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1536 (July 2005), amended LR 42:225 (February 2016), LR 44:467 (March 2018).

§6115. Performance Standards

[Formerly LAC 28:CXL.1115]

A. Performance standards for LEAP English language arts, mathematics, science, and social studies tests are finalized in scaled-score form. The scaled scores range between 100 and 500 for science and between 650 and 850 for English language arts, mathematics, and social studies.

English Language Arts						
Achievement Level	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8
Advanced	810 - 850	790 - 850	799 - 850	790 - 850	785 - 850	794 - 850
Mastery	750 - 809	750 - 789	750 - 798	750 - 789	750 - 784	750 - 793
Basic	725 - 749					
Approaching Basic	700 - 724					
Unsatisfactory	650 - 699					
Mathematics						
Achievement Level	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8
Advanced	790 - 850	796 - 850	790 - 850	788 - 850	786 - 850	801 - 850
Mastery	750 - 789	750 - 795	750 - 789	750 - 787	750 - 785	750 - 800
Basic	725 - 749					
Approaching Basic	700 - 724					
Unsatisfactory	650 - 699					
Science (to be updated in 2019)						
Achievement Level	iLEAP Grade 3	iLEAP Grade 4	iLEAP Grade 5	iLEAP Grade 6	iLEAP Grade 7	iLEAP Grade 8
Advanced	382 - 500	405 - 500	378 - 500	380 - 500	388 - 500	400 - 500
Mastery	342 - 381	360 - 404	341 - 377	343 - 379	348 - 387	345 - 399
Basic	292 - 341	306 - 359	292 - 340	295 - 342	302 - 347	305 - 344
Approaching Basic	249 - 291	263 - 305	248 - 291	251 - 294	259 - 301	267 - 304
Unsatisfactory	100 - 248	100 - 262	100 - 247	100 - 250	100 - 258	100 - 266

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.4(A).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1536 (July 2005), amended LR 32:235 (February 2006), LR 42:225 (February 2016), LR 44:468 (March 2018).

§6155. Student Membership Determination

[Formerly LAC 28:CXL.1155]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1547 (July 2005), repealed LR 44:468 (March 2018).

Chapter 63. Graduation Exit Examination

Subchapter A. General Provisions

§6301. Introduction

[Formerly LAC 28:CXL.1301]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(1)(c).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR

31:1548 (July 2005), amended LR 32:236 (February 2006), LR 40:2513 (December 2014), repealed LR 44:468 (March 2018).

Subchapter B. Achievement Levels and Performance Standards

§6311. Achievement Levels

[Formerly LAC 28:CXL.1311]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4 (F) (1) and (C).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1548 (July 2005), repealed LR 44:468 (March 2018).

§6313. Performance Standards

[Formerly LAC 28:CXL.1313]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.4 (A).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1548 (July 2005), amended LR 32:237 (February 2006), repealed LR 44:468 (March 2018).

Subchapter C. GEE Achievement Level Descriptors

§6323. Introduction

[Formerly LAC 28:CXL.1323]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.4 (B).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1548 (July 2005), repealed LR 44:468 (March 2018).

§6325. Grade 10 Achievement Level Descriptors

[Formerly LAC 28:CXL.1325]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:4 (A).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1548 (July 2005), amended LR 36:974 (May 2010), repealed LR 44:468 (March 2018).

§6327. Grade 11 Achievement Level Descriptors

[Formerly LAC 28:CXL.1327]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4 and R.S. 17:391.4 (A).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1550 (July 2005), amended LR 36:975 (May 2010), repealed LR 44:468 (March 2018).

Subchapter D. GEE Assessment Structure

§6345. Double Jeopardy Rule

[Formerly LAC 28:CXL.1345]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1554 (July 2005), amended LR 32:237 (February 2006), repealed LR 44:468 (March 2018).

§6347. First and Second Cohorts

[Formerly LAC 28:CXL.1347]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR

31:1554 (July 2005), amended LR 32:237 (February 2006), repealed LR 44:468 (March 2018).

§6348. Last Cohorts

[Formerly LAC 28:CXI.1348]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 38:35 (January 2012), repealed LR 44:469 (March 2018).

Chapter 65. Norm-Referenced Tests

§6501. Description

[Formerly LAC 28:CXI.1501]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1556 (July 2005), amended LR 32:238 (February 2006), repealed LR 44:469 (March 2018).

Chapter 67. Integrated LEAP

Subchapter A. General Provisions

§6700. Sunset Provision

[Formerly LAC 28:CXI.1700]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4(F)(2).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 37:859 (March 2011), repealed LR 44:469 (March 2018).

§6701. Introduction

[Formerly LAC 28:CXI.1701]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4(F)(2).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1556 (July 2005), amended LR 32:238 (February 2006), LR 33:265 (February 2007), LR 39:75 (January 2013), LR 42:226 (February 2016), repealed LR 44:469 (March 2018).

Subchapter B. Achievement Levels and Performance Standards

§6705. Introduction

[Formerly LAC 28:CXI.1705]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4(F)(2).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:266 (February 2007), amended LR 42:227 (February 2016), repealed LR 44:469 (March 2018).

§6707. Performance Standards

[Formerly LAC 28:CXI.1707]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.4(A).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:266 (February 2007), amended LR 42:227 (February 2016), repealed LR 44:469 (March 2018).

Chapter 68. LEAP 2025 Assessments for High School

Subchapter A. General Provisions

§6801. Overview

[Formerly LAC 28:CXI.1801]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 35:214 (February 2009), repealed LR 44:469 (March 2018).

§6803. Introduction

[Formerly LAC 28:CXI.1803]

A. LEAP 2025 assessments for high school will measure the knowledge and skills a student should have mastered by the end of the course. The results of the LEAP 2025 assessments for high school will help ensure that all Louisiana students have access to a rigorous curriculum that meets high academic standards.

B. Beginning in 2017-2018, LEAP 2025 assessments for high school will assess student learning in the high school courses:

1. algebra I;
2. geometry;
3. English I;
4. English II; and
5. biology (beginning Fall 2018); and
6. U.S. history.

NOTE: The U.S. History 4-level end-of-course test will continue to be available in 2017-2018 only to students who are either retesting and are not repeating the course, or graduating in 2017-2018. The biology 4-level end-of-course test will continue to be utilized through spring 2018; beginning in the 2018-2019 school year, student knowledge and skills of state academic standards in biology will be measured by the LEAP 2025 Biology assessment for students who are taking the course and are not graduating in 2018-2019; like US History in 2017-2018, students who are retesting and are not repeating the course, and students graduating in 2018-2019 will be allowed to complete the four-level Biology EOC for one more year. The English III end-of-course exam will continue to be available for students who entered a high school cohort in 2016-2017 or prior.

C. Any student enrolled in and/or receiving credit for a LEAP 2025 course, regardless of grade inclusive of middle school students taking high school courses for high school credit is required to take the LEAP 2025 high school assessment upon completion of that course.

D. LEAP 2025 high school assessments will be offered at the end of the fall and spring semesters.

1. - 2. ...

3. Students completing the course at the end of the summer semester shall participate in the summer test regardless of the grade earned during the summer semester.

E. Since these tests are being developed for use in Louisiana schools, any school selected for field tests shall participate in the field tests.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 35:214 (February 2009), LR 36:477 (March 2010), amended LR 38:35 (January 2012), LR 40:2514 (December 2014), LR 44:469 (March 2018).

§6804. EOCT Development and Implementation Plan

[Formerly LAC 28:CXI.1804]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 35:215 (February 2009), amended LR 38:35 (January 2012),

repromulgated LR 39:76 (January 2013), repealed LR 44:469 (March 2018).

Subchapter C. Achievement Levels and Performance Standards

§6811. LEAP 2025 for High School Achievement Levels [Formerly LAC 28:CXL1811]

A.1. The Louisiana LEAP 2025 achievement levels are:

- a. advanced;
- b. mastery;
- c. basic;
- d. approaching basic; and
- e. unsatisfactory.

B. Achievement Level Definitions

1. *Advanced (Proficient)*—students performing at this level have exceeded college and career readiness expectations, and are well prepared for the next level of studies in this content area.

2. *Mastery (Proficient)*—students performing at this level have met college and career readiness expectations, and are prepared for the next level of studies in this content area.

3. *Basic*—students performing at this level have nearly met college and career readiness expectations, and may need additional support to be fully prepared for the next level of studies in this content area.

4. *Approaching Basic*—students performing at this level have partially met college and career readiness expectations, and will need much support to be prepared for the next level of studies in this content area.

5. *Unsatisfactory*—students performing at this level have not yet met the college and career readiness expectations, and will need extensive support to be prepared for the next level of studies in this content area.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 35:215 (February 2009), amended LR 44:470 (March 2018).

§6813. Performance Standards [Formerly LAC 28:CXL1813]

A. Performance standards for LEAP 2025 algebra I, English I, English II, geometry, biology, and U.S. history tests are finalized in scaled-score form.

B. LEAP 2025 Achievement Levels and Scaled-Score Ranges

1. English I Scaled-Score Ranges

English I	
Achievement Level	Scaled-Score Ranges
Advanced	791-850
Mastery	750-790
Basic	725-749
Approaching Basic	700-724
Unsatisfactory	650-699

2. Algebra I Scaled-Score Ranges

Algebra I	
Achievement Level	Scaled-Score Ranges
Advanced	805-850
Mastery	750-804
Basic	725-749
Approaching Basic	700-724
Unsatisfactory	650-699

3. English II Scaled-Score Ranges

English II	
Achievement Level	Scaled-Score Ranges
Advanced	794-850
Mastery	750-793
Basic	725-749
Approaching Basic	700-724
Unsatisfactory	650-699

4. Geometry Scaled-Score Ranges

Geometry	
Achievement Level	Scaled-Score Ranges
Advanced	783-850
Mastery	750-782
Basic	725-749
Approaching Basic	700-724
Unsatisfactory	650-699

5. Biology Scaled-Score Ranges (will be updated after 2018-2019)

Biology	
Achievement Level	Scaled-Score Ranges
Excellent	740-800
Good	700-739
Fair	661-699
Needs Improvement	600-660

6. U.S. History (will be updated in 2017-2018)

U.S. History	
Achievement Level	Scaled-Score Ranges
Excellent	748-800
Good	700-747
Fair	665-699
Needs Improvement	600-664

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 35:215 (February 2009s), amended LR 36:478 (March 2010), LR 37:820 (March 2011), repromulgated LR 37:1123 (April 2011), amended LR 38:35 (January 2012), LR 39:76 (January 2013), LR 39:2444 (September 2013), LR 44:470 (March 2018).

Subchapter D. LEAP 2025 for High School Administrative Rules

§6819. Double Jeopardy Rule [Formerly LAC 28:CXL1819]

A. If a school administers EOC or LEAP 2025 tests that the student has already passed and the student scores needs improvement on the retest, the passing score will be used to determine the student’s eligibility for a standard high school diploma.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 36:977 (May 2010), amended LR 44:470 (March 2018).

§6821. High School Test Cohorts [Formerly LAC 28:CXL1821]

A. Students who entered traditional grade 9 in 2010–2011 through 2016-2017 are required to score level 2 (approaching basic/fair) or above on English II or English

III, algebra I or geometry, and biology or U.S. history to be eligible for a standard high school diploma.

B. Students who enter traditional grade 9 during or after 2017-2018 are required to score Level 2 (approaching basic/fair) or above on English I or English II, algebra I or geometry, and biology or U.S. history to be eligible for a standard high school diploma.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 36:977 (May 2010), amended LR 38:36 (January 2012), LR 44:470 (March 2018).

§6825. LEAP 2025 for High School Administration Rules [Formerly LAC 28:CXI.1825]

A. Students enrolled in EOC or LEAP 2025 courses shall take the EOC or LEAP 2025 test for that course at the conclusion of the course.

B. ...

C. There is no ending age limit for students to retest in EOC or LEAP 2025, nor is there a limit on the number of times the student may retake the test. Students who no longer reside in the school district where he/she completed Carnegie units may test in the current school district of residence. The DTC shall forward the passing test scores to the high school where the Carnegie units reside.

D. If a student was issued a GED diploma and subsequently meets the requirements for the EOC or LEAP 2025, the student may surrender the GED diploma and be issued a standard high school diploma.

E. ...

F. Students who wish to retest for the Louisiana high school diploma endorsements may retest during the fall, spring, or summer retest administration only one time for each EOC test.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 36:977 (May 2010), amended LR 39:77 (January 2013), LR 44:471 (March 2018).

§6827. LEAP 2025 Retest Administration [Formerly LAC 28:CXI.1827]

A. Students who did not score *approaching basic* or above on LEAP 2025 test may retest in the next LEAP 2025 administration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 36:978 (May 2010), amended LR 44:471 (March 2018).

§6829. LEAP 2025 Transfer Rules [Formerly LAC 28:CXI.1829]

A. The following rules apply for transfer students who are Louisiana residents transferring into the Louisiana public school district from out-of-state schools, nonpublic schools, or approved home study programs.

1. A transfer student is not required to take the LEAP 2025 tests for courses he/she already successfully completed for Carnegie credit.

2. A transfer student shall be required to take the LEAP 2025 test for courses he/she previously took but did not pass.

3. A transfer student may choose to take a LEAP 2025 test for a course he/she already successfully completed if he/she scored *needs improvement* on a LEAP 2025 test in another course and the student must pass the LEAP 2025 test for one of the LEAP 2025 pairs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 36:978 (May 2010), amended LR 37:820 (March 2011), LR 44:471 (March 2018).

§6831. College and Career Diploma [Formerly LAC 28:CXI.1831]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 37:821 (March 2011), repealed LR 44:471 (March 2018).

Chapter 69. LEAP Connect Subchapter A. Background

§6900. Sunset Provision

[Formerly LAC 28:CXI.1900]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(3) and R.S. 17:183.1-17:183.3.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 37:821 (March 2011), repealed LR 44:471 (March 2018).

§6901. Overview

[Formerly LAC 28:CXI.1901]

A. The LEAP Alternate Assessment, Level 1 LEAP Connect is a specially designed assessment program that evaluates students with the most significant cognitive disabilities. LEAP Connect represents an assessment of connector standards relative to the general education components of the LEAP 2025. As such, it meets ESSA requirements to assess students with the most significant cognitive disabilities in the state, with its results contributing to school, district, and state accountability decisions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(3) and R.S. 17:183.1-17:183.3.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1556 (July 2005), amended LR 32:239 (February 2006), LR 33:425 (March 2007), LR 35:208 (February 2009), LR 44:471 (March 2018).

Subchapter B. General Provisions

§6903. Introduction

[Formerly LAC 28:CXI.1903]

A. The LEAP Connect is an assessment that evaluates each eligible student's knowledge and skills in targeted areas. It is administered one-on-one and consists of items written at four levels of complexity to represent different levels of achievement by students.

1. The LEAP Connect is aligned to the Louisiana connectors (LCs), which represent developmentally-appropriate content benchmarks that provide pathways toward achieving Louisiana student standards across all grade levels in English language arts and mathematics for students with significant cognitive disabilities.

2. The LCs capture the essence of the content standards and provide a way for students with significant

cognitive disabilities to access the general education curriculum.

B. Four levels of academic complexity related to each LC provide instructional access for students with varying academic abilities.

C. Definitions

Connector Standards—represent the most salient grade-level, core academic content that students with significant cognitive disabilities must master in order to be prepared for a successful life after high school.

Content Standards—broad statements of what students should know and be able to do.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(3) and R.S. 17:183.1-17:183.3.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Office of Student and School Performance, LR 33:425 (March 2007), amended LR 35:208 (February 2009), amended by the Board of Elementary and Secondary Education, LR 44:471 (March 2018).

Subchapter E. Alternate Achievement Levels and Performance Standards

§6911. LEAP Connect Achievement Levels [Formerly LAC 28:CXL1911]

A. The LEAP Connect achievement levels are levels 1-4.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(3) and R.S. 17:183.1-17:183.3.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Office of Student and School Performance LR 33:426 (March 2007), amended LR 35:209 (February 2009), amended by the Board of Elementary and Secondary Education, LR 44:472 (March 2018).

§6913. Performance Standards [Formerly LAC 28:CXL1913]

A. Performance standards for LEAP Connect English language arts, mathematics, and LAA1 science tests are finalized in scaled-score form.

B. LEAP Connect and LAA 1 Alternate Achievement Levels and Scaled-Score Growth Ranges

1. LEAP Connect English Arts and Mathematics Scaled Score Ranges

2. ...

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(3) and R.S. 17:183.1-17:183.3.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, Office of Student and School Performance, LR 33:426 (March 2007), amended LR 35:209 (February 2009), amended by the Board of Elementary and Secondary Education, LR 44:472 (March 2018).

Chapter 70. LEAP Alternate Assessment, Level 2

Subchapter A. Background

§7000. Sunset Provision [Formerly LAC 28:CXL2000]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(3) and R.S. 17:183.1-17:183.3.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 37:821 (March 2011), amended LR 40:2514 (December 2014), repealed LR 44:472 (March 2018).

§7001. Introduction [Formerly LAC 28:CXL2001]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(3) and R.S. 17:183.1-17:183.3.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 32:239 (February 2006), amended LR 33:269 (February 2007), LR 40:2514 (December 2014), repealed LR 44:472 (March 2018).

Subchapter B. Achievement Levels and Performance Standards

§7005. Achievement Levels [Formerly LAC 28:CXL2005]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(1) and (C).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:270 (February 2007), repealed LR 44:472 (March 2018).

§7007. Performance Standards [Formerly LAC 28:CXL2007]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.4(A).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, Office of Student and School Performance, LR 33:270 (February 2007), amended LR 33:2350 (November 2007), LR 34:2553 (December 2008), repromulgated LR 35:57 (January 2009), repealed by the Board of Elementary and Secondary Education, LR 44:472 (March 2018).

Subchapter C. Achievement Level Descriptors

§7009. Introduction [Formerly LAC 28:CXL2009]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.4(B).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:271 (February 2007), repealed LR 44:472 (March 2018).

§7017. Grade 10 Achievement Level Descriptors [Formerly LAC 28:CXL2017]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.4(A).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:273 (February 2007), amended by the Board of Elementary and Secondary Education, LR 33:2040 (October 2007), LR 36:980 (May 2010), repealed LR 44:472 (March 2018).

§7019. Grade 11 Achievement Level Descriptors [Formerly LAC 28:CXL2019]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.4(A).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:274 (February 2007), amended by the Board of Elementary and Secondary Education, LR 33:2041 (October 2007), LR 36:981 (May 2010), repealed LR 44:472 (March 2018).

Subchapter D. LAA 2 Assessment Structure

§7021. Content Standards [Formerly LAC 28:CXL2021]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(3) and R.S. 17:183.1-17:183.3.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR

33:275 (February 2007), amended LR 33:2042 (October 2007), repealed LR 44:472 (March 2018).

§7023. English Language Arts Tests Structure
[Formerly LAC 28:CXI.2023]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(A)(1)(2).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:275 (February 2007), amended LR 33:2042 (October 2007), repealed LR 44:473 (March 2018).

§7025. Mathematics Test Structure
[Formerly LAC 28:CXI.2025]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(A)(1)(2).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:275 (February 2007), amended LR 33:2042 (October 2007), repealed LR 44:473 (March 2018).

§7027. Science Tests Structure
[Formerly LAC 28:CXI.2027]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24(A)(1)(2).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:276 (February 2007), amended LR 33:2043 (October 2007), repealed LR 44:473 (March 2018).

§7029. Social Studies Tests Structure
[Formerly LAC 28:CXI.2029]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(A)(1)(2).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, 36:980 (May 2010), repealed LR 44:473 (March 2018).

§7031. Double Jeopardy Rule
[Formerly LAC 28:CXI.2031]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.4(A).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 36:981 (May 2010), repealed LR 44:473 (March 2018).

§7033. Rescores
[Formerly LAC 28:CXI.2033]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.4(A).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 36:981 (May 2010), repealed LR 44:473 (March 2018).

§7035. LAA 2 High School Assessment Administration Rules
[Formerly LAC 28:CXI.2035]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.4(A).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 36:981 (May 2010), amended LR 40:2514 (December 2014), repealed LR 44:473 (March 2018).

§7037. Summer Retest Administration
[Formerly LAC 28:CXI.2037]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.4(A).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 36:982 (May 2010), amended LR 40:2515 (December 2014), repealed LR 44:473 (March 2018).

§7041. Student Membership Determination
[Formerly LAC 28:CXI.2041]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.4(A).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 36:983 (May 2010), repealed LR 44:473 (March 2018).

Chapter 71. National Assessment of Educational Progress

§7101. General Provisions
[Formerly LAC 28:CXI.2101]

A. NAEP, also known as the "nation's report card," reports its results from jurisdictions around the country. NAEP uses a random stratified sample to select school districts, schools within those districts, and students within those schools.

B. ...

C. The NAEP test contractor handles all aspects of NAEP testing including distribution and collection of all test materials. Results are reported within six months.

D. Participation in NAEP

1. In 1990, the NAEP assessments became a part of the LEAP, with state statute R.S. 17:24.4, making participation in NAEP mandatory for Louisiana schools. Additionally, the Every Student Succeeds Act (ESSA) mandates schools' participation. Participation in NAEP is a requirement for states and school districts receiving Title I grants.

2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1557 (July 2005), amended LR 44:473 (March 2018).

Chapter 72. ACT Program

§7203. EXPLORE
[Formerly LAC 28:CXI.2203]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 39:77 (January 2013), repealed LR 44:473 (March 2018).

§7205. PLAN
[Formerly LAC 28:CXI.2205]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 39:77 (January 2013), repealed LR 44:473 (March 2018).

§7209. WorkKeys

[Formerly LAC 28:CXI.2209]

A. The ACT WorkKeys assessment for 11th grade students in the Jump Start program assesses the academic and career skills that are needed to be successful in the workplace. It assists in identifying educational pathways that can further develop the proficiencies that are critical to job success. WorkKeys matches student skills to job profiles in order to support students in developing successful career pathways.

1. Students shall be subject to a 30-day wait period before retesting on WorkKeys assessments, during which time LEAs shall provide remediation.

2. District must provide student results for all WorkKeys tests taken by every student every year, as outlined by DOE, to ensure all results are considered.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 40:1320 (July 2014), amended LR 44:474 (March 2018).

Chapter 73. English Language Proficiency Test (ELPT)

Subchapter A. Background

§7301. Overview

[Formerly LAC 28:CXI.2301]

A. The NCLB of 2002 title III (20 USCS §6301 et seq.) requires standards-based assessment of the progress of all English learners enrolled in grades kindergarten through 12 in attaining English proficiency, including a student's level of comprehension, speaking, listening, reading, and writing skills in English.

AUTHORITY NOTE: Promulgated in accordance with 20 USCS, Section 6311.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1557 (July 2005), amended LR 33:259 (February 2007), amended by the Board of Elementary and Secondary Education, LR 44:474 (March 2018).

Subchapter B. General Provisions

§7303. Introduction

[Formerly LAC 28:CXI.2303]

A. The English language proficiency test (ELPT) is composed of tests in six grade bands (Kindergarten, 1, 2-3, 4-5, 6-8, 9-12) in the four language domains (reading, writing, listening, and speaking). It assesses the English language proficiency of students. ELPT is vertically linked across grade bands and has five levels of performance ranging from level 1 to level 5.

AUTHORITY NOTE: Promulgated in accordance with 20 USCS, Section 6311.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:259 (February 2007), amended LR 44:474 (March 2018).

Subchapter C. Target Population

§7307. Participation Criteria

[Formerly LAC 28:CXI.2307]

A. English Language Learners. A student who is aged 3 through 21; who is enrolled in an English-speaking elementary school or secondary school for less than a year;

who was not born in the United States or whose native language is a language other than English; who is a Native American or Alaska Native or a native resident of the outlying areas and comes from an environment where a language other than English has had significant impact on his level of English language proficiency; or who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny them:

1. - 3. ...

AUTHORITY NOTE: Promulgated in accordance with 20 USCS, Section 6311.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:259 (February 2007), amended by the Board of Elementary and Secondary Education, LR 44:474 (March 2018).

Subchapter D. Performance Levels and Proficiency Standards

§7309. Proficiency Levels

[Formerly LAC 28:CXI.2309]

A.1. ELPT performance levels are:

- level 1, beginning;
- level 2, early intermediate;
- level 3, intermediate;
- level 4, early advanced; and
- level 5, advanced.

2. The name of the performance levels align with ELPT. The definition of each level is also consistent with the definitions of ELPT.

B. Performance Level Definitions

1. *Level 1: Beginning*—displays few grade-level English language skills and will benefit from EL program support.

2. *Level 2: Early Intermediate*—presents evidence of developing grade-level English language skills and will benefit from EL program support.

3. *Level 3: Intermediate*—applies some grade-level English language skills and will benefit from EL program support.

4. *Level 4: Early Advanced*—demonstrates English language skills required for engagement with grade-level academic content instruction at a level comparable to non-ELs.

5. *Level 5: Advanced*—exhibits superior English language skills, as measured by LEAP Connect.

AUTHORITY NOTE: Promulgated in accordance with 20 USCS, Section 6311.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:259 (February 2007), amended by the Board of Elementary and Secondary Education, LR 44:474 (March 2018).

§7311. Proficiency Standards

[Formerly LAC 28:CXI.2311]

A. Performance standards for English language proficiency connectors for listening, speaking, reading, and writing tests are finalized in scaled-score form. The scaled-score ranges vary per grade and grade band.

Performance Standards Cut Scores

Domain	Performance Standard Level 1	Performance Standard Level 2	Performance Standard Level 3	Performance Standard Level 4	Performance Standard Level 5
Kindergarten					
Listening	466 or below	467-506	507-612	613-644	645 or above
Speaking	486 or below	487-534	535-597	598-624	625 or above
Reading	472 or below	473-513	514-591	592-626	627 or above
Writing	496 or below	497-561	562-650	651-672	673 or above
Grade One					
Listening	434 or below	435-466	467-548	549-593	594 or above
Speaking	527 or below	528-576	577-592	593-618	619 or above
Reading	478 or below	479-514	515-583	584-628	629 or above
Writing	497 or below	498-547	548-612	613-640	641 or above
Grade Two					
Listening	407 or below	405-437	438-511	512-563	564 or above
Speaking	489 or below	490-528	529-554	555-587	588 or above
Reading	456 or below	456-488	489-554	555-594	594 or above
Writing	451 or below	452-492	493-554	555-590	591 or above
Grade Three					
Listening	408 or below	409-447	448-535	536-597	598 or above
Speaking	499 or below	500-537	538-571	572-611	612 or above
Reading	494 or below	495-540	541-609	610-643	644 or above
Writing	497 or below	498-541	542-602	603-635	636 or above
Grade Four					
Listening	397 or below	398-430	431-491	492-562	563 or above
Speaking	461 or below	462-505	506-543	544-583	584 or above
Reading	452 or below	453-487	488-549	550-593	594 or above
Writing	436 or below	437-480	481-567	568-599	600 or above
Grade Five					
Listening	412 or below	413-454	455-497	498-580	581 or above
Speaking	482 or below	483-525	526-572	573-606	607 or above
Reading	467 or below	468-510	511-587	588-626	627 or above
Writing	437 or below	438-485	486-597	598-627	628 or above
Grade Six					
Listening	409 or below	410-439	440-497	498-564	565 or above
Speaking	464 or below	465-510	511-561	562-594	595 or above
Reading	460 or below	461-495	496-564	565-603	604 or above
Writing	424 or below	425-471	472-563	564-593	594 or above
Grade Seven					
Listening	429 or below	430-472	473-552	553-596	597 or above
Speaking	474 or below	475-526	527-581	582-610	611 or above
Reading	485 or below	486-533	534-608	609-641	642 or above
Writing	473 or below	474-519	520-596	597-624	625 or above
Grade Eight					
Listening	431 or below	432-477	478-564	565-612	613 or above
Speaking	475 or below	476-527	528-589	590-618	619 or above
Reading	493 or below	494-546	547-639	640-668	669 or above
Writing	483 or below	484-532	533-618	619-646	647 or above
Grade Nine-Twelve					
Listening	450 or below	451-490	491-570	571-612	613 or above
Speaking	480 or below	481-535	536-592	593-618	619 or above
Reading	487 or below	488-538	539-630	631-661	662 or above
Writing	484 or below	485-532	533-614	615-640	641 or above

AUTHORITY NOTE: Promulgated in accordance with 20 USCS, Section 6311.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:260 (February 2007), amended LR 34:2556 (December 2008), repromulgated LR 35:61 (January 2009), amended by the Board of Elementary and Secondary Education, LR 44:474 (March 2018).

Chapter 74. Academic Skills Assessment (ASA)

Subchapter A. Background

§7400. Sunset Provision

[Formerly LAC 28:CXI.2400]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and 17:24(F)(2).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 39:77 (January 2013), repealed by the Board of Elementary and Secondary Education, LR 44:476 (March 2018).

Chapter 75. Field Testing

§7501. General Provisions

[Formerly LAC 28:CXI.2501]

A. The purpose of field testing is to obtain data on test items that have been developed for a particular assessment. In Louisiana, test items are developed and field tests conducted for the following assessments as needed:

1. Louisiana Educational Assessment Program (LEAP) 2025;
2. LEAP Connect;
3. ELPT.

B. - C.2.f.iii. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1557 (July 2005), amended LR 32:239 (February 2006), LR 34:1353 (July 2008), LR 40:2515 (December 2014), amended by the Board of Elementary and Secondary Education, LR 44:476 (March 2018).

§7503. Field Test Administration

[Formerly LAC 28:CXI.2503]

A. The same test security procedures and test administration rules used for operational (regular) testing apply to field tests. District and school personnel must adhere to the test security policy and to all directions in the field test administration manuals. Schools will be monitored to ensure that administrative and security procedures are followed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1558 (July 2005), amended by the Board of Elementary and Secondary Education, LR 44:476 (March 2018).

Chapter 79. Graduation Exit Examination ("Old" GEE)

§7901. General Provisions

[Formerly LAC 28:CXI.2901]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(4)(a) and R.S. 17.7.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1558 (July 2005), amended LR 40:2515 (December 2014), repealed by the Board of Elementary and Secondary Education, LR 44:476 (March 2018).

§7903. Performance Standards

[Formerly LAC 28:CXI.2903]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(4)(a) and R.S. 17.7.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1558 (July 2005), repealed by the Board of Elementary and Secondary Education, LR 44:476 (March 2018).

§7905. Transfer Students

[Formerly LAC 28:CXI.2905]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.24.4 and R.S. 17.7.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1559 (July 2005), repealed by the Board of Elementary and Secondary Education, LR 44:476 (March 2018).

§7907. Student Membership Determination

[Formerly LAC 28:CXI.2907]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.24.4 et seq.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1559 (July 2005), repealed by the Board of Elementary and Secondary Education, LR 44:476 (March 2018).

Chapter 81. Louisiana Alternate Assessment-B

§8101. Special Education Needs

[Formerly LAC 28:CXI.3101]

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4(F)(3).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1559 (July 2005), repealed by the Board of Elementary and Secondary Education, LR 44:476 (March 2018).

Chapter 83. Assessment of Special Populations

§8301. Participation

[Formerly LAC 28:CXI.3301]

A. The following classifications of special populations students must be tested in statewide assessments:

1. students with disabilities receiving special education services;
2. ...
3. English language learners.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1945.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1560 (July 2005), amended by the Board of Elementary and Secondary Education, LR 44:476 (March 2018).

§8303. Students with Disabilities

[Formerly LAC 28:CXI.3303]

A. All students with disabilities must participate in statewide assessments. Students are to take the test that corresponds to the grade in which they are enrolled. Students who meet specific participation criteria as stated in *Bulletin 1530—Louisiana's IEP Handbook for Students with Exceptionalities* and whose individualized education plans (IEPs) indicate they will participate in an alternate assessment may participate in the LEAP alternate assessment, level 1 (LAA 1) or LEAP Connect assessment. The assessment in which the student is to participate and any

accommodations the student is to receive for instruction and assessment must be documented annually on the program/services page of the student's IEP. Test accommodations cannot be different from or in addition to the accommodations indicated on the student's IEP and provided in regular classroom instruction and assessment.

1. - 2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1945.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1560 (July 2005), amended by the Board of Elementary and Secondary Education, LR 32:239 (February 2006), LR 36:983 (May 2010), LR 38:37 (January 2012), LR 40:2515 (December 2014), amended by the Board of Elementary and Secondary Education, LR 44:476 (March 2018).

**§8305. Students with One or More Disabilities
According to Section 504
[Formerly LAC 28:CXL3305]**

A. - B.2.a. ...

b. Signatures. Duplicate signatures are not acceptable on the IAP. The parent and student signatures are optional, but it is considered best practice to obtain these.

2.c. - 3. ...

4. New accommodations or changes to an accommodation for a statewide assessment should be on the student IAP form 30 days prior to the start of testing.

B.5. - C.3. ...

4. formal assessments approved by the school district.

D - F. ...

G. Test Accommodations for both Section 504 and Special Education

1. Definition

Accommodation—a change in the test administration environment, timing, scheduling, presentation format, and/or method of response to the assessment.

2. Purpose of Accommodations. Test accommodations are provided to minimize the effects of a disability to ensure that a student can demonstrate the degree of achievement he or she actually possesses. Not all students with disabilities will need test accommodations, but many will need them to provide a valid and accurate measure of their abilities. The goal in using accommodations is to give students with disabilities an equal opportunity in assessment, not to give students with disabilities an unfair advantage over other students or to subvert or invalidate the purpose of the tests. The accommodation should allow the test score to reflect the student's proficiency in the area tested without the interference of his or her disability.

3. General Guidelines

a. Test accommodations should not be different from, or in addition to, the accommodations provided in the classroom during instruction and assessment and as indicated on the student's IEP or section 504 IAP. According to the 1997 amendments to IDEA, accommodations for administration of general statewide and districtwide assessments must be based on each student's needs, as documented in the student's IEP. If an accommodation, even an accommodation listed on a student's IEP or IAP, is not provided in classroom instruction or assessment, it is inappropriate to provide that accommodation during testing.

b. Selection of appropriate test accommodations should be based on a review of a student's current instructional and classroom assessment accommodations and a clear understanding of the test format and what it measures. This information should determine which accommodations enable the student to demonstrate best what he or she knows and can do.

c. The accommodations must never compromise the purpose of the test. For example, a test that measures reading comprehension cannot be read aloud to a student. To do so would destroy the purpose of the test, which is to measure reading comprehension.

d. Individual or small group administration must be used if the accommodations will interfere with the testing of other students, e.g., tests read aloud.

e. Provided accommodations must be indicated in the required locations as instructed in the appropriate test manual.

f. Accommodations must not compromise test security or confidentiality. Any assistance in test administration must not give away the answers. All conditions that pertain to test security and return of test materials after the test is administered apply to tests that are administered with accommodations. All test manual instructions relating to handling nontraditional secure materials for accommodations must be followed precisely.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7, R.S. 17:24 et seq., R.S. 17:391-400, R.S. 17:1941 et seq., R.S. 17:397, R.S. 17:1946, and R.S. 17:1947.1.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1560 (July 2005), amended LR 32:239 (February 2006), LR 33:262 (February 2007), LR 38:37 (January 2012), amended by the Board of Elementary and Secondary Education, LR 44:477 (March 2018).

**§8306. Approved Accommodations for Students with IEPs or 504 Plans
[Formerly LAC 28:CXL3306]**

A. - A.1. ...

a. Braille editions of the test are provided for students who are proficient in this mode of access to written material. The regular print edition may be modified in braille. Supplementary test administration instructions and manipulatives are provided as needed. All responses must be transferred to the scorable test form.

2. Large Print

a. Large-print editions may be used by students who use large print as an accommodation in classroom instruction and assessment and take the paper-based assessment in grades 3-4. Large-print editions contain all test items that are in the regular edition. Essentially the large-print edition is an enlarged version of the regular-print edition, though the layout may vary slightly so as not to make the document more difficult for a student to use. All responses must be transferred to the scorable test form.

3. Answers Recorded

a. If a student is unable due to his/her disability to write, the test administrator may record the student's answers on the scorable test form. Scribes and others supporting a student's test taking must be neutral in responding to the student during test administration. Assistance in test

administration must not give away the answers. The student's responses must accurately represent the student's own choices. If a scribe is used, the scribe must follow the directions for administration and recording answers in the guidance provided by LDE.

4. - 4.a.x. ...

5. Extended Time/Adjusted Time

a. Every student must be given extended or sufficient time to respond to every test item. Extended time for statewide assessments is allowed until the end of the school day. Students must complete a test session on the day it is begun. Time may be adjusted for certain students, such as those who have short attention spans or who may be unable to concentrate for long periods of time on a given task. The test administration time may have to be altered considerably to allow for intermittent short breaks during the testing period, or it may be determined appropriate to administer the test in a number of short sessions. Testing may also be stopped and continued at a later time if a student's behavior interferes with testing. The elapsed time must be documented and the test administrator must closely monitor that test security is maintained. The time of day the test is administered may also be adjusted to a time more beneficial to the student. All sessions, however, must be completed within the specified test administration dates, including makeup sessions.

6. Communication Assistance Script

a. Students who are deaf or hard of hearing and have the communications assistance script accommodation for testing must have a test administrator who is fluent in the cuing or signing modality routinely used by a student should be available to repeat or clarify directions and sign portions of the test if warranted by the student's reading level as documented on the IEP or IAP.

b. No passages, questions, or distractors (multiple choices) of any English language arts test that measures reading comprehension may be signed or cued. Such tests include the reading and responding session of GEE, LAA 2, EOC, and any others developed to measure this skill. Directions only to these sessions may be signed or cued. When signing or cueing, the test administrator must exercise caution to avoid providing answers. It is a breach of test security to provide signs or cues that convey answers.

7. Transferred Answers

a. Student responses must be transferred by the test administrator precisely as instructed in the appropriate test manual. Such formats include braille, large print, typewritten responses, computer responses, and any other responses recorded with the assistance of mechanical or technological devices. Student responses not transferred will not be scored. If both a student's and a test administrator's handwriting appear on an answer document, only the student's writing will be scored.

8. Tests Read Aloud

a. Students may be allowed to have portions of the tests read to them, with the exception of portions designed to measure reading comprehension, which are clearly designated in the test administration manuals. No passages, questions, or distractors (multiple choices) of any English language arts assessment that measures reading comprehension may be read aloud. Such tests include the reading and responding session of GEE, EOC, and LAA 2,

and any others developed to measure this skill. Directions only to these sessions may be signed or cued. When signing or cueing, the test administrator must exercise caution to avoid providing answers. It is a breach of test security to provide signs or cues that convey answers.

9. Other

a. Any approved accommodations may be used, but they must be decided by the IEP team or Section 504 committee and listed on the student's IEP or IAP. The accommodation must not invalidate the meaning of the test score or the purpose of the test. Examples of other accommodations include highlighting the task or verbs in the directions on the test or assisting the student in tracking the test items.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:7, R.S. 17:24 et seq., R.S. 17:391-400, R.S. 17:1941 et seq., R.S. 17:397, R.S. 17:1946, and R.S. 17:1947.1.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 33:263 (February 2007), amended LR 33:1010 (June 2007), amended by the Board of Elementary and Secondary Education, LR 44:477 (March 2018).

§8307. English Language Learners

Formerly LAC 28:CXI.3307]

A. All ELLs must participate in statewide assessments. ELLs qualify for accommodations. Test accommodations must not be different from or in addition to the accommodations provided in the classroom during instruction and assessment and must not compromise test security or confidentiality. Accommodations must be documented on an ELL accommodation form.

B. - B.6.c. ...

C. Approved Accommodations for LEP Students

1. The following accommodations may be provided for ELL students participating in the LEAP 2025, GEE, LAA 2, LAA1 or LEAP Connect, and EOC or high school LEAP 2025 assessments.

a. Extended Time. Extended time for statewide assessments is allowed until the end of the school day. Students must complete a test session on the day it is begun.

b. Provision of English/Native Language Word-to-Word Dictionary (No Definitions). LEP students may use either a standard or an electronic English/native language word-to-word dictionary, without definitions, on all sessions of the test.

c. Tests Read Aloud. Students with accommodation of test read aloud may be allowed to have mathematics, social studies, and science tests read aloud. When signing or cueing, the test administrator must exercise caution to avoid providing answers. It is a breach of test security to provide signs or cues that convey answers.

d. Test Administered by ESL Teacher or by Individual Providing Language Services. Familiarity with the speech patterns of the ESL teacher or individual providing language services may assist the student in understanding the test directions or the portions read aloud if the student receives the accommodation tests read aloud.

D. Spanish language versions of math state assessments are provided for on LEAP 2025 math assessments. Directions for LEAP 2025 assessments are provided in multiple native languages.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:1941 et seq., and R.S. 17:24.4(F)(3).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1562 (July 2005), amended by the Board of Elementary and Secondary Education, LR 32:240 (February 2006), LR 33:264 (February 2007), LR 33:1010 (June 2007), LR 36:983 (May 2010), LR 37:821 (March 2011), LR 41:616 (April 2015), amended by the Board of Elementary and Secondary Education, LR 44:478 (March 2018).

Chapter 85. Assessment of Students in Special Circumstances

§8503. Homebound Students

[Formerly LAC 28:CXL3503]

A. Homebound students shall be administered the appropriate assessment for their enrolled grade. The test administrator must issue the test each day and return the testing materials to the enrolled school daily. The test administrator must receive training in security and test administration procedures and sign a security oath.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1563 (July 2005), amended by the Board of Elementary and Secondary Education, LR 44:479 (March 2018).

§8507. Office of Juvenile Justice

[Formerly LAC 28:CXL3507]

A. Students enrolled in grades 3 through 11 who are under the supervision of correctional facilities shall take the appropriate assessment for their enrolled grade.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:151.3 and R.S. 17:24.

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Elementary and Secondary Education, LR 31:1563 (July 2005), amended LR 33:2043 (October 2007), amended by the Board of Elementary and Secondary Education, LR 44:479 (March 2018).

Shan N. Davis
Executive Director

1803#002

RULE

Board of Elementary and Secondary Education

**Bulletin 1566—Pupil Progression Policies and Procedures
(LAC 28:XXXIX.103, 305, and Chapters 5-11)**

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 1566—Pupil Progression Policies and Procedures*: §305, Submission Process; §501, State Requirements, §503, Regular Placement; §505, Other Placement Requirements; §507, Records and Reports; §513, Local Testing Programs; §701, Promotion Standard; §703, Retention; §705, Support for Students; §707, Exceptions to High Stakes Policy; §901, Preface; §903, Legal Authorization; §905, Definition and Purpose; §907, Responsibilities of BESE; §909, State Funding of Remedial Education Programs; §911, Criteria for State Approval; §913, Local Program Development and Evaluation; §915, State Department of Education Responsibilities; and §1101, Definitions of Terms. The policy revisions are related to student promotion and retention. This Rule is hereby adopted on the day of promulgation.

Title 28

EDUCATION

Part XXXIX. Bulletin 1566—Pupil Progression Policies and Procedures

Chapter 1. Purpose

§103. Preface

A. - C. ...

D. The Louisiana State Legislature in Regular Session during the summer of 1997 amended and reenacted R.S. 17:24.4(F) and (G)(1), relative to the Louisiana Competency-Based Education Program, to require the state Board of Elementary and Secondary Education (BESE) to adopt rules relative to the promotion of fourth and eighth grade students.

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2169 (November 1999), amended LR 33:2061 (October 2007), LR 36:2001 (September 2010), LR 44:479 (March 2018).

Chapter 3. General Procedure for Development; Approval and Revision of a Pupil Progression Plan

§305. Submission Process

A. Upon adoption for submission by the local school board, the plan along with a formal submission statement shall be submitted annually to the Department of Education. Documentation of input in the plans development by educators and parents as well as public notice prior to local board approval and locally-initiated revisions (including dates and locations) must be submitted.

1. - 2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2171 (November 1999), amended LR 27:188 (February 2001), LR 27:1517 (September 2001), LR 36:2002 (September 2010), LR 44:479 (March 2018).

Chapter 5. Placement Policies—General Requirements

§501. General Requirements

A. ...

B. Each plan shall provide details on academic supports for struggling students, including but not limited to grade-level instruction that is aligned with state academic content standards.

C. Based upon local school board policy pursuant to these policies and procedures, each teacher shall, on an individualized basis, determine promotion or placement of each student. Local school board policies relative to pupil progression will apply to students placed in regular education programs as well as to exceptional students and to students placed in alternative programs. Placement decisions for exceptional students must be made in accordance with the least restrictive environment requirements of state and federal laws.

D. No school board member, school superintendent, assistant superintendent, principal, guidance counselor, other teacher, or other administrative staff members of the school or the central staff of the parish or city school board shall attempt, directly or indirectly, to influence, alter, or

otherwise affect the grade received by a student from his/her teacher.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7, R.S. 17:24.4, and R.S. 17:414.2.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2171 (November 1999), amended LR 3:2062 (October 2007), LR 36:2003 (September 2010), LR 44:479 (March 2018).

§503. Regular Placement

A. - A.1.b. ...

c. Each plan shall include promotion requirements for students eligible to take LEAP alternate assessment, level 1 (LAA 1) or LEAP connect.

d. - e. ...

B. Requirements for High School Students

1. Each plan shall include the following statements, that:

a. in addition to completing the required minimum number of Carnegie units of credits as presented by BESE, students must pass the required end-of-course tests or LEAP 2025 high school assessments to receive a high school diploma;

b. any first-time eighth grade student who does not meet the passing standard set forth in §703 of this bulletin and any student not eligible for any waiver pursuant to §707 of this bulletin, after completing summer remediation, may be placed on a high school campus in transitional ninth grade;

c. LEAs shall follow the guidelines set forth in §703 to determine, based on evidence of student learning, whether eighth grade students may be promoted to the ninth grade or placed on a high school campus in transitional ninth grade. The percentage of an LEA's eighth graders placed in transitional ninth grade is expected to remain stable over time. In the event that the percentage of an LEA's eighth graders placed in transitional ninth grade exceeds the percentage of eighth graders in that LEA eligible for transitional ninth grade at the conclusion of the prior school year, the local superintendent of that LEA shall provide a written justification to the state superintendent;

d. the initial decision to place a student in the transitional ninth grade or to retain a student in the eighth grade shall be made by the school in which the student is enrolled in the eighth grade, in consultation with the student's parents;

e. each LEA shall admit transitional ninth grade students, subject to any admissions requirements approved by the school's governing authority or charter authorizer;

f. the following shall govern the transitional ninth grade.

i. Students placed in the transitional ninth grade shall complete the summer remediation program offered by the LEA. For any student who recently completed the eighth grade and is transferring into the LEA from another state or country after summer remediation, the LEA shall review the student's academic record to determine appropriate placement in ninth grade or transitional ninth grade. Such placement shall occur no later than October 1 of each school year.

ii. After one full year of transitional ninth grade, students shall be included in the ninth grade graduation cohort for high school accountability purposes.

iii. Students enrolled in transitional ninth grade shall receive appropriate academic supports in any subjects in which they did not score at or above proficient, as determined by BESE. A plan outlining such academic supports shall be included in the student's individual graduation plan. Progress pursuant to such specified academic supports shall be reviewed at least once throughout the school year in order to determine effectiveness and any needed adjustments.

iv. Students enrolled in transitional ninth grade shall have opportunities to take career and technical education courses and participate in any career training opportunities included in a high school career pathway developed by a consortium of LEAs, post-secondary colleges and universities, and local business and industry, and approved by the LDE.

v. Students enrolled in transitional ninth grade shall receive dropout prevention and mentoring services based on proven strategies to retain and graduate at-risk students. The LDE shall make available to LEAs a list of recommended strategies and technical assistance needed to offer students such services.

C. Retention—Grades K-12

1. Retention of a student shall be based upon the student's failure to meet the criteria established by local boards for promotion and other criteria contained in these policies and procedures.

D. Acceleration

1. Grades K-8

a. The local school board shall establish written policies and procedures for the placement of students who evidence that they will benefit more from the instructional program at an advanced grade level.

2. Grades 9-12

a. The local school board shall follow the policies and procedures established in *Bulletin 741—Louisiana Handbook for School Administrators*, and other local requirements for student acceleration.

E. Transfer Students

1. The local school board shall establish written policies for the placement of students transferring from all other systems and home schooling programs (public, nonpublic, both in and out-of-state, and foreign countries).

a. Students in grades 5 and 9 transferring to a public school from any in-state nonpublic school (state-approved and not seeking state approval), any approved home study program, or Louisiana resident transferring from any out-of-state school, shall be required to pass the English language arts and mathematics portions of the LEAP placement test.

b. Schools can only make recommendations to parents regarding student enrollment in kindergarten, since kindergarten is not mandatory. However, in accordance with R.S. 17:221, once students have enrolled in kindergarten, they are subject to compulsory attendance laws and promotion requirements set forth by the LEA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2171 (November 2000), amended LR 26:1433 (July 2000), LR 26:1576 (August 2000), LR 27:188 (February 2001), LR 27:1006 (July 2001), LR 27:1682 (October 2001), LR 29:123 (February 2003), LR 30:407

(March 2004), LR 31:1974 (August 2005), LR 31:3103 (December 2005), LR 33:2063 (October 2007), LR 34:2389 (November 2008), LR 36:2003 (September 2010), LR 40:765 (April 2014), LR 40:1332 (July 2014), LR 40:2533 (December 2014), LR 41:1271 (July 2015), LR 44:480 (March 2018).

§505. Other Placement Requirements

A. Progression—Students Participating in LEAP Alternate Assessment (LAA1) or LEAP Connect

1. Students with disabilities who participate in the LEAP alternate assessment or LEAP Connect shall have promotion decisions determined by the IEP team.

B. - D.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2172 (November 2000), amended LR 26:1433 (July 2000), LR 27:189 (February 2001), LR 27:1683 (October 2001), LR 29:123 (February 2003), LR 30:409 (March 2004), LR 33:2063 (October 2007), LR 36:2004 (September 2010), LR 44:481 (March 2018).

§507. Records and Reports

A. - B.1. ...

2. scores on LEAP assessments;

3. - 6. ...

7. a copy of the letter informing the parent of any planned academic support strategies to be provided to the student;

8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2173 (November 1999), amended LR 27:189 (February 2001), LR 27:1683 (October 2001), LR 36:2004 (September 2010), LR 44:481 (March 2018).

§513. Local Testing Programs

A. ...

B. With reference to pupil placement, the local school system shall state the name of the instrument and publisher of other testing and screening programs to be used locally in grades K-12 for general education and exceptional students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2173 (November 1999), amended LR 36:2005 (September 2010), LR 44:481 (March 2018).

Chapter 7. Promotion and Support Policy

§701. Promotion and Support Standard for Grades 3-7

A. Beginning with the end of the 2017-2018 school year and at the end of each school year thereafter, each local education agency shall identify, based on a preponderance of evidence of student learning, third and fourth grade students who have scored below “basic” achievement level in at least two core academic subjects, including English language arts, mathematics, science, and social studies, that would enable them to successfully transition to the next grade level. Fourth grade students who have not met such an acceptable level of performance may be retained or promoted, but in either case, shall be provided with an individual academic improvement plan that adheres to the following requirements.

1. The school shall convene an in-person meeting with the student’s parent or legal custodian, all teachers of core academic subjects, and specialized support personnel, as needed, to review the student’s academic strengths and weaknesses, discuss any other relevant challenges, and formulate an individual academic improvement plan designed to assist the student in achieving proficiency in all core academic subjects. All participants shall sign the documented plan, using a template provided by the department, and shall meet to review progress at least once more before the next administration of the LEAP assessment.

2. The student shall be provided with focused, on-grade level instructional support that is appropriate to the content area(s) in which the student has not yet achieved proficiency. Instruction shall be aligned with state academic content standards.

3. The student requiring an academic improvement plan shall be identified as such in the state student information system (SIS).

4. The student shall be afforded the opportunity to receive on-grade level instruction during the summer.

5. Each LEA shall adopt a written policy pertaining to the development of individual academic improvement plans. This policy shall be included in the pupil progression plan of the LEA.

6. The department shall audit a random sampling of students in each local education agency identified pursuant to Subsection A of this Section each year.

B. The department shall provide to each LEA a roster of third and fourth grade students who have scored below the “basic” achievement level in at least two core academic subjects. Such roster shall assist the LEA in making final determinations relative to students’ individual academic plans required pursuant to this Section.

1. The decision to retain a student as a result of his/her failure to achieve the standard on the LEAP shall be made by the LEA in accordance with the local pupil progression plan. The department shall provide guidance to LEAs on retention considerations.

2. The individual academic improvement plan required in this Section shall continue to be in effect until such time as the student achieves a score of “basic” in each of the core academic subjects that initially led to the development of the student’s individual academic plan.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:481 (March 2018).

§703. Promotion and Support Standard for Grade 8

A. Eighth grade students shall score at least at the “basic” achievement level in either English language arts or mathematics and “approaching basic” in the other subject in order to be promoted to the ninth grade. Students who do not meet the promotion standard after taking the eighth grade state assessments in spring and, following the completion of summer remediation, may be placed on a high school campus in the transitional ninth grade. For any student who recently completed the eighth grade and is transferring into

the LEA from another state or country after the completion of summer remediation, the LEA shall review the student's academic record to determine appropriate placement in ninth grade or transitional ninth grade. Such placement shall occur no later than October 1 of each school year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:481 (March 2018).

§705. Supports for Students

A. Summer Remediation

1. LEAs shall offer, at no cost, extended, on-grade level instruction through summer remediation to students who did not take the spring LEAP tests or who failed to meet the standard set forth in §701 and §703 of this bulletin. The LEA shall provide transportation to and from the assigned LEAP remediation summer site(s) from, at a minimum, a common pick-up point.

2. Student with disabilities attending summer remediation shall receive special supports as needed.

3. Summer remediation programs shall meet all of the following requirements:

a. use curriculum determined by the department to fully align to Louisiana state standards (*Bulletin 141—Louisiana Standards for English Language Arts, Bulletin 142—Louisiana Standards for Mathematics, Bulletin 1962—Louisiana Science Content Standards, and Bulletin 1964—Louisiana Social Studies Content Standards*);

b. teachers shall be rated “effective:proficient” or “highly effective” pursuant to the teacher’s most recent evaluation or have achieved a value-added rating of “effective:proficient” or “highly effective” on the most recent evaluation;

c. remedial instruction, below grade level instruction, shall be limited to only necessary and focused skills as identified from top quality assessments and cannot account for more than 35 percent of the total summer remediation instructional time.

B. School Year Support

1. The individual academic plan for each student identified in §701 of this bulletin shall outline the responsibilities of each party for students who have failed to achieve the standard by the end of fourth grade.

2. LEAs shall design and implement additional instructional strategies to move the students to grade-level proficiency by providing at least two of the following, which shall be documented in the individual academic improvement plan.

a. The student is placed in the classroom of a teacher who has been rated “highly effective” pursuant to his/her most recent evaluation or has achieved a value-added rating of “highly effective” pursuant to his/her most recent evaluation, or has documented evidence derived from state summative assessments of improving the academic performance of students having individual academic improvement plans in the past.

b. The student completes summer remediation in accordance with Subsection A of this Section.

c. Additional instructional time is provided during or outside of the school day to expose the student to high quality instruction. This shall not result in a student being removed from English language arts, mathematics, science, or social studies courses.

d. The student is provided access to on grade-level instruction that is aligned to Louisiana state standards, which may include some below grade-level content and support needed to address the student’s identified weaknesses.

3. Remediation programs used throughout the school day and school year shall not account for more than 35 percent of total instructional minutes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2005 (September 2010), amended LR 40:2533 (December 2014), LR 44:482 (March 2018).

§707. Exceptions to Promotion and Support Policy for Eighth Grade Students

A. - A.1. ...

2. the student has participated in the spring administration of LEAP and has attended the summer remediation program offered by the LEA; and

3. ...

B. U/B Waiver. The LEA may waive the state policy for students scoring at the unsatisfactory level in English language arts or mathematics, if the student scores at the basic level in the other, provided that the following criteria are met:

1. - 4. ...

5. the student has participated in the spring administration of LEAP and has attended the summer remediation program offered by the LEA; and

6. ...

C. AB/AB Waiver. An LEA, through its superintendent, may consider a waiver for a student who has scored at the approaching basic level on both the English language arts and mathematics components of LEAP. The LEA may grant the waiver in accordance with the local pupil progression plan provided the following criteria are met.

1. The student has attended the LEAP summer remediation program offered by the LEA.

D. LEP Waiver. Limited English proficient (LEP) students shall participate in the statewide assessments pursuant to Bulletin 118. The SBLC shall be granted the authority to waive the state's grade promotion policy for an LEP student.

E. Extenuating Circumstances Waiver

1. An LEA, through its superintendent, may grant a waiver on behalf of individual students who are unable to participate in LEAP testing or unable to attend LEAP summer remediation, including summer remediation required for placement in transitional ninth grade, because of one or more of the following extenuating circumstances as verified through appropriate documentation:

a. a physical illness or injury that is acute or catastrophic in nature;

b. a chronic physical condition that is in an acute phase;

c. court-ordered custody issues.

2. Documentation

a. Physical Illness. Appropriate documentation must include verification that the student is under the medical care of a licensed physician for illness, injury, or a chronic

physical condition that is acute or catastrophic in nature. Documentation must include a statement verifying that the illness, injury, or chronic physical condition exists to the extent that the student is unable to participate in remediation.

b. Custody Issues. Certified copies of the court-ordered custody agreements must be submitted to the LEA at least 10 school days prior to summer remediation.

F. State-Granted Waiver

1. A local school superintendent, a parent or guardian, or the DOE may initiate a request for a state-granted waiver from the state superintendent of education on behalf of individual students who are not eligible for promotion because of LEA error or other unique situations not covered under extenuating circumstances.

2. The DOE will provide a report to BESE detailing state-granted waivers.

3. Documentation

a. LEA Error. The LEA superintendent or parent must provide the state superintendent of education with school- and student-level documentation detailing the error, how the error occurred, and how the error will be corrected so that it will not occur again in the future.

b. Other Unique Situations. Documentation must be provided to the state superintendent of education detailing the unique situation and justifying why a waiver should be granted.

4. Testing/Promotion Decisions

a. The DOE will communicate to the LEAs the means for establishing promotional decisions for those students who have received a state-granted waiver.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2006 (September 2010), amended LR 40:2242 (November 2014), LR 44:482 (March 2018).

Chapter 9. Appendix
[Formerly Chapter 11]

§901. Definition of Terms
[Formerly §1101]

A. As used in this bulletin, the terms shall be defined as follows.

1. State Terms

Acceleration—advancement of a pupil at a rate faster than usual in or from a given grade or course. This may include “gifted student” as identified according to Bulletin 1508.

Alternate Assessment—the substitute way of gathering information on the performance and progress of students with disabilities who do not participate in typical state assessments.

Alternative to Regular Placement—placement of students in programs not required to address the state content standards.

Content Standards—statements of what we expect students to know and be able to do in various content areas.

LEAP Summer Remediation Program—the summer school program offered by the LEA for the specific purpose of preparing students to achieve proficiency in English language arts, mathematics, science, and/or social studies.

Louisiana Educational Assessment Program (LEAP)—the state's testing program that includes grades 3 through 10 in the core academic subjects of English language arts, mathematics, social studies and science.

Promotion—a pupil's placement from a lower to a higher grade based on local and state criteria contained in these guidelines.

Pupil Progression Plan—the comprehensive plan developed and adopted by each local education agency which shall be based, in significant part, on student performance on the Louisiana Educational Assessment Program with goals and objectives which are compatible with the Louisiana competency-based education program and which supplement standards approved by BESE.

Regular Placement—the assignment of students to classes, grades, or programs based on a set of criteria established in the pupil progression plan. Placement includes promotion, retention, remediation, and acceleration.

Remedial Programs—programs designed to assist students including students with disabilities and non/limited English proficient (LEP) students, to overcome educational deficits identified through the Louisiana Education Assessment Program and other local criteria.

Remediation—see *remedial programs*.

Retention—nonpromotion of a pupil from a lower to a higher grade.

2. Local Terms

a. The definition of terms used in a local school system plan must be clearly defined for use as the basis for interpretation of the components of the plan.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2176 (November 1999), amended LR 27:190 (February 2001), LR 31:1976 (August 2005), LR 33:2064 (October 2007), LR 36: 2010 (September 2010), LR 44:483 (March 2018).

§903. Legal Authorization

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7, R.S. 17:24.4, and R.S. 17:394-400.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2173 (November 1999), amended LR 36:2007 (September 2010), repealed LR 44:483 (March 2018).

§905. Definition and Purpose

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7, R.S. 17:24.4, R.S. 17:395, R.S. 17:396, and R.S. 17:397.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2173 (November 1999), amended LR 28:1189 (June 2002), LR 30:409 (March 2004), LR 31:1975 (August 2005), LR 33:2063 (October 2007), LR 36:2007 (September 2010), repealed LR 44:483 (March 2018).

§907. Responsibilities of BESE

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7, R.S. 17:24.4, R.S. 17:398, R.S. 17:399, and R.S. 17:400.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2174 (November 1999), amended LR 33:2064 (October 2007), LR 36:2008 (September 2010), repealed LR 44:483 (March 2018).

§909. State Funding of Remedial Education Programs

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7, R.S. 17:24.4, R.S. 17:398, and R.S. 17:399.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2174 (November 1999), amended LR 33:2064 (October 2007), LR 36:2008 (September 2010), repealed LR 44:484 (March 2018).

§911. Criteria for State Approval

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7, R.S. 17:24.4, R.S. 17:395, R.S. 17:397, and R.S. 17:398.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2175 (November 1999), amended LR 27:189 (February 2001), LR 30:409 (March 2004), LR 31:1975 (August 2005), LR 33:2064 (October 2007), LR 36:2008 (September 2010), repealed LR 44:484 (March 2018).

§913. Local Program Development and Evaluation

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7, R.S. 17:24.4, R.S. 17:395, R.S. 17:397, R.S. 17:399, and R.S. 17:400.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2175 (November 1999), amended LR 27:190 (February 2001), LR 36:2009 (September 2010), repealed LR 44:484 (March 2018).

§915. State Department of Education Responsibilities

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7, R.S. 17:24.4, and R.S. 17:400.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2176 (November 1999), amended LR 36:2010 (September 2010), repealed LR 44:484 (March 2018).

Chapter 11. Appendix A

§1101. Definition of Terms

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2176 (November 1999), amended LR 27:190 (February 2001), LR 31:1976 (August 2005), LR 33:2064 (October 2007), amended LR 36:2010 (September 2010), repealed LR 44:484 (March 2018).

Shan N. Davis
Executive Director

1803#004

RULE

**Board of Regents
Office of Student Financial Assistance**

Scholarship/Grant Programs (LAC 28:IV.Chapters 1-23)

The Louisiana Board of Regents has amended its scholarship/grant rules (R.S. 17:3021-3025, R.S. 3041.10-3041.15, R.S. 17:3042.1, R.S. 17:3048.1, R.S. 17:3048.5 and R.S. 17:3048.6). This Rule is hereby adopted upon the day of promulgation. (SG18179R)

Title 28

EDUCATION

**Part IV. Student Financial Assistance—Higher
Education Scholarship and Grant Programs**

Chapter 1. Scope

§101. Introduction

A. Statutory Authority. The Louisiana Board of Regents (board), formerly the Louisiana Student Financial Assistance Commission, was created by chapter 20, Higher Education Assistance, *Revised Statutes* of 1950, comprised of R.S. 17:3021-3036, for the purpose of supervising, controlling, directing and administering state and federal programs to provide loans to assist persons in meeting the expenses of higher education, and state and federal scholarship and grant programs for higher education. The Louisiana Office of Student Financial Assistance (LOSFA), under authority of the board, administers state and federal post-secondary student scholarship, grant and loan programs.

B. Agency's Mission Statement. The mission of LOSFA is to administer the federal and state student aid programs that are assigned to the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:632 (April 1998), amended LR 24:1897 (October 1998), LR 27:1841 (November 2001), LR 33:439 (March 2007), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:484 (March 2018).

§103. Purpose

A. LAC 28:IV provides the rules and regulations governing participation in the scholarship and grant programs administered by the board including, but not limited to:

1. applicants and recipients;
2. high school counselors;
3. principals and headmasters;
4. superintendents;
5. college and university financial aid directors and staff; and
6. federal and state authorities.

B. LAC 28:IV was developed to meet the following objectives:

1. establish scholarship and grant policies and procedures that implement and explain or interpret statutes;
2. define the program responsibilities of participants (applicants, recipients, and high school, school board and post-secondary institution officials);
3. ensure that scholarships and grants are awarded in accordance with statute and legislative intent;
4. establish procedures to monitor the performance of scholarship and grant recipients;
5. ensure compliance with statutory and regulatory provisions governing the administered programs.

C. Since these rules and regulations can neither anticipate nor address every situation that might be encountered in the administration of the scholarship and grant programs included herein, participants in doubt about

the applicability or interpretation of a rule or regulation in LAC 28:IV are advised to contact LOSFA for guidance.

D. LAC 28:IV shall be amended and updated as necessary. Such updates will be forwarded to institutions in the form of scholarship and grant program memoranda (SGPM), or Taylor Opportunity Program for Students (TOPS) bulletins. These memoranda and bulletins will cover additions, deletions, revisions and clarifications to the rules and regulations. In compliance with R.S. 17:5063, information shall be mailed to the president and superintendent of each city and parish school board in the state, the principal and counselors of each high school in the state, the chancellor, director of financial aid, business office, auditor and registrar of each public post-secondary school in the state and each regionally accredited independent college or university which is a member of the Louisiana Association of Independent Colleges and Universities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:632 (April 1998), amended LR 24:1897 (October 1998), LR 26:65 (January 2000), repromulgated LR 27:1841 (November 2001), amended LR 35:227 (February 2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:484 (March 2018).

§105. Effective Date

A. These rules and regulations are effective for awards beginning with the 1998-99 academic year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3036.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:632 (April 1998), LR 24:1898 (October 1998), LR 27:1841 (November 2001), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:485 (March 2018).

§107. Authority to Audit

A. By participating in the scholarship and grant programs administered by the board and described in LAC 28:IV, all participants, including high schools and post-secondary institutions, grant the board and the Louisiana Legislative Auditor the right to inspect records and perform on-site audits of each institution's administration of the programs for the purpose of determining the institution's compliance with state law and the board's rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:632 (April 1998), amended LR 24:1898 (October 1998), LR 27:1841 (November 2001), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:485 (March 2018).

§109. Discrimination Prohibition

A. The exclusion of a person from equal opportunity for a Louisiana scholarship and/or grant program administered by the board because of race, religion, sex, handicap, national origin or ancestry is prohibited. No policy or procedure of this agency shall be interpreted as superseding or contradicting this prohibition.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:632 (April 1998), amended LR 24:1898 (October 1998), LR 27:1841 (November 2001), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:485 (March 2018).

§111. Criminal Penalties

A. All certifications of student performance which are submitted to the board for the purpose of determining a student's eligibility for an award under a student aid program administered by the board shall be by sworn affidavit of the certifying official and such official shall be subject to criminal law applicable to false swearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:632 (April 1998), amended LR 24:1898 (October 1998), LR 27:1841 (November 2001), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:485 (March 2018).

§113. Personally Identifiable Information (PII)

A. The board recognizes that personally identifiable information must be collected and maintained to determine whether a student meets the initial and continuing eligibility requirements for state and federal financial aid programs administered by the board, and when required by law for use in preparing and submitting reports required by state and federal law.

B. The board is required by the TOPS statute to inform "all students of the availability of the assistance...early enough in their schooling that a salutary motivational effect is possible."

C. It is the intent and policy of the board that:

1. LOSFA will collect and maintain only that PII necessary to fulfill the board's program responsibilities and duties, including but not limited to:

- a. providing information to participating students beginning in the eighth grade that will guide and motivate students to prepare for and to achieve eligibility for financial aid programs to attend postsecondary education;
- b. determining the initial eligibility of participating students for financial aid;
- c. determining the continuing eligibility of students awarded financial aid;
- d. making payments for students who have been awarded financial aid; and
- e. submitting reports and assessments required by state or federal law regarding the effectiveness of the financial aid programs administered by LOSFA;

2. LOSFA will maintain and comply with policies and procedures to protect PII from disclosure to third parties/entities that have not been authorized to have access by:

- a. state or federal law;
- b. the parent or legal guardian of the person to whom the PII applies, if the person is not at least 18 years old or judicially emancipated or emancipated by marriage; or

c. the person to whom the PII applies, if the person is at least 18 years old or judicially emancipated or emancipated by marriage;

3. LOSFA will ensure that LOSFA employees will have access only to that PII that is necessary to perform their duties;

4. LOSFA will provide information to parents, legal guardians, students and schools regarding:

a. requirements for consenting to the release of PII to LOSFA;

b. possible college access advantages provided to students by consenting to the release of PII to LOSFA; and

c. adverse consequences of withholding consent for release of PII to LOSFA;

5. LOSFA will develop and use consent forms that inform students, parents, and legal guardians of:

a. purpose(s) for which the PII will be used;

b. who will have access to the PII;

c. how long the PII will be retained by LOSFA; and

d. how the PII will be destroyed at the end of the retention period;

6. LOSFA will destroy PII that is no longer necessary to fulfill the board's program responsibilities and duties.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 41:649 (April 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:485 (March 2018).

Chapter 3. Definitions

§301. Definitions

A. Words and terms not otherwise defined in this Chapter shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa. The term "the board" refers to the Louisiana Board of Regents.

ACT Score—the highest composite score achieved by the student on the official ACT test (including national, international, military or special test types) or an equivalent score, as determined by the comparison tables used by the board, on an equivalent scholastic aptitude test (SAT). ACT or SAT test scores which are unofficial, including so-called "residual" test scores, are not acceptable for purposes of determining program eligibility.

Academic Year (College)—begins with the fall term of the award year and concludes immediately before the next fall term commences unless specifically provided otherwise in these rules. All intersessions and summer sessions are included.

Academic Year (High School)—the annual academic year for high school begins on September 1 of the fall term, includes the winter, spring, and summer terms and ends on the next August 31. This definition is not to be confused with the Louisiana Department of Education's definition of school year, which is found in Louisiana Department of Education Bulletin 741.

Academic Year (TOPS)—

a. for students who are eligible for a TOPS Opportunity, Performance or Honors Award:

i. through the 2007-2008 academic year, the two- and four-year college and university academic year begins with the fall term of the award year, includes the winter term, if applicable, and concludes with the completion of the spring term of the award year. Intersessions ending during the academic year are included in the academic year. The two- and four-year college and university academic year does not include summer sessions or intersessions that do not end during the academic year;

ii. during the 2008-2009 academic year, the academic year begins with the fall term of the award year, includes the winter term, if applicable, and concludes with the completion of the intersession immediately following the spring term of the award year. Intersessions ending during the academic year, including the intersession immediately following the spring term, are included in the academic year. The two- and four-year college and university academic year does not include summer sessions or other intersessions;

iii. during the 2009-2010 and 2010-2011 academic years, the academic year begins with the fall term of the award year and concludes with the completion of the spring term of the award year or the intersession immediately following the spring term if such intersession ends no later than June 15, whichever is later. Any intersession or term that begins and ends during the academic year is included. The two- and four-year college and university academic year does not include other intersessions or summer sessions. See the definition of intersession below;

iv. beginning with the 2011-2012 academic year and thereafter, the academic year begins with the fall term of the award year and concludes immediately before the next fall term commences. All intersessions and summer sessions are included;

b. for students who are eligible for a TOPS Tech Award, the academic year begins with the fall term of the award year and concludes immediately before the next fall term commences. All intersessions and summer sessions are included.

Application to Return from an Out-of-State College—a form that must be submitted by students who first enroll full time in an accredited out-of-state college or university and who then return to an eligible Louisiana college or university and want to apply for TOPS eligibility.

Articulated Courses for College Credit—courses offered by the Louisiana School for Math, Science and the Arts for which eligible Louisiana colleges have agreed to give college credit if the student successfully completes the course and attends a participating college.

Average Award Amount (TOPS-Tech)—is applicable to those students awarded the TOPS-Tech and TOPS Opportunity, Performance, and Honors Awards who attend a regionally accredited independent college or university in Louisiana that is a member of the Louisiana Association of Independent Colleges and Universities or who attend an eligible cosmetology or proprietary school and are enrolled in a vocational, technical education certificate or diploma program or non-academic undergraduate degree program, and is determined by dividing the total dollar value of awards, which are made to students enrolled in the same types of programs in the 2016-2017 academic year (TOPS)

at eligible public colleges and universities that do not offer academic degrees at the baccalaureate level, by the total number of students that received the awards.

Award Amount—

a. through the 2015-2016 academic year (college), an amount equal to tuition at the school attended, for those students attending a Louisiana public college or university, as determined by the board, which may be used by the student to pay any educational expense included in that student's "cost of attendance." The amount paid for TOPS and TOPS-Tech Awards shall be as follows:

i. for students with the TOPS Opportunity, Performance, and Honors Award attending a Louisiana public college or university and enrolled in an academic degree program, the amount shall equal the actual cost of tuition;

ii. for students with the TOPS Opportunity, Performance, and Honors Award attending a regionally accredited independent college or university in Louisiana that is a member of the Louisiana Association of Independent Colleges and Universities or an out-of-state college or university if all of the conditions of §703.I are met and enrolled in an academic degree program, the amount shall equal the weighted average award amount;

iii. for students with the TOPS Opportunity, Performance, and Honors Award attending a Louisiana public college or university and enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree, the amount shall equal the actual cost of tuition;

iv. for students with the TOPS Opportunity, Performance, and Honors Award attending a regionally accredited independent college or university in Louisiana that is a member of the Louisiana Association of Independent Colleges and Universities or who attend an eligible cosmetology or proprietary school and enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree, the amount shall equal the average award amount (TOPS-Tech);

v. for students with the TOPS-Tech Award attending an eligible public college or university that does not offer an academic undergraduate degree at the baccalaureate level or higher and enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree, the amount shall equal the actual cost of tuition;

vi. for students with a TOPS-Tech Award attending an eligible college or university that offers an academic undergraduate degree at the baccalaureate level or higher and enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree, the amount shall equal the average award amount (TOPS-Tech);

vii. for students with the TOPS Opportunity, Performance, and Honors Award enrolled in a Louisiana professional school, the amount shall be equal to the tuition charged or the tuition charged a student pursuing a baccalaureate degree at the highest cost public school, whichever is less or the weighted average award amount, depending upon whether the Louisiana professional school is a public or private school;

viii. for students with the TOPS Opportunity, Performance and Honors Award enrolled in a Louisiana graduate degree program, the amount shall be equal to the tuition or the tuition charged for a student while pursuing a baccalaureate degree at the highest cost public school in the state, whichever is less;

b. beginning with the 2016-2017 academic year (college), the award amount determined by the board in accordance with Subparagraph a.i-ix above during the 2016-2017 academic year (college), plus any increase in the award amount specifically authorized by the Louisiana Legislature.

Award Year—the academic year (TOPS) during which a TOPS Award is paid.

BESE—Board of Elementary and Secondary Education, elected and appointed body with statutory oversight of Louisiana special, elementary and secondary schools.

Cost of Attendance—the total amount it will cost a student to go to school, usually expressed as an academic year figure. This cost is determined by the school in compliance with title IV of the Higher Education Act of 1965, as amended, and is annually updated and adopted by the institution. The cost of education covers tuition and fees, on-campus room and board (or a housing and food allowance for off-campus students) and allowances for books, supplies, transportation, childcare, costs related to a disability, and miscellaneous expenses. Also included are reasonable costs for eligible programs of study abroad. An allowance (determined by the school) is included for reasonable costs connected with a student's employment as part of a cooperative education program.

Court-Ordered Custodian—an adult appointed by a court of competent jurisdiction to have custody and care of a minor, and who demonstrates the requirement to provide the primary support for such minor.

Dependent Student—a student who is dependent on his parents for support and therefore is required to include parental information on the free application for federal student aid (FAFSA) or renewal FAFSA.

Disabled Student—a student who has one or more learning, visual, hearing, or physical disabilities diagnosed by a person licensed or certified to diagnose such disability, when the diagnosis states the need for the student to be provided special accommodations relative to the curriculum requirement.

Dual Enrollment Course—a course for which both high school and college credit may be granted.

Eligible Colleges or Universities—Louisiana public colleges or universities and regionally accredited independent colleges or universities in the state that are members of the Louisiana Association of Independent Colleges and Universities; for recipients of the TOPS Tech Award only, beginning with the 2009-2010 academic year (TOPS), and for recipients of the TOPS Tech, Opportunity, Performance and Honors Award, beginning with the 2010-2011 academic year (TOPS), any school that has a valid and current certificate of registration issued by the state Board of Cosmetology in accordance with law and that is accredited by an accrediting organization recognized by the United States Department of Education and any proprietary school that has a valid and current license issued by the board in accordance with law and that is accredited by an accrediting

organization recognized by the United States Department of Education.

Eligible Cosmetology or Proprietary School—a cosmetology or proprietary school that is included as an eligible college or university in this Section.

Eligible Noncitizen—

a. an individual who can provide documentation from the U.S. Citizenship and Immigration Services (USCIS) or its successor that he is in the U.S. for other than a temporary purpose with the intention of becoming a citizen or permanent resident, including, but not limited to, refugees, persons granted asylum, Cuban-Haitian entrants, temporary residents under the recent Immigration Reform and Control Act of 1986, and others. A permanent resident of the United States must provide documentation from the USCIS to verify permanent residency. For 1997, 1998 and 1999 high school graduates, an eligible noncitizen shall be treated as meeting the citizenship requirements for an award under this Part;

b. beginning with the 2018-2019 academic year (high school) and later, a student who is not a citizen of the United States but who is the child of a non-United States citizen who is either serving in any branch of the United States Armed Forces or has been honorably discharged from any branch of the United States Armed Forces shall be treated as meeting the citizenship requirements for an award under this Part.

Eligible Non-Graduate—a student who has not graduated from high school or completed a home study program approved by BESE, but who meets all the criteria listed in §703.A.5.g.

Eligible Non-Louisiana High School and Eligible Out-of-State High School and Eligible Out-of-Country High School—see §§1701.A.3, 1701.A.4, and 1701.A.5, respectively.

Exceptional Child—a student defined as an exceptional child in accordance with R.S. 17:1943(4), excluding gifted and talented.

Expected Family Contribution (EFC)—an amount, determined by a formula established by Congress, that indicates how much of a family's financial resources should be available to help pay for the student's cost of attendance. Factors such as taxable and nontaxable income, assets (such as savings and checking accounts), and benefits (for example, unemployment or Social Security) are all considered in this calculation.

Fee Schedule—a listing of the actual tuition and mandatory fees for attendance at a post-secondary school as defined by the institution.

First-Time Freshman—a student who is awarded TOPS Opportunity, Performance, or Honors and enrolls for the first time as a full-time freshman in an academic program in a post-secondary school subsequent to high school graduation, and is enrolled full-time at the end of the fourteenth class day or later (ninth class day or later for Louisiana Tech) or enrolls for the first time, full-time in a Louisiana public community or technical college that offers a vocational or technical education certificate or diploma program or a non-academic undergraduate degree to pursue a skill, occupational training, or technical training subsequent to high school graduation, and is enrolled full-time at the end of the fourteenth class day or later (ninth class day or later

for term and quarter institutions). A student who is awarded TOPS Opportunity, Performance, or Honors and begins in an academic program in a post-secondary college or university in a summer session will be considered a first-time freshman for the immediately succeeding fall term. A student who is awarded TOPS Opportunity, Performance, or Honors and begins in a non-academic program in a post-secondary school in a summer term will be considered a first-time freshman at the time of such enrollment. The fact that a student enrolls in a post-secondary school prior to graduation from high school and/or enrolls less than full-time in a post-secondary school prior to the required date for full-time enrollment shall not preclude the student from being a first-time freshman.

First-Time Student—

a. for students graduating through the 2015-2016 academic year (high school), a student who is awarded TOPS-Tech and enrolls for the first time, full-time in a Louisiana public community or technical college that offers a vocational or technical education certificate or diploma program or a non-academic undergraduate degree to pursue a skill, occupational training, or technical training subsequent to high school graduation, and is enrolled full-time at the end of the fourteenth class day or later (ninth class day or later for quarter schools). The fact that a student who is eligible for a TOPS-Tech Award enrolls in an academic program at a post-secondary school prior or subsequent to graduation from high school, but prior to the required date for full-time enrollment in a Louisiana public community or technical college that offers a vocational or technical education certificate or diploma program or a non-academic undergraduate degree, shall not preclude the student from being a first-time student;

b. for students graduating in the 2016-2017 academic year (high school) or later, a student who is eligible for a TOPS-Tech Award and enrolls for the first time, full-time in an eligible college or university in an associate's degree or other shorter-term training and education program that is aligned to state workforce priorities as determined by the board and the Louisiana Workforce Investment Council and is enrolled full-time at the end of the fourteenth class day or later (ninth class day or later for quarter schools).

Full-Time Student—

a. a student enrolled in an institution of higher education who is carrying a full-time academic workload as determined by the school under the standards applicable to all students enrolled;

b. for continuation purposes, a student must be enrolled full-time at the end of the fourteenth class day or later at a semester school or the ninth class day or later at a quarter or term school;

c. for continuation purposes, a student is considered to have met the full-time requirement if by the completion of the academic year he has earned at least 24 hours of total credit as reported by the institution for the fall and spring semesters at institutions defining 12 semester hours as the minimum for standing as a full-time undergraduate or as reported by the institution for the fall, winter and spring quarters at institutions defining 8 quarter hours as the minimum for standing as a full-time undergraduate. For purposes of TOPS and except where specified otherwise

within these rules, a student shall be credited for hours earned as reported by the institution which the student attends in accordance with that institution's published policies. Students should be aware that these policies may differ depending on the school the student attends (see §§705.A, 705.D, 805.A, and 907.A for more expanded TOPS requirements);

d. for programs which permit graduate study, a graduate student must have earned at least 18 hours of total credit during the fall, winter and spring terms;

e. a student enrolled in two or more institutions of higher education when such multiple enrollment is necessary for the student to gain access to the courses required for completion of the degree in the chosen discipline and where the total number of hours earned at all institutions during the academic year is the equivalent of carrying a full-time academic workload as determined by the institution which will award the degree;

f. correspondence courses may not be used to establish full-time status;

g. a student enrolled in an eligible cosmetology or proprietary school who is considered by the school to be enrolled full-time on a billing date as provided in §1903.B.2.b.

Gifted Course—a course developed and provided to fulfill an individualized education program for a student who has been deemed to be gifted pursuant to R.S. 17:1941 et seq., as implemented in state Board of Elementary and Secondary Education policy.

High School Graduate—for the purposes of these rules, is defined as a student certified by award of a high school diploma to have satisfactorily completed the required units at a high school meeting the eligibility requirements of these rules or a student who has completed a BESE-approved home study program in accordance with the requirements of this Chapter and has reported such to BESE. A student who graduates at any time during an academic year (high school) shall be deemed to have graduated on May 31 of that year for the purpose of applying deadlines. For the purpose of determining when a student must begin post-secondary enrollment, all students that report completion of an approved home study program to BESE during an academic year (high school) are deemed to have graduated on May 31 of that year.

Honors Courses—a rigorous high school course used to complete the TOPS core curriculum approved as an honors course for grading on a 5.00 scale by BESE and the board.

Honors Curriculum Courses—any course designated by the respective school district as advanced placement, honors or gifted.

Independent Student—a student who meets at least one of the criteria listed in Subparagraphs a-f or has been determined independent by a financial aid officer exercising professional judgment in accordance with applicable provisions of the Higher Education Act of 1965, as amended:

a. reached 24 years of age prior to January of the year preceding the academic year for which the student is applying for aid;

b. is a veteran of the U.S. Armed Forces, including a student who was activated to serve in Operation Desert Storm;

c. is an orphan or a ward of the court or was a ward of the court until age 18;

d. has legal dependents other than a spouse;

e. is a graduate or professional student;

f. is married.

Intersession—

a. during the 2008-2009 academic year, an academic term between regular semesters/terms that provides credit courses to students in an intensive, condensed format;

b. beginning with the 2009-2010 academic year, any academic term that provides credit courses to students in an intensive, condensed format that is no longer than 15 class days.

Join—enters on active duty.

Legal Guardian—

a. an adult appointed by a court of competent jurisdiction to have custody and care of a minor, and who demonstrates the requirement to provide the primary support for such minor. Also referred to as a court-ordered custodian;

b. for the purposes of consenting to the collection and disclosure of personally identifying information, the student's parent, legal guardian, or other person responsible for the student.

Louisiana Resident—

a. any independent student or any dependent student with at least one parent or court-ordered custodian who has resided in the state for a minimum of 24 consecutive months immediately preceding the month of high school graduation or the month of May in the academic year (high school) that a student completes a home study program or some other period of residency which is required to qualify the person for a specific program administered by the board. To qualify for a program under Part IV of these rules, in addition to the certification of residency found on the application form, the board may require an independent student applicant or the parent(s) or court-ordered custodian of a dependent student applicant to show proof of residency. Residency may be established by completion of a standard affidavit developed by the board. Such affidavits must be completed in their entirety by the independent student applicant or by at least one parent or court-ordered custodian of the dependent student applicant and be sworn to and notarized by a licensed notary public. Further, the affiant shall be required to submit records in support of the affidavit to include the following records and such other records as may be required by the board:

i. if registered to vote, a Louisiana voters registration card; and

ii. if licensed to drive a motor vehicle, a Louisiana driver's license; and

iii. if owning a motor vehicle located in Louisiana, a Louisiana registration for that vehicle; and

iv. if earning a reportable income, a Louisiana tax return;

b. any member of the Armed Forces on active duty whose official state of legal residence is Louisiana as demonstrated by the member's DD Form 2058 validated by the member's military personnel officer or other documentary proof and who has filed a Louisiana tax return for the most recent two years in compliance with Clause a.iv above;

c. any member of the Armed Forces who is stationed in Louisiana under permanent change of station orders and who, not later than 180 days after reporting to such station, changes his military DD Form 2058 to reflect Louisiana as his state of legal residence, and complies with all Louisiana income tax laws and regulations while stationed in Louisiana. A copy of the permanent change of station (PCS) orders and a DD Form 2058 validated by the member's military personnel officer and showing Louisiana as the member's state of legal residence must be submitted to the Louisiana Office of Student Financial Assistance (LOSFA) at the time the service member's dependent applies for TOPS. The DD Form 2058 must reflect that it was filed within 180 days after the member reported to duty at a duty station in Louisiana;

d. a parent or court-ordered custodian who is living outside the United States and its territories, is actively engaged in work or another activity on behalf of a Louisiana employer or sponsor, and is not on active duty with the United States armed forces, may meet the residency requirement for dependent students by providing a sworn affidavit with supporting evidence that the parent or court-ordered custodian complies with all of the following:

i. was a resident of Louisiana who actually lived in Louisiana for at least the 24 months preceding the date he started the work or activity outside the United States and its territories;

ii. was assigned duties outside the United States and its territories by a Louisiana employer or sponsor and continues to be employed by the employer or perform duties for the sponsor through the date of the student's graduation from high school or completion of a home study program approved by BESE;

iii. has remained a resident of Louisiana through the date of the student's graduation from high school or completion of a home study program approved by BESE. Evidence may include a Louisiana voters registration card, a Louisiana driver's license, a Louisiana registration for an owned vehicle, a Louisiana tax return, notarized affidavits, copies of correspondence from the employer or sponsor providing the reason for living outside the United States and its territories and the time period of the work or activity, copies of visas, copies of foreign housing documentation, and copies of other documents that demonstrate a presence in Louisiana or a foreign country during the required period of time;

e. effective for high school graduates beginning with academic year (high school) 2002-2003, any independent or dependent student who actually resides in Louisiana during his last two full years of high school. In order to qualify pursuant to this Subsection, the student's high school transcript must reflect that the student earned credit for the last four semesters of high school immediately prior to graduation and graduated from an approved Louisiana high school;

f. effective for high school graduates beginning with academic year (high school) 2000-2001, any dependent student who actually resided in Louisiana during his last two full years of high school and whose parent is a member of the United States Armed Forces living in Louisiana under permanent change of station orders, but who does not claim Louisiana as his official state of legal residence. In order to

qualify pursuant to this Subsection, the student's high school transcript must reflect that the student earned credit for the last four semesters of high school immediately prior to graduation and graduated from an approved Louisiana high school;

g. effective for high school graduates of academic year (high school) 2001-2002 and 2002-2003, any dependent student who was continuously enrolled in a Louisiana public high school or nonpublic high school that is approved by BESE during his last two full years of high school, whose parent or court-ordered custodian:

i. is a resident of a state that adjoins Louisiana; and

ii. actually resides in a county that adjoins a Louisiana parish having a population greater than 41,600 and less than 42,400 according to the federal 2000 census; and

iii. has filed a Louisiana state income tax return and complied with state income tax laws and regulations; or

iv. is assessed ad valorem taxes on property owned in Louisiana;

In order to qualify pursuant to this Subsection, the student's high school transcript must reflect that the student earned credit for the last four semesters of high school immediately prior to graduation and graduated from an approved Louisiana high school.

h. for any dependent student graduating from an out-of-state high school during the 2006-2007 academic year (high school) whose parent or court-ordered custodian was a member of the United States armed forces who, in the year 2006, moved from Louisiana under permanent change of station orders and retired from the armed forces, and changed his military personnel records to reflect a change of his state of legal residence from Louisiana to another state, shall meet the requirements of this Item, provided that such parent or court-ordered custodian changes his military personnel records from the other state to reestablish Louisiana as his state of legal residence no later than July 1, 2007, and has filed a Louisiana state income tax return for the two years preceding the date of the dependent's graduation from high school.

Merit-Ranking Formula—a mathematical equation incorporating selected merit factors that is used to rank eligible applicants in the priority by which initial competitive scholarships are to be awarded. As of July 1, 1997, the TOPS Teacher Award and Rockefeller State Wildlife Scholarship are the only programs in which applicants are competitively ranked. The following formulas for the merit-ranking of scholarship applicants provide for the equating of scores for high school graduating seniors and college students.

a. Formula I—applies to applicants for the Rockefeller State Wildlife Scholarship with less than 24 hours of graded college credit and to applicants for the TOPS Teacher Award with less than 48 hours of graded college credit:

$$\text{Merit Score} = \left(\left(\frac{\text{HSGPA}}{4.00} \right) \times 60 \right) + \left(\left(\frac{\text{ACT}}{36} \right) \times 40 \right)$$

b. Formula IA—applies to applicants for the Rockefeller State Wildlife Scholarship who are qualified home study completers with less than 24 hours of graded college credit:

$$\text{Merit Score} = \left(\frac{\text{ACT}}{36} \right) \times 100$$

c. Formula II—applies to applicants for the Rockefeller State Wildlife Scholarship with 24 or more hours of graded college credit and to applicants for the TOPS Teacher Award with 48 or more hours of graded college credit:

$$\text{Merit Score} = \left(\left(\frac{\text{College GPA}}{4.00} \right) \times 90 \right) + \left(\left(\frac{\text{College Level}}{4} \right) \times 10 \right)$$

d. Formula III—applies to applicants for the TOPS Teacher Award. For those applicants majoring in math or chemistry, an additional 10 points are added to the merit score determined by formula I or II, resulting in an adjusted merit score.

e. Applicants' merit scores are ranked in descending order with the applicant with the highest merit score ranked first. The number of applicants selected for award is dependent upon the amount of award funds available.

f. In the event of a tie, the eligible applicants will be ranked based on the following criteria in the order listed:

- i. the applicant with more college hours earned;
- or
- ii. the student with the highest ACT (or equivalent SAT) score.

Monetary Repayment—for purposes of the Rockefeller State Wildlife Scholarship and TOPS Teacher Award programs, repaying the scholarship funding received, plus any interest accrued under the terms of the promissory note signed by the recipient, if the recipient fails to fulfill the terms of the program. See *repayment*.

On-Line Application—submission of a request for a TOPS eligibility determination via the LOSFA TOPS website. If the applicant does not submit a FAFSA, the on-line application will require the student to declare that he can demonstrate that he is not eligible for federal grant aid.

Orphan—a person who does not live with either parent because the parent(s) is/are dead or has/have abandoned him or the parental rights of the parent(s) has/have been severed by competent authority.

Over Award—for the purposes of LAC 28:IV, an over award occurs when a student received financial aid in excess of the cost of attendance as established in accordance with federal title IV regulations or an award under state programs to which the student was not entitled.

Personally Identifiable Information or PII—personal information about an individual that can be used on its own or with other information to identify, contact, or locate a single individual.

Qualified Summer Session—those summer sessions (includes terms and semesters conducted during the summer) for which the student's institution certifies that:

- a. the summer session is required in the student's degree program for graduation and the student enrolled for at least the minimum number of hours required for the degree program for the session; or
- b. the student can complete his program's graduation requirements in the summer session; or
- c. the course(s) taken during the summer session is required for graduation in the program in which the student is enrolled and is only offered during the summer session; or

d. the course(s) taken during the summer session is in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree; or

e. for the summer of 2006 only, the student is a displaced student as identified in §2103.G.1 of these rules, whose TOPS Award was not paid for one or more semesters during the 2005-2006 academic year; or

f. beginning with the summer of 2010, prior to the beginning of the summer session, the student:

- i. has at least 60 academic college credit hours;
- ii. has enrolled as a full-time student for the summer session; and

iii. has signed a form provided by LOSFA:

(a) requesting payment for the summer session from the student's remaining TOPS eligibility;

(b) stating the student understands that the use of the TOPS Award for the summer session reduces the student's TOPS eligibility by one semester or term; and

(c) stating the student understands that the grades earned during the summer session will be included in the student's cumulative grade point average.

Refund—a refund of school charges that the school makes to a student or to a creditor on behalf of the student, usually after the student has withdrawn from school. The refund to the student is the difference between the amount the student paid toward school charges minus the amount the school keeps for the portion of the payment period that the student was enrolled.

Repayment—the amount of the cash disbursement that a student must pay back to the school if the student withdraws from the program. If the cash disbursement was greater than the student's cost of attendance (student's education costs above and beyond the amount of tuition and fees) up to the withdrawal date, the student must repay the excess amount. The actual amount of the refund/repayment is determined according to the school's policy in accordance with federal regulations. See *monetary repayment*.

Reporting Institution—the post-secondary institution required by §1903.A of these rules to report a student's college/university cumulative grade point average.

Returning Student—a student who graduated from high school beginning with academic year (high school):

a. 2001-2002, and met all the academic requirements for a TOPS Award, but who enrolled for the first time as a full-time student no later than the deadline established in §703.A.4 in an out-of-state postsecondary institution accredited by a regional accrediting organization recognized by the United States Department of Education and, thereafter, returns to Louisiana and enrolls as a full-time student in an eligible college or university; or

b. who was determined eligible for a TOPS Opportunity, Performance or Honors Award and enrolled for the first time as a full-time student no later than the deadline established in §703.A.4 in an eligible college or university in Louisiana, subsequently enrolled in an out-of-state postsecondary institution accredited by a regional accrediting organization recognized by the United States Department of Education and, thereafter, returns to Louisiana and enrolls as a full-time student in an eligible college or university during or after the 2009-2010 academic year (TOPS).

Selective Enrollment Program—an advanced college course of study with competitive admissions based on a student's qualifications including successful completion of required college courses and a minimum college cumulative grade point average. Examples of selective enrollment programs include, but are not limited to, medical technology, nursing (bachelor of science), occupational therapy, physical therapy, and radiation technology.

Skill and Occupational Training—

a. any and all certificate, diploma, associate of applied technology, and associate of applied science programs offered by eligible colleges/universities;

b. any coordinated and comprehensive course of study offered by eligible colleges/universities which qualifies a student upon completion to sit for testing leading to and/or meeting national and/or state professional/occupational licensure and/or certification requirements; and

c. any training leading to an industry-based certification, a certificate of applied science or a certificate of technical sciences approved by the Workforce Investment Council offered by a provider recognized by the Louisiana Workforce Commission.

Steady Academic Progress—the maintenance of a minimum cumulative grade point average of 2.00 on a 4.00 scale, except at eligible cosmetology or proprietary schools, where it is meeting the federal grant aid requirement for steady academic progress at that school.

Substantial Financial Need—for purposes of the LEAP (formerly SSIG) Program only, substantial financial need is the difference between the student's cost of attendance and the sum of that student's expected family contribution (EFC), plus other student aid the student is due to receive. The difference thus computed must exceed \$199.

TOPS Cumulative Grade Point Average (Academic)—through the 2014-15 academic year (TOPS), the grade point average calculated by LOSFA on all academic courses taken by a student at postsecondary institutions to determine whether the student has maintained steady academic progress and whether the student has met the minimum grade point average required to maintain eligibility for continuation of a TOPS Award. The cumulative grade point average shall be calculated on a 4.00 scale and must include all academic courses from all postsecondary institutions attended for which the student has been awarded a grade. Academic courses taken at a college or university while the student was still in high school and at postsecondary institutions other than the institution at which the student is currently enrolled must be included in the calculation. Grades earned in non-academic courses and courses taken on a pass/fail basis are not considered in the calculation of the cumulative grade point average.

TOPS Cumulative Grade Point Average (Non-Academic)—through the 2014-15 academic year (TOPS), the grade point average calculated by LOSFA on all non-academic courses taken by a student at postsecondary institutions to determine whether the student has maintained steady academic progress and whether the student has met the minimum grade point average required to maintain eligibility for continuation of a TOPS Award. The cumulative grade point average shall be calculated on a 4.00 scale and must include all non-academic courses from all

postsecondary institutions attended for which the student has been awarded a grade. Non-academic courses taken at a college or university while the student was still in high school and at postsecondary institutions other than the institution at which the student is currently enrolled must be included in the calculation. Grades earned in academic courses and courses taken on a pass/fail basis are not considered in the calculation of the cumulative grade point average.

TOPS Cumulative Grade Point Average (Opportunity, Performance, Honors)—beginning with the 2015-16 academic year (TOPS), the grade point average for students with the TOPS Opportunity, Performance and Honors Awards shall be calculated by LOSFA on all courses taken by a student at postsecondary institutions.

a. These courses shall include those taken at postsecondary institutions while the student was still in high school and at postsecondary institutions other than the institution at which the student is currently enrolled.

b. The average for these courses shall be calculated on a 4.00 scale and shall include all courses for which the student has been awarded a grade. The average shall not include courses graded on a pass/fail basis.

c. This average will be used to determine whether the student has maintained steady academic progress and whether the student has met the minimum grade point average required to maintain eligibility for continuation of a TOPS Opportunity, Performance or Honors Award.

TOPS Cumulative Grade Point Average (TOPS Tech)—beginning with the 2015-2016 academic year (TOPS) the grade point average for a student with the TOPS Tech Award shall be calculated by LOSFA on all courses taken by a student at postsecondary institutions while enrolled in a skill, occupational or technical program.

a. These courses shall include all those taken in skill, occupational or technical programs at postsecondary institutions while the student was still in high school and at postsecondary institutions other than the institution at which the student is currently enrolled.

b. The average for these courses shall be calculated on a 4.00 scale and shall include all courses while enrolled in a skill, occupational or technical program for which the student has been awarded a grade. The average shall not include courses graded on a pass/fail basis.

c. This average will be used to determine whether the student has maintained steady academic progress and whether the student has met the minimum grade point average required to maintain eligibility for continuation of a TOPS Tech Award.

TOPS Cumulative High School Grade Point Average—

a. effective for high school graduates beginning with academic year (high school) 2002-2003, the grade point average calculated by LOSFA including only the grades achieved in those courses that were used to satisfy core curriculum requirements. In the event a student has received credit for more than 16.5 hours of courses that are included in the core curriculum, the TOPS cumulative high school grade point average shall be calculated by using the course in each core curriculum category for which the student received the highest grade. For example, if a student has taken more than one advanced mathematics course, the cumulative grade point average shall be determined by using

only the course in which the student has received the highest grade;

b. effective for high school graduates beginning with academic year (high school) 2002-2003, the grade point average for students qualifying for a Performance Award using a minimum ACT score of 24 and a minimum grade point average of 3.00 must include at least 10 units of honors curriculum courses (see §703.A.5.f.ii);

c. effective for high school graduates beginning with academic year (high school) 2007-2008, the grade point average shall be calculated on 17.5 hours of units of courses that are used to satisfy the core curriculum;

d. effective for high school graduates beginning with academic year (high school) 2013-2014, the grade point average shall be calculated on 19.0 hours of units of courses that are used to satisfy the core curriculum;

e. effective for high school graduates through academic year (high school) 2016-2017, for those high schools that utilize other than a 4.00 scale, all grade values shall be converted to a 4.00 scale utilizing the following formula:

$$\frac{\text{Quality Points Awarded for the Course}}{\text{Maximum Points Possible for the Course}} = \frac{X (\text{Converted Quality Points})}{4.00 (\text{Maximum Scale})}$$

For example, if a school awards a maximum of 5 points for honors courses, the school must use the following formula to convert an honors course grade of "C":

$$\frac{3.00}{5.00} = \frac{X}{4.00}$$

By cross multiplying,

$$5X = 12; X = 2.40$$

Quality points = Credit for course multiplied by the value assigned to the letter grade.

f. effective for high school graduates beginning with academic year (high school) 2017-2018, the TOPS cumulative grade point average will be calculated by dividing the total number of quality points earned on the courses used to complete the TOPS core curriculum by the total units earned to complete the TOPS core curriculum.

Quality points equal the credit for the course multiplied by the value assigned to the letter grade.

The quality points for courses used to complete the TOPS core curriculum, except for Advanced Placement, International Baccalaureate, Gifted and Talented, Honors, Articulated Courses for College Credit and Dual Enrollment courses approved by the board and BESE, used to complete the TOPS core curriculum on a 5.00 scale, shall be converted to a 4.00 scale utilizing the following formula:

- An "A" shall equal 4.0.
- A "B" shall equal 3.0.
- A "C" shall equal 2.0.
- A "D" shall equal 1.0.
- An "F" shall equal zero (0.0).

The quality points for Advanced Placement, International Baccalaureate, Gifted and Talented, Honors, Articulated Courses for College Credit and Dual Enrollment courses approved by the board and BESE used to complete the TOPS core curriculum shall be converted to a 5.00 scale as follows:

- An "A" shall equal 5.0.
- A "B" shall equal 4.0.

- A "C" shall equal 3.0.
- A "D" shall equal 2.0.
- An "F" shall equal zero (0.0).

Talented Course—a course developed and provided to fulfill an individualized education program for a student who has been deemed to be gifted pursuant to R.S. 17:1941 et seq., as implemented in state Board of Elementary and Secondary Education policy.

Tuition—

a. through the fall semester or term and winter quarter of the 2010-2011 award year, the fee charged each student by a post-secondary institution to cover the student's share of the cost of instruction, including all other mandatory enrollment fees charged to all students except for the technology fee authorized by Act 1450 of the 1997 Regular Session of the Legislature:

- i. which were in effect as of January 1, 1998;
- ii. any changes in the cost of instruction authorized by the legislature and implemented by the institution after that date; and
- iii. for programs with alternative scheduling formats that are approved in writing by the board after that date. Any payment for enrollment in one of these programs shall count towards the student's maximum eligibility for his award:

(a). up to the equivalent of eight full-time semesters of postsecondary education in full-time semesters for the TOPS Opportunity, Performance and Honors Award; or

(b). up to the equivalent of two years of postsecondary education in full-time semesters and summer sessions for the TOPS Tech Award;

b. beginning with the spring semester, quarter or term of the 2010-2011 award year and through the spring semester, quarter, or term of the 2012-2013 award year;

- i. the tuition and mandatory fees authorized in Subparagraph a above; or
- ii. the tuition fee amount published by the postsecondary institution, whichever is greater;

c. beginning with the fall semester, quarter, or term of the 2013-2014 award year, the tuition amount as of August 1, 2013, published by the postsecondary institution for the 2013-2014 award year for paying students;

d. beginning with the fall semester, quarter, or term of the 2014-2015 award year, the tuition amount as of August 1, 2013, published by the postsecondary institution for the 2013-2014 award year for paying students, plus any increase authorized by the legislature which is not attributable to any fees. No fees or increases attributable to fees of any kind shall be included in the TOPS Award amount. Stipends for TOPS Performance and Honors Awards shall not be included in the TOPS Award amount.

Undergraduate Student—a student who has not completed the requirements for a baccalaureate degree program.

Weighted Average Award Amount—for those students with the TOPS Opportunity, Performance, and Honors Award attending a regionally accredited independent college or university in this state which is a member of the Louisiana Association of Independent Colleges and Universities and enrolled in an academic program, the total dollar value of awards made under TOPS in the 2016-2017 academic year,

excluding award stipends, to students attending public colleges and universities that offer academic degrees at the baccalaureate level, divided by the total number of students that received the awards

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

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Chapter 5. Applications, Federal Grant Aid and ACT Test

§501. Initial Application

A. Initial Application for High School Graduates of 2002-2003 or Earlier

1. Except as provided in Subparagraph A.2.b below, all new applicants for Louisiana scholarship and grant programs must apply for federal aid by completing the free application for federal student aid (FAFSA) for the academic year following the year the student graduated from high school. For example, if the student will graduate from high school in school year 2002-2003, submit the 2003-2004 version of the FAFSA.

2. All new applicants for TOPS Opportunity, Performance, Honors and TOPS-Tech Awards who graduate from high school during the 2001-2002 or 2002-2003 academic years (high school) must apply for federal aid by completing the free application for federal student aid (FAFSA) for the academic year (TOPS) the applicant will be a first-time, full-time student. For example, if the applicant will graduate from high school in the 2002-2003 academic year (high school) and does not intend to enroll as a first-time, full-time student until the fall semester of 2004, he must submit the 2004-2005 version of the FAFSA.

a. All applicants for TOPS Opportunity, Performance and Honors Awards and TOPS-Tech Awards (except those students who can demonstrate that they do not qualify for federal grant aid because of their family's financial condition) must complete all applicable sections of the initial FAFSA.

b. Applicants for TOPS Opportunity, Performance and Honors Awards and TOPS-Tech Awards who can

demonstrate that they do not qualify for federal grant aid because of their family's financial condition must complete all applicable sections of the initial FAFSA except those sections related to the income and assets of the applicant and the applicant's parents.

c. In the event of a budgetary shortfall, applicants for TOPS Opportunity, Performance and Honors Awards and TOPS-Tech Awards who do not complete all sections of the FAFSA will be the first denied a TOPS Award.

B. Initial Application for a TOPS Award for High School Graduates and Home Study Completers of 2003-2004 and Thereafter, and Eligible Non-Graduates

1. Students who graduate from a Louisiana public high school as defined in §1703.A.1, an approved Louisiana non-public school as defined in §1701.A.2, or an eligible non-Louisiana public school as defined in §1701.A.3 must:

a. submit a free application for federal student aid (FAFSA); or

b. if the student can demonstrate that he does not qualify for federal grant aid because of his family's financial condition, submit the initial FAFSA after completing all applicable sections except those sections related to the income and assets of the student and the student's parents; or

c. complete an on-line application.

2. Students who graduate from an eligible out-of-state or out-of-country high school or complete a home study program approved by the Louisiana Board of Elementary and Secondary Education or enroll for the first time as a full-time student in an out-of-state college or university following graduation from an eligible high school (Louisiana public high school as defined in §1703.A.1, an approved Louisiana non-public school as defined in §1701.A.2, an eligible non-Louisiana public school as defined in §1701.A.3, out-of-state high school as defined by §1701.A.4 or an out-of-country high school as defined by §1701.A.5) must:

a. submit a free application for federal student aid; or

b. if the student can demonstrate that he does not qualify for federal grant aid because of his family's financial condition, submit the initial FAFSA after completing all applicable sections except those sections related to the income and assets of the student and the student's parents; or

c. complete an on-line application; and

d. submit an official transcript from the out-of-state or out-of-country high school from which the student graduated; and

e. submit the official transcripts from each out-of-state college or university attended; and

f. submit an affidavit attesting to Louisiana residency, except those students who completed their last two years in and graduated from a Louisiana public or approved non-public high school.

3. Eligible non-graduates must:

a. submit a free application for federal student aid (FAFSA); or

b. if the student can demonstrate that he does not qualify for federal grant aid because of his family's financial condition, submit the initial FAFSA after completing all applicable sections except those sections related to the income and assets of the student and the student's parents; or

c. complete an on-line application.

4. Applicants for TOPS Opportunity, Performance and Honors Awards and TOPS-Tech Awards who submit the on-line application in lieu of the FAFSA or who do not complete all sections of the FAFSA will be ineligible for federal grant aid and federally guaranteed student loans.

5. In the event of a budgetary shortfall, applicants for TOPS Opportunity, Performance and Honors Awards and TOPS-Tech Awards who submit the on-line application in lieu of the FAFSA or who do not complete all sections of the FAFSA will be the first denied a TOPS Award.

C. Initial Application for Louisiana Scholarship and Grant Programs other than TOPS for High School Graduates of 2004 and Thereafter

1. All new applicants for Louisiana scholarship and grant programs other than TOPS and the Rockefeller State Wildlife Scholarship must apply for federal grant aid by completing the free application for federal student aid (FAFSA) for the academic year following the year the student graduated from high school. For example, if the student will graduate from high school in school year 2003-2004, submit the 2004-2005 version of the FAFSA.

2. All new applicants for the Rockefeller State Wildlife Scholarship must apply for federal grant aid by submitting the FAFSA so that it is received no later than July 1 immediately preceding the academic year (college) for which the scholarship is sought. For example, if the student wants to apply for a Rockefeller Scholarship to be awarded during the 2005-2006 academic year (college), submit the 2005-2006 version of the FAFSA no later than July 1, 2005.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:635 (April 1998), LR 24:1900 (October 1998), amended LR 26:1994 (September 2000), repromulgated LR 27:1846 (November 2001), amended LR 29:554 (April 2003), LR 30:2015 (September 2004), LR 31:36 (January 2005), LR 31:1060 (May 2005), LR 41:659 (April 2015), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:494 (March 2018).

§502. Consent Required to Process Applications and Deadlines

A. To process an application for financial aid or to allow participation in LOSFA programs to provide guidance and motivation in preparing for and achieving eligibility for financial aid programs, certain student personally identifiable information (PII) must be provided to the board. The PII required depends on the financial aid program for which the student is applying. If the required PII is not provided, an applicant will not be determined to be eligible.

B. The submission of an application for a financial aid program administered by the board or for participation in LOSFA programs to provide guidance and motivation in preparing for and achieving eligibility for financial aid programs constitutes consent for the student's school to collect and disclose the student's PII to LOSFA, and for LOSFA to collect, maintain, and use the PII for the program in which the student has indicated a desire to participate, if submitted by:

1. a student who is judicially emancipated, or emancipated by marriage, or who is 18 years old or older; or
2. a parent or legal guardian on behalf of a student who is not at least 18 years old and who is not emancipated.

C. To grant consent for a public school to collect the student's PII and disclose it to LOSFA, the student, parent or legal guardian, as applicable, must sign a consent form provided by the public high school that includes the following:

1. purpose(s) for which the PII will be used;
2. who will have access to the PII;
3. how long the PII will be retained by LOSFA; and
4. how the PII will be destroyed at the end of the retention period.

D. Submission of one of the following constitutes consent for LOSFA to collect, maintain, and use the PII included in the submission for the purposes of determining eligibility for financial aid:

1. free application for federal student aid (FAFSA) naming LOSFA as a recipient;
2. ACT score naming LOSFA as a recipient;
3. ACT WorkKeys score naming LOSFA as a recipient;
4. SAT score naming LOSFA as a recipient;
5. TOPS on-line application.

E. The required information for consideration for initial eligibility for a TOPS Award, includes, but is not limited to, all the following student information:

1. full name;
2. date of birth;
3. Social Security number;
4. student high school transcript data, including but not limited to:
 - a. month and year of high school graduation;
 - b. the course code for each course completed;
 - c. the grade for each course completed;
 - d. the term and year each course is completed;
 - e. designation of each advanced placement, International Baccalaureate®, honors, gifted and talented, articulated course for college credit, and dual enrollment course;
 - f. the grading scale for each course reported; and
 - g. the high school attended for each course reported;
5. ACT, ACT WorkKeys, and/or SAT scores;
6. FAFSA data;
7. college transcript data as set forth in §1903.

F. The required information for consideration for eligibility for other awards, grants and programs may include, but is not limited to, the following student information:

1. the information set forth in Subsection E above;
2. student disciplinary data;
3. family income;
4. dual enrollment high school and college transcript data;
5. foster care status;
6. ACT plan score;
7. school lunch program status;
8. standardized test scores;
9. grade point average for each semester and cumulative grade point average.

G. Deadlines to Provide Consent to a Public School for the Release of a Student's PII to LOSFA

1. For participation in LOSFA's program for guidance and motivation to prepare for and to achieve eligibility for

financial aid programs, the parent or legal guardian, as applicable, should provide consent by the eighth grade.

2. For eligibility for payment of a TOPS Award for the fall semester immediately following high school graduation, the student, parent or legal guardian, as applicable, should provide consent no later than January 15 of the year of graduation.

3. The final date for receipt of consent is the January 15 immediately following the final deadline for receipt of the student's FAFSA or on-line application. See §505 below.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 41:650 (April 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:495 (March 2018).

§503. Application Deadlines for High School Graduates of 2003 and Earlier

A. Deadline for Priority Consideration

1. For priority consideration for the 1998-99 award year, applicants must submit the FAFSA to be received by the federal processor by June 1, 1998.

2. Priority consideration means that an applicant who submits a FAFSA by this date shall, under normal circumstances, receive notification of his eligibility for a noncompetitive award (TOPS Opportunity, Performance and Honors Awards) prior to enrolling in the fall term.

3. An applicant for a competitively awarded scholarship (TOPS Teacher Award and Rockefeller State Wildlife Scholarship) who submits a FAFSA by this date shall be considered for selection of award in the first round of applicants awarded.

4. For priority consideration for award years after 1998-99, applicants must submit the FAFSA to be received by the federal processor by May 1, preceding the award year.

B. Final Deadline for Full Award

1.a. Except as provided in Subparagraph B.1.b below, in order to receive the full benefits of a TOPS Award as provided in §701.E, the final deadline for receipt of a student's initial FAFSA application is July 1 of the academic year (high school) in which a student graduates. For example, for a student graduating in the 2000-2001 academic year (high school), the student must submit the initial FAFSA in time for it to be received by the federal processor by July 1, 2001.

b. For applicants graduating from high school during or after the 2001-2002 academic year (high school), in order to receive the full benefits of a TOPS Award as provided in §701.E, the final deadline for receipt of a student's initial FAFSA application is the July 1 immediately preceding the academic year (TOPS) in which the applicant will be a first-time, full-time student.

c. Examples

i. If an applicant graduates in the 2002-2003 academic year (high school) and will be a first-time, full-time student in the fall semester of 2003, the applicant must submit the initial FAFSA in time for it to be received by the federal processor by July 1, (2003).

ii. If an applicant graduates in the 2002-2003 academic year (high school) and will be a first-time, full-time student in the fall semester of 2004, the applicant must

submit the initial FAFSA in time for it to be received by the federal processor by July 1, (2004).

d. Students must also apply in time to meet the first-time freshman enrollment deadlines specified in §703.A.4 (TOPS Opportunity, Performance and Honors) and §803.A.4 (TOPS-Tech).

2. Notwithstanding the deadline established by §503.B.1 above, applicants who enter on active duty in the U.S. Armed Forces have a final deadline for receipt of their initial FAFSA application of one year from the date of separation from active duty. In order to be eligible under this Subsection, the applicant must meet the requirements of §703.A.4.b or d or §803.A.4.b or d of these rules and must not have been discharged with an undesirable, bad conduct or dishonorable discharge.

3. Returning Students

a. Notwithstanding the deadline established by §503.B.1 above, returning students, who graduated from high school during the 2001-2002 academic year (high school) and who enroll in an eligible college or university in the spring semester of 2003, must submit the FAFSA to be received by the federal processor no later than July 1, 2004.

b. Notwithstanding the deadline established by §503.B.1 above, returning students, who enroll in an eligible college or university in the fall semester of 2003 or later, must submit the FAFSA to be received by the federal processor no later than July 1 following the first semester of enrollment.

c. Examples

i. A student who seeks to enroll in an eligible college or university for the spring semester of 2004 must submit his FAFSA to be received by the federal processor no later than July 1, 2004.

ii. A student who seeks to enroll in an eligible college or university for the fall semester of 2004 must submit his FAFSA to be received by the federal processor no later than July 1, 2005.

C. If a prescribed deadline date falls on a weekend or holiday, it will automatically be extended to the next business day.

D. Final Deadlines for Reduced Awards

1. If an application for an initial award under this Chapter is received after the deadline provided in §503.B above, but not later than 60 days after that deadline, the time period of eligibility for the award shall be reduced by one semester, two quarters, or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters or quarters.

2. If an application for an initial award under this Chapter is received more than 60 days after the deadline provided in §503.B above, but not later than 120 days after that deadline, the time period of eligibility for the award shall be reduced by two semesters or three quarters, or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters or quarters.

3. Applications received more than 120 days after the published deadline shall not be considered.

E. The reduction of the applicant's period of eligibility for this award under §503.D above shall not be cumulative with any reduction under §509.C.

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§504. Out-of-State and Out-of-Country High School Graduates and Eligible Non-Graduates

A. A student who graduates from a high school outside the state of Louisiana or is an eligible non-graduate will not be considered for a TOPS Award unless the board receives the student's FAFSA information from the federal processor or on-line application and the student's ACT and/or SAT score(s). In order for a student who will graduate from a high school outside the state of Louisiana or an eligible non-graduate to assure that his FAFSA information and his ACT/SAT score(s) are received by the board, he should:

1. enter a Louisiana postsecondary institution in the section of the FAFSA that asks the applicant to name the colleges he plans to attend; and

2. enter a Louisiana postsecondary institution and/or 1595 (code for the Louisiana Taylor Opportunity Program-Students, Baton Rouge, LA) in the "score report choices" section of the ACT and/or 9019 (code for Taylor Opportunity Program for Students) in the "send scores" section of the SAT registration form.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:3042.1 and R.S. 17:5001 et seq.

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§505. Application Deadlines for High School Graduates and Home Study Completers of 2004 and Later and Eligible Non-Graduates

A.1. To be considered for a TOPS Award, students who graduate from high school or complete an approved home study program in 2004 or later and eligible non-graduates must:

a. apply for federal grant aid by submitting a free application for federal student aid (FAFSA); or

b. if the student can demonstrate that he does not qualify for federal grant aid because of his family's financial condition, submit the initial FAFSA after completing all applicable sections except those sections related to the income and assets of the student and the student's parents; or

c. complete the on-line application.

2. TOPS will not pay the award amount for any student who has not met the requirements of §505.A.1 above.

3. In the event of a budgetary shortfall, applicants for TOPS Opportunity, Performance and Honors Awards and TOPS-Tech Awards who submit the on-line application or who do not complete all sections of the FAFSA will be the first denied a TOPS Award.

B. Deadline for Payment for the Academic Year (TOPS) Immediately Following High School Graduation

1. Beginning with the 2007-2008 academic year (TOPS), to be determined eligible for payment of TOPS Awards for the academic year (TOPS) immediately following the academic year (high school) of high school graduation, students must submit the initial FAFSA or on-line application so that it is received no later than the July 1 immediately following the academic year (high school) of graduation.

2. Beginning with the 2007-2008 academic year (TOPS), students will be eligible to receive the full benefits of a TOPS Award as provided in §701.E beginning with the academic year (TOPS) immediately after the student's one year anniversary of high school graduation if their initial FAFSA or on-line application is received after the July 1 immediately following the academic year (high school) of high school graduation and no later than the final deadline set forth in Subsection C, below, and if the student was enrolled during the preceding academic year (TOPS), the student has met the requirements for continuing eligibility.

3.a. Beginning with the 2010-2011 academic year (TOPS), students whose initial FAFSA or on-line application is received on or before July 1 immediately following the one year anniversary of high school graduation will receive payment of their TOPS Award as provided in §701.E beginning with the first semester, quarter or term the student enrolls for the first time as a full-time student in an eligible college or university; provided that no payment of a TOPS Award shall be made until the initial FAFSA or on-line application has been received and the applicant has been determined eligible for a TOPS Award.

b. If the initial FAFSA or on-line application is received after July 1 immediately following high school graduation, the payment of the TOPS Award could be delayed depending on the date the application is received and the date the student enrolls for the first time as a full time student in an eligible college or university.

c. A student who enrolls for the first time as a full time student before his FAFSA or on-line application is received must meet the requirements for maintaining eligibility in §705 to receive payments of his TOPS Award after the first semester, quarter or term of full time enrollment at an eligible college or university.

4. Examples

a. A 2009-2010 academic year (high school) high school graduate, who enrolls in the fall semester of 2010, will be eligible to receive the full benefits of a TOPS Award beginning the fall semester of 2010 if the initial FAFSA or on-line application is received on or before July 1, 2010.

b. A 2009-2010 academic year (high school) high school graduate, who enrolls during the 2010-2011 academic year, will be eligible to receive the full benefits of a TOPS Award beginning the fall semester of 2010 if the initial FAFSA or on-line application is received no later than July 1, 2011, and if he has met the requirements for continuing eligibility.

C. Final Deadline for Full TOPS Award

1.a. Except as provided below, through the 2006-2007 academic year (TOPS), in order to receive the full benefits of a TOPS Award as provided in §701.E, the final deadline

for receipt of a student's initial FAFSA or the on-line application is July 1 immediately prior to the academic year (TOPS) he first enrolls as a first-time freshman in an eligible college or university.

b. Beginning with the 2007-2008 academic year (TOPS), in order receive the full benefits of a TOPS Award as provided in §701.E, the final deadline for receipt of a student's initial FAFSA or on-line application is July 1 immediately prior to the academic year (TOPS) immediately following the one-year anniversary of high school graduation.

c.i. Students who graduated from high school during the 2003-2004 academic year (high school) and enrolled as a first-time freshman in an eligible college or university during the 2004-2005 academic year (TOPS) are eligible to receive the full benefits of a TOPS Award as provided in §701.E beginning:

(a). with the 2004-2005 academic year (TOPS) if their initial FAFSA or on-line application was received no later than October 29, 2004;

(b). with the 2005-2006 academic year (TOPS) if their initial FAFSA or on-line application was received after October 29, 2004, and no later than July 1, 2005, and, if the student enrolled as a full-time student during the 2004-2005 academic year (TOPS), the student has met the requirements for continuing eligibility.

ii. Students who graduated from high school during the 2003-2004 academic year (high school) and enrolled as a first-time freshman in an eligible college or university beginning the fall semester of 2005 are eligible to receive the full benefits of a TOPS Award as provided in §701.E beginning the fall semester of 2005 if their initial FAFSA or on-line application was received no later than July 1, 2005.

iii. Students who graduated from high school during the 2003-2004 academic year (high school) and enrolled as a first-time freshman in an eligible college or university during either the 2004-2005 academic year (TOPS) or fall semester of 2005 are eligible for a reduced TOPS Award (see Subsection 505.D below) beginning with the fall semester of 2005, if their initial FAFSA or on-line application was received after July 1, 2005 and no later than October 31, 2005, and, if the student enrolled as a full-time student during the 2004-2005 academic year (TOPS), the student has met the requirements for continuing eligibility.

d.i. Students who graduated from high school during the 2004-2005 academic year (high school) and enrolled as a first-time freshman in an eligible college or university during the 2005-2006 academic year (TOPS) will be eligible to receive the full benefits of a TOPS Award as provided in §701.E beginning:

(a). with the 2005-2006 academic year (TOPS) if their initial FAFSA or on-line application is received no later than October 31, 2005;

(b). with the 2006-2007 academic year (TOPS) if their initial FAFSA or on-line application is received after October 31, 2005, and no later than July 1, 2006, and, if the student enrolled as a full-time student during the 2005-2006 academic year (TOPS), the student met the requirements for continuing eligibility.

ii. Students who graduated from high school during the 2004-2005 academic year (high school) and

enrolled as a first-time freshman in an eligible college or university beginning the fall semester of 2006 are eligible to receive the full benefits of a TOPS Award as provided in §701.E beginning the fall semester of 2006 if their initial FAFSA or on-line application was received no later than July 1, 2006.

iii. Students who graduated from high school during the 2004-2005 academic year (high school) and enrolled as a first-time freshman in an eligible college or university during either the 2005-2006 academic year (TOPS) or fall semester of 2006 are eligible for a reduced TOPS Award (see Subsection 505.D, below) beginning with the fall semester of 2006, if their initial FAFSA or on-line application was received after July 1, 2006, and no later than October 30, 2006, and, if the student enrolled as a full-time student during the 2005-2006 academic year (TOPS), the student met the requirements for continuing eligibility.

e.i. Students who graduate from high school during the 2005-2006 academic year (high school) and enroll as a first-time freshman in an eligible college or university during the 2006-2007 academic year (TOPS) will be eligible to receive the full benefits of a TOPS Award as provided in §701.E beginning:

(a). with the 2006-2007 academic year (TOPS) if their initial FAFSA or on-line application is received no later than October 30, 2006;

(b). with the 2007-2008 academic year (TOPS) if their initial FAFSA or on-line application is received after October 30, 2006, and no later than July 1, 2007, and, if the student enrolled as a full-time student during the 2006-2007 academic year (TOPS), the student met the requirements for continuing eligibility.

ii. Students who graduated from high school during the 2005-2006 academic year (high school) and enrolled as a first-time freshman in an eligible college or university beginning the fall semester of 2007 are eligible to receive the full benefits of a TOPS Award as provided in §701.E beginning the fall semester of 2007 if their initial FAFSA or on-line application was received no later than July 1, 2007.

iii. Students who graduate from high school during the 2005-2006 academic year (high school) and enroll as a first-time freshman in an eligible college or university during either the 2006-2007 academic year (TOPS) or the fall semester of 2007 are eligible for a reduced TOPS Award (see Subsection 505.D, below) beginning with the fall semester of 2007, if their initial FAFSA or on-line application is received after July 1, 2007, and no later than October 29, 2007, and, if the student enrolled as a full-time student during the 2006-2007 academic year (TOPS), the student met the requirements for continuing eligibility.

2. Returning Students

a. Beginning with the 2002-2003 through the 2004-2005 academic year (TOPS), in order for a returning student to receive the full benefits of a TOPS Award as provided in §701.E, the final deadline for receipt of a student's initial FAFSA or the on-line application is May 1 of the academic year (TOPS) he first enrolls as a full-time student in an eligible college or university.

b. Beginning with the 2005-2006 academic year (TOPS), in order for a returning student to receive the full benefits of a TOPS Award as provided in §701.E, the final

deadline for receipt of the student's initial FAFSA or the on-line application is the July 1 immediately following the academic year (TOPS) he first enrolls as a full-time student in an eligible college or university.

3. Examples

a. A 2003-2004 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2004 or spring semester of 2005, will be eligible to receive the full benefits of a TOPS Award beginning with the first semester of enrollment as a full-time student if his initial FAFSA or on-line application is received no later than July 1, 2004.

b. A 2003-2004 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2004 or spring semester of 2005, will be eligible for his full TOPS Award beginning with the first semester of enrollment as a full-time student if his initial FAFSA or on-line application is received after July 1, 2004, but on or before October 29, 2004.

c. A 2003-2004 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2004 or spring semester of 2005, will be eligible for his full TOPS Award beginning with the fall semester of 2005 if his initial FAFSA or on-line application is received after October 29, 2004, but on or before July 1, 2005, and if he has met the requirements for continuing eligibility.

d. A 2003-2004 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2005, will be eligible to receive the full benefits of a TOPS Award if his initial FAFSA or on-line application is received no later than July 1, 2005.

e. A 2003-2004 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2005, will be eligible for a reduced TOPS Award (see Subsection 505.D below) beginning with the fall semester of 2005 if his initial FAFSA or on-line application is received after July 1, 2005, but on or before October 31, 2005.

f. A 2003-2004 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2005, will not be eligible for a TOPS Award if his initial FAFSA or on-line application is received after October 31, 2005.

g. A 2004-2005 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2005 or spring semester of 2006, will be eligible to receive the full benefits of a TOPS Award beginning with the first semester of enrollment as a full-time student if his initial FAFSA or on-line application is received no later than July 1, 2005.

h. A 2004-2005 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2005 or spring semester of 2006, will be eligible for his full TOPS Award beginning with the first semester of enrollment as a full-time student if his initial FAFSA or on-line application is received after July 1, 2005, but on or before October 31, 2005.

i. A 2004-2005 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2005 or spring semester of 2006, will be eligible for his full TOPS Award beginning with the fall semester of 2006 if his initial FAFSA or on-line application is received after October 31, 2005, but on or before July 1, 2006, and if he has met the requirements for continuing eligibility.

j. A 2004-2005 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2006, will be eligible to receive the full benefits of a TOPS Award if his initial FAFSA or on-line application is received no later than July 1, 2006.

k. A 2004-2005 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2006, will be eligible for a reduced TOPS Award (see Subsection 505.D below) beginning with the fall semester of 2006 if his initial FAFSA or on-line application is received after July 1, 2006, but on or before October 30, 2006.

l. A 2004-2005 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2006, will not be eligible for a TOPS Award if his initial FAFSA or on-line application is received after October 30, 2006.

m. A 2005-2006 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2006 or spring semester of 2007, will be eligible to receive the full benefits of a TOPS Award beginning with the first semester of enrollment as a full-time student if his initial FAFSA or on-line application is received no later than July 1, 2006.

n. A 2005-2006 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2006 or spring semester of 2007, will be eligible for his full TOPS Award beginning with the first semester of enrollment as a full-time student if his initial FAFSA or on-line application is received after July 1, 2006, but on or before October 30, 2006.

o. A 2005-2006 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2006 or spring semester of 2007, will be eligible for his full TOPS Award beginning with the fall semester of 2007 if his initial FAFSA or on-line application is received after October 30, 2006, but on or before July 1, 2007, and if he has met the requirements for continuing eligibility.

p. A 2005-2006 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2007, will be eligible to receive the full benefits of a TOPS Award if his initial FAFSA or on-line application is received no later than July 1, 2007.

q. A 2005-2006 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2007, will be eligible for a reduced TOPS Award (see Subsection 505.D below) beginning with the fall semester of 2007 if his initial

FAFSA or on-line application is received after July 1, 2007, but on or before October 29, 2007.

r. A 2005-2006 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2007, will not be eligible for a TOPS Award if his initial FAFSA or on-line application is received after October 29, 2007.

s. A 2006-2007 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2007 or spring semester of 2008, will be eligible to receive the full benefits of a TOPS Award beginning with the first semester of enrollment as a full-time student if his initial FAFSA or on-line application is received no later than July 1, 2007.

t. A 2006-2007 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2007 or spring semester of 2008, will be eligible to receive his full TOPS Award beginning with the fall semester of 2008 if his initial FAFSA or on-line application is received after July 1, 2007, but on or before July 1, 2008, and if he has met the requirements for continuing eligibility.

u. A 2006-2007 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2008, will be eligible to receive the full benefits of a TOPS Award if his initial FAFSA or on-line application is received no later than July 1, 2008.

v. A 2006-2007 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2008, will be eligible for a reduced TOPS Award (see Subsection 505.D below) beginning with the fall semester of 2008 if his initial FAFSA or on-line application is received after July 1, 2008, but on or before October 29, 2008.

w. A 2006-2007 academic year (high school) high school graduate, who is a first-time freshman at an eligible college or university in the fall semester of 2008, will not be eligible for a TOPS Award if his initial FAFSA or on-line application is received after October 29, 2008.

x. A student, who enrolls for the first time as a full time student at an accredited out-of-state college and subsequently returns to Louisiana and enrolls as a full-time student in an eligible college or university for the fall semester of 2006, will be eligible for his TOPS Award beginning with the fall semester of 2006 if his initial FAFSA or the on-line application is received no later than July 1, 2007.

4. Students must also meet the first-time freshman enrollment deadlines specified in §703.A.4 (TOPS Opportunity, Performance and Honors) and §803.A.4 (TOPS-Tech).

5. Notwithstanding the deadline established by §505.C above, students who enter on active duty in the U.S. Armed Forces have a final deadline for receipt of their initial FAFSA application or their on-line application of one year from the date of separation from active duty. In order to be eligible under this Subsection, the student must meet the requirements of §703.A.4.b or d or §803.A.4.b or d of these rules and must not have been discharged with an undesirable, bad conduct or dishonorable discharge.

D. Final Deadlines for Reduced Awards

1. If an application for an initial award under this Chapter is received after the final deadline provided in §503.C above, but not later than 60 days after that deadline, the time period of eligibility for the award shall be reduced by one semester, two quarters, or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters or quarters.

2. If an application for an initial award under this Chapter is received more than 60 days after the final deadline provided in §503.C above, but not later than 120 days after that deadline, the time period of eligibility for the award shall be reduced by two semesters or three quarters, or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters or quarters.

3. A FAFSA or on-line application received more than 120 days after the published deadline shall not be considered.

E. The reduction of the student's period of eligibility for this award under §505.D above shall not be cumulative with any reduction under §509.C.

F. Renewal FAFSA

1.a. Through the 2004-2005 academic year (TOPS), in order to remain eligible for TOPS Awards, a student who is eligible for federal grant aid must file a renewal FAFSA so that it is received by May 1 of each academic year (TOPS) after initial eligibility is established.

b. Beginning with the 2005-2006 academic year (TOPS), in order to remain eligible for TOPS Awards, a student who is eligible for federal grant aid must file a renewal FAFSA so that it is received by the July 1 immediately preceding each academic year (TOPS) after initial eligibility is established.

2. Students who can demonstrate that they do not qualify for federal grant aid because of their family's financial condition are not required to submit a renewal FAFSA.

3. All recipients of Louisiana scholarship and grant programs other than TOPS and the Rockefeller Wildlife Scholarship Program must submit a renewal FAFSA for each academic year (TOPS) the student enrolls.

G. If a prescribed deadline date falls on a weekend or holiday, it will automatically be extended to the next business day.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:635 (April 1998), amended LR 24:1901 (October 1998), repromulgated LR 27:1847 (November 2001), amended LR 30:2017 (September 2004), LR 31:37 (January 2005), LR 32:2238 (December 2006), LR 33:83 (January 2007), LR 33:2357 (November 2007), LR 34:235 (February 2008), LR 37:588 (February 2011), LR 41:660 (April 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:497 (March 2018).

§506. Proof of Compliance

A. As proof of compliance with the state's final deadline for submitting the FAFSA, or the on-line application, the board will accept the documentation listed in §506.A.1-6. No other form of verification, including notarized or

certified statements, will be accepted as proof of compliance with the deadline requirement:

1. a certificate of mailing, registered, certified, certified/return receipt requested, priority or overnight mail receipt from the United States Postal Service, or other authorized mail carriers such as United Parcel Service and Federal Express, which is dated prior to the state's final deadline;

2. the student aid report (SAR) or the institutional student information report (ISIR), produced by the federal processor, shows that the original application was received by the state's final deadline;

3. the federal processor provides verbal or written verification to the board that the original application was received by the state's final deadline;

4. a printed copy of the electronic receipt for a FAFSA filed on the web shows that the original application was received by the final deadline;

5. a printed copy of the electronic receipt for an on-line application shows that the original application was received by the final deadline;

6. the LOSFA's on-line application submission confirmation code corresponds to a LOSFA database transaction by the final deadline.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 30:2018 (September 2004), amended LR 31:1060 (May 2005), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:500 (March 2018).

§507. Final Deadline for Submitting Documentation of Eligibility

A. The board will continue to process eligibility for both new and renewal applicants during each award year until July 1 after the spring term of that award year.

B.1. Through the 2004-2005 academic year (TOPS), all documentation and certifications necessary to establish student eligibility including, but not limited to, high school and/or college transcripts and certifications, copies of student aid reports, applicant confirmation forms, promissory notes, ACT and/or SAT scores, residency affidavits, proof of citizenship or permanent residency status and other documents that may be utilized in determining eligibility, must be received by the board no later than May 1 of the award year. For example, to receive an award for the 2004-2005 award year, the board must have in its possession all documents relevant to establishing eligibility by May 1, 2005.

2. Beginning with the 2005-2006 academic year (TOPS) through the 2010-11 academic year (TOPS), all documentation and certifications necessary to establish student initial eligibility including, but not limited to, high school and/or college transcripts and certifications, copies of student aid reports, applicant confirmation forms, promissory notes, ACT and/or SAT scores, residency affidavits, proof of citizenship or permanent residency status and other documents that may be utilized in determining eligibility, must be received by the board no later than July 1 immediately following the academic year (TOPS) the student is first eligible for payment of a TOPS Award. For example, if a student's initial FAFSA is received no later than July 1, 2007, for that student to receive an award for the

2007-2008 academic year (TOPS), the board must have in its possession all documents relevant to establishing eligibility by July 1, 2008.

3. Beginning with the 2011-12 academic year (TOPS), all documentation and certifications necessary to establish student initial eligibility including, but not limited to, high school and/or college transcripts and certifications, copies of student aid reports, applicant confirmation forms, promissory notes, ACT and/or SAT scores, residency affidavits, proof of citizenship or permanent residency status and other documents that may be utilized in determining eligibility, must be received by the board no later than January 15 immediately following the final deadline for receipt of the student's FAFSA or on-line application. For example, if a student's graduates from high school in May 2011, the final deadline for receipt of the student's FAFSA or on-line application is July 1, 2012, and the deadline for receipt of all documents relevant to establishing eligibility is January 15, 2013.

C. Returning Students

1. Returning students, who graduated high school during the 2001-2002 academic years (high school) and who enroll in an eligible college or university in the spring semester 2003, must submit documentation that establishes TOPS eligibility no later than May 1, 2004.

2. Returning students, who enroll in an eligible college or university in the fall semester of 2003 through the spring semester of 2005, must submit documentation that establishes TOPS eligibility no later than May 1 of the academic year (TOPS) the student enrolls in an eligible college or university. For example, a student who seeks to enroll in an eligible college or university in the fall semester of 2003 must submit documentation that establishes TOPS eligibility no later than May 1, 2004.

3.a. Returning students, who enroll in an eligible college or university in academic year (TOPS) 2005-2006 or academic year (TOPS) 2006-2007, must submit an application to return from an out-of-state college no later than July 1 immediately following the academic year (TOPS) the student enrolls as a full-time student in an eligible college or university and must submit any supporting documentation required by the application no later than April 15 following the July 1 deadline.

b.i. To receive the full benefits of a TOPS Award as provided in §701.E, returning students, who enroll in an eligible college or university in the fall semester of 2007 or later, must submit an application to return from an out-of-state college no later than July 1 immediately following the academic year (TOPS) the student enrolls as a full-time student in an eligible college or university and must submit any supporting documentation required by the application no later than January 15 following the July 1 deadline.

ii. If an application to return from an out-of-state college is received after the July 1 deadline as provided in the clause above, but not later than 60 days after that date, the time period of eligibility for the award shall be reduced by one semester, two quarters, or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters or quarters.

iii. If an application to return from an out-of-state college is received more than 60 days after the July 1 deadline as provided in the clause above, but not later than

120 days after that date, the time period of eligibility for the award shall be reduced by two semesters, three quarters, or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters or quarters.

iv. An application to return from an out-of-state college received more than 120 days after the July 1 deadline shall not be considered.

v. If a prescribed deadline date falls on a weekend or holiday, it will automatically be extended to the next business day.

c. Examples

i. A returning student who enrolled in an eligible college or university in the fall semester of 2005 must submit the application to return from an out-of-state college no later than July 1, 2006, and any required supporting documentation such as college transcripts no later than April 15, 2007.

ii. A returning student who enrolled in an eligible college or university in the spring semester of 2007 must submit the application to return from an out-of-state college no later than July 1, 2007, and any required supporting documentation such as college transcripts no later than April 15, 2008.

iii. A returning student who enrolled in an eligible college or university in the fall semester of 2007 must submit the application to return from an out-of-state college no later than July 1, 2008, and any required supporting documentation such as college transcripts no later than January 15, 2009.

iv. A returning student who enrolled in an eligible college or university in the spring semester of 2008 must submit the application to return from an out-of-state college no later than July 1, 2008, and any required supporting documentation such as college transcripts no later than January 15, 2009.

v. A returning student who enrolls in an eligible college or university in the fall semester of 2009 must submit the application to return from an out-of-state college no later than July 1, 2010, and any required supporting documentation such as college transcripts no later than January 15, 2011.

vi. A returning student who enrolls in an eligible college or university in the fall semester of 2009, and whose application to return from an out-of-state college is received on July 10, 2010, will be eligible for a TOPS Award reduced by one semester or two quarters if any required supporting documentation such as college transcripts is received no later than January 15, 2011.

vii. A returning student who enrolls in an eligible college or university in the fall semester of 2009, and whose application to return from an out-of-state college is received on September 10, 2010, will be eligible for a TOPS Award reduced by two semesters or three quarters if any required supporting documentation such as college transcripts is received no later than January 15, 2011.

4.a. Beginning with the 2007-2008 academic year (TOPS), all documentation and certifications necessary to establish a returning student's initial eligibility including, but not limited to, high school and/or college transcripts and certifications, copies of student aid reports, ACT and/or SAT scores, residency affidavits, proof of citizenship or

permanent residency status and other documents that may be utilized in determining eligibility, must be received by the board no later than January 15 immediately following the deadline for receipt of the student's FAFSA or on-line application.

b. Examples

i. If a returning student enrolls full time in an eligible Louisiana college or university for the fall semester of 2007, his deadline to file the FAFSA or on-line application is July 1, 2008. If his initial FAFSA or on-line application is received no later than July 1, 2008, and if all the necessary supporting documentation relevant to establishing eligibility is in the board's possession by January 15, 2009, the student will receive his TOPS Award (reduced by the number of semesters/terms he enrolled out-of-state) retroactively beginning the fall semester of 2007.

ii. If a returning student enrolls full time in an eligible Louisiana college or university for the spring semester of 2008, his deadline to file the FAFSA or on-line application is July 1, 2008. If his initial FAFSA or on-line application is received no later than July 1, 2008, and if all the necessary supporting documentation relevant to establishing eligibility is in the board's possession by January 15, 2009, the student will receive his TOPS Award (reduced by the number of semesters/terms he enrolled out-of-state) retroactively beginning the spring semester of 2008.

iii. If a returning student enrolls full time in an eligible Louisiana college or university for the spring semester of 2008, his deadline to file the FAFSA or on-line application is July 1, 2008. If his initial FAFSA or on-line application is received after July 1, 2008, but no more than 120 days later, and if all the necessary supporting documentation relevant to establishing eligibility is in the board's possession by January 15, 2009, the student will receive his TOPS Award (reduced by the number of semesters/terms he enrolled out-of-state and further reduced by one additional semester if 1 to 60 days late or by two additional semesters if 61 to 120 days late) retroactively beginning the spring semester of 2008.

D.1. A student who successfully completed an undergraduate degree prior to or during the 2001-2002 academic year (TOPS) and wishes to receive his remaining award eligibility to attend a postgraduate school must provide the documentation and certifications required to establish student eligibility no later than May 1, 2004.

2. A student who successfully completes an undergraduate degree during the 2002-2003 through the 2004-2005 academic year (TOPS) and wishes to receive his remaining award eligibility to attend a postgraduate school must provide the documentation and certifications required to establish student eligibility no later than May 1 of the academic year (TOPS) the student seeks to receive his remaining award eligibility. For example, to receive the remaining award for the 2003-2004 academic year (TOPS), the student must submit the required documents no later than May 1, 2004.

3. A student who successfully completes an undergraduate degree during the 2005-2006 academic year (TOPS) or later and wishes to receive his remaining award eligibility to attend a postgraduate school must provide the documentation and certifications required to establish

student eligibility no later than July 1 immediately following the academic year (TOPS) the student seeks to receive his remaining award eligibility. For example, to receive the remaining award for the 2006-2007 academic year (TOPS), the student must submit the required documents no later than July 1, 2007.

E. The reduction of the student's period of eligibility for this award under §507.C above shall not be cumulative with any reduction under §505.D or §509.C.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:635 (April 1998), amended LR 24:1901 (October 1998), repromulgated LR 27:1847 (November 2001), amended LR 28:447 (March 2002), LR 30:1161 (June 2004), LR 30:1471 (July 2004), LR 30:2019 (September 2004), LR 32:2238 (December 2006), LR 33:2357 (November 2007), LR 34:1389 (July 2008), LR 34:1884 (September 2008), LR 36:312 (February 2010), LR 38:3157 (December 2012), LR 41:662 (April 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:501 (March 2018).

§509. ACT Testing Deadline

A.1. The student must take the official ACT test (including national, international, military or special test types) on or before the official April test date in the academic year (high school) in which the student graduates or completes a home study program approved by BESE.

2. An eligible non-graduate must take the official ACT test (including national, international, military or special test types) before the first day of the semester the student first enrolls in an eligible college or university.

B.1. The student may substitute an equivalent score, as determined by the comparison tables used by the board, on an equivalent SAT taken on or before the official April test date in the academic year (high school) in which the student graduates. In order to substitute a SAT score, the student must direct the college board to send the score to LOSFA so that the score is electronically reported to LOSFA by the college board within 45 days of the final test date allowed by §509. SAT scores received in any other manner shall not be considered.

2. An eligible non-graduate may substitute an equivalent score, as determined by the comparison tables used by the board, on an equivalent SAT taken before the first day of the semester the student first enrolls in an eligible college or university. In order to substitute an SAT score, the student must direct the college board to send the score to LOSFA so that the score is electronically reported to LOSFA by the college board within 45 days of the final test date allowed by §509. SAT scores received in any other manner shall not be considered.

C. Final ACT Testing Deadline for Reduced Awards

1.a. Beginning with awards made to applicants graduating in academic year (high school) 2000 through 2003, if an applicant does not achieve a qualifying score on the ACT or on the SAT for the TOPS Opportunity Award by the April national ACT test date in the year of the applicant's high school graduation, then the applicant's first qualifying score for any TOPS Award obtained on an authorized testing date after the April national ACT test date in the year of the applicant's high school graduation but prior to July 1 of the year of such graduation will be accepted. However, when

granting an award to an applicant whose qualifying test score is obtained on an authorized testing date after the date of the applicant's high school graduation but prior to July 1 of the year of such graduation, the applicant's period of eligibility for the award shall be reduced by one semester, two quarters, or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters or quarters. Except for an applicant who has qualified for a TOPS-Tech Award on or prior to the April national ACT test date, an applicant will not be allowed to use a test score obtained after the April national ACT test date to upgrade a TOPS Award.

b.i. Beginning with awards made to applicants graduating in academic year (high school) 2004 through 2010, if an applicant does not achieve a qualifying score on the ACT or on the SAT for the TOPS Opportunity Award by the April national ACT test date in the year of the applicant's high school graduation, then the applicant's first qualifying score for any TOPS Award obtained on an authorized testing date after the April national ACT test date in the year of the applicant's high school graduation but prior to July 1 of the year of such graduation will be accepted. However, when granting an award to an applicant whose qualifying test score is obtained on an authorized testing date after the April national ACT test date in the year of the applicant's high school graduation but prior to July 1 of the year of such graduation, the applicant's period of eligibility for the award shall be reduced by one semester, two quarters, or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters or quarters. Except for an applicant who has qualified for a TOPS-Tech Award on or prior to the April national ACT test date, an applicant will not be allowed to use a test score obtained after the April national ACT test date to upgrade a TOPS Award.

ii. Beginning with awards made to applicants graduating in academic year (high school) 2011, if an applicant does not achieve a qualifying score on the ACT or on the SAT for the TOPS Opportunity Award by the April national ACT test date in the year of the applicant's high school graduation, then the applicant's first qualifying score for any TOPS Award obtained on an authorized testing date after the April national ACT test date in the year of the applicant's high school graduation but prior to July 1 of the year of such graduation will be accepted or, if the board determines that the applicant was prevented from taking the test prior to July 1 of the year of graduation due to circumstances beyond the immediate control of the student and attributable to the administration of the test, the applicant's first qualifying score for any TOPS Award obtained on an authorized testing date after the April national ACT test date in the year of the applicant's high school graduation but prior to October 1 of the year of such graduation will be accepted. However, when granting an award to an applicant whose qualifying test score is obtained on an authorized testing date after the April national ACT test date in the year of the applicant's high school graduation, the applicant's period of eligibility for the award shall be reduced by one semester, two quarters, or an equivalent number of units at an eligible institution which operates on a schedule based on units other than semesters or quarters. Except for an applicant who has qualified for a TOPS-Tech

Award on or prior to the April national ACT test date, an applicant will not be allowed to use a test score obtained after the April national ACT test date to upgrade a TOPS Award.

c. For the purpose of the Subsection, the April national ACT test date shall be defined as the month of April.

d. Tests taken by an eligible non-graduate after the first day of the semester the student first enrolls in an eligible college or university shall not be accepted.

2.a. Beginning with applicants graduating in academic year (high school) 1997 through 2010, applicants who fail to achieve an ACT or SAT qualifying score prior to July 1 of the year of high school graduation shall not be considered for an award.

b. Beginning with applicants graduating in academic year (high school) 2011, applicants shall not be considered for an award if they fail to achieve a qualifying score on the ACT or on the SAT prior to July 1 of the year of high school graduation, or prior to October 1 of the year of high school graduation, if the board determines that the applicant was prevented from taking the test prior to July 1 of the year of graduation due to circumstances beyond the immediate control of the student and attributable to the administration of the test.

D. For 1997 and 1998 high school graduates who have not previously taken an ACT test, the ACT score shall include those scores obtained from a national ACT test taken not later than the October 1998 national test date.

E. Students who graduated during the 1998-1999 school year who are otherwise qualified for a TOPS Award and who obtained a qualifying score on the ACT test or the scholastic aptitude test on an authorized testing date after the date of the student's graduation but prior to July 1, 1999 shall be considered to have met the requirements of §509.A and B.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 26:1995 (September 2000), amended LR 26:2000 (September 2000), LR 27:36 (January 2001), LR 27:284 (March 2001), repromulgated LR 27:1847 (November 2001), amended LR 30:1161 (June 2004), LR 31:37 (January 2005), LR 38:3157 (December 2012), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:503 (March 2018).

Chapter 7. Taylor Opportunity Program for Students (TOPS) Opportunity, Performance, and Honors Awards

§701. General Provisions

A. Legislative Authority. Awards under the Louisiana Taylor Opportunity Program for Students (TOPS), the Opportunity, Performance and Honors Awards, are established as set forth in R.S. 17:5001 et seq., as amended.

B. Description, History and Purpose. The Taylor Opportunity Program for Students (TOPS) is a comprehensive, merit-based student aid program consisting of a series of components, with each component having its own eligibility criteria and titled award. The purpose of TOPS is to provide an incentive for Louisiana residents to academically prepare for and pursue post-secondary education in this state, resulting in an educated work force enabling Louisiana to prosper in the global market of the

future. The major components of TOPS are the Opportunity Award, the Performance Award and the Honors Award.

C. The Opportunity, Performance and Honors Awards, which will be funded for the 1998-99 academic year, combine former programs [Louisiana Tuition Assistance Plan (TAP) and the Louisiana Honors Scholarship Program] with a new component, the Honors Award, to produce a comprehensive program of state scholarships.

D. The purposes of this program are to:

1. financially assist those students who are academically prepared to continue their education at a Louisiana post-secondary institution; and

2. encourage academic excellence; and

3. provide incentives for Louisiana high school graduates to pursue post-secondary education in this state.

E. Award Amounts. The specific award amounts for each component of TOPS are as follows:

1.a. The TOPS Opportunity Award provides an award amount as defined in §301 for full-time attendance at an eligible college or university for a period not to exceed eight semesters, including qualified summer sessions, 12 quarters, including qualified summer sessions, or an equivalent number of units in an eligible institution which operates on a schedule based on units other than semesters or quarters, except as provided by R.S. 17:5002, or LAC 28:IV.503.D, 509.C, or 701.E.1.b. Attending a qualified summer session for which a TOPS Award is paid will count toward the eight semester limit for TOPS.

b. The semester or term count for a student shall not be increased for any semester or term a student is unable to complete because of orders to active duty in the United States Armed Forces or National Guard, whether or not a full refund for the TOPS payment for that semester or term is received by LOSFA.

2.a. The TOPS Performance Award provides a \$400 annual stipend, prorated by two semesters, three quarters, or equivalent units in each academic year (TOPS), in addition to an award amount as defined in §301 for full-time attendance at an eligible college or university, for a period not to exceed eight semesters, including qualified summer sessions, 12 quarters, including qualified summer sessions, or an equivalent number of units in an eligible institution which operates on a schedule based on units other than semesters or quarters, except as provided by R.S. 17:5002, or LAC 28:IV.503.D, 509.C, or 701.E.2.b. If a student attends an eligible summer session, quarter, term, or equivalent unit and requests that their TOPS Award be paid for that session, semester, quarter, term, or equivalent unit, the stipend will also be paid since payment of a TOPS Award for a summer session, quarter, term, or equivalent unit will count toward the eight semester limit for TOPS.

b. The semester or term count for a student shall not be increased for any semester or term a student is unable to complete because of orders to active duty in the United States Armed Forces or National Guard, whether or not a full refund for the TOPS payment for that semester or term is received by LOSFA, provided that any amount of a stipend paid and not refunded shall be counted toward the total stipends allowed by law.

3.a. The TOPS Honors Award provides an \$800 annual stipend, prorated by two semesters, three quarters, or

equivalent units in each academic year (TOPS), in addition to an award amount as defined in §301 for full-time attendance at an eligible college or university, for a period not to exceed eight semesters, including qualified summer sessions, 12 quarters, including qualified summer sessions, or an equivalent number of units in an eligible institution which operates on a schedule based on units other than semesters or quarters, except as provided by R.S. 17:5002, or LAC 28:IV.503.D, 509.C or 701.E.3.b. If a student attends an eligible summer session, quarter, term, or equivalent unit and requests that their TOPS Award be paid for that session, semester, quarter, term, or equivalent unit, the stipend will also be paid since payment of a TOPS Award for a summer session, quarter, term, or equivalent unit will count toward the eight semester limit for TOPS.

b. The semester or term count for a student shall not be increased for any semester or term a student is unable to complete because of orders to active duty in the United States Armed Forces or National Guard, whether or not a full refund for the TOPS payment for that semester or term is received by LOSFA, provided that any amount of a stipend paid and not refunded shall be counted toward the total stipends allowed by law.

4.a. Through the 2009-2010 academic year (college), in lieu of the amount equal to tuition as provided by LAC 28:IV.701.E.1-3, students participating in the program provided by R.S. 29:36.1 for persons serving in the Louisiana National Guard shall receive the tuition exemption as provided therein, plus any applicable TOPS stipend and a sum of not more than \$150 per semester or \$300 annually for the actual cost of books and other instructional materials.

b. Beginning with the 2010-2011 academic year (College), in lieu of the amount equal to tuition as provided by LAC 28:IV.701.E.1-3, students with the TOPS Opportunity, Performance and Honors Award participating in the program provided by R.S. 29:36.1 for persons serving in the Louisiana National Guard shall receive the tuition exemption as provided therein, plus a sum of \$300 per semester or \$600 per academic year to be applied toward the cost of books and other instructional materials. In addition, those students with the Performance Award shall receive \$400 per semester or \$800 per academic year for other educational expenses and those students with the Honors Award shall receive \$800 per semester or \$1,600 per academic year for other educational expenses. If a student attends an eligible summer session, quarter, term, or equivalent unit and requests that their TOPS Award be paid for that session, semester, quarter, term, or equivalent unit in accordance with this Paragraph, the amounts stipulated herein will also be paid since payment of a TOPS Award for a summer session, quarter, term, or equivalent unit will count toward the eight-semester limit for TOPS.

5. Students attending a regionally accredited independent college or university which is a member of the Louisiana Association of Independent Colleges and Universities (LAICU):

a. in an academic program receive an amount equal to the weighted average award amount, as defined in §301, plus any applicable stipend, prorated by two semesters, three quarters, or equivalent units in each academic year (college). The stipend will be paid for each qualified summer session, semester, quarter, or equivalent unit for which a TOPS

Award is paid. Attending a qualified summer session for which a TOPS Award is paid will count toward the eight semester limit for TOPS;

b. in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree receive an amount equal to the average award amount (TOPS-Tech), as defined in §301, plus any applicable stipend, prorated by two semesters, three quarters, or equivalent units in each academic year (TOPS). The stipend will be paid for each qualified summer session, semester, quarter, term or equivalent unit for which a TOPS Award is paid. Attending a qualified summer session for which a TOPS Award is paid will count toward the eight-semester limit for TOPS.

6. Recipients of TOPS Awards who are also beneficiaries of Student Tuition Assistance and Revenue Trust (START) Saving Program accounts, may apply the START disbursements to pay tuition, and any remaining tuition due may be paid by the TOPS Award. Any balance of the TOPS Award which remains after payment of the institution's charges, shall be credited to the student's account and treated in accordance with institutional policies. In the event the student's total aid, including vocational rehabilitation awards, exceeds the cost of attendance, any federal loan aid included in the total aid package shall be reduced, then institutional and other aid in accordance with institutional practice, then the TOPS Award shall be reduced by the amount of any remaining over award.

7. Students funded under the Tuition Assistance Plan (TAP) or the Louisiana Honors Scholarship during the 1997-98 award year, who have maintained eligibility for the 1998-99 award year, shall be continued as TOPS opportunity or performance recipients, respectively.

8. Students funded under the Tuition Assistance Plan (TAP) or the Louisiana Honors Scholarship Program during the 1997-98 award year, who lost eligibility due to their failure to maintain the required grade point average, shall be continued as TOPS Opportunity or Performance recipients, respectively, however, their eligibility for an award shall be suspended pending their satisfaction of the continuation requirements of §705.A.7 and 8. If a student satisfies the applicable requirements of §705.A.7 and 8 no later than the end of the 2000 spring semester, he/she shall be eligible for reinstatement of the award in accordance with §705.B, for the semester following the satisfaction of the requirements of §705.A.7 and 8.

9. Prior recipients of the Louisiana Honors Scholarship who attend a campus of the Louisiana Technical College may continue to attend that institution as a recipient of the TOPS Performance Award.

10. Award amounts shall be credited to a student's account with the institution and shall be used consistent with the institution's policy, and as directed by the student, to pay for those educational expenses included in the cost of attendance.

11. Students enrolled and attending more than one college or university at the same time shall be awarded as follows:

a. students attending two or more Louisiana public two- or four-year colleges or universities shall receive a total amount not to exceed the amount that would be charged to the student by the school with the highest award amount, as

defined in §301, among those at which the student is simultaneously enrolled;

b. students attending two or more regionally-accredited independent colleges or universities which are members of the Louisiana Association of Independent Colleges and Universities (LAICU) shall receive a total amount not to exceed the weighted average highest award amount paid at those schools at which the student is simultaneously enrolled, as defined in §301;

c. students attending a combination of Louisiana public two- or four-year colleges or universities and regionally accredited independent colleges or universities which are members of the Louisiana Association of Independent Colleges and Universities (LAICU) in an academic program shall receive a total amount not to exceed the amount that would be paid at the public school with the highest award amount paid at those schools at which the student is simultaneously enrolled or the weighted average award amount for the enrolled LAICU school, whichever amount is greater.

F. Beginning with the 2000-2001 academic year (TOPS) and continuing for the remainder of their program eligibility, students who meet each of the following requirements shall be awarded a stipend in the amount of \$200 per qualified summer session, semester, quarter, term, or equivalent unit for which tuition is paid which shall be in addition to the amount determined to equal the tuition charged by the public college or university attended or, if applicable, the amount provided for attendance at an eligible nonpublic college or university:

1. prior to June 18, 1999, the student was determined by the board to be eligible for a Performance Award, but who chose either by submission of a completed award confirmation form or by not sending in a completed award confirmation form to receive an Opportunity Award and was awarded an Opportunity Award; and

2. the student, once enrolled at an eligible institution, has continuously met all requirements to maintain continued state payment for a Performance Award.

G. Beginning with the 2000-2001 academic year (TOPS) and continuing for the remainder of their program eligibility, students who meet each of the following requirements shall be awarded a stipend in the amount of \$400 per qualified summer session, semester, quarter, term, or equivalent unit for which tuition is paid which shall be in addition to the amount determined to equal the tuition charged by the public college or university attended or, if applicable, the amount provided for attendance at an eligible nonpublic college or university:

1. prior to June 18, 1999, the student was determined by the board to be eligible for an Honors Award, but who chose either by submission of a completed award confirmation form or by not sending in a completed award confirmation form to receive an Opportunity Award and was awarded an Opportunity Award; and

2. the student, once enrolled at an eligible institution, has continuously met all requirements to maintain continued state payment for an Honors Award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance,

LR 22:338 (May 1996), amended LR 23:1645-1648 (December 1997), repromulgated LR 24:635 (April 1998), amended LR 24:1901 (October 1998), LR 25: 256 (February 1999), LR 26:67 (January 2000), LR 26:1262 (June 2000), LR 26:1995 (September 2000), LR 26:2000 (September 2000), repromulgated LR 27:1848 (November 2001), amended LR 28:447 (March 2002), LR 28:2331 (November 2002), LR 29:880 (June 2003), LR 29:2372 (November 2003), LR 30:1161 (June 2004), LR 31:2213 (September 2005), LR 35:228 (February 2009), LR 36:2854 (December 2010), LR 40:1002 (May 2014), LR 41:663 (April 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:504 (March 2018).

§703. Establishing Eligibility

A. To establish eligibility for a TOPS Opportunity, Performance or Honors Award, the student applicant must meet all of the following criteria:

1.a. for students graduating in academic year (high school) 2001-2002 and prior, be a United States citizen, provided however, that a student who is not a citizen of the United States but who is eligible to apply for such citizenship shall be deemed to satisfy the citizenship requirement, if within 60 days after the date the student attains the age of majority, the student applies to become a citizen of the United States and obtains such citizenship within one year after the date of the application for citizenship. Those students who are eligible for U.S. citizenship and who otherwise qualify for a TOPS Award, will continue to satisfy the citizenship requirements for a TOPS Award for one year after the date of the student's application for citizenship, at which time, if the student has not provided proof of U.S. citizenship to the Office of Student Financial Assistance, the student's TOPS Award will be suspended until such time as proof of citizenship is provided and canceled if such proof is not provided by May 1 of the following academic year (college). Students cancelled solely due to their failure to become a United States citizen within one year after the date of application shall be reinstated to their award if they are a United States citizen or a permanent resident as defined by the U.S. Citizenship and Immigration Services (USCIS) and were eligible to apply for United States citizenship when cancelled and have met the requirements for maintaining eligibility for the award;

b. for students graduating in academic years (high school) 2002-2003 through 2017-2018, be a United States citizen or be a permanent resident as defined by the U.S. Citizenship and Immigration Services (USCIS) and be eligible to apply for United States citizenship;

c. for students graduating in academic years (high school) 2018-2019 and later, be a United States citizen or an eligible noncitizen as defined in §301.

2. be a resident of Louisiana, as defined in §301; and

3. submit the completed free application for federal student aid (FAFSA) or on-line application in accordance with §501 by the applicable state aid deadline defined in §503 or §505; and

4. initially apply and enroll as a *first-time freshman* as defined in §301, unless granted an exception for cause by the board, in an *eligible college or university* defined in §301; and

a. if graduating from an eligible Louisiana public or BESE approved nonpublic high school or an eligible non-Louisiana high school or from an eligible out of country

high school, enroll not later than the semester or term, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from high school; or

b. if the student joins the United States Armed Forces within one year after graduating from an eligible Louisiana or an eligible non-Louisiana high school or from an eligible out of country high school, enroll not later than the semester, quarter or term, excluding summer semesters or sessions immediately following the one-year anniversary of the student's separation from active duty service, including all consecutive periods of reenlistment. Reenlistment at any time during the student's first enlistment shall be considered to be on or prior to the fifth anniversary of the date that the student graduated from high school; or

c. if the student is eligible under the provisions of §703.A.5.d or e, enroll not later than the semester or term, excluding summer semesters or sessions, immediately following the first anniversary of the date the student completes the home study program, which is deemed to be May 31; or

d. if the student is eligible under the provisions of §703.A.5.d or e, and joins the United States Armed Forces within one year of completion of the 12th grade of an approved home study program, enroll not later than the semester, quarter or term, excluding summer semesters or sessions immediately following the one-year anniversary of the student's separation from active duty service, including all consecutive periods of reenlistment. Reenlistment at any time during the student's first enlistment shall be considered to be on or prior to the fifth anniversary of the date that the student graduated from high school; or

e. if a 1996-97 graduate who is an otherwise eligible applicant, enroll as a full-time student during fall, 1998;

f. high school graduates of 1997 and 1998 who are otherwise eligible applicants attending ineligible schools for the 1998-99 academic year, may request a waiver from the board to enroll in an eligible school and accept the award no later than the 1999 fall semester by establishing to the satisfaction of the board that his/her failure to accept the award for the 1998-99 academic year was due to circumstances which could not be changed without the student or his family experiencing a significant, negative financial impact or which establish that it was not otherwise feasible to enroll in an eligible school due to the timing of the notification to the student of his/her eligibility for a TOPS Award. To apply for a waiver from the board, the student must submit a written request addressed to the Office of Student Financial Assistance, Attention: Scholarship and Grant Division, and submit documentation which clearly establishes the hardship which would have resulted had the student not attended the out-of-state college or university;

g. all students must apply for an award by July 1 of the academic year (high school) in which they graduate to establish their initial qualification for an award, except as provided by §503.D. For a student entitled to defer acceptance of an award under §703.A.4.b or d that student must apply by July 1 of the academic year (high school) in which the student graduates, except as provided by §503.D:

i. and, if enrolling in an academic program, must also apply by July 1 prior to the academic year (TOPS) in

which the student intends to first accept the award, and by July 1 of every year of eligibility thereafter, except as provided in §501.B; or

ii. and, if enrolling in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree, must also apply by the July 1 immediately after the start of the academic year (TOPS) in which the student intends to first accept the award, and by July 1 of every year of eligibility thereafter, except as provided in §501.B;

5.a. graduate from an eligible public or nonpublic Louisiana high school or non-Louisiana high school defined in §1701.A.1, 2, or 3; and

i.(a). for students graduating in academic year (high school) 2001-2002 and prior, at the time of high school graduation, an applicant must have successfully completed 16.5 units of high school course work documented on the student's official transcript as approved by the Louisiana Department of Education constituting a core curriculum as follows.

Units	Course
1	English I
1	English II
1	English III
1	English IV
1	Algebra I (1 unit) or Applied Algebra 1A and 1B (2 units)
1	Algebra II
1	Geometry, Trigonometry, Calculus or comparable Advanced Mathematics
1	Biology
1	Chemistry
1	Earth Science, Environmental Science, Physical Science, Biology II, Chemistry II, Physics, Physics II, or Physics for Technology
1	American History
1	World History, Western Civilization or World Geography
1	Civics and Free Enterprise (1 unit combined) or Civics (1 unit, nonpublic)
1	Fine Arts Survey; (or substitute 2 units performance courses in music, dance, or theater; or 2 units of studio art or visual art; or 1 elective from among the other subjects listed in this core curriculum)
2	Foreign Language, both units in the same language
1/2	Computer Science, Computer Literacy or Business Computer Applications (or substitute at least 1/2 unit of an elective course related to computers that is approved by the state Board of Elementary and Secondary Education (BESE); or substitute at least 1/2 unit of an elective from among the other subjects listed in this core curriculum); BESE has approved the following courses as computer related for purposes of satisfying the 1/2 unit computer science requirement for all schools (courses approved by BESE for individual schools are not included): Advanced Technical Drafting (1 credit) Computer/Technology Applications (1 credit) Computer Architecture (1 credit) Computer/Technology Literacy (1/2 credit) Computer Science I (1 credit) Computer Science II (1 credit) Computer Systems and Networking I (1 credit) Computer Systems and Networking II (1 credit) Desktop Publishing (1/2 credit) Digital Graphics and Animation (1/2 credit) Introduction to Business Computer Applications (1 credit) Multimedia Productions (1 credit) Technology Education Computer Applications (1 credit) Telecommunications (1/2 credit) Web Mastering (1/2 credit) Word Processing (1 credit) Independent Study in Technology Applications (1 credit)

(b). for students graduating in academic year (high school) 2002-2003 through 2003-2004, at the time of high school graduation, an applicant must have successfully completed 16.5 units of high school course work documented on the student's official transcript as approved by the Louisiana Department of Education constituting a core curriculum as follows.

Units	Course
1	English I
1	English II
1	English III
1	English IV
1	Algebra I (1 unit) or Applied Algebra 1A and 1B (2 units)
1	Algebra II
1	Geometry, Trigonometry, Calculus or comparable Advanced Mathematics
1	Biology
1	Chemistry
1	Earth Science, Environmental Science, Physical Science, Biology II, Chemistry II, Physics, Physics II, or Physics for Technology
1	American History
1	World History, Western Civilization or World Geography
1	Civics and Free Enterprise (1 unit combined) or Civics (1 unit, nonpublic)
1	Fine Arts Survey; (or substitute 2 units performance courses in music, dance, or theater; or 2 units of studio art or visual art; or 1 elective from among the other subjects listed in this core curriculum)
2	Foreign Language, both units in the same language
1/2	Computer Science, Computer Literacy or Business Computer Applications (or substitute at least 1/2 unit of an elective course related to computers that is approved by the state Board of Elementary and Secondary Education (BESE); or substitute at least 1/2 unit of an elective from among the other subjects listed in this core curriculum); BESE has approved the following courses as computer related for purposes of satisfying the 1/2 unit computer science requirement for all schools (courses approved by BESE for individual schools are not included): Advanced Technical Drafting (1/2 or 1 credit) Business Computer Applications (1/2 or 1 credit) Computer Applications or Computer/Technology Applications (1/2 or 1 credit) Computer Architecture (1/2 or 1 credit) Computer/Technology Literacy (1/2 or 1 credit) Computer Science I (1/2 or 1 credit) Computer Science II (1/2 or 1 credit) Computer Systems and Networking I (1/2 or 1 credit) Computer Systems and Networking II (1/2 or 1 credit) Desktop Publishing (1/2 or 1 credit) Digital Graphics & Animation (1/2 credit) Introduction to Business Computer Applications (1/2 or 1 credit) Multimedia Productions or Multimedia Presentations (1/2 or 1 credit) Technology Education Computer Applications (1/2 or 1 credit) Telecommunications (1/2 credit) Web Mastering or Web Design (1/2 credit) Word Processing (1/2 or 1 credit) Independent Study in Technology Applications (1/2 or 1 credit)

(c). for students graduating in academic year (high school) 2004-2005 through 2005-2006, at the time of high school graduation, an applicant must have successfully completed 16.5 units of high school course work documented on the student's official transcript as approved

by the Louisiana Department of Education constituting a core curriculum as follows.

Units	Course
1	English I
1	English II
1	English III
1	English IV
1	Algebra I (1 unit) or Applied Algebra 1A and 1B (2 units)
1	Algebra II
1	Geometry, Trigonometry*, Calculus or comparable Advanced Mathematics *Trigonometry cannot be used to fulfill this requirement for students graduating in Academic Year (High School) 2005-2006 and thereafter
1	Biology
1	Chemistry
1	Earth Science, Environmental Science, Physical Science, Biology II, Chemistry II, Physics, Physics II, or Physics for Technology
1	American History
1	World History, Western Civilization or World Geography
1	Civics and Free Enterprise (1 unit combined) or Civics (1 unit, nonpublic)
1	Fine Arts Survey; (or substitute 2 units performance courses in music, dance, or theater; or 2 units of studio art or visual art; or one elective from among the other subjects listed in this core curriculum)
2	Foreign Language, both units in the same language
1/2	Computer Science, Computer Literacy or Business Computer Applications (or substitute at least one-half unit of an elective course related to computers that is approved by the state Board of Elementary and Secondary Education (BESE); or substitute at least one-half unit of an elective from among the other subjects listed in this core curriculum); BESE has approved the following courses as computer related for purposes of satisfying the 1/2 unit computer science requirement for all schools (courses approved by BESE for individual schools are not included): Advanced Technical Drafting (1/2 or 1 credit) Business Computer Applications (1/2 or 1 credit) Computer Applications or Computer/Technology Applications (1/2 or 1 credit) Computer Architecture (1/2 or 1 credit) Computer Electronics I (1/2 or 1 credit) Computer Electronics II (1/2 or 1 credit) Computer/Technology Literacy (1/2 or 1 credit) Computer Science I (1/2 or 1 credit) Computer Science II (1/2 or 1 credit) Computer Systems and Networking I (1/2 or 1 credit) Computer Systems and Networking II (1/2 or 1 credit) Desktop Publishing (1/2 or 1 credit) Digital Graphics & Animation (1/2 credit) Introduction to Business Computer Applications (1/2 or 1 credit) Multimedia Productions or Multimedia Presentations (1/2 or 1 credit) Technology Education Computer Applications (1/2 or 1 credit) Telecommunications (1/2 credit) Web Mastering or Web Design (1/2 credit) Word Processing (1/2 or 1 credit) Independent Study in Technology Applications (1/2 or 1 credit)

(d). for students graduating in academic year (high school) 2006-2007, at the time of high school graduation, an applicant must have successfully completed 16.5 units of high school course work documented on the student's official transcript as approved by the Louisiana Department of Education constituting a core curriculum as follows.

Units	Course
1	English I
1	English II
1	English III
1	English IV
1	Algebra I (1 unit) or Applied Algebra 1A and 1B (2 units)
1	Algebra II
1	Geometry, Trigonometry*, Calculus or comparable Advanced Mathematics *Trigonometry cannot be used to fulfill this requirement for students graduating in Academic Year (High School) 2005-2006 and thereafter
1	Biology
1	Chemistry
1	Earth Science, Environmental Science, Physical Science, Biology II, Chemistry II, Physics, Physics II, or Physics for Technology
1	American History
1	World History, Western Civilization or World Geography
1	Civics and Free Enterprise (1 unit combined) or Civics (1 unit, nonpublic)
1	Fine Arts Survey; (or substitute 2 units performance courses in music, dance, or theater; or 2 units of studio art or visual art; or one elective from among the other subjects listed in this core curriculum)
2	Foreign Language, both units in the same language
1/2	Computer Science, Computer Literacy or Business Computer Applications (or substitute at least one-half unit of an elective course related to computers that is approved by the state Board of Elementary and Secondary Education (BESE); or substitute at least one-half unit of an elective from among the other subjects listed in this core curriculum); BESE has approved the following courses as computer related for purposes of satisfying the 1/2 unit computer science requirement for all schools (courses approved by BESE for individual schools are not included): Advanced Technical Drafting (1/2 or 1 credit) Business Computer Applications (1/2 or 1 credit) Computer Applications or Computer/Technology Applications (1/2 or 1 credit) Computer Architecture (1/2 or 1 credit) Computer Electronics I (1/2 or 1 credit) Computer Electronics II (1/2 or 1 credit) Computer/Technology Literacy (1/2 or 1 credit) Computer Science I (1/2 or 1 credit) Computer Science II (1/2 or 1 credit) Computer Systems and Networking I (1/2 or 1 credit) Computer Systems and Networking II (1/2 or 1 credit) Database Design and Programming (1/2 or 1 credit) Database Programming with PL/SQL (1/2 credit) Desktop Publishing (1/2 or 1 credit) Digital Graphics & Animation (1/2 credit) Digital Media I (1/2 or 1 credit) Digital Media II (1/2 or 1 credit) Introduction to Business Computer Applications (1/2 or 1 credit) Java Programming (1/2 or 1 credit) Multimedia Productions or Multimedia Presentations (1/2 or 1 credit) Technology Education Computer Applications (1/2 or 1 credit) Telecommunications (1/2 credit) Web Mastering or Web Design (1/2 credit) Word Processing (1/2 or 1 credit) Independent Study in Technology Applications (1/2 or 1 credit)

(e). beginning with the graduates of academic year (high school) 2007-2008 through 2012-13, at the time of high school graduation, an applicant must have successfully completed 17.5 units of high school course work that constitutes a core curriculum and is documented on the student's official transcript as approved by the Louisiana Department of Education as follows.

Units	Course
1	English I
1	English II
1	English III
1	English IV
1	Algebra I (1 unit) or Applied Algebra 1A and 1B (2 units)
1	Algebra II
1	Geometry, Calculus or comparable Advanced Mathematics
1	Biology
1	Chemistry
1	Earth Science, Environmental Science, Physical Science, Biology II, Chemistry II, Physics, Physics II, or Physics for Technology or Agriscience I and II (both for 1 unit; provided however, that such Agriscience unit shall not be considered a science elective for the purpose of the math or science elective requirement below)
1	An elective from among the following math subjects: Geometry, Calculus, Pre-Calculus, Algebra III, Probability and Statistics, Discrete Mathematics, Applied Mathematics III, Advanced Mathematics I [beginning with the 2008-2009 academic year (high school) this course is renamed Advanced Math – Pre-Calculus], Advanced Mathematics II [beginning with the 2008-2009 academic year (high school) this course is renamed Advanced Math – Functions and Statistics], Integrated Mathematics III or the following science subjects: Biology II, Chemistry II, Physics or Physics II
1	American History
1	World History, Western Civilization or World Geography
1	Civics and Free Enterprise (1 unit combined) or Civics (1 unit, nonpublic)
1	Fine Arts Survey; (or substitute 2 units performance courses in music, dance, or theater; or 2 units of studio art or visual art; or 1 elective from among the other subjects listed in this core curriculum)
2	Foreign Language, both units in the same language
1/2	Computer Science, Computer Literacy or Business Computer Applications (or substitute at least one-half unit of an elective course related to computers that is approved by the state Board of Elementary and Secondary Education (BESE) or substitute at least one-half unit of an elective from among the other subjects listed in this core curriculum). BESE has approved the following courses as computer related for purposes of satisfying the 1/2 unit computer science requirement for all schools (courses approved by BESE for individual schools are not included): Advanced Technical Drafting (1/2 or 1 credit) Business Computer Applications (1/2 or 1 credit) Computer Applications or Computer/Technology Applications (1/2 or 1 credit) Computer Architecture (1/2 or 1 credit) Computer Electronics I (1/2 or 1 credit) Computer Electronics II (1/2 or 1 credit) Computer/Technology Literacy (1/2 or 1 credit) Computer Science I (1/2 or 1 credit) Computer Science II (1/2 or 1 credit) Computer Systems and Networking I (1/2 or 1 credit) Computer Systems and Networking II (1/2 or 1 credit) Database Design and Programming (1/2 or 1 credit) Database Programming with PL/SQL (1/2 credit) Desktop Publishing (1/2 or 1 credit) Digital Graphics & Animation (1/2 credit) Digital Media I (1/2 or 1 credit) Digital Media II (1/2 or 1 credit) Introduction to Business Computer Applications (1/2 or 1 credit) Java Programming (1/2 or 1 credit) Multimedia Productions or Multimedia Presentations (1/2 or 1 credit) Technology Education Computer Applications (1/2 or 1 credit) Telecommunications (1/2 credit) Web Mastering or Web Design (1/2 credit) Word Processing (1/2 or 1 credit) Independent Study in Technology Applications (1/2 or 1 credit)

(f). beginning with the graduates of academic year (high school) 2013-14 through 2016-2017, at the time of high school graduation, an applicant must have successfully completed 19 units of high school course work that constitutes a core curriculum and is documented on the student's official transcript as approved by the Louisiana Department of Education as follows.

Units	Course
1	English I
1	English II
1	English III
1	English IV
1	Algebra I (1 unit) or Applied Algebra IA and IB (2 units)
1	Algebra II
2	Geometry, Calculus, Pre-Calculus, Algebra III, Probability and Statistics, Discrete Mathematics, Applied Mathematics III, Advanced Math – Pre-Calculus, Advanced Math – Functions and Statistics, Integrated Mathematics III
1	Biology
1	Chemistry
2	Earth Science, Environmental Science, Physical Science, Biology II, Chemistry II, Physics, Physics II, or Physics for Technology or Agriscience I and II (both for 1 unit)
1	American History
2	World History, Western Civilization, World Geography or History of Religion
1	Civics and Free Enterprise (1 unit combined) or Civics (1 unit)
1	Fine Arts Survey; (or substitute one unit of a performance course in music, dance, or theater; or substitute one unit of a visual art course; or substitute one unit of a studio art course; or substitute one unit of drafting)
2	Foreign Language, both units in the same language

(g). beginning with the graduates of academic year (high school) 2017-2018, at the time of high school graduation, an applicant must have successfully completed 19 units of high school course work that constitutes a core curriculum and is documented on the student's official transcript as approved by the Louisiana Department of Education as follows.

Units	Course
English - 4 Units	
1	English I
1	English II
1	English III, AP English Language Arts and Composition, or IB English III (Language A or Literature and Performance)
1	English IV, AP English Literature and Composition, or IB English IV (Language A or Literature and Performance)
Math - 4 Units	
1	Algebra I
1	Geometry
1	Algebra II
1	One unit from: Algebra III; Advanced Math- Functions and Statistics, Advanced Math-Pre-Calculus, Pre-Calculus, or Math Methods I IB (Mathematical Studies SL); Calculus, AP Calculus AB, or Math Methods II IB (Mathematics SL); AP Calculus BC; Probability and Statistics or AP Statistics; IB Further Mathematics HL; IB Mathematics HL
Science - 4 Units	
1	Biology I
1	Chemistry I

Units	Course
2	Two units from: Earth Science; Environmental Science; Physical Science; Agriscience I and Agriscience II (one unit combined); Chemistry II or AP Chemistry or IB Chemistry II; AP Environmental Science or IB Environmental Systems; Physics I, AP Physics B, or IB Physics I; AP Physics C: Electricity and Magnetism, AP Physics C: Mechanics, or IB Physics II; AP Physics I and AP Physics II; Biology II or AP Biology or IB Biology II
Social Studies - 4 Units	
1	U.S. History or AP U.S. History or IB U.S. History
1	Civics, Government, AP US Government and Politics: Comparative, or AP US Government and Politics: United States
2	Two units from: Western Civilization, European History or AP European History; World Geography, AP Human Geography, or IB Geography; World History, AP World History, or World History IB; History of Religion; IB Economics Economics, AP Macroeconomics AP Microeconomics
Foreign Language - 2 Units	
2	Foreign Language, both units in the same language, which may include: AP Chinese Language and Culture, AP French Language and Culture, AP German Language and Culture, AP Italian Language and Culture, AP Japanese Language and Culture, AP Latin, AP Spanish Language and Culture, French IV IB, French V IB, Spanish IV IB, and Spanish V IB
Art - 1 Unit	
1	One unit of Art from: Performance course in Music, Dance, or Theatre; Fine Arts Survey; Arts I, II, III, and IV; Talented Art I, II, III, and IV; Talented Music I, II, III, and IV; Talented Theater Arts I, II, III, and IV; Speech III and IV (one unit combined); AP Art History; AP Studio Art: 2-D Design; AP Studio Art: 3-D Design; AP Studio Art: Drawing; AP Music Theory; Film Study I IB; Film Study II IB; Music I IB; Music II IB; Art Design III IB; Art Design IV IB; Theatre I IB; or Drafting
NOTE: AP = Advanced Placement IB = International Baccalaureate	

ii.(a). For students graduating in academic year (high school) 2007-2008 and prior, for purposes of satisfying the requirements of §703.A.5.a.i above, or §803.A.6.a, the following courses shall be considered equivalent to the identified core courses and may be substituted to satisfy corresponding core courses.

Core Curriculum Course	Equivalent (Substitute) Course
Physical Science	General Science, Integrated Science
Algebra I	Algebra I, Parts 1 and 2, Integrated Mathematics I
Applied Algebra IA and IB	Applied Mathematics I and II
Algebra I, Algebra II and Geometry	Integrated Mathematics I, II and III
Algebra II	Integrated Mathematics II
Geometry	Integrated Mathematics III
Geometry, Trigonometry, Calculus, or Comparable Advanced Mathematics	Pre-Calculus, Algebra III, Probability and Statistics, Discrete Mathematics, Applied Mathematics III*, Advanced Mathematics I, Advanced Mathematics II
Chemistry	Chemistry Com
Fine Arts Survey	Speech Debate (2 units)
Western Civilization	European History
Civics	AP American Government
*Applied Mathematics III was formerly referred to as Applied Geometry	

(b). For students graduating in academic year (high school) 2006-2007 through the 2008-2009 academic year (high school), for purposes of satisfying the requirements of §703.A.5.a.i above, or §803.A.6.a, the following courses shall be considered equivalent to the identified core courses and may be substituted to satisfy corresponding core courses.

Core Curriculum Course	Equivalent (Substitute) Course
Physical Science	Integrated Science
Algebra I	Algebra I, Parts 1 and 2, Integrated Mathematics I
Applied Algebra IA and IB	Applied Mathematics I and II
Algebra I, Algebra II and Geometry	Integrated Mathematics I, II and III
Algebra II	Integrated Mathematics II
Geometry	Integrated Mathematics III
Geometry, Trigonometry, Calculus, or Comparable Advanced Mathematics	Pre-Calculus, Algebra III, Probability and Statistics, Discrete Mathematics, Applied Mathematics III*, Advanced Mathematics I [beginning with the 2008-2009 academic year (high school) this course is renamed Advanced Math - Pre-Calculus], Advanced Mathematics II [beginning with the 2008-2009 academic year (high school) this course is renamed Advanced Math -Functions and Statistics]
Chemistry	Chemistry Com
Fine Arts Survey	Speech III and Speech IV (both units)
Western Civilization	European History
World Geography	AP Human Geography
Civics	AP American Government
*Applied Mathematics III was formerly referred to as Applied Geometry	

(c). For students graduating in academic year (high school) 2009-2010, for purposes of satisfying the requirements of §703.A.5.a.i above, or §803.A.6.a, the following courses shall be considered equivalent to the identified core courses and may be substituted to satisfy corresponding core courses.

Core Curriculum Course	Equivalent (Substitute) Course
Physical Science	Integrated Science
Algebra I	Algebra I, Parts 1 and 2, Integrated Mathematics I, Applied Algebra I
Applied Algebra IA and IB	Applied Mathematics I and II

Core Curriculum Course	Equivalent (Substitute) Course
Algebra I, Algebra II and Geometry	Integrated Mathematics I, II and III
Algebra II	Integrated Mathematics II
Geometry	Integrated Mathematics III, Applied Geometry
Geometry, Trigonometry, Calculus, or Comparable Advanced Mathematics	Pre-Calculus, Algebra III, Probability and Statistics, Discrete Mathematics, Applied Mathematics III*, Advanced Math - Pre-Calculus**, Advanced Math - Functions and Statistics***
Chemistry	Chemistry Com
Fine Arts Survey	Speech III and Speech IV (both units)
Western Civilization	European History
World Geography	AP Human Geography
Civics	AP American Government
*Applied Mathematics III was formerly referred to as Applied Geometry	
**Advanced Math—Pre-Calculus was formerly referred to as Advanced Mathematics II	
***Advanced Math—Functions and Statistics was formerly referred to as Advanced Mathematics II	

(d).(i). For students graduating in academic year (high school) 2010-2011 through academic year (high school) 2016-17, for purposes of satisfying the requirements of §703.A.5.a.i above, or §803.A.6.a, the following courses shall be considered equivalent to the identified core courses and may be substituted to satisfy corresponding core courses.

Core Curriculum Course	Equivalent (Substitute) Course
Physical Science	Integrated Science
Algebra I	Algebra I, Parts 1 and 2, Integrated Mathematics I, Applied Algebra I
Applied Algebra IA and IB	Applied Mathematics I and II
Algebra I, Algebra II and Geometry	Integrated Mathematics I, II and III
Algebra II	Integrated Mathematics II
Geometry	Integrated Mathematics III, Applied Geometry
Geometry, Trigonometry, Calculus, or Comparable Advanced Mathematics	Pre-Calculus, Algebra III, Probability and Statistics, Discrete Mathematics, Applied Mathematics III*, Advanced Math - Pre-Calculus**, Advanced Math - Functions and Statistics***
Chemistry	Chemistry Com
Earth Science, Environmental Science, Physical Science, Biology II, Chemistry II, Physics, Physics II, or Physics for Technology or Agriscience I and II (both for 1 unit;	Anatomy and Physiology
Fine Arts Survey	Speech III and Speech IV (both units)
Western Civilization	European History
World Geography	AP Human Geography
Civics	AP American Government
*Applied Mathematics III was formerly referred to as Applied Geometry	
**Advanced Math—Pre-Calculus was formerly referred to as Advanced Mathematics II	
***Advanced Math—Functions and Statistics was formerly referred to as Advanced Mathematics II	

(ii). For students graduating in academic year (high school) 2013-2014 only, for purposes of satisfying the requirements of §703.A.5.a.i above, or §803.A.6.a, in addition to the equivalent courses identified in §703.A.5.a.ii.(d).(i) above, the following course shall be considered equivalent to the identified core courses and may be substituted to satisfy corresponding core courses.

Core Curriculum Course	Equivalent (Substitute) Course
World History, Western Civilization, World Geography or History of Religion	Law Studies

(iii). For students graduating in academic years (high school) 2013-2014 through 2016-2017, for purposes of satisfying the requirements of §703.A.5.a.i above, or §803.A.6.a, in addition to the equivalent courses identified in §703.A.5.a.ii.(d).(i) above, the following course shall be considered equivalent to the identified core courses and may be substituted to satisfy corresponding core courses.

Core Curriculum Course	Equivalent (Substitute) Course
Algebra III; Advanced Math-Functions and Statistics, Advanced Math-Pre-Calculus, Pre-Calculus, or Math Methods I IB (Mathematical Studies SL); Calculus, AP Calculus AB, or Math Methods II IB (Mathematics SL); AP Calculus BC; Probability and Statistics or AP Statistics; IB Further Mathematics HL; IB Mathematics HL	AP Computer Science A

(e). For students graduating in academic year (high school) 2017-2018 and after, for purposes of satisfying the requirements of §703.A.5.a.i above, or §803.A.6.a, the following courses shall be considered equivalent to the identified core courses and may be substituted to satisfy corresponding core courses.

Core Curriculum Course(s)	Equivalent (Substitute) Course
Algebra I, Geometry and Algebra II	Integrated Mathematics I, II and III
Art	Media Arts I-IV; Photography I, Photography II, and Digital Photography
Algebra III; Advanced Math- Functions and Statistics, Advanced Math-Pre-Calculus, Pre-Calculus, or Math Methods I IB (Mathematical Studies SL); Calculus, AP Calculus AB, or Math Methods II IB (Mathematics SL); AP Calculus BC; Probability and Statistics or AP Statistics; IB Further Mathematics HL; IB Mathematics HL	AP Computer Science A
Biology II	Human Anatomy and Physiology
Western Civilization, European History or AP European History; World Geography, AP Human Geography, or IB Geography; World History, AP World History, or World History IB; History of Religion; IB Economics Economics, AP Macroeconomics AP Microeconomics	AP Psychology

Core Curriculum Course(s)	Equivalent (Substitute) Course
Foreign Language, both units in the same language, which may include: AP Chinese Language and Culture, AP French Language and Culture, AP German Language and Culture, AP Italian Language and Culture, AP Japanese Language and Culture, AP Latin, AP Spanish Language and Culture, French IV IB, French V IB, Spanish IV IB, and Spanish V IB	Mandarin Chinese I, II, III, IV Hindi I, II, III, IV Portuguese I, II, III, IV Vietnamese I, II, III, IV
Any listed core course or its equivalent.	Any core curriculum course taken by a student who has been deemed to be gifted and talented pursuant to R.S. 17:1941 et seq. as implemented in state Board of Elementary and Secondary Education policy and in fulfillment of the student's Individualized Education Program shall be considered a gifted and talented course and shall fulfill the core curriculum requirement in its given subject area.

(f). For students graduating in academic year (high school) 2017-2018 and after, the courses listed in the tables below have been approved by the board and BESE to be converted to a 5.00 scale when used to complete the core curriculum, and shall be considered equivalent to the identified core courses and may be substituted to satisfy corresponding core courses for purposes of satisfying the requirements of §703.A.5.a.i above, or §803.A.6.a.

(i). Advanced Placement Courses

TOPS Core Course	Advanced Placement
Art	AP Art History AP Studio Art: 2-D Design AP Studio Art: 3-D Design AP Studio Art: Drawing
Biology II	AP Biology
Calculus	AP Calculus AB AP Calculus BC
Chemistry II	AP Chemistry
Chinese	AP Chinese Language and Culture
Economics	AP Macroeconomics AP Microeconomics
English III	AP English Language and Composition
English IV	AP English Literature and Composition
Environmental Science	AP Environmental Science
European History	AP European History
Fine Arts Survey	AP Music Theory
French	AP French Language and Culture
German	AP German Language and Culture
Italian	AP Italian Language and Culture
Japanese	AP Japanese Language and Culture
Latin	AP Latin

TOPS Core Course	Advanced Placement
Physics I	AP Physics I: Algebra Based AP Physics II: Algebra Based AP Physics C: Electricity and Magnetism AP Physics C: Mechanics
Probability and Statistics	AP Statistics
Spanish	AP Spanish Language and Culture
US Government or Civics	AP U.S. Government and Politics: Comparative AP U.S. Government and Politics: United States
US History	AP U.S. History
World Geography	AP Human Geography
World History	AP World History

(ii). International Baccalaureate® Courses

TOPS Core Course	International Baccalaureate
Advanced Math–Pre Calculus	IB Math Studies (Math Methods)
Arabic	IB Language ab initio: Arabic IB Language B: Arabic
Art	IB Visual Arts
Biology II	IB Biology I IB Biology II
Calculus	IB Mathematics SL IB Mathematics HL
Chemistry II	IB Chemistry I IB Chemistry II
Chinese	IB Language ab initio: Chinese IB Language B: Chinese
Economics	IB Economics
English III	IB Literature IB Language and Literature IB Literature and Performance
English IV	IB Literature IB Language and Literature IB Literature and Performance
Environmental Science	IB Environmental Systems
French	IB Language ab initio: French IB Language B: French
German	IB Language ab initio: German IB Language B: German
Italian	IB Language ab initio: Italian IB Language B: Italian
Japanese	IB Language ab initio: Japanese IB Language B: Japanese
Latin	IB Classical Language
Music (Performance)	IB Music
Physics I	IB Physics I IB Physics II
Pre-Calculus	IB Math Studies (Math Methods)
Spanish	IB Language ab initio: Spanish IB Language B: Spanish
Theatre (Performance)	IB Film Study IB Theatre IB Dance
US History	IB History of the Americas I
World Geography	IB Geography
World History	IB History of the Americas II

(iii). Gifted and Talented Courses

TOPS Core Course	Gifted and Talented
Art	Art History Talented Visual Arts I Talented Visual Arts II Talented Visual Arts III Talented Visual Arts IV

TOPS Core Course	Gifted and Talented
Biology II	Biology II
Calculus	Calculus I Calculus II
Chemistry I	Chemistry I
Chemistry II	Chemistry II
Chinese	Chinese III Chinese IV
Economics	Economics
English III	English III
English IV	English IV
Environmental Science	Environmental Science
European History	European History
French	French III French IV
German	German III German IV
Italian	Italian III Italian IV
Japanese	Japanese III Japanese IV
Latin	Latin III Latin IV
Music (Performance)	Talented Music I, II, III, IV Small Voice Ensemble II Choir: Intermediate Choir: Advanced Orchestra: Intermediate Orchestra: Advanced
Physics I	Physics
Spanish	Spanish III Spanish IV
Theatre (Performance)	Introduction to Film Studies Talented Theater I, II, III, IV
US Government or Civics	Government
US History	U.S. History
World Geography	World/Human Geography

(iv). Dual Enrollment Courses

TOPS Core Course	Dual Enrollment	
	Common Course Name	Common Course Code
Advanced Math-Pre Calculus	Trigonometry	CMAT 1223
Advanced Math-Functions and Statistics	Introductory Statistics	CMAT 1303
Algebra III	College Algebra	CMAT 1213
Arabic	Elementary Arabic I Elementary Arabic II	CARB 1013/1014 CARB 1023/1024
Art	Art History I or II Art Structure/2-D Design Beginning Drawing	CART 2103/2113 CART 1113 CART 2203
Biology I	General Biology I General Biology I (Science Majors)	CBIO 1013 CBIO 1033
Biology II	General Biology I General Biology I (Science Majors) General Biology II General Biology II (Science Majors)	CBIO 1013 CBIO 1033 CBIO 1023 CBIO 1043
Calculus	Applied Calculus Calculus I Calculus II	CMAT 2103 CMAT 2113-5 CMAT 2123-5

TOPS Core Course	Dual Enrollment	
	Common Course Name	Common Course Code
Chemistry I	General Chemistry Survey I Chemistry I Chemistry I (Science Majors)	CCEM 1013 CCEM 1103 CCEM 1123
Chemistry II	General, Organic and Biochemistry General Chemistry Survey I Chemistry I Chemistry I (Science Majors) Chemistry II Chemistry II (Science Majors)	CCEM 1003 CCEM 1013 CCEM 1103 CCEM 1123 CCEM 1113 CCEM 1133
Earth Science	Physical Geology Historical Geology	CGEO 1103 CGEO 1113
Economics	Economic Principles Macroeconomics Microeconomics	CECN 2113 CECN 2213 CECN 2223
English III	English Composition I English Composition II American Literature I American Literature II Major American Writers	CENL 1013 CENL 1023 CENL 2153 CENL 2163 CENL 2173
English IV	English Composition I English Composition II British Literature I British Literature II Major British Writers World Literature I World Literature II Major World Writers Introduction to Fiction Introduction to Literature Introduction to Poetry and/or Drama	CENL 1013 CENL 1023 CENL 2103 CENL 2113 CENL 2123 CENL 2203 CENL 2213 CENL 2223 CENL 2303 CENL 2323 CENL 2313
Environmental Science	Environmental Science	CEVS 1103
Fine Arts Survey	Exploring the Arts Introduction to Visual Arts Dance Appreciation Music Appreciation	CART 1013 CART 1023 CDNC 1013 CMUS 1013
French	Elementary French I Elementary French II Intermediate French I Intermediate French II	CFRN 1013/1014 CFRN 1023/1024 CFRN 2013/2014 CFRN 2023
German	Elementary German I Elementary German II Intermediate German I Intermediate German II	CGRM 1013/1014 CGRM 1023/1024 CGRM 2013 CGRM 2023
History Of Religion	World Religions	CPHL 2213
Latin	Elementary Latin I Elementary Latin II Intermediate Latin I Intermediate Latin II	CLTN 1013/1014 CLTN 1023/1024 CLTN 2013 CLTN 2023
Physical Science	Physical Science I	CPHY 1023
Physics I	Physics I (Algebra/Trigonometry Based) Physics I (Lecture and Lab) Physics I (Calculus Based)	CPHY 2113 CPHY 2114 CPHY 2133
Pre-Calculus	Algebra and Trigonometry	CMAT 1233
Probability and Statistics	Introductory Statistics	CMAT 1303
Spanish	Elementary Spanish I Elementary Spanish II Intermediate Spanish I Intermediate Spanish II	CSPN 1013/1014 CSPN 1023/1024 CSPN 2013/2014 CSPN 2023

TOPS Core Course	Dual Enrollment	
	Common Course Name	Common Course Code
Theatre (Performance)	Acting I or II Introduction to Theatre	CTHE 2103/2113 CTHE 1013
US Government or Civics	Introduction to American Government Introduction to State and Local Government Introduction to Comparative Government	CPOL 2013 CPOL 2113 CPOL 2213
US History	American History I or II	CHIS 2013/2023
Western Civilization	Western Civilization I or II	CHIS 1013/1023
World Geography	World Regional Geography	CGRG 2113
World History	World Civilization I or II	CHIS 1113/1123

iii.(a). Through academic year (high school) 2011-2012, for purposes of satisfying the requirements of §703.A.5.a.i above, in addition to the courses identified in §703.A.5.a.ii, the following courses shall be considered equivalent to the identified core courses and may be substituted to satisfy corresponding core courses for students of the Louisiana School for Math, Science and the Arts.

Core Curriculum Course	Equivalent (Substitute) Course
English III	EN 210 Composition/Major Themes in Literature (1 unit)
English IV	Any 2 of the following 1/2 unit courses: EN 311 Readings in Literature (at least one 311 course is a requirement) EN 311A American Literature EN 311B British Literature EN 302 Studies in the English Language EN 304 Topics in American and British Literature EN 312 Studies in Poetry EN 314 Readings in World Literature EN 322 Studies in Fiction EN 332 Introduction to Film Studies EN 342 Studies in Modern Drama EN 401 Creative Writing EN 402 Expository Writing EN 412 Studies in a Major Author—Shakespeare EN 422 Studies in a Major Author—Faulkner IS 314 Dramatic Text and Performance IS 315 Literature and Science IS 317 Evolution and Literature IS 318 Sacred Literature IS 411 English Renaissance
Algebra I (one unit)	Any combination of advanced math courses which equal 1 unit of course credit that are certified by the school to be equivalent of Algebra I
Algebra II (one unit)	Any combination of advanced math courses which equal 1 unit of course credit that are certified by the school to be equivalent of Algebra II: MA 120 College Algebra (1 unit), or MA 121 Accelerated College Algebra (1/2 unit) and 1/2 unit of MA 203 Trigonometry
Physics	PH 110L Conceptual Physics (1 unit), or PH 210L General Physics (1 unit), or PH 250L Advanced Placement Physics (1 unit), or PH 310L Physics with Calculus

Core Curriculum Course	Equivalent (Substitute) Course
Biology II	BI 210L Advanced Placement Biology (1 unit), or BI 231L Microbiology (1/2 unit), and BI 241 Molecular and Cellular Biology (1/2 unit)
Civics (1/2 unit) and Free Enterprise (1/2 unit)	AH 243 American Government and Politics (1/2 unit), and SS 113 Economics (1/2 unit)
Western Civilization	EH 121 Ancient and Medieval History (1/2 unit) and EH 122 Modern History (1/2 unit)
*Applied Mathematics III was formerly referred to as Applied Geometry **Advanced Math—Pre-Calculus was formerly referred to as Advanced Mathematics II ***Advanced Math—Functions and Statistics was formerly referred to as Advanced Mathematics II	

(b). Beginning with the academic year (high school) 2011-2012, for purposes of satisfying the requirements of §703.A.5.a.i above, in addition to the courses identified in §703.A.5.a.ii, the following courses shall be considered equivalent to the identified core courses and may be substituted to satisfy corresponding core courses for students of the Louisiana School for Math, Science and the Arts.

Core Curriculum Course	Equivalent (Substitute) Course
English II	EN 110 Introduction to Writing and Literature (1 unit)
English III	EN 210 Composition/ Literature (1 unit)
English III	1/2 unit EN 311A and 1/2 unit from any of the following 1/2 unit courses: EN 302 Studies in the English Language EN 304 Topics in American and British Lit EN 314 Readings in World Literature EN 322 Studies in Fiction EN 332 Introduction to Film Studies EN 342 Studies in Modern Drama EN 401 Creative Writing EN 402 Expository Writing EN 412 Studies in a Major Author— Shakespeare EN 422 Studies in a Major Author— Faulkner IS 314 Dramatic Text and Performance IS 315 Literature and Science IS 317 Evolution and Literature IS 318 Sacred Literature IS 411 English Renaissance
English IV	1/2 unit EN 311B or EN 311W and 1/2 unit from any of the following 1/2 unit courses: EN 302 Studies in the English Language EN 304 Topics in American and British Lit EN 314 Readings in World Literature EN 322 Studies in Fiction EN 332 Introduction to Film Studies EN 342 Studies in Modern Drama EN 401 Creative Writing EN 402 Expository Writing EN 412 Studies in a Major Author— Shakespeare EN 422 Studies in a Major Author— Faulkner IS 314 Dramatic Text and Performance IS 315 Literature and Science IS 317 Evolution and Literature IS 318 Sacred Literature IS 411 English Renaissance
Advanced Math	Any combination of advanced math courses which equal 1 unit of course credit that are certified by the school to be equivalent of Advanced Math

Core Curriculum Course	Equivalent (Substitute) Course
Algebra I (one unit)	Any combination of advanced math courses which equal 1 unit of course credit that are certified by the school to be equivalent of Algebra I
Algebra II (one unit)	Any combination of advanced math courses which equal 1 unit of course credit that are certified by the school to be equivalent of Algebra II: MA 120 College Algebra (1 unit), or MA 121 Accelerated College Algebra (1/2 unit) and 1/2 unit of MA 203 Trigonometry
Biology II	Any combination of 1/2 unit Biology Lab science courses which equal 1 unit of course credit that are certified by the school to be equivalent of Biology II: BI 210L Cells and Genetics and BI 202L Evolution and Biodiversity (1 unit combined), or 1 unit from the following 1/2 unit courses: BI 231L Microbiology BI 253L Botany BI 246L Ecology
Chemistry II	Any combination of 1/2 unit Chemistry lab science courses which equal 1 unit of course credit that are certified by the school to be the equivalent of Chemistry II: CH 201L and CH 202L (1 unit combined) or 1 unit from the following 1/2 unit courses: CH 313L Analytical Chemistry, CH 314L Polymer Chemistry
Physics I	PH 101L and PH 102L Accelerated Physics I (1 unit combined), or PH 201L and PH 202L Accelerated Physics II (1 unit combined)
Physics II	Any combination of 1/2 unit Physics lab science courses which equal 1 unit of course credit that are certified by the school to be the equivalent of Physics II, or PH 301L and PH 302L (1 unit combined) or 1 unit from the following 1/2 unit courses: PH 203L Intro to Astronomy; PH 303L Observational Astronomy and Astrophotography PH 305L Electronics PH 306L Astrophysics
Civics (1/2 unit) and Free Enterprise (1/2 unit)	AH 243 American Government and Politics (1/2 unit) and SS 113 Economics (1/2 unit)
Western Civilization	EH 121 Ancient and Medieval History (1/2 unit) and EH 122 Modern History (1/2 unit)
Advanced Social Studies	Any combination of history courses certified by the school to be the equivalent of one unit of World History, World Geography, Western Civilization, AP European History: 1 unit of credit from the following 1/2 unit courses: EH 231 History of Tudor-Stuart England EH 232 History of Modern Britain EH 244A European Intellectual History WH 244 Selected Topics in World History

iv. Beginning with academic year (high school) 2013-2014, for purposes of satisfying the requirements of §703.A.5.a.i above, in addition to the courses identified in §703.A.5.a.ii, the following courses shall be considered

equivalent to the identified core courses and may be substituted to satisfy corresponding core courses for students of the New Orleans Center for Creative Arts.

Core Curriculum Course	Equivalent (Substitute) Course
English I	NOCCA Integrated English I
English II	NOCCA Integrated English II
English III	NOCCA Integrated English III
English IV	NOCCA Integrated English IV
Algebra I	NOCCA Integrated Mathematics I
Geometry	NOCCA Integrated Mathematics II
Algebra II	NOCCA Integrated Mathematics III
Advanced Math—Functions and Statistics	NOCCA Integrated Mathematics IV
Physical Science	NOCCA Integrated Science I
Biology	NOCCA Integrated Science II
Environmental Science	NOCCA Integrated Science III
Chemistry	NOCCA Integrated Science IV
World Geography	NOCCA Integrated History I
Civics	NOCCA Integrated History III
World History	NOCCA Integrated History II
U. S. History	NOCCA Integrated History IV

b. graduate from an eligible public or nonpublic Louisiana high school or non-Louisiana high school defined in §1701.A.3 and have completed the core curriculum defined in §703.A.5.a.i, unless the following exceptions apply:

i. for students in graduating classes prior to the year 2004, one or more core units are waived based upon a sworn affidavit by the principal or headmaster or authorized designee that the course was not available to the student at the school attended;

ii. for a *disabled student* or an *exceptional child*, as defined in §301, who have met the criteria set forth in §2115, one or more core units are waived; or

c. graduate from an out-of-state public or private high school approved by the chief state and territorial school officer (or the state agency which is the equivalent of Louisiana's Board of Elementary and Secondary Education) of the state in which the school is located (see §1701.A.4); or

d.i. successfully complete at the 12th grade level a home study program approved by BESE; or

ii. if ever was enrolled in a Louisiana public or nonpublic school approved by BESE, successfully completed at least the 11th and 12th grade levels of a home study program approved by BESE; and

iii. if having previously attended a Louisiana public high school, a Louisiana nonpublic high school, or an approved non-Louisiana high school, has provided the board with certification by the previously attended high school that said student was in good standing at the time the student last attended such school; or

e. graduate from a high school defined in §1701.A.5 or successfully complete at the 12th grade level a home study program approved by BESE and conducted outside the United States and its territories; or

f.i. for students graduating in academic years (high school) 2000-2001 and 2001-2002, successfully complete a minimum of 10 units in honors courses graded on a 5.00 scale and graduate from an eligible public or nonpublic Louisiana high school or non-Louisiana high school defined

in §1701.A.1, 2, or 3 and have completed the core curriculum defined in §703.A.5.a.i; or

ii. for students graduating academic year (high school) 2002-2003 through 2005-2006, successfully complete a minimum of 10 units in honors curriculum courses used to satisfy the core curriculum requirement and graded on a 4.00 or higher scale and graduate from an eligible public or nonpublic Louisiana high school or non-Louisiana high school defined in §1701.A.1, 2, or 3. and have completed the core curriculum defined in §703.A.5.a.i; or

g. beginning with the 2004-2005 award year, eligible non-graduates who meet the following criteria:

i.(a). through the 2017-2018 academic year high school, be a United States citizen or be a permanent resident as defined by the United States Citizenship and Immigration Services and be eligible to apply for United States citizenship;

(b). beginning the 2018-2019 academic year (high school) and later, be a United States citizen or an *eligible noncitizen* as defined in §301;

ii. meet the requirements of §703.A.3, above; and

iii. actually reside in Louisiana for at least two years prior to the student's first enrollment in an eligible college or university; and

iv. as certified by a psychologist or psychiatrist licensed to practice in Louisiana, the student has a score that is at least in the superior range on the *Wechsler Intelligence Scale for Children* (Third Edition) or revised version of such instrument in accordance with R.S. 17:5029(D); and

v. as certified by a psychologist or psychiatrist licensed to practice in Louisiana, the student has a composite score that is at least at the ninetieth percentile at the 12th grade level in the reading, mathematics, and written language portions of the *Wechsler Individual Achievement Test* (Second Edition) or revised version of such test in accordance with R.S. 17:5029(D); and

vi. prior to enrolling for the first time in an eligible college or university, the student's score on the ACT must meet the requirements of §703.A.6.a., as specified for the respective award, or have an equivalent score on the scholastic aptitude test; and

vii. before the student's 19th birthday:

(a). enrolls in an eligible college or university and successfully earns 12 hours of course credits; and

(b). enrolls in an eligible college or university as a full-time student to pursue an academic undergraduate degree at the baccalaureate level; and

viii. after meeting all the requirements in §703.A.5.g.i through vi, the student will qualify for a TOPS Award;

6. have achieved an ACT score, as defined in §301 of at least:

a. if qualifying under the terms of §703.A.5.a, b, or g:

i. the state's reported prior year ACT composite average, truncated to a whole number, but never less than 20 for the Opportunity Award; or

ii. a 23 for the Performance Award; or

iii. a 27 for the Honors Award; or

b. if qualifying under §703.A.5.c:

i. is a *Louisiana resident*, except as defined in Subparagraph h of the definition of *Louisiana resident* in §301:

(a). the state's reported prior year average truncated to a whole number plus 3 points, but never less than 23 for the Opportunity Award; or

(b). a 26 for the Performance Award; or

(c). a 30 for the Honors Award; and

ii. is a Louisiana resident as defined in Subparagraph h of the definition of *Louisiana resident* in §301:

(a). the state's reported prior year average truncated to a whole number plus 2 points, but never less than 22 for the Opportunity Award; or

(b). a 25 for the Performance Award; or

(c). a 29 for the Honors Award; and

c.i. if completed the 12th grade level of an approved home study program during or before the academic year (high school) 2003-2004 and qualifying under §703.A.5.d;

(a). the state's reported prior year average truncated to a whole number plus 3 points, but never less than 23 for the Opportunity Award; or

(b). a 26 for the Performance Award; or

(c). a 30 for the Honors Award; and

ii. if completed the 12th grade level of an approved home study program during or after academic year (high school) 2004-2005 and through academic year (high school) 2006-2007 and qualifying under §703.A.5.d;

(a). the state's reported prior year average, truncated to a whole number plus 2 points, but never less than 22 for the Opportunity Award; or

(b). a 25 for the Performance Award; or

(c). a 29 for the Honors Award; and

iii. if completed the 12th grade level of an approved home study program during or after the academic year (high school) 2007-2008 and after, and qualifying under §703.A.5.d;

(a). the state's reported prior year average, truncated to a whole number, plus 2 points, but never less than 22 for the Opportunity Award; or

(b). a 24 for the Performance Award; or

(c). a 28 for the Honors Award; and

d.i. if qualifying under §703.A.5.e by graduating from a high school defined in §1701.A.5; which is limited to the Opportunity Award only; the state's reported prior year average, truncated to a whole number, plus 3 points, but never less than 23;

ii. if qualifying under §703.A.5.e by successfully completing the 12th grade level a home study program approved by BESE and conducted outside the United States and its territories during or before the academic year (high school) 2003-2004 or during or after the academic year (high school) 2008-2009; which is limited to the Opportunity Award only; the state's reported prior year average, truncated to a whole number, plus 3 points, but never less than 23;

iii. if qualifying under §703.A.5.e by successfully completing the 12th grade level a home study program approved by BESE and conducted outside the United States and its territories during or after the academic year (high school) 2004-2005 and through the academic year (high school) 2007-2008; which is limited to the Opportunity

Award only; the state's reported prior year average plus 2 points, rounded, but never less than 22;

e. if qualifying under §703.A.5.f; which is limited to the Performance Award only; a 24; and

7. not have a criminal conviction, except for misdemeanor traffic violations, and if the student has been in the United States Armed Forces and has separated from such service, has received an honorable discharge or general discharge under honorable conditions; and

8. agree that awards will be used exclusively for educational expenses.

B. Students qualifying:

1. under §703.A.5.a and b during or before academic year (high school) 2006-2007, must have attained a cumulative high school grade point average, based on a 4.00 maximum scale, of at least:

a. a 2.50 for the Opportunity Award; or

b. a 3.50 for the Performance or Honors Awards;

2. under §703.A.5.a and b during or after academic year (high school) 2007-2008, must have attained a cumulative high school grade point average, based on a 4.00 maximum scale, of at least:

a. a 2.50 for the Opportunity Award; or

b. a 3.00 for the Performance or Honors Awards;

3. under §703.A.5.a and b in academic year (high school) 2020-2021 must have attained a TOPS cumulative high school grade point average, based on a 4.00 maximum scale, of at least:

a. a 2.50 for the Opportunity Award; or

b. a 3.25 for the Performance Award; or

c. a 3.50 for the Honors Award;

4. under §703.A.5.f and graduating in academic year (high school) 2000-2001 through 2005-2006, must have attained a TOPS cumulative high school grade point average, based on a 4.00 maximum scale, of at least a 3.00 for the Performance Award.

C. Students qualifying under §703.A.5.a and b, for the Performance Award only, must be certified as graduating in the top 5 percent of the 1997-98 high school graduating class, as defined in §1703.B.4, in lieu of completing the core curriculum.

D. Students who have qualified academically for more than one of the TOPS Awards, excluding the TOPS Teacher Award, shall receive the award requiring the most rigorous eligibility criteria.

E. Students graduating in academic years 1996-97 and 1997-98 who qualified by reduction of the foreign language requirement must provide the board a copy of their college transcript showing completion of one or more foreign language courses. Eligibility for an award is not established until receipt of the transcript verifying that the foreign language credit was earned and the student shall first be awarded for the semester or term following that in which eligibility was established. Under this provision, eligibility must be established not later than the conclusion of the 1998-99 award year. High school graduates of 1996-97 and 1997-98 who meet the requirements of §703.A.4.b or d or §803.A.4.b or d of these rules and who have not been discharged with an undesirable, bad conduct or dishonorable discharge must meet the foreign language requirement no later than one year after the date of separation from active duty.

F. In the event that a student applicant was determined ineligible by the board for an award under this program or for a higher level award than that initially offered the student and such determination was based upon data that was subsequently found to be in error, then the student's eligibility shall be reevaluated based upon the corrected data and, if found eligible, the student shall be offered the award for which he qualifies. The award shall begin with the academic year during which the reevaluation occurred and eligibility first established. The requirement that a student be a first-time freshman shall be waived for those students who are determined eligible under these circumstances subsequent to the commencement of their post-secondary education.

G. Early Admission to College

1. A student who enters an eligible college or university under an early admissions program prior to high school graduation will be eligible for an appropriate award under the following conditions.

a. The college early admissions program is one that meets the requirements of the Louisiana Department of Education as set forth in the latest edition of Bulletin 741.

b. The student has satisfied all core curriculum requirements not completed in high school by making passing scores on equivalent college courses.

c. The college courses taken to satisfy core curriculum requirements and the grades reported on those courses are reflected in the student's official high school records. The student is awarded a high school diploma and the grade point average and core curriculum are certified to the board by the high school in the same manner as that of other high school graduates.

d. The student's core curriculum requirements are completed no later than the conclusion of the first two semesters or three quarters of college attendance following entrance into the college early admissions program.

2. A student who enters an eligible college or university early admissions program prior to graduation from high school shall be considered a *first-time freshman*, as defined in §301, not earlier than the first semester following the academic year (high school) in which the student graduated. A student who enters an early admissions program will remain eligible for a TOPS Award until the semester or term, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student actually graduated.

H. Returning Students

1. A *returning student*, as defined in §301, is eligible for a TOPS Award if:

a. he submits an application to return from an out-of-state college that includes:

i. the name of the Louisiana school in which he has enrolled or will enroll; and

ii. his official transcripts from all out-of-state colleges and universities attended; and

b. he met all the requirements to maintain his award that would have been applicable had the student enrolled in an eligible college or university during the time the student was enrolled in an out-of-state college or university; and

c. he enrolled in an eligible college or university no later than the next semester or term, excluding summer sessions and intersessions, immediately following the last

semester he was enrolled in the out-of-state college or university.

2. A returning student who fails to enroll by the deadline established in §703.A.4 or to maintain full-time enrollment or to earn 24 hours during an academic year (TOPS) while enrolled in an out-of-state college or university, shall not be eligible for a TOPS Award unless granted an exception in accordance with §2103.

3. The period of eligibility of a returning student shall be reduced by each semester or term the student was enrolled in an out-of-state college or university.

I. Deaf and Hard-of-Hearing Students. Any student who graduates from high school or completes an approved home study program during and after academic year (high school) 2004-2005 and who is eligible for a TOPS Opportunity, Performance, or Honors Award may use the award at an out-of-state college or university if all the following conditions are met:

1. the college or university is nonpublic; and

2. the college or university is accredited by a regional accrediting organization recognized by the United States Department of Education; and

3. all programs and services at the college or university are specifically designed to accommodate deaf and hard-of-hearing students; and

4. deaf and hard-of-hearing students comprise the majority of students enrolled at the college or university at the undergraduate level; and

5. the award recipient meets the admission requirements of the college or university that are applicable to deaf and hard-of-hearing students; and

6. the award recipient must enroll as first-time freshman as defined in §301, unless granted an exception for cause by the board, in the out-of-state college or university by the deadlines established in §703.A.4; and

7. the award recipient must meet the requirements of §705 to continue receiving the TOPS Opportunity, Performance or Honors Awards; and

8. the college or university complies with the requirements for postsecondary institutions provided in §1903.

J. Natural Disaster Initial Eligibility Requirements

1. To establish eligibility for a TOPS Opportunity, Performance or Honors Award, a displaced student graduating from high school or completing a BESE approved home study program at the 12th grade level during the 2005-2006, 2006-2007, 2007-2008, and 2008-2009 academic years (high school) must meet all of the requirements of §703.A-I.8 above, except as follows.

a. A displaced student who has been certified by the principal or headmaster to have graduated during the 2005-2006, 2006-2007, 2007-2008, and 2008-2009 school years from an out-of-state high school that meets the criteria of an eligible out-of-state high school as provided in §1701.A.4 and 5 shall not be required to have for the respective awards a higher minimum composite score on the ACT or on the scholastic aptitude test than required for a student who graduates from an eligible Louisiana high school provided such student has, for an Opportunity Award, a cumulative high school grade point average on all courses on the high school transcript of at least 2.50 calculated on a 4.00 scale or, for a Performance or Honors Award, a cumulative high

school grade point average on all courses on the high school transcript of at least 3.50 calculated on a 4.00 scale.

b. The requirement that a student who graduates from an eligible Louisiana high school during the 2005-2006, 2006-2007, 2007-2008, and 2008-2009 school years must have successfully completed the applicable core curriculum shall be waived for a displaced student based upon a sworn affidavit by the student's high school principal or headmaster or authorized designee that failure to comply with such requirement is due solely to the fact that the required course or courses were not available to the student at the school attended.

c. A displaced student shall be deemed to meet the Louisiana residency requirement if:

i. such dependent or independent student actually resided in Louisiana during the entire 2004-2005 academic year (high school) and was enrolled for such time in an eligible Louisiana high school and graduated from high school during the 2005-2006, 2006-2007, 2007-2008, or 2008-2009 academic year (high school); or

ii. such dependent student has a parent or court-ordered custodian who actually resided in a parish listed in §703.J.2.a below for at least the 12 months prior to August 26, 2005, or in a parish listed in §703.J.2.b below for at least the 12 months prior to September 20, 2005.

d. A dependent student who graduated from an eligible out-of-state high school shall be deemed to meet the Louisiana residency requirement if his parent or court-ordered custodian was displaced as a resident from a parish listed:

i. in §703.J.2.a below due to Hurricane Katrina and such parent or court-ordered custodian actually resided in Louisiana for at least the 12 months prior to August 26, 2005; or

ii. in §703.J.2.b below due to Hurricane Rita and such parent or court-ordered custodian actually resided in Louisiana for at least the 12 months prior to September 20, 2005.

e. A displaced student who during the 2005-2006, 2006-2007, 2007-2008, and 2008-2009 academic years (high school) successfully completes at the 12th grade level a home study program approved by BESE shall not be required to have also completed the 11th grade level of an approved home study course.

2. For the purposes of this Subsection, *displaced student* means:

a. a student who on August 26, 2005, was actually residing in Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Tammany, Tangipahoa, or Washington Parish and:

i. was enrolled in an eligible Louisiana high school as provided in §1701.A.1, 2 and 3; or

ii. was enrolled in a home study program approved by BESE; or

b. a student who on September 20, 2005, was actually residing in Acadia, Allen, Beauregard, Calcasieu, Cameron, Iberia, Jefferson Davis, St. Mary, Terrebonne, or Vermilion Parish and:

i. was enrolled in an eligible Louisiana high school as provided in §1701.A.1, 2 and 3; or

ii. was enrolled in a home study program approved by BESE.

3. To establish eligibility for a TOPS Opportunity, Performance or Honors Award, a displaced student graduating from an eligible Louisiana high school or completing a BESE approved home study program at the 12th grade level during the 2006-2007 academic year (high school) must meet all of the requirements of §703.A-I.8 above, except as follows.

a. The requirement that a student who graduates from an eligible Louisiana high school during the 2006-2007 academic year (high school) must have successfully completed the applicable core curriculum shall be waived for a displaced student based upon a sworn affidavit by the student's high school principal or headmaster or authorized designee that failure to comply with such requirement is due solely to the fact that the required course or courses were not available to the student at the school attended.

b. A displaced student shall be deemed to meet the Louisiana residency requirement if:

i. such dependent or independent student actually resided in Louisiana during his entire 10th grade year of high school and was enrolled for such time in an eligible Louisiana high school; or

ii. such dependent student has a parent or court-ordered custodian who actually resided in a parish listed in §703.J.2.a above for at least the 12 months prior to August 26, 2005, or in a parish listed in §703.J.2.b above for at least the 12 months prior to September 20, 2005.

4. To establish eligibility for a TOPS Opportunity, Performance or Honors Award, a displaced student who has been certified by the principal or headmaster to have graduated during the 2006-2007 school year from an out-of-state high school that meets the criteria of an eligible out-of-state high school as provided in §1701.A.4 and 5 and receives a Louisiana distance diploma from the Board of Elementary and Secondary Education must meet all of the requirements of §703.A-I.8 above, except as follows.

a. A displaced student shall not be required to have for the respective awards a higher minimum composite score on the ACT or on the scholastic aptitude test than required for a student who graduates from an eligible Louisiana high school provided such student has, for an Opportunity Award, a cumulative high school grade point average on all courses on the high school transcript of at least 2.50 calculated on a 4.00 scale or, for a Performance or Honors Award, a cumulative high school grade point average on all courses on the high school transcript of at least 3.50 calculated on a 4.00 scale.

b. A displaced student shall be deemed to meet the Louisiana residency requirement if:

i. such dependent or independent student actually resided in Louisiana during his entire 10th grade year of high school and was enrolled for such time in an eligible Louisiana high school; or

ii. such dependent student has a parent or court-ordered custodian who actually resided in a parish listed in §703.J.2.a above for at least the 12 months prior to August 26, 2005, or in a parish listed in §703.J.2.b above for at least the 12 months prior to September 20, 2005.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:3042.1, and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance,

LR 22:338 (May 1996), repromulgated LR 24:636 (April 1998), amended LR 24:1902 (October 1998), LR 24:2237 (December 1998), LR 25:257 (February 1999), LR 25:655 (April 1999), LR 25:1794 (October 1999), LR 26:64, 67 (January 2000), LR 26:689 (April 2000), LR 26:1262 (June 2000), LR 26:1602 (August 2000), LR 26:1996, 1999, 2001 (September 2000), LR 26:2268 (October 2000), LR 26:2753 (December 2000), LR 27:36 (January 2001), LR 27:702 (May 2001), LR 27:1219, 1219 (August 2001), repromulgated LR 27:1850 (November 2001), amended LR 28:772 (April 2002), LR 28:2330, 2332 (November 2002), LR 29:125 (February 2003), LR 29:2372 (November 2003), LR 30:1162 (June 2004), LR 30:1471 (July 2004), LR 30:2019 (September 2004), LR 31:37 (January 2005), LR 31:2213 (September 2005), LR 31:3112 (December 2005), LR 32:2239 (December 2006), LR 33:435 (March 2007), LR 33:2357 (November 2007), LR 33:2612 (December 2007), LR 34:1389 (July 2008), LR 35:228 (February 2009), LR 36:312 (February 2010), LR 36:490 (March 2010), LR 36:2269 (October 2010), LR 36:2855 (December 2010), LR 37:2987 (October 2011), LR 38:354 (February 2012), LR 38:3158 (December 2012), LR 39:481 (March 2013), LR 39:2485 (September 2013), LR 40:54 (January 2014), LR 41:373 (February 2015), LR 41:651, 664 (April 2015), LR 41:1486 (August 2015), LR 41:2596, 2599 (December 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 42:1657 (October 2016), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:506 (March 2018).

§705. Maintaining Eligibility

A. To continue receiving the TOPS Opportunity, Performance or Honors Awards, the recipient must meet all of the following criteria:

1. have received less than four years or eight semesters of TOPS Award funds, except as provided in §701.E.1.b, §701.E.2.b and §701.E.3.b; and
2. submit the renewal FAFSA in accordance with §505.F; and
3. not have a criminal conviction, except for misdemeanor traffic violations and if the student has been in the United States Armed Forces and has separated from such service, has received an honorable discharge or general discharge under honorable conditions; and
4. agree that awards will be used exclusively for educational expenses; and
5. continue to enroll and accept the TOPS Award as a full-time undergraduate student, professional or graduate student in an eligible college or university defined in §301, and maintain an enrolled status throughout the academic term, unless granted an exception for cause by the board; and
6. minimum academic progress:
 - a.i. in an academic undergraduate program at an eligible college or university, by the end of each academic year (TOPS), earn a total of at least 24 college credit hours as determined by totaling the earned hours reported by the institution for each semester or term in the academic year (TOPS), including any hours earned during an intersession ending during the academic year. These hours shall include remedial course work required by the institution, but shall not include hours earned during qualified summer sessions, summer sessions or intersessions that do not end during the academic year or by advanced placement course credits. Unless granted an exception for cause by the board, failure to earn the required number of hours will result in permanent cancellation of the recipient's eligibility; or

ii. beginning in the 2008-2009 and through the 2010-2011 academic year (TOPS), in an academic undergraduate program at an eligible college or university, by the end of each academic year (TOPS), earn a total of at least 24 college credit hours as determined by totaling the earned hours reported by the institution for each semester or quarter in the academic year (TOPS), including any hours earned during an intersession ending during the academic year or immediately following the spring term. These hours shall include remedial course work required by the institution, but shall not include hours earned during qualified summer sessions, summer sessions or intersessions that do not end during the academic year or intersessions that do not immediately follow the spring term or by advanced placement course credits. Unless granted an exception for cause by the board, failure to earn the required number of hours will result in permanent cancellation of the recipient's eligibility; or

iii. beginning in the 2011-2012 academic year (TOPS), in an academic undergraduate program at an eligible college or university, by the end of each academic year (TOPS), earn a total of at least 24 college credit hours as determined by totaling the earned hours reported by the institution for each semester or quarter, intersession and summer session in the academic year (TOPS) (includes any hours earned during any intersession and/or summer session ending before the following fall semester or quarter). These hours shall include remedial course work required by the institution and hours for repeated courses, but shall not include hours by advanced placement course credits, by credit by exam, or through the College-Level Examination Program. Unless granted an exception for cause by the board, failure to earn the required number of hours will result in permanent cancellation of the recipient's eligibility; or

b. in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree at an eligible college or university, by the end of each academic year (TOPS), earn a total of at least 24 college credit hours as determined by totaling the earned hours reported by the institution for each semester or quarter, intersession and summer session in the academic year (TOPS) (includes any hours earned during any intersession and/or summer session ending before the following fall semester or quarter). These hours shall include remedial course work required by the institution and hours for repeated courses, but shall not include hours by advanced placement course credits, by credit by exam, or through the College-Level Examination Program. Unless granted an exception for cause by the board, failure to earn 24 hours during the academic year (TOPS) will result in permanent cancellation of the recipient's eligibility; or

c. in an academic graduate or professional program at an eligible college or university, by the end of each academic year (TOPS), earn at least the total college credit hours required by the college or university for full-time enrollment for each semester or quarter as determined by totaling the earned hours reported by the institution for each semester or quarter, intersession and summer session in the academic year (TOPS) (includes any hours earned during

any intersession and/or summer session ending before the following fall semester or quarter). These hours shall not include hours by advanced placement course credits, by credit by exam, or through the College-Level Examination Program. Unless granted an exception for cause by the board, failure to earn the required number of hours will result in permanent cancellation of the recipient's eligibility; or

d. in an eligible cosmetology or proprietary school, meet the federal grant aid steady academic progress requirement at that school; and

7. maintain *steady academic progress*, as defined in §301; and

8.a. through the 2013-14 academic year (TOPS), maintain at an eligible college or university, by the end of the spring semester, quarter, or term, a TOPS cumulative college grade point average on a 4.00 maximum scale of at least:

i. a 2.30 with the completion of 24 but less than 48 credit hours, a 2.50 after the completion of 48 credit hours, for continuing receipt of an Opportunity Award, if enrolled in an academic program; or

ii. a 2.50, for continuing receipt of an Opportunity Award, if enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree; and

b. beginning with the 2014-15 academic year (TOPS), maintain at an eligible college or university, by the end of the academic year, a TOPS cumulative college grade point average on a 4.00 maximum scale of at least:

i. a 2.30 with the completion of 24 but less than 48 credit hours, a 2.50 after the completion of 48 credit hours, for continuing receipt of an Opportunity Award, if enrolled in an academic program; or

ii. a 2.50, for continuing receipt of an Opportunity Award, if enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree; and

c. the provisions of §705.A.8.b shall not apply during the 2014-2015 academic year to students who met the requirements of §705.A.7 at the end of the spring semester of 2015, but who did not meet the requirements of §705.A.8.b at the end of the 2014-2015 academic year;

d. beginning with the 2015-16 academic year (TOPS), maintain at an eligible college or university, by the end of the academic year, a TOPS cumulative college grade point average (Opportunity, Performance, Honors) on a 4.00 maximum scale of at least:

i. a 2.30 with 24 but less than 48 earned credit hours for continuing receipt of an Opportunity Award, if enrolled in an academic program for the last semester attended during the academic year; or

ii. a 2.50 with 24 but less than 48 earned credit hours for continuing receipt of an Opportunity Award, if enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree for the last semester attended during the academic year; or

iii. a 2.50 with 48 or more earned credit hours for continuing receipt of an Opportunity Award, if enrolled in any program of study for the last semester attended during the academic year; and

e. a 3.00 for continuing receipt of either a Performance or Honors Award; or

f. the minimum grade necessary to maintain good standing, if enrolled in a graduate or professional program; or

g. meet the federal grant aid steady academic progress requirement at that school, if enrolled in an eligible cosmetology or proprietary school; and

B.1. Students failing to meet the requirements listed in §705.A.7 or §705.A.8.a, b, d, f, or g may have their TOPS Awards reinstated upon regaining "steady academic progress" (see §301) and/or attainment of the required TOPS cumulative grade point average, if the period of ineligibility did not persist for more than two years from the date of loss of eligibility.

2. If the two-year period is interrupted due to a student's active duty in the United States Armed Forces, the two-year period will be extended for a length of time equal to the student's active duty service.

3. Students who fail to meet the requirements of §705.A.8.e, shall no longer be eligible for the stipend authorized for the Performance and Honors Awards, but shall be eligible to receive the award amount for the Opportunity Award if they meet the continuation requirements of §705.A.8.a, b, d, f, or g.

4.a. A student shall have one semester or quarter after the 2015-16 academic year (TOPS) for which the TOPS Award will be paid to meet the requirements of §705.A.8.d if the student:

i. failed to meet the requirements listed in §705.A.8.d solely because the calculation of the TOPS cumulative grade point average (Opportunity, Performance, Honors) at the end of the 2015-2016 academic year (TOPS) includes both hours and grades for courses taken before the 2015-16 academic year (TOPS) in both academic and technical courses of study; and

ii. was a high school graduate or home study completer who enrolled for the first time as a full-time student in an eligible postsecondary institution before the 2015-16 academic year (TOPS); and

iii. not suspended after the 2014-15 academic year (TOPS).

b. The TOPS Award of a student who meets the requirements of §705.B.4.a shall not be suspended unless the student fails to meet the requirements of §705.A.8.d by the end of the fall semester or quarter of 2016 in which case:

i. the student's TOPS Award shall be suspended effective at the end of the fall semester or quarter of 2016; and

ii. the provisions of §705.B.1 and 2 shall apply.

c. If a student does not enroll full time for the fall semester or quarter of 2016 and any subsequent consecutive semesters or quarters and is granted an exception for all of those semesters or quarters, the provisions of §705.B.4.b shall be extended to the end of the next semester or quarter during which the student enrolls full-time and for which the student's TOPS Award is paid.

C. In the event the board determines that an ineligible student has received an award as the result of an administrative error or erroneous information provided by the student or the student's parent(s) or court-ordered

custodian or incorrect certification from the student's high school, the student's eligibility for the award shall be terminated and no further awards shall be made to the ineligible student. If an ineligible student has received an award due to an administrative error or incorrect certification, the board will not pursue recoupment from the student of funds that were awarded. If an erroneous award has been made and the board determines that the award was made based upon incorrect information submitted by the student or the student's parent(s) or court-ordered custodian, the board may seek reimbursement from the student, the student's parent(s) or court-ordered custodian, and if it is further determined that the award was made due to an intentional misrepresentation by the student, the student's parent(s) or court-ordered custodian, then the board shall refer the case to the attorney general for investigation and prosecution. If a student or the student's parent(s) or court-ordered custodian is suspected of having intentionally misrepresented the facts which were provided to the board and used by it to determine the eligibility of the student for the program and the board has referred the case to the attorney general for investigation, then the student shall remain ineligible for future award consideration pending an outcome of said investigation which is favorable to the student.

D. It is the student's responsibility to ensure that all requirements necessary to maintain award eligibility are completed. The Office of Student Financial Assistance shall only consider the official report of grades and hours earned which are received from the school attended. Students should be aware that individual school policies may affect the reporting of grade point average and hours earned for the academic year and accordingly, should become familiar with these policies.

E. Natural Disaster Maintaining Eligibility Requirements

1. To continue receiving the TOPS Opportunity, Performance or Honors Awards, a displaced student must meet all of the criteria in §705.A-D above, except as follows.

a. The TOPS Award of a displaced student who enrolls for the first time as a full-time student in an eligible out-of-state college or university during the 2005-2006 academic year (TOPS) and subsequently enrolls at a Louisiana-eligible college or university shall not be reduced due to enrollment in an eligible out-of-state institution during the 2005-2006 academic year (TOPS).

b. The TOPS Award of a displaced student who has been enrolled in a Louisiana-eligible college or university and who subsequently enrolls as a full-time student in an eligible out-of-state institution during the 2005-2006 academic year (TOPS) shall not be cancelled due to such out-of-state enrollment.

c. The TOPS Award of a displaced student who has been enrolled in a Louisiana-eligible college or university and who subsequently enrolls as a full-time student in an eligible out-of-state institution during the 2005-2006 academic year (TOPS) shall not be reduced for those semesters or terms such displaced student was enrolled in an eligible out-of-state institution during the 2005-2006 academic year (TOPS).

d. The period of suspension of a TOPS Award for a displaced student due to the student not meeting a requirement to maintain a minimum grade point average or

to make steady academic progress shall be extended on a one-for-one basis for each semester or term in which the student does not enroll on a full-time basis in an eligible college or university during the 2005-2006 academic year (TOPS).

2. For the purposes of this Subsection, *displaced student* means:

a. a student who on August 26, 2005:

i. was enrolled in one of the following institutions:

(a). Delgado Community College;

(b). Dillard University;

(c). Louisiana State University Health Sciences Center at New Orleans;

(d). Louisiana Technical College: Jefferson, Sidney N. Collier, Slidell, Sullivan, and West Jefferson campuses;

(e). Loyola University;

(f). New Orleans Baptist Theological Seminary;

(g). Nunez Community College;

(h). Our Lady of Holy Cross College;

(i). St. Joseph Seminary College;

(j). Southern University at New Orleans;

(k). Tulane University;

(l). University of New Orleans;

(m). Xavier University; or

ii. had a home of record in Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Tammany, Tangipahoa, or Washington Parish; or

b. a student who on September 20, 2005:

i. was enrolled in one of the following institutions:

(a). McNeese State University;

(b). SOWELA Technical Community College; or

ii. had a home of record in Acadia, Allen, Beauregard, Calcasieu, Cameron, Iberia, Jefferson Davis, St. Mary, Terrebonne, or Vermilion Parish.

3. For the purposes of this Subsection, *home of record for a dependent student* shall mean the domiciliary address of the student's parent or court-ordered custodian and for an independent student shall mean the domiciliary address of such student.

F.1. A student who successfully completes a baccalaureate degree without having exhausted his period of award eligibility shall receive an award for the remainder of his eligibility if he enrolls in a graduate or professional school at an eligible college or university no later than the fall semester immediately following the first anniversary of the student's completion of an undergraduate degree and has met the requirements for continued eligibility set forth in §705.A.6. The remaining eligibility may not be used to pursue a second undergraduate degree.

2. Beginning with the 2012-2013 academic year (TOPS), a student who successfully completes any type of technical, vocational, or academic credential other than a baccalaureate degree without having exhausted his period of award eligibility shall receive an award for the remainder of his eligibility if he enrolls in a program of study leading to a baccalaureate degree, to a vocational or technical certificate or diploma, or to a non-academic degree at an eligible college or university no later than the fall semester immediately following the first anniversary of the student's

completion of an associate's degree and has met the requirements for continued eligibility set forth in §705.A.6.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1, and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:637 (April 1998), amended LR 24:1904 (October 1998), LR 25:257 (February 1999), LR 25:656 (April 1999), LR 25:1091 (June 1999), LR 26:67 (January 2000), LR 26:688 (April 2000), LR 26:1996 (September 2000), LR 26:2001 (September 2000), repromulgated LR 27:1853 (November 2001), amended LR 28:447 (March 2002), LR 28:772 (April 2002), LR 28:2332 (November 2002), LR 29:2373 (November 2003), LR 30:781 (April 2004), LR 30:1163 (June 2004), LR 30:2019 (September 2004), LR 31:3115 (December 2005), LR 33:437 (March 2007), LR 34:1390 (July 2008), LR 36:491 (March 2010), LR 36:2856 (December 2010), LR 38:3159 (December 2012), LR 40:1002 (May 2014), LR 41:664 (April 2015), LR 42:47 (January 2016), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:520 (March 2018).

Chapter 8. TOPS-Tech Award

§801. General Provisions

A. Legislative Authority. The TOPS-Tech Award was created by Act of the 1998 First Extraordinary Session of the Louisiana Legislature.

B. Description, History and Purpose

1. For students graduating through the 2015-2016 academic year (high school), the TOPS-Tech Award is a merit-based scholarship program for Louisiana residents pursuing skill, occupational or technical training at eligible colleges and universities that offer a vocational or technical education certificate or diploma program or a non-academic undergraduate degree. The purpose of TOPS-Tech is to provide an incentive for qualified Louisiana residents to prepare for and pursue technical positions in Louisiana.

2. Beginning with students graduating in the 2016-2017 academic year (high school), the TOPS-Tech Award is a workforce scholarship program for Louisiana residents who enroll in an eligible college or university on a full-time basis in an associate's degree or other shorter-term training and education program that is aligned to state workforce priorities as determined by the Louisiana Board of Regents (the board) and the Louisiana Workforce Investment Council.

C. TOPS-Tech shall be first awarded beginning with the 1998-99 academic year to 1998 high school graduates and graduates in subsequent years.

D. TOPS-Tech provides an award as follows:

1. For any student enrolled in a TOPS Tech eligible program of study at an eligible public college or university that does not offer an academic undergraduate degree at the baccalaureate level or higher, the amount shall equal the actual cost of tuition or the maximum published award amount, whichever is less.

2. For any student enrolled in a TOPS Tech eligible program of study at an eligible college or university other than as provided for in Paragraph D.1 above, the amount shall be the *average award amount (TOPS-Tech)* as defined in §301.

3. Beginning with the 2010-2011 academic year (TOPS), in lieu of the amount equal to tuition as provided by LAC 28:IV.701.E.1-3, students with the TOPS-Tech Award

participating in the program provided by R.S. 29:36.1 for persons serving in the Louisiana National Guard shall receive the tuition exemption as provided therein, plus a sum of \$300 per semester or \$600 per academic year (TOPS) to be applied toward the cost of books and other instructional materials.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:1904 (October 1998), amended LR 26:1997 (September 2000), repromulgated LR 27:1854 (November 2001), amended LR 36:2856 (December 2010), LR 41:666 (April 2015), LR 41:2596 (December 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:523 (March 2018).

§803. Establishing Eligibility

A. To establish eligibility for the TOPS-Tech Award, the student applicant must meet the following criteria:

1. be a United States citizen or an eligible noncitizen as defined in §301;

2. be a resident of Louisiana, as defined in §301; and

3. submit the completed initial free application for federal student aid (FAFSA) or on-line application in accordance with §501 by the applicable state aid deadline in accordance with the applicable requirements of §501 or §505; and

4. initially apply and enroll as a first-time student as defined in §301, unless granted an exception for cause by the board, in an eligible post-secondary college or university defined in §301; and

a. if graduating from an eligible Louisiana or an eligible non-Louisiana high school or from an eligible out of country high school, enroll not later than the semester or term, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from high school; or

b. if the student joins the United States Armed Forces within one year after graduating from an eligible Louisiana or an eligible non-Louisiana high school or from an eligible out of country high school, enroll not later than the semester, quarter or term excluding summer semesters or sessions, immediately following the one-year anniversary of the student's separation from active-duty service, including all consecutive periods of reenlistment. Reenlistment at any time during the student's first enlistment shall be considered to be on or prior to the fifth anniversary of the date that the student graduated from high school; or

c. if the student is eligible under the provisions of §803.A.5.d, enroll not later than the semester or term, excluding summer semesters or sessions, immediately following the first anniversary of the date the student completed the home study program, which is deemed to be May 31; or

d. if the student is eligible under the provisions of §803.A.5.d and has joined and is on active duty with the United States Armed Forces within one year of the date the student completed the home study program, which is deemed to be May 31, enroll not later than the semester, quarter or term, excluding summer semesters or sessions, immediately following the one-year anniversary of the student's separation from active-duty service, including all consecutive periods of reenlistment. Reenlistment at any

time during the student's first enlistment shall be considered to be on or prior to the fifth anniversary of the date that the student graduated from high school; and

5. graduate from:

- a. an eligible public or nonpublic high school or non-Louisiana high school defined in §1701.A.1, 2 and 3; or
- b. an out-of-state high school defined in §1701.A.4;

or

c. an out of country high school defined in §1701.A.5; or

d.i. successfully complete at the 12th grade level a home study program approved by BESE; or

ii. if ever was enrolled in a Louisiana public or nonpublic school approved by BESE, successfully completed at least the 11th and 12th grade levels of a home study program approved by BESE; and

iii. if having previously attended an eligible high school defined in §1701.A.1, 2, 3, 4, or 5, has provided the board with certification by the previously attended high school that said student was in good standing at the time the student last attended such school;

6. if qualifying under the terms of §803.A.5.a, at the time of high school graduation:

a. have successfully completed one of the following core curriculums:

i. high school course work constituting the TOPS core curriculum for the Opportunity, Performance and Honors Awards as defined in §703.A.5 and documented on the student's official transcript as approved by the Louisiana Department of Education;

ii. for students graduating in the 2015-2016 academic year (high school) and later, the high school course work documented on the student's official transcript as approved by the Louisiana Department of Education constituting the following TOPS-Tech core curriculum;

Core Curriculum—TOPS-Tech Award	
Units	Course
1	English I
1	English II
2	English III, English IV, AP or IB English courses, Business English, Technical Writing, or comparable Louisiana Technical College courses offered by Jump Start regional teams as approved by the state Board of Elementary and Secondary Education.
1	Algebra I; or both Algebra I, Part 1 and Algebra I, Part 2; or an applied or hybrid algebra course
3	Geometry, Algebra II, Math Essentials, Financial Literacy, Business Math, Algebra III, Advanced Math - Functions and Statistics, Advanced Math - Pre-Calculus, Pre-calculus, or comparable Louisiana Technical College courses offered by Jump Start regional teams as approved by the state Board of Elementary and Secondary Education. Integrated Mathematics I, II, and III may be substituted for Algebra I, Geometry, and Algebra II, and shall equal three mathematics credits
1	Biology
1	Chemistry I, Earth Science, Environmental Science, Agriscience I and Agriscience II (both for one unit), Physical Science, or AP or IB science courses
1	U.S. History, AP U.S. History, or IB U.S. History
1	Civics, Government, AP U.S. Government and Politics: Comparative, or AP U.S. Government and Politics: United States

Core Curriculum—TOPS-Tech Award	
Units	Course
9	In Jump Start course sequences, workplace experiences, and credentials. A student shall complete a regionally designed series of Career and Technical Education Jump Start coursework and workplace-based learning experiences leading to a statewide or regional Jump Start credential. This shall include courses and workplace experiences specific to the credential, courses related to foundational career skills requirements in Jump Start, and other courses, including career electives, that the Jump Start regional team determines are appropriate for the career major.

iii. for students graduating in the 2000-2001 school year through the 2012-2013 school year, the high school course work documented on the student's official transcript as approved by the Louisiana Department of Education constituting the following TOPS-Tech core curriculum;

Core Curriculum—TOPS-Tech Award	
Units	Course
1	English I
1	English II
1	English III
1	English IV or substitute 1 unit of Business English
1	Algebra I; or both Algebra I, Part 1 and Algebra I, Part 2; or both Applied Mathematics I and Applied Mathematics II
2	Geometry, Applied Mathematics III, Algebra II, Financial Mathematics, Advanced Mathematics I [beginning with the 2008-2009 academic year (high school) this course is renamed Advanced Math – Pre-Calculus], Advanced Mathematics II [beginning with the 2008-2009 academic year (high school) this course is renamed Advanced Math – Functions and Statistics], Discrete Mathematics, or Probability and Statistics (2 units). Integrated Mathematics I, II, and III may be substituted for Algebra I, Geometry and Algebra II, and shall be considered the equivalent of the 3 required math units
1	Biology
1	Chemistry or Applied Chemistry
1	Earth Science, Environmental Science, Physical Science, Integrated Science, Biology II, Chemistry II, Physics, Physics II, or Physics for Technology or Agriscience I and II (both for 1 unit)
1	American History
1	World History, Western Civilization, or World Geography
1	Civics and Free Enterprise (1 unit combined) or Civics (1 unit, nonpublic)
Remaining Core Courses Shall Be Selected from One of the Following Options:	
Option 1—Total of 17 units	
1	Fine Arts Survey or substitute 2 units of performance courses in music, dance, or theater; or substitute 2 units of visual art courses; or substitute 2 units of studio art courses; or a course from the Career and Technical Program of studies that is approved by the BESE (must be listed under the Vocational Education Course Offerings in Bulletin 741 or the updates to Bulletin 741); or substitute 1 unit as an elective from among the other subjects listed in this core curriculum
2	Foreign Language, Technical Writing, Speech I or Speech II
1	One unit from the secondary computer education program of studies that is approved by the BESE
or	

Core Curriculum—TOPS-Tech Award	
Units	Course
Option 2—Total of 19 Units	
4	In a career major comprised of a sequence of related specialty courses. In order for a student to use this option, the courses for the career major must be approved by BESE.
1	Credit in a basic computer course.
1	In related or technical fields. A related course includes any course which is listed under the student's major. A technical course is one that is listed in the approved career option plan for the high school at which the course is taken.

iv. for students graduating through the 2001-2002 school year, the TOPS-Tech core curriculum as follows;

Core Curriculum—TOPS-Tech Award	
Units	Course
1	English I
1	English II
1	English III
1	English IV or Business English
1	Algebra I (1 unit) or Applied Algebra IA and 1B (2 units)
1	Algebra II
1	Geometry or Applied Geometry, Trigonometry, Calculus or comparable Advanced Mathematics
1	Biology
1	Chemistry or Applied Physics
1	Earth Science, Environmental Science, Physical Science, Biology II, Chemistry II, Physics, Physics II or Physics for Technology or Agriscience I and II (both for 1 unit)
1	American History
1	World History, Western Civilization or World Geography
1	Civics and Free Enterprise (1 unit combined) or Civics (1 unit, non-public)
1	Fine Arts Survey or any approved vocational course in the areas of Agriscience, Business Education, Family and Consumer Science, Health Occupations, Marketing Education, Technology Education, or Trade and Industrial Education; (or substitute 2 units of performance courses in music, dance or theater; or 2 units of studio art or 2 units of visual art courses; or 1 elective from among the other subjects listed in this core curriculum)
2	In a single Foreign Language. (1 unit for students graduating from high school during the 1996-97 and 1997-98 school years.) or Technical Writing, Speech I or Speech II (2 units).
1/2	Computer Science, Computer Literacy or Business Computer Applications (or substitute at least 1/2 unit of an elective course related to computers that is approved by the state Board of Elementary and Secondary Education; or substitute at least 1/2 unit of an elective from among the other subjects listed in this core curriculum)

v. for students graduating in the 2013-2014 school year through the 2016-2017 school year, the high school course work documented on the student's official transcript as approved by the Louisiana Department of Education constituting the following TOPS-Tech core curriculum;

Core Curriculum—TOPS-Tech Award	
Units	Course
1	English I
1	English II
1	English III
1	English IV or substitute 1 unit of Business English
1	Algebra I; or both Algebra I, Part 1 and Algebra I, Part 2; or both Applied Mathematics I and Applied Mathematics II

Core Curriculum—TOPS-Tech Award	
Units	Course
2	Geometry, Applied Mathematics III, Algebra II, Financial Mathematics, Advanced Mathematics I [beginning with the 2008-2009 academic year (high school) this course is renamed Advanced Math – Pre-Calculus], Advanced Mathematics II [beginning with the 2008-2009 academic year (high school) this course is renamed Advanced Math – Functions and Statistics], Discrete Mathematics, or Probability and Statistics (2 units). Integrated Mathematics I, II, and III may be substituted for Algebra I, Geometry and Algebra II, and shall be considered the equivalent of the 3 required math units
1	Biology
2	Earth Science, Environmental Science, Physical Science, Integrated Science, Biology II, or Chemistry or Applied Chemistry, Chemistry II, Physics, Physics II or Physics for Technology or Agriscience I and II (both for 1 unit)
1	American History
1	World History, Western Civilization or World Geography
1	Civics and Free Enterprise (1 unit combined) or Civics (1 unit, non-public)
Remaining Core Courses Shall Be Selected from One of the Following Options	
Option 1—Total of 17 Units	
1	Fine Arts Survey or drafting (one unit) or substitute 2 units of performance courses in music, dance, or theater; or substitute 2 units of visual art courses; or substitute 2 units of studio art courses; or a course from the Career and Technical Program of studies that is approved by the BESE (must be listed under the Vocational Education Course Offerings in Bulletin 741 or the updates to Bulletin 741); or substitute 1 unit as an elective from among the other subjects listed in this core curriculum
2	Foreign Language, Technical Writing, Speech I or Speech II
1	One unit from the secondary computer education program of studies that is approved by the BESE
or	
Option 2—Total of 19 Units	
4	In a career major comprised of a sequence of related specialty courses. In order for a student to use this option, the courses for the career major must be approved by BESE.
1	Credit in a basic computer course
1	In related or technical fields. A related course includes any course which is listed under the student's major. A technical course is one that is listed in the approved career option plan for the high school at which the course is taken.

b.i. for students graduating in academic year (high school) 2008-2009 and after, for purposes of satisfying the requirements of §803.A.6.a above, the following courses shall be considered equivalent to the identified core courses and may be substituted to satisfy corresponding core courses;

Core Curriculum Course	Equivalent (Substitute) Course
Business English	Senior Applications in English
Geometry, Trigonometry, Calculus, or Comparable Advanced Mathematics	Math Essentials

ii. for students graduating in academic year (high school) 2018 and after, for purposes of satisfying the requirements of §803.A.6.a above, the following courses shall be considered equivalent to the identified core courses and may be substituted to satisfy corresponding core courses;

Core Curriculum Course	Equivalent (Substitute) Course
Business English	Senior Applications in English
Geometry, Trigonometry, Calculus, or Comparable Advanced Mathematics	Math Essentials

Core Curriculum Course	Equivalent (Substitute) Course
Geometry, Algebra II, Math Essentials, Financial Literacy, Business Math, Algebra III, Advanced Math - Functions and Statistics, Advanced Math - Pre-Calculus, Pre-calculus, or comparable Louisiana Technical College courses offered by Jump Start regional teams as approved by the state Board of Elementary and Secondary Education. Integrated Mathematics I, II, and III may be substituted for Algebra I, Geometry, and Algebra II, and shall equal three mathematics credits	Probability and Statistics

c. for students in graduating classes prior to 2004, core units may be waived upon sworn affidavit by the principal or headmaster or authorized designee that the course was not available to the student at the school attended;

7. have achieved an *ACT score*, as defined in §301, of at least:

a. if qualifying under §803.A.5.a, an ACT composite score of at least 17 or beginning with the 2010-2011 program year (non academic program) in the alternative, have attained a silver level score on the assessments of the ACT WorkKeys system; or

b.i. if qualifying under §803.A.5.b or c and is a Louisiana resident, except as defined in Subparagraph h of the definition of *Louisiana resident* in §301, an ACT composite of at least 20; or

ii. if qualifying under §803.A.5.b is a *Louisiana resident* as defined in Subparagraph h of the definition of *Louisiana resident* in §301, an ACT composite of at least 19; and

c. if qualifying under §803.A.5.d and successfully completing the 12th grade level a home study program approved by BESE during or before the academic year (high school) 2003-2004 or during or after the academic year (high school) 2008-2009, an ACT composite of at least 20; and

d. if qualifying under §803.A.5.d and successfully completing the 12th grade level a home study program approved by BESE during or after the academic year (high school) 2004-2005 or during the academic year (high school) 2007-2008, an ACT composite of at least 19; and

8. if qualifying under §803.A.5.a, have attained a cumulative high school grade point average, based on a 4.00 maximum scale, of at least 2.50; and

9. not have a criminal conviction, except for misdemeanor traffic violations, and if the student has been in the United States Armed Forces and has separated from such service, has received an honorable discharge or general discharge under honorable conditions; and

10. agree that awards will be used exclusively for educational expenses.

B. Natural Disaster Initial Eligibility Requirements

1. To establish eligibility for a TOPS Tech Award, a displaced student graduating from high school or completing a BESE approved home study program at the 12th grade level during the 2005-2006, 2006-2007, 2007-2008, and 2008-2009 academic years (high school) must meet all of the requirements of §803.A above, except as follows.

a. A displaced student who has been certified by the principal or headmaster to have graduated during the 2005-2006, 2006-2007, 2007-2008, and 2008-2009 school years from an out-of-state high school that meets the criteria of an eligible out-of-state high school as provided in §1701.A.4 and 5 shall not be required to have a higher minimum composite score on the ACT or on the scholastic aptitude test than required for a student who graduates from an eligible Louisiana high school provided such student has a cumulative high school grade point average on all courses on the high school transcript of at least 2.50 calculated on a 4.00 scale.

b. The requirement that a student who graduates from an eligible Louisiana high school during the 2005-2006, 2006-2007, 2007-2008, and 2008-2009 school years must have successfully completed the applicable core curriculum shall be waived for a displaced student based upon a sworn affidavit by the student's high school principal or headmaster or authorized designee that failure to comply with such requirement is due solely to the fact that the required course or courses were not available to the student at the school attended.

c. A displaced student shall be deemed to meet the Louisiana residency requirement if:

i. such dependent or independent student actually resided in Louisiana during the entire 2004-2005 academic year (high school) and was enrolled for such time in an eligible Louisiana high school and graduated from high school during the 2005-2006, 2006-2007, 2007-2008, or 2008-2009 academic year (high school); or

ii. such dependent student has a parent or court-ordered custodian who actually resided in a parish listed in §803.B.2.a below for at least the 12 months prior to August 26, 2005, or in a parish listed in §803.B.2.b below for at least the 12 months prior to September 20, 2005.

d. A dependent student who graduated from an eligible out-of-state high school shall be deemed to meet the Louisiana residency requirement if his parent or court-ordered custodian was displaced as a resident from a parish listed:

i. in §803.B.2.a below due to Hurricane Katrina and such parent or court-ordered custodian actually resided in Louisiana for at least the 12 months prior to August 26, 2005; or

ii. in §803.B.2.b below due to Hurricane Rita and such parent or court-ordered custodian actually resided in Louisiana for at least the 12 months prior to September 20, 2005.

e. A displaced student who during the 2005-2006, 2006-2007, 2007-2008, and 2008-2009 academic years (high school) successfully completes at the 12th grade level a home study program approved by BESE shall not be required to have also completed the 11th grade level of an approved home study course.

2. For the purposes of this Subsection, *displaced student* shall mean:

a. a student who on August 26, 2005, was actually residing in Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Tammany, Tangipahoa, or Washington Parish and:

i. was enrolled in an eligible Louisiana high school as provided in §1701.A.1, 2 and 3; or

ii. was enrolled in a home study program approved by BESE; or

b. a student who on September 20, 2005, was actually residing in Acadia, Allen, Beauregard, Calcasieu, Cameron, Iberia, Jefferson Davis, St. Mary, Terrebonne, or Vermilion Parish and:

i. was enrolled in an eligible Louisiana high school as provided in §1701.A.1, 2 and 3; or

ii. was enrolled in a home study program approved by BESE.

3. To establish eligibility for a TOPS Tech Award, a displaced student graduating from an eligible Louisiana high school or completing a BESE approved home study program at the 12th grade level during the 2006-2007 academic year (high school) must meet all of the requirements of §803.A above, except as follows.

a. The requirement that a student who graduates from an eligible Louisiana high school during the 2006-2007 school year must have successfully completed the applicable core curriculum shall be waived for a displaced student based upon a sworn affidavit by the student's high school principal or headmaster or authorized designee that failure to comply with such requirement is due solely to the fact that the required course or courses were not available to the student at the school attended.

b. A displaced student shall be deemed to meet the Louisiana residency requirement if:

i. such dependent or independent student actually resided in Louisiana during his entire 10th grade year of high school and was enrolled for such time in an eligible Louisiana high school; or

ii. such dependent student has a parent or court-ordered custodian who actually resided in a parish listed in §803.B.2.a above for at least the 12 months prior to August 26, 2005, or in a parish listed in §803.B.2.b above for at least the 12 months prior to September 20, 2005.

4. To establish eligibility for a TOPS Tech Award, a displaced student who has been certified by the principal or headmaster to have graduated during the 2006-2007 school year from an out-of-state high school that meets the criteria of an eligible out-of-state high school as provided in §1701.A.4 and 5 and receives a Louisiana distance diploma from the Board of Elementary and Secondary Education must meet all of the requirements of §703.A.-I.8 above, except as follows.

a. A displaced student shall not be required to have for the respective awards a higher minimum composite score on the ACT or on the scholastic aptitude test than required for a student who graduates from an eligible Louisiana high school provided such student has a cumulative high school grade point average on all courses on the high school transcript of at least 2.50 calculated on a 4.00 scale.

b. A displaced student shall be deemed to meet the Louisiana residency requirement if:

i. such dependent or independent student actually resided in Louisiana during his entire 10th grade year of high school and was enrolled for such time in an eligible Louisiana high school; or

ii. such dependent student has a parent or court-ordered custodian who actually resided in a parish listed in §703.J.2.a above for at least the 12 months prior to August

26, 2005, or in a parish listed in §703.J.2.b above for at least the 12 months prior to September 20, 2005.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:1904 (October 1998), amended LR 24:2237 (December 1998), LR 25:1795 (October 1999), LR 26:65 and 67 (January 2000), LR 26:1602 (August 2000), LR 26:1997 (September 2000), LR 26:2269 (October 2000), LR 26:2754 (December 2000), LR 27:36 (January 2001), LR 27:1220 (August 2001), repromulgated LR 27:1854 (November 2001), amended LR 28:447 (March 2002), LR 28:773 (April 2002), LR 28:2330 (November 2002), LR 29:554 (April 2003), LR 30:1164 (June 2004), LR 30:2019 (September 2004), LR 31:39 (January 2005), LR 31:3114 (December 2005), LR 33:437 (March 2007), LR 33:2614 (December 2007), LR 35:230 (February 2009), LR 36:491 (March 2010), LR 36:2270 (October 2010), LR 36:2856 (December 2010), LR 38:3159 (December 2012), LR 41:654 (April 2015), LR 41:2597 (December 2015), LR 42:48 (January 2016), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:523 (March 2018).

§805. Maintaining Eligibility

A. To continue receiving the TOPS-Tech Award, the recipient must meet all of the following criteria:

1. have received the TOPS-Tech Award for not more than two years or the equivalent number of terms and summer sessions, provided that not attending a summer session shall not reduce the number of eligible terms; and, except as provided by §805.C, or unless reduced as required by §503.D;

2. submit the renewal FAFSA in accordance with §505.F; and

3. not have a criminal conviction, except for misdemeanor traffic violations and if the student has been in the United States Armed Forces and has separated from such service, has received an honorable discharge or general discharge under honorable conditions; and

4. agree that awards will be used exclusively for educational expenses; and

5.a. for students graduating through the 2015-2016 academic year (high school), continue to enroll and accept the TOPS-Tech Award as a full-time student in an eligible college or university defined in §301, and maintain an enrolled status throughout the academic year (TOPS) (enrollment in a summer session is optional and is not required to meet this requirement), unless granted an exception for cause by the board; and

b. for students graduating in the 2016-2017 academic year (high school) and later, continue to enroll in an eligible college or university in an associate's degree or other shorter-term training and education program that is aligned to state workforce priorities as determined by the Louisiana Board of Regents and the Louisiana Workforce Investment Council, and maintain an enrolled status throughout the academic year (TOPS) (enrollment in a summer session is optional and is not required to meet this requirement), unless granted an exception for cause by the board;

6. has maintained *steady academic progress*, as defined in §301; and

7.a. through the 2013-14 academic year, maintain, by the end of the spring term, a TOPS cumulative college grade

point average (TOPS Tech) of at least 2.50 on a 4.00 maximum scale, provided that this requirement does not apply to a student who is enrolled in a cosmetology or proprietary school that is an eligible college or university and the student has met the federal grant aid steady academic progress requirement at that school; and

b. beginning with the 2014-15 academic year, maintain, by the end of the academic year, a TOPS cumulative college grade point average (TOPS Tech) of at least 2.50 on a 4.00 maximum scale, provided that this requirement does not apply to a student who is enrolled in a cosmetology or proprietary school that is an eligible college or university and the student has met the federal grant aid steady academic progress requirement at that school; and

8. earn a total of at least 24 college credit hours as determined by totaling the earned hours reported by the institution for each semester or term in the academic year (TOPS). Unless granted an exception for cause by the board, failure to earn the required number of hours will result in permanent cancellation of the recipient's eligibility, provided that this requirement does not apply to a student who is enrolled in a cosmetology or proprietary school that is an eligible college or university and the student has met the federal grant aid steady academic progress requirement at that school.

B. Students failing to meet the requirements listed in §805.A.7 and 8 may have their TOPS Awards reinstated upon achieving steady academic progress, as defined in §301, and the attainment of the required grade point average, if the period of ineligibility did not persist for more than one year from the date of loss of eligibility. If the one-year period is interrupted due to a student's active duty in the United States Armed Forces, the one-year period will be extended for a length of time equal to the student's active duty service.

C. The semester or term count for a student shall not be increased for any semester or term a student is unable to complete because of orders to active duty in the United States Armed Forces or National Guard, whether or not a full refund for the TOPS-Tech payment for that semester or term is received by LOSFA.

D. Natural Disaster Maintaining Eligibility Requirements

1. To continue receiving the TOPS Tech Award, a displaced student must meet all of the criteria in §805.A-C above, except as follows.

a. The TOPS Tech Award of a displaced student who has been enrolled in a Louisiana-eligible college or university and who subsequently enrolls as a full-time student in an eligible out-of-state institution during the 2005-2006 academic year (TOPS) shall not be cancelled due to such out-of-state enrollment.

b. The TOPS Tech Award of a displaced student who has been enrolled in a Louisiana-eligible college or university and who subsequently enrolls as a full-time student in an eligible out-of-state institution during the 2005-2006 academic year (TOPS) shall not be reduced for those semesters or terms such displaced student was enrolled in an eligible out-of-state institution during the 2005-2006 academic year (TOPS).

c. The period of suspension of a TOPS Tech Award for a displaced student due to the student not meeting a requirement to maintain a minimum grade point average or

to make steady academic progress shall be extended on a one-for-one basis for each semester or other term in which the student does not enroll on a full-time basis in an eligible college or university during the 2005-2006 academic year (TOPS).

d. A TOPS Tech Award may be used by a displaced student during the 2005-2006 academic year (TOPS) to enroll on a full-time basis in an academic program at a Louisiana-eligible college or university to take courses that contribute to the pursuit of a skill or occupation. In such case, the award amount shall be at the same as the opportunity award for that institution.

2. For the purposes of this Subsection, *displaced student* means:

a. a student who on August 26, 2005:

i. was enrolled in one of the following institutions:

(a). Delgado Community College;

(b). Dillard University;

(c). Louisiana State University Health Sciences Center at New Orleans;

(d). Louisiana Technical College: Jefferson, Sidney N. Collier, Slidell, Sullivan, and West Jefferson campuses;

(e). Loyola University;

(f). New Orleans Baptist Theological Seminary;

(g). Nunez Community College;

(h). Our Lady of Holy Cross College;

(i). St. Joseph Seminary College;

(j). Southern University at New Orleans;

(k). Tulane University;

(l). University of New Orleans;

(m). Xavier University; or

ii. had a home of record in Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Tammany, Tangipahoa, or Washington Parish; or

b. a student who on September 20, 2005:

i. was enrolled in one of the following institutions:

(a). McNeese State University;

(b). Sowela Technical Community College; or

ii. had a home of record in Acadia, Allen, Beauregard, Calcasieu, Cameron, Iberia, Jefferson Davis, St. Mary, Terrebonne, or Vermilion Parish.

3. For the purposes of this Subsection, *home of record for a dependent student* shall mean the domiciliary address of the student's parent or court-ordered custodian and for an independent student shall mean the domiciliary address of such student.

E. A student who successfully completes a vocational or technical certificate or diploma program or a non-academic degree program without having exhausted his period of award eligibility shall receive an award for the remainder of his eligibility if he enrolls in another program of study leading to a vocational or technical certificate or diploma or to a non-academic degree no later than the fall semester immediately following the first anniversary of the student's completion of a vocational or technical certificate or diploma program or of a non-academic degree program and has met the requirements for continued eligibility set forth in §805.A.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:1905 (October 1998) amended LR 25:1091 (June 1999), LR 26:68 (January 2000), LR 26:689 (April 2000), LR 26:1997, 2002 (September 2000), repromulgated LR 27:1856 (November 2001), amended LR 28:774 (April 2002), LR 28:2332 (November 2002), LR 29:880 (June 2003), LR 29:2373 (November 2003), LR 30:781 (April 2004), LR 30:1165 (June 2004), LR 30:2019 (September 2004), LR 31:3115 (December 2005), LR 33:438 (March 2007), LR 35:1489 (August 2009), LR 38:3160 (December 2012), LR 40:1002 (May 2014), LR 41:666 (April 2015), LR 41:2598 (December 2015), LR 42:49 (January 2016), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:527 (March 2018).

Chapter 9. TOPS Teacher Award

§901. General Provisions

A. Legislative Authority. The TOPS Teacher Award Program was created by Act 476, of the 1997 Regular Session of the Louisiana Legislature and amended by Act 165 of the 1998 First Extraordinary Session of the Louisiana Legislature. This bill amended and reenacted R.S. 17:3042.1(A)(3) and (4), (B), (C), and (D), and 3042.2(A) and (B); reenacted R.S. 17:3042.1(A)(5) and (6) and 3042.8; and renamed chapter 20-B of title 17 of the *Louisiana Revised Statutes* of 1950.

B. Description, History and Purpose. The Taylor Opportunity Program for Students (TOPS) Teacher Award:

1. annually provides approximately 90 competitively-awarded educational loans to residents of Louisiana who commit to teach at the elementary or secondary school level in Louisiana. When the recipient teaches at an approved school in Louisiana, the loans are forgiven in the ratio of one year of loan forgiveness for each year of teaching, or two years of loan forgiveness for each year of teaching in an elementary or secondary school which is located in an economically disadvantaged region of the state as defined by the U.S. Department of Education;

2. was first funded for the 1997-98 award year;

3. was created to provide an incentive for Louisiana's best and brightest students to become tomorrow's classroom teachers and to provide an incentive that will attract highly qualified teachers in mathematics and chemistry at the elementary and secondary school levels.

C. Award Amounts

1. Loans are made in the amount of up to \$6,000 per award year for mathematics and chemistry majors.

2. Loans are made in the amount of up to \$4,000 per year for teacher education majors other than those listed in §901.C.1.

3. Recipient may receive a maximum of four years of funding.

4. Recipients receive one half of the annual award (\$3,000 or \$2,000, respectively) at the beginning of the fall and spring terms.

5. Recipients may, in conjunction with the Teachers Award, receive another TOPS Award.

6. In the event the student's total aid, including vocational rehabilitation awards, exceeds the cost of attendance, any federal loan aid included in the total aid package shall be reduced, then institutional and other aid in accordance with institutional practice, then the TOPS Teacher Award shall be reduced by the amount of any remaining over award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1649 (December 1997), repromulgated LR 24:637 (April 1998), amended LR 24:1906 (October 1998), LR 26:69 (January 2000), repromulgated LR 27:1856 (November 2001), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:529 (March 2018).

§903. Establishing Eligibility

A. To establish eligibility, the student applicant must meet all of the following criteria:

1. be a U.S. citizen, provided however, that a student who is not a citizen of the United States but who is eligible to apply for such citizenship shall be deemed to satisfy the citizenship requirement, if within 60 days after the date the student attains the age of majority, the student applies to become a citizen of the United States and obtains such citizenship within one year after the date of the application for citizenship. Those students who are eligible for U.S. citizenship and who otherwise qualify for a TOPS Award, will continue to satisfy the citizenship requirements for a TOPS Award for one year after the date of the student's application for citizenship, at which time, if the student has not provided proof of U.S. citizenship to the Office of Student Financial Assistance, the student's TOPS Award will be suspended until such time as proof of citizenship is provided;

2. be a resident of Louisiana, as defined in §301 for at least two years prior to July 1 of the award year; and

3. annually submit the completed free application for federal student aid (FAFSA) or renewal FAFSA, whichever is applicable to the student, by the state aid deadline defined in §501.C and §505.F; and

4. either:

a. graduate from a Board of Elementary and Secondary Education (BESE) -approved, provisionally-approved, or probationally-approved public or nonpublic high school; and

i. at the time of high school graduation, have successfully completed 16.5 units of high school course work constituting a core curriculum as defined in §703.A.5.a.i; and

ii. at the time of high school graduation, have attained a composite score on the ACT test or the scholastic aptitude test (SAT) which is, or is equivalent to, at least a 23 on the 1990 version of the ACT; and

iii. graduate with a cumulative high school grade point average of at least a 3.25, calculated on a 4.00 scale, for all courses attempted; or

b. if by the end of June in the year of application, the student will have completed 24 or more but less than 48 hours of graded college credit, have at least a 3.25 cumulative college grade point average on a 4.00 scale; or

c. if by the end of June in the year of application, the student will have completed 48 or more hours of graded college credit, have at least a 3.00 cumulative college grade point average on a 4.00 scale; or

d. have received a baccalaureate degree from an accredited college or university and have a cumulative undergraduate grade point average of at least 3.00 calculated on a 4.00 scale; or

e. have received at least a master's degree from an accredited college or university; and

5. complete and submit such documentary evidence as may be required by the Louisiana Board of Regents (the board) by the deadline specified in §503; and

6. not have a criminal conviction, except for misdemeanor traffic violations; and

7. agree that the award will be used exclusively for educational expenses; and

8. enroll during the fall term at an eligible college or university, as defined in §1901, as a *full-time student*, as defined in §301, in a degree program or course of study leading to a degree in education or an alternative program leading to regular certification as a teacher at the elementary or secondary level in mathematics or chemistry.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1650 (December 1997), repromulgated LR 24:637 (April 1998), amended LR 24:1906 (October 1998), LR 26:68 (January 2000), LR 26:2269 (October 2000), LR 27:284 (March 2001), LR 27:1220 (August 2001), repromulgated LR 27:1857 (November 2001), amended LR 28:448 (March 2002), LR 28:774 (April 2002), LR 28:2332 (November 2002), LR 30:2019 (September 2004), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:529 (March 2018).

§905. Selection Criteria

A. Recipients are competitively selected for the award based upon the merit rank score computed and assigned to each eligible applicant. The formula for computing the merit rank score is defined in §301.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1650 (December 1997), repromulgated LR 24:638 (April 1998), amended LR 24:1907 (October 1998), repromulgated LR 27:1857 (November 2001), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:530 (March 2018).

§907. Maintaining Eligibility

A. To continue receiving the TOPS Teacher Award, recipients must meet all of the following criteria:

1. have received less than four years or eight semesters of TOPS Teacher Awards; and

2. by the end of each academic year, earn a total of at least 24 hours college credit during the fall and spring semesters or fall, winter and spring quarters, as determined by totaling the earned hours reported by the institution for each semester in the academic year. These hours shall not include remedial course work nor hours earned during summer sessions or intersessions or by advanced placement course credits (see also §705.D); and

3. achieve a cumulative GPA of at least a 3.00 calculated on a 4.00 scale at the end of each academic year; and

4. maintain steady academic progress as defined in §301; and

5. continue to enroll each subsequent semester or quarter as a full-time student in a degree program or course of study leading to a degree in education or alternative program leading to regular certification as a teacher at the

elementary or secondary level, and maintain an enrolled status throughout the academic term, unless granted an exception for cause by the board; or

6. enter a program approved by BESE which leads to a degree in education or to regular certification as a teacher as soon as sufficient credits have been earned to do so; and

7. submit the renewal FAFSA in accordance with §505.F;

8. have no criminal convictions, except for misdemeanor traffic violations.

B. Recipients who do not maintain eligibility under the provisions of §907.A.3 and 4, may be reinstated upon attainment of the required GPA and achieving the GPA required for steady academic progress, as defined in §301, provided the period of ineligibility did not exceed two years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1650 (December 1997), repromulgated LR 24:638 (April 1998), amended LR 24:1907 (October 1998), LR 25:1092 (June 1999), LR 26:68 (January 2000), LR 26:689 (April 2000), repromulgated LR 27:1857 (November 2001), amended LR 28:448 (March 2002), LR 28:774 (April 2002), LR 30:2020 (September 2004), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:530 (March 2018).

§909. Completion of Promissory Note and Acceptance of Award

A. Prior to receiving an award, the recipient must agree to the terms and conditions contained in the TOPS Teacher Award Program promissory note by completing the form and returning it to the board by the specified deadline. The promissory note obligates the recipient to teach one year for each year of funding received; or, if teaching in a school located in an economically disadvantaged region of the state, as defined by the U.S. Department of Education, teach one year for every two years of funding received, or repay the funds received, plus accrued interest and any collection costs incurred.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1650 (December 1997), repromulgated LR 24:638 (April 1998), amended LR 24:1907 (October 1998), LR 26:69 (January 2000), repromulgated LR 27:1858 (November 2001), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:530 (March 2018).

§911. Discharge of Obligation

A. The loan may be discharged by teaching for the required period of obligation, by monetary repayment or by cancellation.

B. Discharging the loan by teaching fulfillment is accomplished by:

1. within two years of the date of certification as a teacher, perform service as a full-time classroom teacher in a Louisiana Board of Elementary and Secondary Education (BESE) -approved, provisionally-approved, or probationally-approved elementary or secondary school;

2. each year of full-time service as a teacher will fulfill an equivalent period of funding. However, if teaching in an elementary or secondary school which is located in an economically disadvantaged region of the state, as defined

by the U.S. Department of Education, one year of teaching will fulfill two years of funding;

3. the first two full semesters of full-time teaching will be applied toward the earliest dated disbursement not previously paid under §911.C, the second two full semesters the next earliest dated disbursement, and continuing until all disbursements have been fulfilled;

4. teaching to discharge the loan must be completed within six years from the date of certification as a teacher.

C. Discharging the Loan by Monetary Repayment. Recipients who elect not to discharge the obligation by teaching and who are not eligible for discharge by cancellation must repay the loan principal plus accrued interest and any collection costs incurred according to the following terms and conditions:

1. interest will accrue on the outstanding principal at the rate of 8 percent per annum;

2. interest on each disbursement will accrue from the date of entering repayment status until repaid, canceled or fulfilled;

3. repayment status. The recipient enters repayment status the first of the month following:

a. determination by the board that the recipient cannot discharge the loan by teaching within the required time period;

b. the date the recipient notifies the board that monetary repayment is desired; or

c. six months after the board determines that the recipient is no longer pursuing a degree program or course of study leading to a degree in education or alternative program leading to regular certification as a teacher at the elementary or secondary school level;

4. unless the recipient qualifies for reduced payments as provided in §2105.H, the amount to be repaid annually will be the greater of:

a. the amount necessary to repay the capitalized loan principal within 10 years; or

b. \$1,200 per year or the unpaid balance, whichever is less;

5. recipients in repayment status may have their payments deferred in accordance with §2105.B, deferment of repayment obligation;

6. during the period of time a recipient is in deferment status, a recipient is not required to make repayments and interest does not accrue;

7. the period of time for completion of repayment will be extended by a period of time equal to the length of time the recipient is in deferment status.

D. Cancellation

1. The obligation to repay any remaining unpaid balance of the TOPS Teacher Award shall be canceled in the event either of the following occurs:

a. upon submission to the board of a sworn affidavit from a qualified physician that the recipient is precluded from gainful employment because of a complete and permanent medical disability or condition; or

b. upon submission to the board of a death certificate or other evidence conclusive under state law, that the recipient is deceased.

2. The obligation to repay any remaining unpaid balance of the TOPS Teacher Award may be canceled in the event the remaining unpaid balance is \$25 or less.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3042.1 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:638 (April 1998), amended LR 24:1907 (October 1998), LR 26:69 (January 2000), LR 26:1603 (August 2000), LR 27:1858 (November 2001), LR 28:774 (April 2002), LR 30:780 (April 2004), LR 30:1168 (June 2004), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:530 (March 2018).

Chapter 10. TOPS-Tech Early Start Award

§1001. General Provisions

A. Legislative Authority. The TOPS-Tech Early Start Award was created by Act 348 of the 2005 Regular Session of the Louisiana Legislature and amended by Act 737 of the 2014 Regular Session of the Legislature.

B. Description, History and Purpose. The TOPS-Tech Early Start Award is established as part of the Taylor Opportunity Program for Students (TOPS) to provide grants for Louisiana residents taking a technical or applied course in pursuit of occupational or vocational training while being dually enrolled in a state public high school at the 11th and 12th grade levels and at a Louisiana public or nonpublic postsecondary institution or in an approved training program that offers an occupational or vocational education credential in a top demand occupation. The purpose of TOPS-Tech Early Start is to provide an incentive for qualified Louisiana public high school students to prepare for and pursue an industry-based occupational or vocational education credential in a top demand occupation while still in high school.

C. Effective Date. The TOPS-Tech Early Start Award shall be first awarded beginning with the 2005-2006 award year to 11th and 12th grade students meeting the eligibility criteria set forth in this Chapter.

D. Eligible Terms. The TOPS-Tech Early Start Award is limited to 6 credit hours per semester and 12 credit hours each academic year (college). TOPS-Tech Early Start is not payable for summer semesters or sessions.

E. Award Amount. The TOPS-Tech Early Start Award provides a payment not to exceed \$300 for up to six credit hours each semester or \$600 each academic year (college) at a rate of \$50 per credit hour.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:5081.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 31:3109 (December 2005), amended LR 35:231 (February 2009), LR 41:374 (February 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:531 (March 2018).

§1003. Definitions

Approved Training Program—a program provided by an approved training provider of technical and/or applied courses toward a credential in a top demand occupation.

Approved Training Provider—a Louisiana provider recognized by the Louisiana Workforce Commission and approved by the state Board of Elementary and Secondary Education to provide technical and/or applied courses toward a credential in a top demand occupation.

Credential—industry-based certification, a certificate of applied science or a certificate of technical sciences approved by the Workforce Investment Council.

Technical or Applied Course—a course required for a credential in a top demand occupation.

Top Demand Occupation—an occupation identified by the Occupation Forecasting Conference as being in top demand in Louisiana and recognized by the State Industry-Based Certification Leadership Council.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:5081.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 41:375 (February 2015), amended LR 41:668 (April 2105), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:531 (March 2018).

§1005. Establishing Eligibility

A. To establish eligibility for the TOPS-Tech Early Start Award, the student applicant must meet all of the following criteria:

1. be in the 11th or 12th grade in a Louisiana public high school;
2. have prepared a five-year education and career plan, including a sequence of related courses with a career focus as provided by the high school career option subchapter in R.S. 17:183.2 et seq.;
3. have a cumulative high school grade point average on all courses attempted of not less than 2.0 when calculated on a 4.0 scale;
4. score at least 15 on the English subsection and 15 on the mathematics subsection of the ACT PLAN assessment or a successor assessment administered as part of Louisiana's educational planning and assessment system or the ACT or an equivalent concordant value of the SAT or have attained a silver level score on the assessments of the ACT WorkKeys system;
5. enroll in a course in an industry-based occupational or vocational education credential program in a top demand occupation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:5081.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 31:3110 (December 2005), amended LR 41:375 (February 2015), LR 41:2599 (December 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:532 (March 2018).

§1007. Maintaining Eligibility

A. To continue receiving the TOPS-Tech Early Start Award, the recipient must meet all of the following criteria:

1. be a student in good standing in a Louisiana public high school; and
2. maintain a cumulative high school grade point average on all courses attempted of not less than 2.0 when calculated on a 4.0 scale; and
3. continue to pursue one or more courses leading to a credential in a top demand occupation; and
4. be a student in good standing while enrolled in a Louisiana public or nonpublic postsecondary education institution or an approved training program; and
5. maintain steady academic progress as defined in §301.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:5081.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 31:3110 (December 2005), amended LR 41:375 (February

2015), LR 41:2599 (December 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:532 (March 2018).

§1009. Responsibilities of LOSFA

A. Upon receipt of bills from institutions submitted in accordance with §1903.B, LOSFA will reimburse the institution for each eligible student in accordance with §1903.

B. LOSFA shall conduct audits of participating Louisiana public and nonpublic postsecondary institutions, approved training providers, and high schools to ensure compliance with program requirements.

C. LOSFA shall provide the information necessary to fully inform Louisiana public high school students and their parents on the requirements of and procedures for applying for and maintaining the award.

D. In the event that the funds appropriated for the TOPS-Tech Early Start Award are insufficient to pay all awards for all eligible students, LOSFA shall develop and submit to the Louisiana Board of Regents (the board) a plan to limit the awards to the amount appropriated.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:5081.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 31:3110 (December 2005), amended LR 36:2029 (September 2010), LR 41:375 (February 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:532 (March 2018).

§1011. Responsibilities of High Schools

A. The high school shall comply with the reporting requirements of §1703 for all students enrolled in high school.

B. The high school shall determine whether the student is eligible to participate in the TOPS-Tech Early Start program and approve or disapprove the student's participation in the program.

C. The high school's approval of a student's participation in the program by signing the student's application certifies that the student meets the eligibility criteria provided in §1005.A.1-5, and, if applicable, §1007.A.1 and 2.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:5081.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 31:3110 (December 2005), amended LR 36:2029 (September 2010), LR 41:375 (February 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:532 (March 2018).

§1013. Responsibilities of Louisiana Public and Nonpublic Postsecondary Institutions and Approved Training Providers

A. Each Louisiana public and nonpublic postsecondary institution and each approved training provider that offers an industry based occupational or vocational education credential in a top demand occupation shall:

1. determine whether an eligible student has applied for enrollment in a course at that institution or provider to pursue an industry based occupational or vocational education credential in a top demand occupation in accordance with §1903.C.5;

2. determine whether the student has met the requirements to maintain an award as required by §1007.A.3-5;

3. submit bills to LOSFA in accordance with §1903.B for each eligible student so enrolled; and

4. comply with the reporting and records retention requirements of §1903.A and E.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:5081.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 31:3111 (December 2005), amended LR 36:2030 (September 2010), LR 41:376 (February 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:532 (March 2018).

§1015. Responsibilities of the Workforce Investment Council

A. The Workforce Investment Council shall define, maintain, and make available to LOSFA and to public and nonpublic postsecondary institutions and to Louisiana training providers a list of industry-based occupational or vocational education credentials.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:5081.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 31:3111 (December 2005), amended LR 36:2030 (September 2010), LR 41:376 (February 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:533 (March 2018).

§1017. Responsibilities of the State Board of Elementary and Secondary Education (BESE)

A. BESE shall determine which training providers are approved to provide courses each academic year for the TOPS-Tech Early Start Award in accordance with R.S. 17:5081.

B. BESE shall notify LOSFA of the names and addresses for the approved training providers no later than March 1 for the fall of that year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:5081.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 41:376 (February 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:533 (March 2018).

Chapter 11. Rockefeller State Wildlife Scholarship

§1101. General Provisions

A. Legislative Authority. The Louisiana State Wildlife Scholarship Program was created and amended by the following Acts of the Louisiana Legislature:

1. Act 807 of the 1980 Regular Legislative Session;
2. Act 849 of the 1987 Regular Legislative Session;
3. Act 707 of the 1989 Regular Legislative Session.

B. Description, History and Purpose

1. The Rockefeller State Wildlife Scholarship Program was established in 1980 and is funded with dedicated monies. Through the 2009-2010 academic year, the program provided competitively awarded funds of \$1,000 per academic year to both undergraduate and graduate students majoring in forestry, wildlife, or marine science as it pertains to wildlife, with a requirement that the awardee repay the funds if the student did not earn a degree in one of these fields. Beginning with the 2010-2011 academic year, the program offers competitively awarded scholarships of \$2,000 per academic year for undergraduate students and \$3,000 per academic year for graduate students.

2.a. Through the 2009-2010 academic year, students accepting the Rockefeller State Wildlife Scholarship agreed:

i. to attain a degree in one of the required fields at a Louisiana public college or university offering such degrees; and

ii. if the student failed or fails to successfully complete an eligible course of study, to repay the funds with interest as per the agreement made between the Louisiana Board of Regents (the board) and the student.

b. Beginning with the 2010-2011 academic year, the Rockefeller State Wildlife Scholarship Program is a pure scholarship for undergraduate students who have earned at least 60 credit hours and graduate students.

c. Students who received the award during the 2009-2010 academic year who have not yet earned 60 hours of academic credit may receive the award as a scholarship beginning with the 2010-2011 academic year if the requirements to maintain eligibility have been met.

C. Award Amounts

1. Through the 2009-2010 academic year:

- a. the annual award is \$1,000;
- b. the cumulative maximum award is \$7,000 for up to five years of undergraduate and two years of graduate study.

2. Beginning with the 2010-2011 academic year and thereafter:

- a. the annual award is \$2,000 for undergraduate students;
- b. the annual award is \$3,000 for graduate students;
- c. the cumulative maximum award is \$12,000 for up to three years of undergraduate and two years of graduate study.

D. Award Disbursements

1. Through the 2009-2010 academic year, the award is disbursed:

- a. at postsecondary institutions using semesters at the rate of \$500 each fall and spring semester; or
- b. at postsecondary institutions using terms at the rate of \$333 for the fall and winter term and of \$334 for the spring term.

2. Beginning with the 2010-2011 academic year and thereafter, the award is disbursed:

- a. at postsecondary institutions using semesters at the rate of:
 - i. \$1,000 each fall and spring semester for undergraduate students; and
 - ii. \$1,500 each fall and spring semester for graduate students; or
- b. at postsecondary institutions using terms at the rate of:
 - i. \$667 for each fall and winter and of \$666 for the spring term for undergraduates; and
 - ii. \$1,000 for each fall, winter term and spring term for graduates.

3. In the event there are unawarded appropriated funds at the end of the spring semester or term, such funds may be disbursed pro-rata to students who received an award during the preceding academic year and are enrolled full-time during the summer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 56:797(D)(2).

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:639 (April 1998), amended LR 24:1908 (October 1998), repromulgated LR 27:1859 (November 2001), amended LR 34:235 (February 2008), LR 36:2267 (October 2010), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:533 (March 2018).

§1103. Establishing Eligibility

A. To establish eligibility, the student applicant must meet all of the following criteria:

1. be a U.S. citizen or national or eligible noncitizen; and

2. be a resident of Louisiana, as defined in §301 for at least one year prior to July 1 of the award year; and

3.a. through the 2007-2008 academic year (college), submit the completed free application for federal student aid (FAFSA) or the renewal FAFSA, whichever is applicable to the student, so that it is received by the federal processor by the final deadline set forth in §501.C or §505.F; or

b. beginning with the 2008-2009 academic year (college):

i. to be eligible for the scholarship for both fall and spring semesters of the academic year (college), submit the completed free application for federal student aid (FAFSA) or the renewal FAFSA, whichever is applicable to the student, so that it is received by the federal processor and by LOSFA by the final deadline set forth in §501.C or §505.F;

ii. to be eligible for the scholarship, if funds are available, for the spring semester of the academic year (college), submit the completed free application for federal student aid (FAFSA) or the renewal FAFSA, whichever is applicable to the student, so that it is received by the federal processor by the final deadline set forth in §501.C or §505.F; and

4.a. through the 2007-2008 academic year (college), complete and submit such documentary evidence as may be required by LOSFA; or

b. beginning with the 2008-2009 academic year, complete and submit such documentary evidence as may be required by LOSFA so that it is received by LOSFA no later than July 1 preceding the academic year (college) for which the scholarship is sought; and

5.a. beginning with the 2008-2009 academic year:

i. through the 2009-2010 academic year, to be eligible for the award for both fall and spring semesters of the academic year (college), complete and submit the Rockefeller Wildlife Scholarship application and a master promissory note so that they are received by LOSFA no later than July 1 preceding the fall semester for which the award is sought; or

ii. to be eligible for the award, if funds are available for the spring semester of the academic year (college), complete and submit the Rockefeller Wildlife Scholarship application and a master promissory note so that they are received by LOSFA no later than December 1 immediately preceding the spring semester for which the award is sought; and

b. beginning with the 2010-2011 academic year:

i. to be eligible for the scholarship for both fall and spring semesters of the academic year (college), complete and submit the Rockefeller Wildlife Scholarship application so that it is received by LOSFA no later than July

1 preceding the fall semester for which the scholarship is sought; or

ii. to be eligible for the scholarship, if funds are available for the spring semester of the academic year (college), complete and submit the Rockefeller Wildlife Scholarship application so that it is received by LOSFA no later than December 1 immediately preceding the spring semester for which the scholarship is sought; and

6. agree that award proceeds will be used exclusively for educational expenses; and

7.a. through the 2009-2010 academic year, be enrolled or accepted for enrollment as a full-time undergraduate or graduate student at a Louisiana public college or university majoring in forestry, wildlife or marine science as it pertains to wildlife, with the intent of obtaining a degree from a Louisiana public college or university offering a degree in one of the three specified fields; or

b. for the 2010-2011 academic year and thereafter, be an undergraduate recipient of the award during the 2009-2010 academic year and enrolled full-time or an undergraduate with at least 60 earned hours of college credit and enrolled full-time or graduate student and enrolled full-time at a Louisiana public college or university majoring in forestry, wildlife or marine science as it pertains to wildlife, with the intent of obtaining a degree from a Louisiana public college or university offering a degree in one of the three specified fields; and

8.a. through the 2009-2010 academic year, must have graduated from high school, and if at the time of application the student applicant has earned less than 24 hours of graded college credit since graduating from high school, have earned a minimum cumulative high school grade point average of at least 2.50 calculated on a 4.00 scale for all courses completed in grades 9 through 12, have taken the ACT or SAT and received test score results and, beginning with the 2006-2007 academic year (college), have an ACT score of at least 20; or

b. beginning with the 2006-2007 academic year (college) and through the 2009-2010 academic year, must be a qualified home study completer and, if at the time of application the student applicant has earned less than 24 hours of graded college credit since graduating from high school, achieve an ACT score of at least 22; or

c.i. through the 2009-2010 academic year, if, at the time of application, the student applicant has earned 24 or more hours of college credit, then the applicant must have at least a 2.50 cumulative college grade point average; or

ii. beginning with the 2010-2011 academic year, the student applicant has earned 60 or more hours of college credit with at least a 2.50 cumulative college grade point average; or

d. if, at the time of application, the student is in graduate school, then the applicant must have at least a 3.00 cumulative grade point average on all credits earned in graduate school;

9. through the 2009-2010 academic year, to be a qualified home study completer for the purposes of this Section, the applicant must:

a. successfully complete at the twelfth grade level a home study program approved by BESE; or

b. if a Louisiana public high school, a Louisiana nonpublic high school, an approved non-Louisiana high

school, or an out-of-state high school was previously attended, has provided the board with certification by the previously attended high school that said student was in good standing at the time the student last attended such school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 56:797(D)(2).

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:639 (April 1998), amended LR 24:1908 (October 1998), LR 27:1220 (August 2001), repromulgated LR 27:1859 (November 2001), amended LR 28:774 (April 2002), LR 29:125 (February 2003), LR 30:2020 (September 2004), LR 33:87 (January 2007), LR 34:235 (February 2008), LR 36:2268 (October 2010), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:534 (March 2018).

§1105. Selection Criteria

A. Recipients are competitively selected for an award based upon the merit rank score computed and assigned to each eligible applicant. The formula for computing the merit rank score is defined in §301.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 56:797(D)(2).

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:640 (April 1998), amended LR 24:1909 (October 1998), repromulgated LR 27:1859 (November 2001), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:535 (March 2018).

§1107. Maintaining Eligibility

A. To continue receiving the Rockefeller State Wildlife Scholarship, recipients must meet all of the following criteria:

1.a. for recipients first accepting the award through the 2009-2010 academic year, have received the scholarship for not more than seven academic years (five undergraduate and two graduate); or

b. for recipients first accepting the award for the 2010-2011 academic year and thereafter, have received the scholarship for not more than five academic years (three undergraduate and two graduate); and

2. at the close of each academic year (ending with the spring semester or quarter), have earned at least 24-hours total credit during the fall, winter and spring terms at an institution defining 12 semester or eight quarter hours as the minimum for full-time undergraduate status or earn at least 18 hours total graduate credit during the fall, winter and spring terms at an institution defining 9 semester hours as the minimum for full-time graduate status unless granted an exception for cause by the board; and

3. achieve a cumulative grade point average of at least 2.50 as an undergraduate student at the end of each academic year or achieve a cumulative grade point average of at least 3.00 as a graduate student at the end of each academic year; and

4. continue to enroll as a full time student each subsequent semester or quarter (excluding summer sessions and intersessions) at the same institution unless granted an exception for cause and/or approval for transfer of the award by the board; and

5. continue to pursue a course of study leading to an undergraduate or graduate degree in wildlife, forestry or marine science.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 56:797(D)(2).

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:640 (April 1998), amended LR 24:1909 (October 1998), repromulgated LR 27:1859 (November 2001), amended LR 31:2215 (September 2005), LR 34:235 (February 2008), LR 36:2268 (October 2010), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:535 (March 2018).

§1109. Acceptance of Award

A.1. For recipients first accepting the award through the 2009-2010 academic year, prior to receiving an award, the recipient must agree to the terms and conditions contained in the Rockefeller State Wildlife Scholarship Program promissory note (BOR-Form RS02), by completing the form and returning it to the board by the specified deadline. The promissory note obligates the recipient to obtain a wildlife, forestry or marine science degree or repay the scholarship funds received, plus accrued interest and any collection costs incurred.

2. For recipients accepting the award for the 2010-2011 academic year and thereafter, prior to receiving an award, the recipient must agree to the terms and conditions contained in the Rockefeller State Wildlife Scholarship Program application, by completing the form and returning it to the board by the specified deadline. The scholarship obligates the recipient to seek a wildlife, forestry or marine science degree or lose eligibility for future awards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and 56:797(D)(2).

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:640 (April 1998), amended LR 24:1909 (October 1998), repromulgated LR 27:1860 (November 2001), amended LR 36:2268 (October 2010), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:535 (March 2018).

§1111. Discharge of Obligation for Recipients First Accepting an Award through the 2009-2010 Academic Year

A. The loan obligation for awards received through the 2009-2010 academic year may be discharged by graduation in an eligible major, monetary repayment or cancellation.

B. Graduation in an Eligible Major. Awards to undergraduates are discharged by the recipient's attainment of a bachelor's degree; graduate awards are discharged by attainment of a master's or doctorate degree in wildlife, forestry or marine science.

C. Monetary Repayment. Recipients who do not discharge the obligation by graduating in an eligible major and who are not eligible for discharge by cancellation must repay the loan principal, plus accrued interest and any collection costs incurred in accordance with the following terms and conditions:

1. interest accrues on the outstanding principal at the rate of eight percent per annum;

2. interest on each disbursement will accrue from the date of entering repayment status until repaid, canceled or fulfilled;

3. repayment status. The recipient enters repayment status the first day of the month following:

a. the date the recipient notifies the board that monetary repayment is desired; or

b. six months after the board determines that the recipient is no longer pursuing a degree program or course of study leading to a degree in wildlife, forestry or marine science;

4. unless the recipient qualifies for reduced payments as provided in §2105.H, the annual repayment amount will be the greater of:

a. the amount necessary to repay the capitalized loan principal within seven years; or

b. \$1,200 per year or the unpaid balance, whichever is less;

5. recipients in repayment status may have their payments deferred in accordance with §2105.B, titled deferment of repayment obligation;

a. during the period of time a recipient is in deferment status, the recipient is not required to make payments and interest does not accrue;

b. the period of time for completion of repayment will be extended by a period of time equal to the length of time the recipient is in deferment status.

D. Cancellation

1. The obligation to repay all or part of Rockefeller State Wildlife Scholarship Program funds shall be canceled in the event either of the following occurs:

a. upon submission to the board of a sworn affidavit from a qualified physician that the recipient is precluded from completing the educational program and/or from gainful employment because of a complete and permanent medical disability or condition;

b. upon submission to the board of a death certificate, or other evidence conclusive under state law, that the recipient is deceased.

2. The obligation to repay all or part of Rockefeller State Wildlife Scholarship Program funds may be canceled in the event the remaining unpaid balance is \$25 or less.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and 56:797(D)(2).

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:640 (April 1998), amended LR 24:1909 (October 1998), repromulgated LR 27:1860 (November 2001), amended LR 28:775 (April 2002), LR 30:780 (April 2004), LR 30:1168 (June 2004), LR 36:2269 (October 2010), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:535 (March 2018).

Chapter 12. Louisiana GO Grant

§1201. General Provisions

A. Legislative Authority

1.a. In accordance with the requirements of Act 695 of the 2004 Regular Session of the Legislature, the Louisiana Board of Regents (the board) developed the GO Grant Program. The program was reviewed and approved by both the Senate Committee on Education and the House Committee on Education on April 12, 2007.

b. Act 655 of the 2010 Regular Session of the Legislature establishes the GO Grant Program in R.S. 17:3046 et seq. The Act provides that the board shall establish the criteria for initial and continuing eligibility, the method for determining the award amount, and other requirements not otherwise provided in the statute. The Act further provides that the GO Grant Program shall be

administered by the board through the Louisiana Office of Student Financial Assistance (LOSFA).

B. Description and Purpose. The Louisiana GO Grant assists those students who can demonstrate financial need to pay for the cost of postsecondary education. The GO Grant is used to pay a portion of the cost of attendance at an eligible Louisiana institution.

C. Award Amount

1. The minimum and maximum annual award amounts and the lifetime award amount, if any, shall be established by the board on an annual basis and such amounts shall be published by LOSFA to the eligible Louisiana institutions.

2. Each institution shall determine the award amounts for eligible students at that institution based on the requirements in these rules, the allocation to the institution, the institution's financial aid packaging policy, and the guidance established by the board and published by LOSFA.

D. The total amount awarded for GO Grants during any academic year is limited to the total amount appropriated for the award for the academic year. Eligibility for an award during any particular semester, quarter or term does not guarantee that a student will receive the GO Grant in a subsequent semester, quarter or term.

E. Allocation of Funds. The amount allocated to an eligible institution will be determined by dividing the amount of the institution's prior year's allocation that was expended by the total amount appropriated for that academic year multiplied by the total amount appropriated for the current year.

F. Reallocation of Funds. Uncommitted funds allocated to a particular institution shall be reallocated if not committed by the deadline set by LOSFA. Uncommitted funds shall be apportioned among those institutions that have committed all funds allocated to the institution before the deadline, and have students who are eligible for an award and did not receive it.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023, 17:3046 et seq. and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2614 (December 2007), amended LR 34:236 (February 2008), LR 35:2349 (November 2009), LR 39:2234 (August 2013), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:536 (March 2018).

§1203. Definitions

A. The following definitions shall be applicable to the Louisiana GO Grant Program. Words and terms not otherwise defined in this Chapter shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa. The term "the board" refers to the Louisiana Board of Regents.

Academic Year—the academic year begins with the fall semester or term of the award year, includes the winter term, if applicable, and concludes with the completion of the spring semester or term of the award year. Summer terms are not included in the academic year unless authorized by the board and only if the post-secondary institution provides students with Pell Grants or financial need grants during the summer session.

Administering Agency—the Louisiana Board of Regents (the board) through the Louisiana Office of Student Financial Assistance (LOSFA).

Cost of Attendance—the total cost for a student to attend a particular eligible Louisiana institution, usually expressed as an academic year figure. This cost shall be determined by the institution attended in compliance with title IV of the Higher Education Act of 1965, as amended, and shall be annually updated and adopted by the institution.

Dependent Student—a student who does not qualify as an independent student for purposes of qualifying for title IV aid.

Eligible Louisiana Institution—

a. Louisiana public colleges or universities and regionally accredited independent colleges or universities in the state that are members of the Louisiana Association of Independent Colleges and Universities; and

b. Louisiana public colleges that have been granted regional candidacy status, but are not yet eligible to participate in title IV programs. Candidacy status institutions must require students to complete a FAFSA and the institution must determine a student's eligibility in accordance with rules under this Chapter.

Enrollment—registration in programs of study at an eligible Louisiana institution.

Excess Award—an award in excess of what is authorized by these rules and the guidance established by the board and published by LOSFA.

Expected Family Contribution (EFC)—an amount, determined by a formula established by Congress, that indicates how much of a family's financial resources should be available to help pay for the student's cost of attendance. Factors such as taxable and nontaxable income, assets (such as savings and checking accounts), and benefits (for example, unemployment or Social Security) are all considered in this calculation.

Federal Pell Grant—the Pell Grant provided under title IV of the Higher Education Act of 1965, as amended.

Financial Need—the student's costs of attendance at the institution attended minus the expected family contribution (EFC).

Financial Need Grant—an institutional grant provided by the state for students with financial need as evidenced by the data reported on the FAFSA at a Louisiana public college that has been granted regional candidacy status and is eligible to participate in the Go Grant Program.

Full-Time—a student enrolled in an eligible Louisiana institution who is considered full-time by the school.

Go Grant Award Amount—the award amount actually paid during an academic year.

Half-Time—a student enrolled in an eligible Louisiana institution who is not full-time but is enrolled in at least six semester credit hours, or four hours at a term school.

Independent Student—a student who meets at least one of the criteria listed in Subparagraphs a-f or has been determined independent by a financial aid officer exercising professional judgment in accordance with applicable provisions of the Higher Education Act of 1965, as amended:

a. reached 24 years of age prior to January of the year preceding the academic year for which the student is applying for aid;

b. is currently serving on active duty for purposes other than training or is a veteran of the U.S. Armed Forces, including a student who was activated to serve in Operation Desert Storm;

c. is an orphan or a ward of the court or was a ward of the court until age 18;

d. has legal dependents other than a spouse;

e. is a graduate or professional student;

f. is married.

Less Than Half-Time—a student enrolled in an eligible Louisiana institution who is not full-time and is enrolled in less than six semester credit hours or four hours at a term school.

Louisiana Resident—

a. a dependent or independent student whose true, fixed, and permanent home of residence is Louisiana as reported on the free application for federal student aid (FAFSA);

b. a dependent student whose non-custodial parent completes a residency affidavit in Subparagraph e below that establishes Louisiana residency;

c. a dependent student whose parent is transferred out of Louisiana temporarily by his/her employer and that parent completes a residency affidavit in Subparagraph e below that establishes Louisiana residency;

d. a dependent student whose parent is on active duty in the armed forces and who is stationed in Louisiana under permanent change of station orders, or an independent student who is on active duty military status in the armed forces and is stationed in Louisiana under permanent change of station orders;

e. if the dependent or independent student does not report Louisiana as his true, fixed, and permanent home of residence as Louisiana on the FAFSA, the board may require an independent student applicant or the parent of a dependent student applicant to show proof of residency. Residency may be established by completion of a standard affidavit developed by the board. Such affidavits must be completed in their entirety by the independent student applicant or by at least one parent of the dependent student applicant and be sworn to and notarized by a licensed notary public. Further, the affiant shall be required to submit records in support of the affidavit to include the following records and such other records as may be required by the board:

i. if registered to vote, a Louisiana voter registration card; and

ii. if licensed to drive a motor vehicle, a Louisiana driver's license; and

iii. if owning a motor vehicle located in Louisiana, a Louisiana registration for that vehicle; and

iv. if earning a reportable income, a Louisiana tax return.

Satisfactory Academic Progress—a standard established in accordance with the Higher Education Act of 1965, as amended, by the institution at which a GO Grant recipient is enrolled for measuring a student's progress in his or her educational program.

Undergraduate Program—a program of study that is designed to lead to a certificate or undergraduate degree.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3046 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2615 (December 2007), amended LR 34:236 (February 2008), LR 35:647 (April 2009), LR 35:2349 (November 2009), LR 36:2853 (December 2010), LR 39:2234 (August 2013), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:536 (March 2018).

§1205. Initial Eligibility

A. To be initially eligible for a Louisiana GO Grant, a student must:

1. complete the free application for federal student aid for the year during which he intends to enroll in college;
2. be a Louisiana resident;
3. receive a federal Pell Grant or a financial need grant;
4. have remaining financial need; and
5. be enrolled in an undergraduate program on at least a half-time basis at an eligible Louisiana institution through the fourteenth class day for semester schools, or the ninth class day for quarter and term schools, or for any qualifying summer sessions, at the end of the last day to drop and receive a full refund for the full summer session.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3046 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2616 (December 2007), amended LR 34:238 (February 2008), LR 35:2349 (November 2009), LR 36:2853 (December 2010), LR 37:1389 (May 2011), LR 38:1953 (August 2012), LR 39:2235 (August 2013), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:538 (March 2018).

§1207. Continuing Eligibility

A. A student's eligibility will be reevaluated on the same schedule as eligibility for a federal Pell Grant or a financial need grant is determined at the institution, but at least once annually.

B. To continue to be eligible for a Louisiana GO Grant, a student must:

1. complete the free application for federal student aid or the renewal application for each year he enrolls in college to be considered for a Pell Grant and the Go Grant;
2. continue to receive the federal Pell Grant or a financial need grant;
3. have remaining financial need; and
4. be enrolled in an undergraduate program on at least a half-time basis at an eligible Louisiana institution through the fourteenth class day for semester schools, or the ninth class day for quarter and term schools, or for any qualifying summer sessions, at the end of the last day to drop and receive a full refund for the full summer session.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3046 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2616 (December 2007), amended LR 34:238 (February 2008), LR 35:2349 (November 2009), LR 36:2853 (December 2010), LR 39:2236 (August 2013), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:538 (March 2018).

§1209. Responsibilities of Eligible Louisiana Institutions [Formerly §1211]

A. Initial Eligibility

1.a. Eligible Louisiana institutions must determine whether the student meets the criterion in Subparagraph a of the definition of *Louisiana resident* in §1203.

b. If this criterion is not met, the student may request that LOSFA make a determination of residency under Subparagraph e of the definition of *Louisiana resident* in §1203.

2. Eligible Louisiana institutions must determine whether a student meets the initial eligibility criteria enumerated in §1205.

B. Continuing Eligibility. Eligible Louisiana institutions must determine whether a student meets the continuing eligibility criteria enumerated in §1207 on the same schedule as eligibility for a Pell Grant or a financial need grant is determined at the institution, but at least once annually.

C. Packaging Policy

1. Eligible Louisiana institutions must establish and use a policy on GO Grant packaging that provides:

a. procedures for compliance with these rules and the guidance established by the board and published by LOSFA for determining the award amount;

b. record retention to comply with Subsection I of this Section;

c. the basis used to establish any award amount that is less than the maximum award amount allowed;

d. procedures for distribution of GO Grant funds that ensure the grant is provided to students with the most financial need;

e. priority for students who are 25 or over;

f. awards amounts for less than full-time students; and

g. procedures for identification of transfer students and ensuring transfer students receive awards on the same basis as home students.

2. Eligible Louisiana institutions must revise the institution's GO Grant packaging policy as necessary to reflect changes to the GO Grant Program rules or guidance issued by the board.

D. Award Amount. Eligible Louisiana institutions must establish the award amounts for each individual student based on the institution's financial aid packaging policy. The amount awarded must comply with the requirements and limitations established in these rules and the guidance published by LOSFA.

E. Submission of Payment Requests. Each semester, quarter or term, eligible Louisiana institutions shall submit a payment request to LOSFA for students enrolled at the institution who have been determined eligible for a Louisiana GO Grant as follows:

1. for each student eligible for a Louisiana GO Grant who is enrolled at the end of the fourteenth class day for semester schools, or the ninth class day for quarter and term schools, or for any qualifying summer sessions, at the end of the last day to drop and receive a full refund for the full summer session;

2. the payment request shall include the:

a. Social Security number;

b. college code;

c. term;

d. date;

e. hours attempted;

f. award amount; and

g. amount requested for each student;

3. for students who are enrolled in more than one eligible Louisiana institution, the home school (school

paying the Pell Grant or a financial need grant) is responsible for submitting a payment request for the GO Grant based on the total hours enrolled at all institutions.

F. Over Payments

1. No institution shall submit a payment request for GO Grant funds which would result in a student receiving an annual total of more than is authorized in §1201.C.

2. Eligible Louisiana institutions certify by submitting a payment request for a GO Grant that the institution will reimburse LOSFA:

a. for the total amount of any award that is disbursed to ineligible students; and

b. for any amount of an award that is in excess of the maximum annual award or in excess of the maximum lifetime award (if one is established).

G. Excess Award. In the event an excess award occurs during the fall semester or quarter or the winter quarter due to receipt of additional gift aid, the school shall reduce the award amount for the spring accordingly. In the event an excess award occurs during the spring semester or quarter due to receipt of additional gift aid, the school shall document the reason for the excess award.

H. Over Award. In the event the student's total aid exceeds his financial need or the cost of attendance, any federal loan aid included in the total aid package shall be reduced, then institutional and other aid in accordance with institutional practice, then the Louisiana GO Grant, then a TOPS Award, if applicable, shall be reduced by the amount of any remaining over award.

I. Records Retention. Records pertaining to Louisiana GO Grant Awards are subject to audit as required by the board and the Louisiana Legislative Auditor. Eligible Louisiana institutions shall maintain all records for a minimum of three years from creation. All such records shall be made available upon request by the board and/or the Louisiana Legislative Auditor.

J. Each eligible Louisiana institution shall provide a copy of its GO Grant packaging policy as required by §1209.C to LOSFA, when requested.

K. Audits. Eligible Louisiana institutions that participate in the Louisiana GO Grant Program grant LOSFA and the Louisiana Legislative Auditor the right to inspect records and perform on-site audits of each institution's administration of the program for the purpose of determining the institution's compliance with state law and applicable rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3046 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2617 (December 2007), amended LR 34:239 (February 2008), LR 35:2349 (November 2009), LR 36:2853 (December 2010), LR 39:2236 (August 2013), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:538 (March 2018).

§1213. Responsibilities of LOSFA

A. LOSFA shall pay each eligible Louisiana institution the amount requested by the eligible Louisiana institution in accordance with the provisions of §1209.

B. LOSFA shall publish to the eligible Louisiana institutions on an annual basis:

1. the minimum and maximum annual awards, and the maximum lifetime award, if any;

2. any limitations on awards;
3. any changes in requirements for calculation of awards; and
4. any other changes in the program made by the board.

C. LOSFA shall determine the residency of students who do not meet the criteria enumerated in Subparagraph a of the definition of Louisiana resident in §1203 and notify eligible Louisiana institutions of its determination(s).

D. LOSFA shall maintain a database of all students who have received the GO Grant, included social security number, college code, term, date, hours attempted, award amount, annual amount received, and aggregate amount received. In the event LOSFA receives a payment request in an amount that would exceed the maximum amount payable to a student, LOSFA will require the school to rebill.

E. Adequacy of Funding

1. After the receipt of fall semester or term payment requests, LOSFA shall determine whether sufficient funds are available to pay all anticipated awards for subsequent semesters, terms and sessions of the academic year.

2. In the event projections indicate sufficient funds are not available, LOSFA shall notify the board.

3. LOSFA will provide to the board information that is necessary to determine appropriate funding amounts upon the request of the board.

F. LOSFA shall audit eligible Louisiana institutions to ensure compliance with these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3046 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2617 (December 2007), amended LR 34:239 (February 2008), LR 35:2350 (November 2009), LR 36:2853 (December 2010), LR 39:2237 (August 2013), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:539 (March 2018).

§1215. Responsibilities of the Louisiana Board of Regents

A. The board shall promulgate administrative rules in accordance with the Administrative Procedure Act.

B. At least on an annual basis, the board shall review the amount appropriated for this program, and:

1. determine the minimum and maximum amount to be received by students attending school;
2. determine whether there is a maximum lifetime award and, if so, set the maximum;
3. determine what, if any, limitations should be placed on awards;
4. establish any changes in requirements for calculation of awards; and
5. provide for any other changes in the program.

C. The board shall provide notice to LOSFA of any changes to the program in sufficient time to allow timely implementation.

D. In the event of receipt of notice of a shortfall and additional funds are not allocated for payment of all anticipated awards for subsequent semesters, terms and sessions during the academic year, the board shall develop, approve and deliver a plan to LOSFA to address the shortfall.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023, R.S.17:3046 et seq. and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2618 (December 2007), amended LR 39:2237 (August 2013), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:539 (March 2018).

§1217. Responsibilities of the Board of Regents

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3046 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 35:2350 (November 2009), amended LR 36:2853 (December 2010), LR 39:2237 (August 2013), repealed by the Board of Regents, Office of Student Financial Assistance, LR 44:540 (March 2018).

Chapter 13. Leveraging Educational Assistance Partnership (LEAP)

§1301. General Provisions

A. Legislative authority:

1. federal:

- a. title IV of the Higher Education Act of 1965;
- b. 34 CFR Part 692, as amended;
- c. title IV of the Higher Education Amendments of

1992 (*Public Law* 102-325);

2. state:

- a. R.S. 17:3031;
- b. Act 632 of the 1974 Regular Legislative Session;
- c. Act 228 of the 1977 Regular Legislative Session.

B. Description, History and Purpose. The Louisiana Leveraging Educational Assistance Partnership (LEAP) Program, first funded in 1975, provides need-based grants to academically qualified students using federal and state funds. These grants are to be used for educational expenses including tuition and fees, books and supplies, and living expenses, such as room, board and transportation.

C. Louisiana administers a decentralized LEAP Program. Certain functions of the program are delegated to participating schools. Schools approved for participation in the Louisiana LEAP Program must have federal eligibility and must annually submit a state application and be approved for state participation. Funding available for a specific award year is allocated to eligible in-state postsecondary institutions who select and certify recipients to the Louisiana Board of Regents (the board). The board forwards award funding to the institutions for disbursement to the student or student's account.

D. Award Amounts. Individual grants range from an annual minimum of \$200 to a maximum of \$2,000; however, the actual amount of each student's award is determined by the financial aid office at the institution and is governed by the number of recipients selected and the amount of funds available. Awards are based upon a full academic year, excluding summer sessions and intersession, beginning with the fall term and concluding with the spring term.

E.1. Allocation of Funds. Annually, funds are allocated to post-secondary institutions based on school type, the school's prior year first-time, full-time enrollment of matriculating students and the amount of the prior year's allocation that was expended. Initial funds, for first-time recipients, are computed as a percentage of all participating institutions first-time, full-time enrollment as of October 10 of the prior fiscal year. A student's enrollment in an undergraduate degree granting school which is a component

of a state supported medical center, shall be a first-time, full-time freshman for the purpose of this program. Continuation funds for students who had previously received LEAP are computed as a percentage of the allocated funds used during the previous year. The continuation formula applies 60 percent for four-year schools and 40 percent for two-year schools. For the purpose of this Paragraph, *matriculating student* means a degree seeking student.

2. For the 2006-2007 academic year (college), the allocations described in E.1 above shall be made to postsecondary institutions based on 2004-2005 academic year (college) formula data.

F. Reallocation of Funds. Uncommitted institutional allotted funds are reallocated if not committed by the deadline of November 1 for colleges and universities and campuses of Louisiana Technical College and January 1 for proprietary schools. The method of reallocation is dependent upon the amount of funds available for reallocation. If the reallocation amount is less than \$50,000, then only two- and four-year colleges and universities, which have fully committed their original allotment by the appropriate deadline, receive a reallocation. If \$50,000 or more is available for reallocation, it is reallocated to eligible schools of all types, which have fully committed their original allotment by the appropriate deadline.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:641 (April 1998), amended LR 24:1910 (October 1998), LR 25:1458 (August 1999), repromulgated LR 27:1860 (November 2001), amended LR 28:2332 (November 2002), LR 32:2239 (December 2006), LR 33:440 (March 2007), LR 34:240 (February 2008), LR 34:1885 (September 2008), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:540 (March 2018).

§1303. Establishing Eligibility

A. LEAP applicants must meet all of the following criteria:

1. be a U.S. citizen or national or eligible noncitizen, and registered with the selective service, if required; and
2. be a resident of Louisiana, as defined in §301 for at least one year prior to July 1 of the award year; and
3. annually, submit the completed free application for federal student aid (FAFSA) or renewal FAFSA, whichever is available to the applicant, by any deadline imposed by the institution attended; and
4. have a high school diploma with at least a 2.00 cumulative grade point average, or a minimum average score of 450 on the general educational development (GED) test, or an ACT composite score of at least 20, or a post-secondary grade point average of at least 2.00 from the most recent term; and
5. be selected and certified by the school for receipt of a LEAP award, contingent upon final approval by the board; and
6. meet any additional selection criteria established by the individual institution participating in the LEAP Program; and
7. be certified as a full-time undergraduate student in an eligible program at an eligible post-secondary institution, as defined in §1901 and either:

- a. be enrolled full-time at the time of disbursement if disbursement occurs at the end of the fourteenth class day (ninth class day for Louisiana Tech); or
- b. be enrolled full-time at the end of the fourteenth class day (ninth class day at Louisiana Tech) and is enrolled at least half-time at the time of disbursement if disbursement occurs after the fourteenth class day (ninth class day at Louisiana Tech); and
- 8. have *substantial financial need*, as defined in §301; and
- 9. be in compliance with the terms of other federal and state aid programs which the applicant may be receiving and which are administered by the board; and
- 10. not have a criminal conviction, except for misdemeanor traffic violations; and
- 11. agree that the award proceeds will be used exclusively for educational expenses; and
- 12. not be in default of an educational loan.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:641 (April 1998), amended LR 24:1910 (October 1998), LR 25:1459 (August 1999), repromulgated LR 27:1861 (November 2001), amended LR 28:448 (March 2002), LR 35:1491 (August 2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:540 (March 2018).

§1305. Maintaining Eligibility

A. To continue receiving a LEAP Award, the recipient must meet all of the following criteria:

- 1. meet all of the initial eligibility criteria listed in §1303; and
- 2. maintain a cumulative post-secondary grade point average of at least 2.00 calculated on a 4.00 scale by the conclusion of the spring term.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:642 (April 1998), LR 24:1911 (October 1998), amended LR 25:1459 (August 1999), repromulgated LR 27:1861 (November 2001), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:541 (March 2018).

§1307. Annual Application for Participation in, and Certification of Recipients of the LEAP Program

A. Annually, the board forwards LEAP institutional participation agreements to those schools participating in the program during the prior award year, and upon written requests received, to schools not participating in the LEAP Program during the prior award year. To be eligible for allotment of LEAP funds the institution must meet all of the following requirements:

- 1. complete and return the annual LEAP application by the specified deadline; and
- 2. certify that students and parents will not be charged a fee for the collection of information used to determine the student's eligibility for LEAP; and
- 3. certify that students listed on the recipient roster meet federal, state and institutional specific LEAP eligibility criteria; and
- 4. certify that if the institution's LEAP allotment is based in part on the financial need of independent students,

as defined by the U.S. Department of Education, a reasonable portion of the institution's allotment is being made available to independent students; and

5. certify that each LEAP recipient's total package of aid does not exceed the student's financial need; and

6. certify that LEAP funds recovered from over awards, refunds, and/or repayments, as defined in §301, during the applicable award period shall be returned to the board to be reissued to other qualified students. Funds recovered from over awards, refunds and/or repayments after the applicable award period shall be returned to the board for return to the U.S. Department of Education and/or the state of Louisiana. The amount of over award, refund and/or repayment shall be determined according to the school's policy established in accordance with federal regulations;

7. certify that it has notified each eligible student that the grant is a LEAP grant which is funded by the state of Louisiana and the federal government.

B. Annually, the board provides eligible institutions an official allotment schedule, recipient roster and institution certification forms. Institutions are required to:

- 1. complete and return recipient rosters and institutional certification forms to ensure expenditure of allotted LEAP Awards by the school specific deadlines of November 1 for public and LAICU member two- and four-year colleges and universities and January 1 for campuses of Louisiana Technical College and proprietary institutions; and
- 2. submit changes to the recipient roster by completing a replacement roster, provided by the board; and
- 3. certify that if any LEAP funds are released in error to ineligible students, the institution will either recover the award amount from the students and refund to the board or remit the refund due.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:541 (March 2018).

Chapter 14. Early Start Program

§1401. General Provisions

A. The Early Start Program is administered by the Louisiana Office of Student Financial Assistance (LOSFA) under the direction of the Louisiana Board of Regents (the board).

B.1. Description. The Early Start Program is established to provide funding to eligible Louisiana postsecondary institutions that enroll eligible 11th and 12th grade Louisiana public high school students in college degree, developmental, or work skills courses.

2. History. The program was established by the board as the Dual Enrollment Program to provide funding to public postsecondary institutions that enroll eligible public high school students. Beginning the 2008-2009 academic year (college), the board expanded the program to include members of LAICU that enroll eligible public high school students. Act 460 of the 2008 Regular Session of the Legislature provided for participation in the program by students enrolled in nonpublic high schools and home school programs.

3. Purpose. The purpose of the Early Start Program is to provide an incentive for qualified Louisiana high school students to prepare for a postsecondary education or career.

C. **Effective Date.** Early Start Program payments shall be made beginning with the 2007-2008 award year to postsecondary institutions for 11th and 12th grade students meeting the eligibility criteria set forth in this Chapter.

D. **Eligible Semesters/Terms.** The Early Start Program will pay for enrollment in each college course during each semester or term of the academic year. Early Start Program will not pay for summer semesters or sessions.

E. **Award Amount**

1. The Early Start Program will pay postsecondary institutions, except for campuses of the Louisiana Technical College during the spring semester of 2011, \$100 per college credit hour, not to exceed \$300 per course, for each course in which a student enrolled in a Louisiana public high school is eligible to enroll.

2. For the spring semester of 2011, the Early Start Program will pay \$50 per credit hour, not to exceed \$150 per course, for students enrolled at campuses of the Louisiana Technical College.

3. The award amount shall not be paid on behalf of students enrolled in nonpublic high schools or in home school; however, beginning with the 2008-2009 academic year (college), the program allows participating eligible Louisiana postsecondary institutions to enroll eligible eleventh and twelfth grade Louisiana nonpublic high school and home school students at the same rate as the award amount that funding is provided for public high school students at these institutions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2609 (December 2007), amended LR 34:240 (February 2008), LR 35:231 (February 2009), LR 37:1386 (May 2011), LR 38:354 (February 2012), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:541 (March 2018).

§1403. Definitions

A. Words and terms not otherwise defined in this Chapter shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa.

Academic Year—the academic year begins with the fall semester or term of the award year, includes the winter term, if applicable, and concludes with the completion of the spring semester or term.

Career Area of Concentration—a coherent sequence of courses or field of study approved by BESE that prepares a high school student for a first job and/or further education and training. It includes four sequential related credits in a specific area plus two credits in a related field; one must be a basic computer course.

Census Day—fourteenth class day (or equivalent) of current term enrollment.

College Degree Course—a course in an academic subject at a Louisiana postsecondary institution that generates postsecondary institutional credit and:

a. appears on the current Louisiana Board of Regents' statewide general education course articulation matrix for public postsecondary institutions; or

b. appears on a list of courses approved by the Louisiana Board of Regents (the board) for LAICU postsecondary institutions.

Eligible Postsecondary Institution—Louisiana public colleges or universities and regionally-accredited independent colleges or universities which are members of the LAICU.

Enrichment/Developmental Course—an English or mathematics course at an eligible Louisiana postsecondary institution that generates postsecondary institutional credit, but not degree credit, and is designed to prepare the student for college-level instruction.

Home School Students—students enrolled in BESE approved home study programs and students enrolled in nonpublic (private) schools that have not sought approval from but are registered with BESE.

LAICU—Louisiana Association of Independent Colleges and Universities.

On Track to Graduate from High School—a student has earned at least 11 Carnegie units if a junior, or at least 16 Carnegie units if a senior.

Work Skills Course—a course at an eligible Louisiana postsecondary institution in a skill or occupational training area that is designed to lead to an industry-based certificate and, for students required to have a declared career area of concentration, will contribute to the student's career area of concentration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2610 (December 2007), amended LR 34:240 (February 2008), LR 35:232 (February 2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:542 (March 2018).

§1405. Establishing Eligibility

A. To establish eligibility for the Early Start Program, all student applicants must meet the following criteria:

1. be in the 11th or 12th grade in a Louisiana public high school and beginning with the 2008-2009 academic year (college) in a nonpublic high school or in home school;

2. be at least 15 years of age;

3. have taken either the PLAN[®] or ACT assessment (or SAT) and those scores are on file at the high school or in the student's home school records;

4. have completed and submitted an Early Start Program application to the high school in which the student is enrolled or to the parent of the student in home school;

5. be approved by the high school in which the student is enrolled, or the parent of the student in home school, to participate in the program and to enroll in the course or courses; and

6.a. be enrolled in a course for which both public high school and college credit is attempted and for which an Early Start Program payment is made: or

b. be enrolled in a course for which both nonpublic high school or home school and college credit is attempted and for which an amount equal to the award amount of an Early Start Program payment is made.

B. Enrollment in a College Degree Course. In addition to the eligibility criteria in Paragraphs A.1-6:

1.a. for students graduating from high school or completing the 12th grade level of home school in academic years (high school) 2008-2009 through 2010-2011, the student must be working towards completing the Louisiana

Board of Regents/TOPS core curriculum by high school graduation; or

b. for students graduating from high school or completing the 12th grade level of home school in academic years (high school) 2011-2012 and thereafter, the student must be working towards completing the Louisiana Core 4 curriculum as approved by the Board of Elementary and Secondary Education;

2.a. through the fall semester or fall and winter term of the 2008-2009 academic year (college) have a PLAN[®] or ACT (or an equivalent SAT) composite score of at least 17 to enroll in a college degree course unless the postsecondary institution requires the student to meet the criteria in §1405.B.2.b below;

b. for the spring semester or term of the 2008-2009 academic year (college) and thereafter, have a PLAN[®] composite score of at least 17 or ACT (or an equivalent SAT) composite score of at least 18 to enroll in a college degree course;

3. have a PLAN[®] or ACT (or an equivalent SAT) English sub-score of at least 18 or meet the postsecondary institution's prerequisite requirement to enroll in an entry-level English college degree course;

4. have a PLAN[®] or ACT (or an equivalent SAT) mathematics sub-score of at least 18 or meet the postsecondary institution's pre-requisite requirement to enroll in an entry level mathematics college degree course.

C. Enrollment in an Enrichment/Developmental Course. In addition to the eligibility criteria in Paragraphs A.1-6:

1.a. for students graduating from high school or completing the 12th grade level of home school in academic years (high school) 2008-2009 through 2010-2011, the student must be working towards completing the Louisiana Board of Regents/TOPS core curriculum by high school graduation; or

b. for students graduating from high school or completing the 12th grade level of home school in academic years (high school) 2011-2012 and thereafter, the student must be working towards completing the Louisiana Core 4 curriculum as approved by the Board of Elementary and Secondary Education;

2.a. through the fall semester or fall and winter term of the 2008-2009 academic year (college), have a PLAN[®] or ACT (or an equivalent SAT) composite score of at least 12 to enroll in an enrichment/developmental course unless the postsecondary institution requires the student to meet the criteria in §1405.C.2.b below;

b. for the spring semester or term of the 2008-2009 academic year (college) and thereafter, have a PLAN[®] composite score of at least 14 or ACT (or an equivalent SAT) composite score of at least 15 to enroll in an enrichment/developmental course or meet the postsecondary institution's pre-requisite requirement to enroll in the course.

D. Enrollment in a Work Skills Course. In addition to the eligibility criteria in Paragraphs A.1-6, a student must have:

1.a. through the fall semester or fall and winter term of the 2008-2009 academic year (college), a PLAN[®] or ACT composite score (or an equivalent SAT score) of at least 12 unless the postsecondary institution requires the student to meet the criteria in §1405.D.1.b. below or a WorkKeys bronze certificate;

b. for the spring semester or term of the 2008-2009 academic year (college) and thereafter, PLAN[®] composite score of 14 or ACT composite score (or an equivalent SAT score) of at least 15 or a WorkKeys bronze certificate;

2.a. for students graduating from high school or completing the 12th grade level of home school in academic years (high school) 2008-2009 through 2010-2011 and thereafter:

i. be working towards completing the Louisiana Board of Regents/TOPS core curriculum by high school graduation; or

ii. be working towards and on track to graduate from high school and have a declared career area of concentration;

b. for students graduating from high school or completing the 12th grade level of home school in academic year (high school) 2011-2012 and thereafter:

i. be working towards completing the Louisiana Core 4 curriculum as approved by the Board of Elementary and Secondary Education; or

ii. be working towards and on track to graduate from high school and have declared a Career Area of Concentration.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3129.7 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2610 (December 2007), amended LR 34:240 (February 2008), LR 35:232 (February 2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:542 (March 2018).

§1407. Continuing Enrollment

A. To continue enrollment in subsequent semesters/terms in the Early Start Program, the student must:

1. have successfully completed and earned credit in the last course(s) in which a student enrolled through the Early Start Program. If the student resigns, or withdraws from a course or the student's registration in the course is cancelled, the student must receive permission from both the high school and college to continue enrollment in subsequent semesters/terms;

2. be in good standing at the postsecondary institution;

3. continue to meet eligibility requirements in §1405.A.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2610 (December 2007), amended LR 34:241 (February 2008), LR 35:233 (February 2009), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:543 (March 2018).

§1409. Responsibilities of High Schools and School Boards and Parents of Home School Students

A. The student's high school or the parent of a home school student shall:

1. determine whether the student meets the initial eligibility criteria provided in §1405.A;

2. approve or disapprove the student's participation in the program;

3. approve the course or courses in which the student will enroll;

4. provide to the postsecondary institution at which the student will be dually enrolled:

- a. the student's approved application; and
- b. the student's PLAN and/or ACT test scores, including sub-scores on those tests required to enroll in specific courses as provided in §1405.B-D.

B. By forwarding the student's application to the postsecondary institution, the student's high school or the parent of a home school student certifies that it has determined that the student has met all criteria in §1405.A to participate in the Early Start Program and has approved the student's participation in the program and the course or courses in which the student will be enrolled.

C. Student must be enrolled in a college course for which high school or home school credit is attempted and recorded on the student's secondary permanent academic record, including the high school course, units attempted, units earned, and course grade, unless the student withdraws before the college's census date or the student's enrollment is cancelled.

D. At the end of each semester or term of participation in the program, the student's high school or the parent of a home school student shall determine whether the student has met the criterion in §1407.A.1 for continued enrollment in the Early Start Program. If the student is determined eligible and the high school or the parent of a home school student approves the student's continued participation in the program, it shall so notify the postsecondary institution and provide the course or courses approved for enrollment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2610 (December 2007), amended LR 34:241 (February 2008), LR 35:233 (February 2009), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:543 (March 2018).

§1413. Responsibilities of Eligible Louisiana Postsecondary Institutions

A. Each eligible Louisiana postsecondary institution that participates in the Early Start Program shall:

1. be responsible for determining that the student meets the PLAN or ACT eligibility criteria provided in §1405.B-D;

2. reserve Early Start Program funds when the student enrolled in a public high school is accepted and enrolled in an appropriate course;

3. submit a payment request to LOSFA for public high school students enrolled at the institution for whom a reservation was made as follows:

a. for each public high school student eligible for the Early Start Program who is enrolled at the end of the 14th class day or later for semester schools, or the 9th class day or later for quarter and term schools;

b. payment request amount. Each semester or term, the postsecondary institution in which a student is enrolled in an Early Start course shall submit a payment request to LOSFA during the period the billing portal is open for each semester/term for which the student is enrolled in the amount of \$100 per credit hour in which the student is enrolled, not to exceed \$300 for each college course. Payment requests received outside of these timeframes will not be paid unless approved by the board;

c. the postsecondary institution may not charge the student any mandatory institutional and tuition fees for enrollment in a course paid for by the Early Start Program;

d. the payment request shall include the Social Security number, college code, high school code, term, date, college course type, hours attempted, and amount requested for each student;

4. for each nonpublic high school student and each home school, submit to LOSFA within 30 days of the census date of the semester/term for which the student is accepted in the Early Start Program the student's name, Social Security number, college code, high school code, term, date, college course type, hours attempted;

5. for students who have been previously enrolled in the Early Start Program, determine whether the student is in good standing at that institution;

6. by submitting a payment request to LOSFA, the postsecondary institution certifies that:

a. the student meets the eligibility criteria provided in §1405.B-D for the college course in which the student is dually enrolled;

b. the student was enrolled at the end of the 14th class day or later for semester schools, or the 9th class day or later for quarter and term schools;

c. the student's high school or the parent of a home school student has provided notice that the student is eligible for and has been approved to continue participation in the program; and

d. the student's high school or the parent of a home school student has provided notice of the course or courses approved for enrollment;

e. the student is in good standing at the institution;

7. verify that the student is enrolled in a college course for which college credit is attempted and recorded on the student's postsecondary permanent academic record, including the college course, credit attempted, credit earned, and course grade, unless the student withdraws before the college's census date or the student's enrollment is cancelled;

8. report student level outcome data to the board according to the board's specifications.

B. Records Retention

1. Records pertaining to the Early Start Program are subject to audit as required by LOSFA, the board, and the Louisiana Legislative Auditor. Postsecondary institutions shall maintain all records for a minimum of three years. All such records shall be made available upon request by LOSFA, the board and the Louisiana Legislative Auditor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2611 (December 2007), amended LR 34:241 (February 2008), LR 35:234 (February 2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:544 (March 2018).

§1415. Responsibilities of the Louisiana Board of Regents

A. The board shall provide a student application to participate in the Early Start Program.

B. The board shall maintain a statewide general education course articulation matrix for participating public postsecondary institutions.

C. The board shall approve on a semester-by-semester basis the courses offered by LAICU postsecondary institutions that are approved for use in the Early Start Program.

D. In the event that the funds appropriated for the Early Start Program are insufficient to pay for all eligible public high school students, the board shall develop, approve and deliver a plan to LOSFA to address the shortfall.

E. The board shall provide specifications for submitting student level outcome data as required by §1413.A.8.

F. The board shall promulgate administrative rules in accordance with the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2611 (December 2007), amended LR 34:242 (February 2008), LR 35:234 (February 2009), LR 38:1229 (May 2012), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:544 (March 2018).

§1417. Responsibilities of LOSFA

A. Upon receipt of payment requests from institutions submitted in accordance with §1413.A, LOSFA shall pay the institution for each eligible student in accordance with §1413.

B. LOSFA shall conduct audits of the participating eligible Louisiana postsecondary institutions to ensure compliance with program requirements.

C. LOSFA shall provide the information necessary to fully inform Louisiana public high school students and their parents on the requirements of and procedures for applying for and maintaining eligibility for the Early Start Program.

D. LOSFA shall audit high schools and postsecondary institutions to ensure compliance with these rules.

E. LOSFA shall maintain a database of all students who have participated in the Early Start Program, including Social Security number, college code, high school code, term, date, college course type, hours attempted, payment amount, and aggregate amount paid.

F.1. After the receipt of fall semester or term payment requests, but no later than October 15 of each year, LOSFA shall determine whether sufficient funds are available for all anticipated program payments for subsequent semesters and terms of the academic year.

2. In the event projections indicate sufficient funds are not available, LOSFA shall notify the board.

3. In the event additional funds are not allocated for all program payments anticipated for subsequent semesters and terms during the academic year, the board shall develop, approve and deliver a plan to LOSFA to address the shortfall.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2611 (December 2007), amended LR 34:242 (February 2008), LR 35:234 (February (2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:545 (March 2018).

§1419. Responsibilities of LASFAC

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3023 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 33:2612 (December 2007), amended LR 34:242 (February 2008), repealed by the Board of Regents, Office of Student Financial Assistance, LR 44:545 (March 2018).

Chapter 15. Grant Opportunity for Youth ChalleNGe Skills Training Program

§1501. General Provisions

A. Legislative Authority. The Louisiana Grant Opportunity for Youth ChalleNGe Skills Training Program (the GO-Youth ChalleNGe Program) was created by Act 826 of the 2003 Regular Session of the Louisiana Legislature.

B. Purpose. It is the purpose of the program to encourage and assist those students who graduate from the Louisiana National Guard's Youth ChalleNGe Program to continue their education and enhance their employment opportunities by providing tuition at an eligible Louisiana postsecondary institution.

C. Effective Dates. The program shall be available to any student who completes the Louisiana National Guard's Youth ChalleNGe Program after June 30, 2003.

D. Eligible Courses of Study. The program grant may be used to pursue postsecondary skill or occupational training, including a vocational technical education certificate or diploma or a nonacademic undergraduate degree.

E. Eligible Institutions. Eligible students may use the program grant at the following institutions:

1. Louisiana public community colleges that offer skill or occupational training and the Louisiana Technical College; and

2. a regionally accredited independent college or university in the state that is a member of the Louisiana Association of Independent Colleges and Universities and offers skill or occupational training.

F. Grant Amounts. The program grant shall be paid for a period not to exceed the equivalent of two program years (non-academic) in an amount:

1. equal to the actual cost of tuition for a student enrolled in a Louisiana public postsecondary institution;

2. equal to the average tuition amount paid for students attending public postsecondary institutions for a student enrolled at a regionally accredited independent college or university in the state that is a member of the Louisiana Association of Independent Colleges and Universities. See §1903.B.8 for method of computation.

G. Definitions. For the purposes of this Chapter, the following definitions are applicable.

Certification—the time at which LOSFA has received both the *certification* from the State Military Department and the results of the FAFSA data from the federal processor.

FAFSA—the Free Application for Federal Student Aid used to apply for federal grant aid and eligibility for other federal assistance.

Graduate—a student who has completed the Louisiana GO-Youth ChalleNGe Program and, no later than 18 months after entry into the program, received a Louisiana high school equivalency diploma.

Program—the GO-Youth ChalleNGe Program.

Resident of Louisiana—a student who actually resides in Louisiana during the 24 months prior to the month the student enrolls for the first time as a full-time student in an

eligible institution as a recipient of a grant under the program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, and R.S. 17:3050.1-3050.4.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 30:782 (April 2004), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:545 (March 2018).

§1503. Establishing Initial Eligibility

A. To establish initial eligibility for participation in the program, the student must meet all of the following criteria:

1. be a citizen of the United States or designated by the U.S. Citizenship and Immigration Services (USCIS) as a permanent resident; and
2. be a resident of Louisiana, as defined in §1501; and
3. graduate from the residential phase of the Louisiana National Guard's Youth ChalleNGe Program; and
4. have earned a Louisiana high school equivalency diploma; and
5. not have a criminal conviction, except for misdemeanor traffic violations; and
6. if the student has been in the United States Armed Forces and has separated from such service, has received an honorable discharge or general discharge under honorable conditions; and
7. submit a FAFSA for every year of enrollment in a postsecondary institution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, and R.S. 17:3050.1-3050.4.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 30:782 (April 2004), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:546 (March 2018).

§1505. Deadline to Enroll as a Full-Time Student

A. In order to receive a grant under the program, a student must have met the criteria defined in §1503 and, unless granted an exception for cause by the Louisiana Board of Regents (the board), enrolled as a full-time student:

1. not later than the semester or term, excluding summer semesters or sessions, immediately following the first anniversary of the date that the student graduated from the Louisiana National Guard's Youth ChalleNGe Program; or
2. if the student Joins the United States Armed Forces upon graduation from the Louisiana National Guard's Youth ChalleNGe Program, not later than the semester, excluding summer semesters or sessions, immediately following the 5th anniversary of the date that the student graduated Louisiana National Guard's Youth ChalleNGe Program or within one year from the date of discharge or one year from separation from active duty, whichever is earlier.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, and R.S. 17:3050.1-3050.4.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 30:783 (April 2004), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:546 (March 2018).

§1507. Maintaining Eligibility

A. To continue receiving the program grant, the student must meet all of the following criteria:

1. have received the program grant for not more than two years, unless granted an exception for cause; and
2. continue to enroll each subsequent semester or quarter (excluding summer sessions and intersessions unless

required by the institution for a particular course of study) as a full-time student, unless granted an exception for cause; and

3. maintain *steady academic progress* as defined in §301; and

4. earn at least 24 hours each *program year* (*non-academic program*) as defined in §301, unless granted an exception for cause; and

5. maintain a cumulative grade point average of at least 2.50 on a 4.00 scale at the end of each program year (*non-academic program*); and

6. not have a criminal conviction, except for misdemeanor traffic violations; and

7. if the student has been in the United States Armed Forces and has separated from such service, has received an honorable discharge or general discharge under honorable conditions; and

8. submit a FAFSA or renewal FAFSA for each academic year during which the student is enrolled in a postsecondary institution.

B. Students failing to meet the requirements listed in §1507.A.3 and 5 may have their tuition grants reinstated upon *regaining steady academic progress* (see §301) and/or attainment of the required GPA, if the student has maintained other continuation requirements and the period of ineligibility did not persist for more than one year from the date of loss of eligibility. If the one-year period is interrupted due to a student's active duty in the United States Armed Forces, the one-year period will be extended for the length of time equal to the student's active-duty service, not to exceed four years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, and R.S. 17:3050.1-3050.4.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 30:783 (April 2004), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:546 (March 2018).

§1509. Responsibilities of the State Military Department (SMD)

A. The State Military Department is responsible for determining whether participants in the Louisiana Youth ChalleNGe Program meet the eligibility requirements to participate in the program set forth in §1503.A.1-6 above. The submission of a student's data for the GO-Youth ChalleNGe Program shall constitute a certification by the State Military Department that the student meets the requirements of §1503.A.1-6, specified above, except that the certification shall not include the certification of residency required by §1503.A.2, if a participant does not meet the residency requirement at the time the participant is awarded a Louisiana high school equivalency certificate.

B. For each student determined to be eligible to participate in the program, the State Military Department shall provide the following student data in an electronic file format acceptable to LOSFA:

1. name;
2. Social Security number;
3. permanent mailing address;
4. telephone number;
5. date enrolled in the Louisiana Youth ChalleNGe Program;
6. date the student completed the residential phase of the Louisiana National Guard's Youth ChalleNGe Program;

7. date received a Louisiana high school equivalency diploma;

8. students' order of merit ranking within their class; and

9. if the student does not have 24 months of Louisiana residency at the time the Louisiana high school equivalency certificate is awarded, the date of initial Louisiana residency.

C. To the extent funds are appropriated to the State Military Department to fund the program, the State Military Department shall take such actions as are necessary to promptly transfer such funds to LOSFA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, and R.S. 17:3050.1-3050.4.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 30:783 (April 2004), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:546 (March 2018).

§1511. Responsibilities of LOSFA

A. Upon certification by the SMD that students have met program criteria, LOSFA shall make the students eligible for the program grant as long as funds appropriated for that purpose are available.

B. LOSFA shall determine whether participants meet the residency requirement in §1503.A.2 above, if the residency requirement has not been met at the time the participant earns a Louisiana high school equivalency certificate.

C. Upon receipt of bills from institutions submitted in accordance with §1903.B, LOSFA will reimburse the institution for each eligible student in accordance with §1903.

D. LOSFA shall conduct audits of the Louisiana Youth Challenge Program campuses and postsecondary institutions to ensure compliance with program requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025 and R.S. 17:3050.1-3050.4.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 30:783 (April 2004), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:547 (March 2018).

§1513. Funding Shortfall

A. LOSFA shall not make students eligible if funds appropriated for the program are not available or if funds have not been appropriated for the program.

B. In the event appropriated funds are insufficient to fully reimburse institutions for the grants for all students determined eligible for the program for a given academic year, then the number of eligible students shall be reduced in accordance with the following procedures until such funds are sufficient.

1. Awarded students who meet the requirements for continuation will be funded first; however, if there are insufficient funds for all such students, the students who have completed the most hours will be funded first and, if there are ties, the students with the highest cumulative grade point average will be funded first.

2. Any remaining students will be awarded according to their order of merit as determined by the SMD, based on the student's performance in the Louisiana Youth Challenge Program.

C. Should additional funds become available after a budget shortfall, LOSFA shall restore students' grants in accordance with the priorities established in Subsection B, above, until such funds are exhausted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, and R.S. 17:3050.1-3050.4.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 30:784 (April 2004), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:547 (March 2018).

Chapter 16. Health Care Educator Loan Forgiveness Program

§1601. General Provisions

A. The Health Care Educator Loan Forgiveness Program is administered by the Louisiana Office of Student Financial Assistance (LOSFA) under the direction of the Louisiana Board of Regents (the board).

B. Description, History and Purpose. The Health Care Educator Loan Forgiveness Program (program) is established to provide funding to individuals to pursue an advanced degree, either masters or doctoral degree, in nursing or allied health. The purpose of the program is to provide an incentive for individuals who receive an advanced degree in nursing or allied health education to become postsecondary education faculty members in the field of registered nursing or top demand allied health education.

C. Effective Date. Health care educator loans shall be disbursed by the board beginning with the 2008-2009 academic year.

D. Eligible Semesters/Terms. Health care educator loans will be disbursed to recipients seeking a master's degree in August and January. Health care educator loans will be disbursed to recipients pursuing a doctoral degree in August, January, and June, if applicable.

E. Award Amount. A Health Care Educator Loan Forgiveness Program recipient may receive up to \$20,000 per academic year. Recipients pursuing a master's degree may receive a lifetime maximum loan of \$40,000 and may receive two disbursements of \$10,000, one in August and one in January. Recipients pursuing a doctoral degree may receive a lifetime maximum loan of \$60,000 and may receive up to three disbursements per academic year, depending upon whether he is enrolled full-time or at least 2/3 time. A recipient pursuing a doctoral degree may receive \$10,000 if he is enrolled full-time and \$5,000 if he is enrolled at least 2/3 time, one disbursement in August and one disbursement in January. A recipient who has not received \$20,000 during the academic year and who enrolls during the summer term will receive \$5,000 in June.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 35:224 (February 2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:547 (March 2018).

§1603. Definitions

A. Words and terms not otherwise defined in this Chapter shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these

rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa.

Academic Year—the academic year begins with the fall semester or term of the award year, includes the winter term, if applicable, the spring semester or term, and concludes with the completion of the summer term, if applicable.

Enrolled Full-Time—the student is enrolled for at least nine semester hours in the fall or spring (or equivalent for term), six semester hours in the summer or equivalent as determined by the program in which he is enrolled.

Enrolled 2/3 Time—the student is enrolled for at least six semester hours in the fall or spring (or equivalent for term).

Participating Institution—a postsecondary institution that has been approved by the board to participate in the Health Care Educator Loan Forgiveness Program.

Recipient—a masters or doctoral degree student who has been nominated by a participating institution to participate in the Health Care Educator Loan Forgiveness Program and who has completed a master promissory note to receive program funds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 35:224 (February 2009), amended LR 36:2550 (November 2010), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:547 (March 2018).

§1605. Participation in the Program

A. To participate in the Health Care Educator Loan Forgiveness Program, a student must be nominated to participate in the program by a participating institution.

B. Once nominated, a student must complete and return a master promissory note to the Louisiana Office of Student Financial Assistance. By signing the master promissory note, the student agrees that:

1. for students seeking a masters degree:
 - a. he will enroll full-time in the degree program during the fall, winter, if applicable, and spring semesters/terms;
 - b. he will remain enrolled full-time unless granted an exception to this requirement by the board;
 - c. upon completion of his degree program, he will become a full-time nurse or allied health faculty member at the institution which nominated him for the health care educator loan;
 - d. he will remain a full-time nurse or allied health education faculty member until he teaches one year for each \$10,000 he received;
2. for students seeking a doctoral degree:
 - a. he will enroll full-time, or at least 2/3 time, in the degree program during the fall, winter, if applicable, and spring semesters/terms;
 - b. he will remain enrolled full-time, or at least 2/3 time, unless granted an exception to this requirement by the board;
 - c. upon completion of his degree program, he will become a full-time nurse or allied health faculty member at the institution which nominated him for the health care educator loan;
 - d. he will remain a full-time nurse or allied health education faculty member until he teaches one full year for each \$10,000 he received.

C. A recipient will be eligible to continue to receive Health Care Educator Loan Forgiveness Program loans until he obtains his masters or doctoral degree, provided that he continues to maintain full-time enrollment, or at least 2/3 time enrollment for doctoral degree students, unless an exception to this requirement is granted for cause in accordance with §1607.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 35:225 (February 2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:548 (March 2018).

§1607. Exceptions to Program Requirements

A. Exception to the full time enrollment requirement, or 2/3 time enrollment for those seeking a doctoral degree.

1. The board may grant an exception to the full-time enrollment requirement or 2/3 time for doctoral students, if all of the following conditions are met.

a. The recipient has a temporary mental or physical disability, or other circumstance for which the board may deem an exception is appropriate.

b. The recipient requests an exception and provides such documentation as the board requires in order to evaluate whether an exception should be granted.

c. The recipient requests and obtains approval for the exception prior to withdrawing from enrollment or decreasing the number of hours in which he is enrolled.

2. The board may grant an exception to the requirement to become a full-time nurse or allied health education faculty member if the following conditions are met.

a. The recipient has a temporary mental or physical disability or other circumstance for which the board may deem an exception is appropriate.

b. The recipient requests an exception and provides such documentation as the board requires to evaluate whether an exception should be granted.

c. The recipient requests and obtains approval for the exception prior to terminating his employment or otherwise fails to meet the requirement to teach full-time as a registered nursing or allied health education faculty member.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 35:225 (February 2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:548 (March 2018).

§1609. Discharge of Obligation

A. The obligations of the recipient may be discharged by cancellation, teaching for the required period of obligation, or by monetary repayment.

B. Cancellation. The board may discharge the requirement to maintain full-time enrollment, or 2/3 time for doctoral degree students, the requirement to complete the degree program in which the recipient is enrolled, or the requirement to teach full-time as a registered nurse or allied health education faculty member under the following circumstances:

1. the recipient has a permanent mental or physical disability, or other circumstance for which the board may deem discharge is appropriate; and

2. the recipient provides such documentation as the board requires in order to evaluate whether a discharge should be granted; or

3. the participating institution at which the recipient is employed requests that the board discharge the teaching requirement and provides such documentation that the board requires to make a determination that the obligation should be discharged.

C. Fulfillment of Teaching Requirement. The obligation may be discharged under the following conditions:

1. the recipient secures full-time employment as a nurse or allied health program faculty member at the institution which nominated him for the loan program or at another participating institution with the assistance and approval of the institution which nominated him for the loan program; and

2. the recipient begins teaching full-time as a nurse or allied health program faculty member no later than the semester following the semester the student obtains his masters or doctoral degree; or

3. if the student is unable to secure employment as a fulltime faculty member at the institution which nominated him for the loan program or at another participating institution with the assistance and approval of the institution which nominated him for the loan program, the recipient may fulfill the teaching obligation by working in a public health facility, state office, or other alternative service as the board may deem appropriate. The student must seek and obtain board approval prior to undertaking such an alternative service position;

4. each year of full time teaching or other alternative service as approved by the board will discharge \$10,000 of the obligation.

D. Monetary Repayment. A recipient may be terminated from participation in the program either with or without default.

1. Termination without Default

a. Termination without default occurs when:

i. the recipient's enrollment in the degree program for which he received program funds is discontinued;

ii. the recipient fails to remain enrolled on a full-time basis, or 2/3 time for doctoral students; or

iii. the recipient fails to maintain good academic standing.

b. In the event of termination without default, the recipient must repay the total of program funds received plus interest to LOSFA within 90 days of the date an event listed in §1609.D.1.a.i-iii occurs.

c. Interest will accrue at the prime interest rate at the time the condition in §1609.D.1.a.i-iii occurs plus 3 percent. Interest will accrue from the date of each disbursement.

2. Termination with Default

a. Termination with default occurs:

i. if, upon completion of the degree, the recipient fails to obtain a full-time faculty position in a nurse or allied health education program or fails to obtain approval for an alternative service position without just cause; or

ii. the recipient is terminated from his employment for cause or voluntarily leaves his employment prior to fulfillment of the teaching obligation.

b. In the event of termination with default, the principal due at the time of default will be calculated in accordance with the following formula:

i. $[(a/b) \times (b-c)]^3 = d$.

ii. for purposes of the formula above, "a" is equal to the total of the loans disbursed; "b" is equal to the months of service obligation required; "c" is equal to the number of months of the teaching obligation that were fulfilled; and "d" is equal to the total principal balance at the time repayment begins.

c. Interest will accrue on the principal due at the prime rate at the time of default plus 3 percent.

d. Interest will begin to accrue 60 days following the board's determination that the recipient is in default and shall accrue for the duration of the repayment period.

e. The recipient must make payment in full of the total amount due or begin making monthly payments no later than 60 days after the date of default and shall pay at least 25 percent of the total amount, including interest, due each calendar year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 35:225 (February 2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:548 (March 2018).

§1611. Responsibilities of Program Fund Recipients

A. Each recipient of program funds shall:

1. provide LOSFA with a completed master promissory note and W-9 form;

2. provide the board with documentation that he was enrolled, in good academic standing, full-time, or 2/3 time for doctoral students, not later than August 15, January 15, or June 15, if applicable, of each academic year during which he is to receive program funds;

3. provide the board with documentation that he has undertaken to discharge his obligation:

a. by teaching full-time as a nurse or allied health program faculty member; or

b. by working in a public health facility, state office, or other alternative service as the board previously approved in accordance with §1615.F;

4. provide any other information to the board or LOSFA as deemed necessary to process a request for an exception to the program requirements or a request for discharge of the obligations of the recipient in connection with the receipt of program funds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 35:226 (February 2009), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:549 (March 2018).

§1613. Responsibilities of Participating Institutions

A. Each participating institution shall:

1. nominate individuals to participate in the Health Educator Loan Forgiveness Program in accordance with specifications to be provided to it by the board;

2. provide the board with the following information on each nominee:

a. name;

b. current address;

- c. Social Security number;
- d. program of study; and
- e. anticipated graduation date;
- f. other information as requested by the board;

3. at the request of the board, provide documentation that recipients enrolled full-time, or at least 2/3 time for doctoral students, if the recipient is enrolled at that institution, and that the student is in good academic standing;

4. at the request of the board, provide documentation that a recipient is or was employed as a full-time registered nurse or allied health education faculty member.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 35:226 (February 2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:549 (March 2018).

§1615. Responsibilities of the Louisiana Board of Regents

A. The board shall notify each institution that is eligible to participate in the program of its eligibility, the number of students it may nominate for the academic year, and the number of those students nominated which may be enrolled as a masters or doctoral degree students.

B. The board shall collect information from the participating institutions as set forth in §1613.A-D. The board shall notify all participating institutions if additional information is required.

C. The board shall provide the information collected from participating institutions regarding nominees to LOSFA within 30 days of receipt in a format to be agreed upon between the board and LOSFA.

D. In the event a recipient is terminated from participation in the program, the board will determine whether it is with or without default, determine the date the termination if without default or the date of default if with default and immediately notify LOSFA.

E. The board will receive requests for exception to program requirements and requests for discharge from participating institutions and recipients. It will evaluate the requests and notify the participating institution and/or recipient if additional information is needed to process the request and what that information is. It will notify the participating institution, the recipient, and LOSFA of any determination regarding a request for exception to program requirements or for discharge.

F. The board will evaluate a request by a recipient to undertake to discharge his obligation by a form of service other than as a full-time registered nurse or allied health education faculty member and approve or deny such request in writing.

G. The board shall promulgate administrative rules in accordance with the Louisiana Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 35:226 (February 2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:550 (March 2018).

§1617. Responsibilities of LOSFA

A. LOSFA shall:

1. obtain program nominee information from the board and provide the nominee with a master promissory note, written instructions, and a W-9 form;

2. LOSFA will pay program funds directly to the student when all of the following have been satisfied:

a. it has received a completed, signed master promissory note;

b. it has received a completed W-9; and

c. it has received confirmation from the board that a recipient was enrolled full-time, or at least 2/3 time for doctoral degree students in accordance with §1611.B;

3. LOSFA will maintain a secure database of all information collected on recipients and former recipients, including name, address, Social Security number, program of study, name of the institution which nominated the student for the loan program, name of the institution at which a recipient was enrolled when receiving program funds, anticipated graduation date, amount disbursed, and maximum amount available;

4. upon notification by the board that a recipient has been terminated from the program without default, LOSFA will:

a. calculate the total amount due;

b. notify recipient of the date of the event listed in §1609.D.1.a.i-iii and that he has 90 days from that date to pay the full amount due;

c. if payment is not received within 90 days of the date of termination as determined by the board, LOSFA will institute collection activities and forward the file to the Collection Division of the Louisiana Attorney General's Office;

5. upon notification by the board that a recipient has been terminated from the program with default, LOSFA will:

a. calculate the total amount due;

b. notify recipient of the date of default and that he has 60 days from the date of default to pay the full amount due or begin making monthly payments in amount sufficient to pay at least 25 percent of the total amount due, including interest, each calendar year;

c. if payment of the total amount due or repayment does not begin within 60 days of the date of default, LOSFA will institute collection activities, including forwarding the file to the Collection Division of the Louisiana Attorney General's Office.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 35:227 (February 2009), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:550 (March 2018).

§1619. Responsibilities of LASFAC

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 35:227 (February 2009), repealed by the Board of Regents, Office of Student Financial Assistance, LR 44:550 (March 2018).

Chapter 17. Responsibilities of High Schools, School Boards, Special School Governing Boards, the Louisiana Department of Education and the Louisiana Board of Regents on Behalf of Eligible Non-Louisiana High Schools

§1701. Eligibility of Graduates Based upon the High School Attended

A. Graduates of the following high schools are eligible to participate in the Louisiana Board of Regent's (the board) scholarship and grant programs, as authorized herein:

1. Louisiana public high schools—public high schools listed in the electronic STSQ14 report, high school sites extract file, provided annually by the Louisiana Department of Education to LOSFA;

2. approved nonpublic high schools:

a. nonpublic high schools approved by the Board of Elementary and Secondary Education (BESE) pursuant to R.S. 17:11 and which meet the standards required by BESE for students of the school to be eligible to receive from the state the benefit of appropriations for such items as transportation, textbooks, and administrative cost reimbursement; and

b. nonpublic schools approved by BESE pursuant to R.S. 17:11 prior to May 15, 2000, which have applied for and have had their application forwarded by the Louisiana Department of Education prior to May 15, 2000, seeking the approval necessary for the students in such school to be eligible to receive from the state the benefit of appropriations for such items as transportation, textbooks, and administrative cost reimbursement; and starting the 2003-2004 high school academic year, meet the requirements to be eligible to receive from the state the benefit of such appropriations;

c. the approvals by BESE may be provisional or probational approvals;

d. approved nonpublic high schools are listed in the electronic STSQ14 report, high school sites extract file, provided annually to LOSFA by the Louisiana Department of Education;

3. eligible non-Louisiana high schools—eligible non-Louisiana high schools are high schools which meet all of the following:

a. are in a state adjoining the state of Louisiana; and

b. have provided the board with acceptable evidence of an agreement dated prior to June 5, 1994, between a parish school system in the state of Louisiana and the high school's local governing authority, which authorizes the attendance of students who are residents of Louisiana; and

c. have students who graduate during the academic year preceding the award year, who were residents of Louisiana and who were funded through the Louisiana Minimum Foundation Program; and

d. have certified the academic performance of Louisiana graduates, in accordance with §1703;

4. out-of-state high schools—

a. all other public or nonpublic high schools located in one of the United States or territories of the United States, other than Louisiana;

i. which have been approved by the state or territory's chief school officer, or by the public body which is that state's or territory's equivalent of the Louisiana Board of Elementary and Secondary Education (BESE); or

ii. which high school has been approved by the Southern Association of Colleges and Schools' Commission on Secondary and Middle Schools and can demonstrate that it meets the standards adopted by BESE for approval of nonpublic schools of Louisiana as set forth in §1701.A.2, above; or

iii. for students graduating during the 2002-2003 school year and thereafter, which high school has been approved by a regional accrediting organization recognized by the United States Department of Education and can demonstrate that it meets the standards adopted by BESE for approval of nonpublic schools of Louisiana as set forth in §1701.A.2, above; and

iv. for students graduating during the 2009-2010 school year and thereafter with an international baccalaureate diploma, which high school has been approved by the International Baccalaureate Organization to issue such a diploma;

b. graduates of out-of-state high schools are eligible to participate in the Rockefeller State Wildlife Scholarship and the Leveraging Educational Assistance Partnership Program;

c. graduates of out-of-state high schools who are Louisiana residents or the dependents of a Louisiana resident serving on active duty with the armed forces or who have a parent who is a Louisiana resident are eligible to participate in TOPS;

d. a school will be deemed to be approved by the appropriate state agency if that state agency certifies:

i. that the high school in question received funding from the state to cover all or a portion of the costs of instruction; and

ii. that the high school in question adopted and does adhere to state and federal non-discrimination policies and statutes;

5. out-of-country high schools—

a. all other public or non-public high schools located outside the United States or the territories of the United States that meet the standards adopted by BESE for approval of nonpublic schools in Louisiana and which are accredited by an accrediting organization recognized by the United States Department of Education; and

b. those high schools located in foreign countries which have been authorized or approved by a department in the executive branch of the United States government to teach the dependents of members of the U.S. Armed Forces stationed abroad; and

c. for students graduating during the 2009-2010 school year and thereafter with an international baccalaureate diploma, those high schools located outside the United States and its territories that have been approved by the International Baccalaureate Organization to issue such a diploma.

B. Non-high school graduates who have earned a Louisiana high school equivalency diploma (GED) in lieu of a high school diploma are eligible to participate in the

Leveraging Educational Assistance Partnership (LEAP) Grant Program and the Louisiana GO-Youth ChalleNGe Program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3129.7, R.S. 17:5001 et seq., and R.S. 17:3050.1-3050.4.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:642 (April 1998), amended LR 24:1911 (October 1998), LR 25:849 (May 1999), LR 26:67 (January 2000), LR 26:1997 (September 2000), repromulgated LR 27:1862 (November 2001), amended LR 30:784 (April 2004), LR 30:1165 (June 2004), LR 34:242 (February 2008), LR 40:56 (January 2014), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:551 (March 2018).

§1703. High School's Certification of Student Achievement

A. Responsibility for Reporting and Certifying Student Performance

1. Through the 2002 academic year (high school), responsibility for the identification and certification of high school graduates who meet the academic qualifications for a TOPS Award is as follows:

- a. the principal or the principal's designee for public high schools;
- b. the principal or headmaster or designee of each nonpublic high school approved by BESE;
- c. the principal or headmaster or designee of an eligible non-Louisiana high school;
- d. the principal or headmaster or designee of an out-of-state high school is responsible only for providing the high school transcript or the date of graduation for those students who have applied for a student aid program administered by the board.

2. Commencing with the 2003 academic year (high school), responsibility for the submission and certification of courses attempted and the grades earned for high school graduates is as follows:

- a. the principal or the principal's designee for public high schools;
- b. the principal or headmaster or designee of each nonpublic high school approved by BESE;
- c. the principal or headmaster or designee of an eligible non-Louisiana high school;
- d. the principal or headmaster or designee of an out-of-state high school is responsible only for providing the high school transcript or the date of graduation for those students who have applied for a student aid program administered by the board.

3. The Louisiana Department of Education shall certify to the board the names of students who are enrolled in and have completed all mandatory requirements through the twelfth grade level of a state-approved home study program.

B. Procedures for Reporting and Certifying Student Performance

1.a. Through the 2002 academic year (high school), the responsible high school authority shall record student performance on the form provided by the board or in an electronic format pre-approved by the board. The certification form shall be completed, certified and returned to the board by the deadline specified on the form.

b. Commencing with the 2003 academic year (high school), the responsible high school authority shall submit the required student information in a standard electronic format approved by the board.

2.a. Through the 2002 academic year (high school), the certification form shall contain, but is not limited to, the following reportable data elements:

- i. student's name, address, phone number and Social Security number;
- ii. month and year of high school graduation;
- iii. final cumulative high school grade point average for all courses attempted, converted to a maximum 4.00 scale, if applicable;

NOTE: Beginning with students graduating in 2002-2003, the cumulative high school grade point average will be calculated by using only grades obtained in completing the core curriculum; and

iv. through the graduating class of the academic year (high school) 2002-2003, number of core units earned and the number of core units unavailable to the student at the school attended. After the graduating class of the academic year (high school) 2002-2003, core unit requirements may not be waived.

b. Commencing with the 2003 academic year (high school), certification shall contain, but is not limited to, the following reportable data elements:

- i. student's name and Social Security number;
- ii. month and year of high school graduation;
- iii. the course code for each course completed;
- iv. the grade for each course completed;
- v. designation of each advanced placement, international baccalaureate, gifted and dual enrollment course;
- vi. the grading scale for each course reported;
- vii. list the high school attended for each course reported; and

viii. through the graduating class of the academic year (high school) 2002-2003, number of core units earned and the number of core units unavailable to the student at the school attended. After the graduating class of the academic year (high school) 2002-2003, core unit requirements may not be waived.

c. Commencing with the 2014-2015 academic year (high school), for each student for whom the school has been granted consent to collect and disclose PII to LOSFA, Louisiana public high schools as defined in §1703.A.1 above shall collect the following reportable data elements for each year of attendance for those students in the ninth through twelfth grades:

- i. verification that the school has been granted written consent to collect and disclose the student's PII to LOSFA from the student's parent or legal guardian, if the student is not at least 18 or judicially emancipated; or by the student, if the student is at least 18 or judicially emancipated;
- ii. student's full name, date of birth, and Social Security number;
- iii. transcript data, including, but not limited to:
 - (a). student's BESE identification number;
 - (b). month and year of high school graduation;
 - (c). the course code for each course completed;
 - (d). the grade for each course completed;

- (e). the term and year each course is completed;
 - (f). designation of each advanced placement, International Baccalaureate®, honors, gifted and talented, articulated course for college credit, and dual enrollment course;
 - (g). the grading scale for each course reported;
- and
- (h). the high school attended for each course reported.

d. Commencing with the 2014-15 academic year (high school), certification from all approved non-public Louisiana high schools as defined in §1703.A.2 and 3 above shall contain, but is not limited to, the following reportable data elements:

- i. student's full name, date of birth, and Social Security number;
- ii. transcript data, including, but not limited to:
 - (a). month and year of high school graduation;
 - (b). the course code for each course completed;
 - (c). the grade for each course completed;
 - (d). the term and year each course is completed;
 - (e). designation of each advanced placement, International Baccalaureate®, honors, gifted and talented, articulated course for college credit, and dual enrollment course;
 - (f). the grading scale for each course reported;
- (g). the high school attended for each course reported.

3. Through the 2002 academic year (high school), the responsible high school authority shall certify to the board the final cumulative high school grade point average of each applicant and that average shall be inclusive of grades for all courses attempted and shall be computed and reported on a maximum 4.00 grading scale.

- a. The following grading conversion shall be used to report the applicant's cumulative high school grade point average:
 - i. letter grade A = 4 quality points;
 - ii. letter grade B = 3 quality points;
 - iii. letter grade C = 2 quality points;
 - iv. letter grade D = 1 quality point.

b. Schools which award more than 4 quality points for a course must convert the course grade to a maximum 4.00 scale using the formula described in the example that follows. (In this example, the school awards one extra quality point for an honors course.)

- i. Example: an applicant earned a "C" in an honors English IV course and received 3 out of the 5 possible quality points that could have been awarded for the course.
- ii. In converting this course grade to a standard 4.00 maximum scale, the following formula must be used:

$$\frac{\text{Quality Points Awarded for the Course}}{\text{Maximum Points Possible for the Course}} = \frac{X (\text{Converted Quality Points})}{4.00 (\text{Maximum Scale})}$$

$$\frac{3.00}{5.00} = \frac{X}{4.00}$$

By cross multiplying,

$$5X = 12; X = 2.40$$

iii. In this example, the quality points for this honors English IV course should be recorded as 2.40 when the school calculates and reports the student's cumulative high school grade point average.

4. Commencing with the 2003 academic year (high school), the board shall determine whether high school graduates have completed the core curriculum and compute the TOPS cumulative high school grade point average for each such graduate using a maximum 4.00 grading scale. Grades awarded on other than a maximum 4.00 scale shall be converted to a maximum 4.00 scale.

C. Certifying 1998 Graduates for the TOPS Performance Award. 1998 graduates who are ranked in the top five percent of their graduating class in accordance with §1703 shall be credited with having completed the core curriculum for purposes of the TOPS; however, only those meeting the following criteria shall be eligible for the Performance Award by the board:

- 1. those students who have attained a final cumulative high school grade point average of at least a 3.50 on a 4.00 maximum scale; and
- 2. an ACT score of at least 23.

D. Certification

1. Through the 2002 academic year (high school), the high school headmaster or principal or designee shall certify that:

- a. all data supplied on the certification form are true and correct, to the best of his knowledge or belief, and that they reflect the official records of the school for the students listed; and
- b. records pertaining to the listed students will be maintained and available upon request to the board and the Legislative Auditor for a minimum of three years or until audited, whichever occurs first; and
- c. the school under the principal's jurisdiction shall reimburse the board for the amount of a program award which was disbursed on behalf of a graduate of the school, when it is subsequently determined by audit that the school incorrectly certified the graduate;

2. commencing with the 2003 academic year (high school), the submission of the required data by the high school headmaster or principal or designee shall constitute a certification that:

- a. all data reported are true and correct, to the best of his knowledge or belief, and that they reflect the official records of the school for the students listed; and
- b. records pertaining to the listed students will be maintained and available upon request to the board and the legislative auditor for a minimum of three years or until audited, whichever occurs first; and

3. commencing with the 2014-2015 academic year (high school), the submission of the required data by the high school headmaster or principal or designee of Louisiana public high schools as defined in §1703.A.1 above shall constitute a certification that:

- a. the school has complied with the requirements of R.S. 17:3913(K) to:
 - i. beginning in the eighth grade, annually at the beginning of each school year, provide a form to be signed by the parent or legal guardian of each student enrolled in the school, whereby the student's parent or legal guardian may provide consent or deny consent for the collection and

disclosure of the student's personally identifiable information as follows:

- (a). full name;
- (b). date of birth;
- (c). Social Security number; and
- (d). transcript data, including, but not limited to:
 - (i). student's BESE identification number;
 - (ii). month and year of high school graduation;
 - (iii). the course code for each course completed;
 - (iv). the grade for each course completed;
 - (v). the term and year each course is completed;
 - (vi). designation of each advanced placement, International Baccalaureate®, honors, gifted and talented, articulated course for college credit, and dual enrollment course;
 - (vii). the grading scale for each course reported; and
 - (viii). the high school attended for each course reported;
- ii. use a form provided by LOSFA or a form substantially similar to LOSFA's form that:

(a). provides notification of exactly what items of student information will be collected and that disclosure of the student information collected will be restricted to Louisiana postsecondary educational institutions and the Office of Student Financial Assistance to be used solely for the purpose of processing applications for admission and for state and federal financial aid;

(b). requires acknowledgment that the failure to provide written consent for the collection and disclosure of the student's information may result in delays or may prevent successful application for admission to a postsecondary educational institution and for state and federal student financial aid;

iii. collect the personally identifiable information for each student for whom consent was provided;

4. commencing with the 2003 academic year (high school), if a student is determined to be eligible for a TOPS Award based on data that is incorrect and the student was in fact ineligible for a TOPS Award or the level awarded, the high school must reimburse the board for the amount paid in excess of what the student was eligible for.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3129.7 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:643 (April 1998), amended LR 24:1912 (October 1998), LR 25:258 (February 1999), LR 26:1998 (September 2000), LR 26:2269 (October 2000), repromulgated LR 27:1863 (November 2001), amended LR 29:880 (June 2003), LR 30:1165 (June 2004), LR 40:57 (January 2014), LR 41:656 (April 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:552 (March 2018).

§1705. Notification of Certified Students

A. Through the 2002 academic year (high school), if the certifying authority elects to notify students of their certification, then the following disclaimer shall be included in any communication to the student: "Although you have been certified as academically eligible for a Taylor Opportunity Program for Students (TOPS) Award, you must

satisfy all of the following conditions to redeem a scholarship under this program:

1. you must be a Louisiana resident as defined by the Louisiana Board of Regents; and
2. you must be accepted for enrollment by an eligible Louisiana college and be registered as a full-time undergraduate student; and
3. you must annually apply for federal student aid, if eligible for such aid, by the deadline required for consideration for state aid; and
4. you must have met all academic and nonacademic requirements and be officially notified of your award by the Louisiana Board of Regents".

NOTE: Our Lady of the Lake College has been renamed to Franciscan Missionaries of Our Lady University.

B. Commencing with the 2003 academic year (high school), if the certifying authority elects to notify students of their potential eligibility for an award, then the following disclaimer shall be included in any communication to the student: "Although it appears that you have satisfied the academic requirements for a Taylor Opportunity Program for Students (TOPS) Award based on this school's review of the core curriculum courses you have completed and calculation of your TOPS cumulative high school grade point average, you must satisfy all of the following conditions to redeem a scholarship under this program:

1. the Louisiana Board of Regents must determine that you have in fact completed the TOPS core curriculum courses;
2. the Louisiana Board of Regents must determine that your TOPS cumulative high school grade point average based on the TOPS core curriculum meets the statutory requirements;
3. you must be a Louisiana resident as defined by the Louisiana Board of Regents;
4. you must be accepted for enrollment by an eligible Louisiana postsecondary institution and be registered as a full-time undergraduate student no later than the next semester following the first anniversary of your graduation from high school;
5. you must apply for federal student aid, if eligible for such aid, by the deadline required for consideration for state aid; and
6. you must have met all academic and nonacademic requirements and be officially notified of your award by the Louisiana Board of Regents."

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3129.7 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:644 (April 1998), amended LR 24:1913 (October 1998), repromulgated LR 27:1864 (November 2001), amended LR 29:126 (February 2003), LR 29:882 (June 2003), LR 30:1166 (June 2004), LR 35:235 (February 2009), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:554 (March 2018).

Chapter 18. Chafee Educational and Training Voucher Program

§1801. General Provisions

A. The Chafee Educational and Training Voucher (ETV) Program is administered by the Louisiana Office of Student Financial Assistance (LOSFA) in accordance with a memorandum of understanding by and between the

Louisiana Board of Regents (the board) and the Department of Children and Family Services (DCFS).

B. **Description, History and Purpose.** The Chafee ETV Program is administered in accordance with the federal Chafee Act, 42 U.S.C.A. 677 et seq., to provide grants to certain students who have been in the foster care system to pursue postsecondary education or training to enter the workforce.

C. **Effective Date.** The Chafee ETV Program will be administered by LOSFA beginning with the 2010-2011 academic year.

D. **Eligible Semesters/Terms.** The Chafee ETV is available to students throughout the academic year.

E. **Award Amount.** A Chafee ETV recipient may receive up to \$5,000 during the academic year. The award amount is determined by the recipient's financial need as calculated in accordance with the Higher Education Act of 1965, as amended.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 36:2547 (November 2010), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:554 (March 2018).

§1803. Definitions

A. Words and terms not otherwise defined in this Chapter shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa.

Academic Year—the academic year begins with the fall semester or term of the award year, includes the winter term, if applicable, the spring semester or term, and concludes with the completion of the summer session, if applicable.

Educational and Training Voucher—a federal grant that is available to certain students who have been in the foster care system based on the student's financial need.

Foster Care System—a protective service administered by the Louisiana Department of Children and Family Services or by a similar agency in another state, for children who must live apart from their parents due to neglect, abuse, or special family circumstances which requires that the child be cared for outside the family home.

Institution of Higher Education—a school that:

- a. is eligible to receive funds under title IV of the Higher Education Act of 1965; and
- b. awards a bachelor's degree; or
- c. provides a program of study that is at least two years long in which a student can earn credit toward a bachelor's degree; or
- d. provides not less than one year of training towards gainful employment; or
- e. provides vocational training for gainful employment and has been in existence for at least two years.

Legal Guardianship—the duty and authority to make important decisions in matters having a permanent effect on the life and development of the child and the responsibility for the child's general welfare until he reaches the age of majority, subject to any residual rights possessed by the child's parents. It shall include, but not necessarily be limited to, the rights and responsibilities of legal custody as established in the *Louisiana Children's Code*.

Postsecondary Education—any educational program at an institution of higher education which admits as regular students those individuals with a high school diploma or equivalent, or admits as regular students persons who are beyond the age of compulsory school attendance, including, but not limited to, academic programs leading to an associate or baccalaureate, graduate or professional degree, or training which leads to a skill, occupational, or technical certificate or degree.

Satisfactory Academic Progress—a standard established in accordance with the Higher Education Act of 1965, as amended, by the institution at which a Chafee ETV recipient will be enrolled when receiving the ETV for measuring a student's progress in his or her educational program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 36:2548 (November 2010), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:555 (March 2018).

§1805. Eligibility

A. To establish eligibility, a student must:

1. be ages 16 to 21, except that a student who was participating in the Chafee ETV Program at age 21 may continue to receive ETVs until he attains the age of 23; and
2. be in the foster care system, or aged out of the foster care system, or was under legal guardianship, or was in the foster care system or under legal guardianship and was adopted after age 16; and
3. be enrolled in postsecondary education; and
4. annually complete the free application for federal student aid.

B. To continue to receive Chafee ETV, a student must:

1. not have attained the age of 21, or the age of 23 if the student was receiving a Chafee ETV at the age of 21 and received the Chafee ETV continuously; and
2. be making satisfactory academic progress in his program of study.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 36:2548 (November 2010), amended LR 40:52 (January 2014), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:555 (March 2018).

§1807. Eligibility of Institutions of Higher Education

A. Institutions of Higher Education Eligible to Participate

1. Louisiana public colleges and universities are authorized to participate in the Chafee ETV Program.
2. Regionally-accredited private colleges and universities that are members of the Louisiana Association of Independent Colleges and Universities, Inc. (LAICU) are authorized to participate in the Chafee ETV Program. As of June 2010, LAICU membership included Centenary College, Dillard University, Louisiana College, Loyola University, New Orleans Baptist Theological Seminary, Franciscan Missionaries of Our Lady University, The University of Holy Cross, St. Joseph Seminary College, Tulane Medical Center, Tulane University and Xavier University.

3. Louisiana proprietary schools licensed pursuant to chapter 24-A of title 17 of the *Revised Statutes* are authorized to participate in the Chafee ETV Program.

4. Any other institution of learning that is an institution of higher education.

B. Audits. Institutions of higher education that participate in the Chafee ETV Program grant LOSFA, the Louisiana Legislative Auditor, and the Louisiana Department of Children and Family Services the right to inspect records and perform on-site audits of each institution's administration of the program for the purpose of determining the institution's compliance with state law and applicable program rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 36:2548 (November 2010), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:555 (March 2018).

§1809. Responsibilities of Participating Institutions of Higher Education

A. Preliminary Eligibility Determination

1. Institutions of higher education must verify the student's age.

2. Institutions of higher education must determine whether the student is or was prior to age 18 an orphan or ward of the court in accordance with procedures established by the postsecondary institution for verifying information reported by the student on the free application for federal student aid.

3. If the school determines that the student is an orphan or ward of the court in accordance with its procedures and this Section, it shall provide to LOSFA the student's name, Social Security number, and current address.

B. Continuing Eligibility

1. Institutions of higher education must verify the student is making satisfactory academic progress.

2. If a prior recipient is making satisfactory academic progress, it shall provide to LOSFA the student's name, Social Security number, and current address.

C. Award Amount Determination

1. Institutions of higher education will determine the student's Chafee ETV amount based upon his financial need in accordance with the Higher Education Act of 1965, as amended, and will report that award amount to LOSFA.

2. Institutions of higher education shall provide students the opportunity to appeal the amount of the Chafee ETV amount if the award to the student is less than \$5,000. Such appeals shall be conducted in accordance with the institution of higher education's procedures for appealing title IV student aid eligibility. Immediately upon receipt of an appeal, the institution of higher education shall notify LOSFA of the appeal, the student's name, and the reason for awarding less than the full grant amount. In the event the student is not satisfied with the school's final decision on the appeal, the institution of higher education shall advise the student that he may appeal the institution of higher education's decision to the Department of Children and Family Services.

D. Certification of Student Data

1. Upon request by LOSFA, and for the purpose of meeting federal audit requirements for the Chafee Grant, an institution of higher education shall report the following data:

- a. admission and enrollment; and
- b. semester hours attempted; and
- c. semester hours earned; and
- d. semester quality points earned; and
- e. resignation from the institution or withdrawal

from all courses.

E. Program Billing

1. If the institution of higher education operates on a semester or term basis, it shall divide the student's annual Chafee ETV amount by the number of semester/terms the student will be attending and it shall bill LOSFA for the resulting amount at the beginning of each semester or term the student attends.

2. If the institution of higher education operates on a basis other than semester or term, it shall bill LOSFA for one quarter of the student's Chafee grant amount on September 1, December 1, March 1, and June 1, if the student's program of study is at least one full year. If the student's program of study is less than one full year, the school will divide the Chafee ETV amount by the number of billing dates encompassed by that program and bill LOSFA the resulting amount.

3. Submission of a bill for a student is certification by the post-secondary institution that the student is enrolled at the institution and has maintained satisfactory academic progress.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 36:2549 (November 2010), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:556 (March 2018).

§1813. Responsibilities of the Louisiana Department of Children and Family Services (DCFS)

A. DCFS shall verify that a student:

1. was in the foster care system, or aged out of the foster care system; or
2. was under legal guardianship; or
3. was in the foster care system or under legal guardianship and was adopted after age 16; or
4. is a Native American whose Indian tribe has an approved plan under Title IV-E of the Social Security Act for foster care, adoption assistance, and kinship guardianship within that Indian tribe.

B. DCFS will notify LOSFA of any students who are eligible to receive a Chafee ETV and for whom LOSFA did not previously request verification in accordance with §1817.A, including those students who may be attending school in a state other than Louisiana.

C. In the event of receipt of notice of a shortfall and additional funds are not allocated for payment of all anticipated awards for subsequent semesters, terms and sessions during the academic year, DCFS shall develop,

approve and deliver a plan to LOSFA to address the shortfall.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 36:2549 (November 2010), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:556 (March 2018).

§1817. Responsibilities of LOSFA

A. LOSFA shall:

1. verify a student's eligibility to receive a Chafee ETV with DCFS;

2. pay program funds to the eligible post-secondary institution in which the student is enrolled;

3. maintain a secure database of all information collected on recipients and former recipients, including name, address, social security number, program of study, name of the institution(s) the recipient attended, and amounts disbursed;

4. notify DCFS immediately if projections indicate that sufficient funds will not be available to pay all eligible students the amount originally awarded to those students at the beginning of the academic year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 36:2550 (November 2010), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:557 (March 2018).

§1819. Responsibilities of the Louisiana Board of Regents

A. The board shall promulgate administrative rules in accordance with the Louisiana Administrative Procedure Act, in consultation with DCFS and in accordance with a memorandum of understanding entered into by and between the board/LOSFA and DCFS.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 36:2550 (November 2010), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:557 (March 2018).

Chapter 19. Eligibility and Responsibilities of Post-Secondary Institutions

§1901. Eligibility of Post-Secondary Institutions to Participate

A. Undergraduate degree granting schools which are components of Louisiana public university medical centers and two- and four-year public colleges and universities are authorized to participate in the Taylor Opportunity Program for Students (TOPS), TOPS-Tech, TOPS-Tech Early Start, Rockefeller State Wildlife Scholarship, Louisiana Go Grant, and other funded state and federal scholarship, grant and loan programs administered by the Louisiana Board of Regents (the board) and the Louisiana Office of Student Financial Assistance (LOSFA) as applicable.

B. Regionally-accredited private colleges and universities which are members of the Louisiana Association of Independent Colleges and Universities, Inc. (LAICU) are authorized to participate in TOPS, TOPS-Tech, TOPS Tech Early Start Award, Louisiana Go Grant, and other funded state and federal scholarship, grant and loan programs administered by the Louisiana Board of Regents (the board) and the Louisiana Office of Student Financial Assistance

(LOSFA) as applicable. As of April 2000, LAICU membership included Centenary College, Dillard University, Louisiana College, Loyola University, New Orleans Theological Seminary, Franciscan Missionaries of Our Lady University, The University of Holy Cross, St. Joseph Seminary College, Tulane Medical Center, Tulane University and Xavier University.

C. Eligible Louisiana proprietary and cosmetology schools are authorized to participate in TOPS for all awards and TOPS Tech Early Start Awards.

D. Out-of-state colleges and universities may participate in TOPS if all the conditions of §703.I are met.

E. Approved training providers may participate in the TOPS Tech Early Start Award Program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, 17:3046 et seq., R.S. 17:3129.7, R.S. 17:5001 et seq. and R.S. 17:3050.1-3050.4.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:645 (April 1998), amended LR 24:1914 (October 1998), LR 25:1459 (August 1999), LR 26:1998 (September 2000), repromulgated LR 27:1864 (November 2001), amended LR 28:448 (March 2002), LR 30:784 (April 2004), LR 31:3111, 3114 (December 2005), LR 35:235 (February 2009), LR 35:1490 (August 2009), LR 36:2857 (December 2010), LR 41:376 (February 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:557 (March 2018).

§1903. Responsibilities of Post-Secondary Institutions

A. Certification of Student Data

1. Through the summer term of 2002, upon request by the board, and for the purpose of determining an applicant's eligibility for a program award, an institution will report the following student data:

a. admission and full-time undergraduate enrollment; and

b. eligibility for, or enrollment in, a course of study leading to initial teacher certification; and

c. enrollment in math or chemistry as a major while pursuing teacher certification; and

d. graduate or undergraduate enrollment in wildlife forestry or marine science; and

e. cumulative college grade point average; and

f. cumulative college credit hours earned; and

g. academic year hours earned.

2. Effective the fall semester of 2002, upon request by the board, and for the purpose of determining an applicant's eligibility for a program award, an institution shall report the following student data:

a. admission and full-time undergraduate enrollment; and

b. eligibility for, or enrollment in, a course of study leading to initial teacher certification; and

c. enrollment in math or chemistry as a major while pursuing teacher certification; and

d. graduate or undergraduate enrollment in wildlife forestry or marine science; and

e. semester hours attempted; and

f. semester hours earned; and

g. semester quality points earned; and

h. resignation from the institution or withdrawal from all courses.

3. Beginning with the 2013-2014 academic year (TOPS), an institution shall also report:

- a. a student's completion of a program of study;
- b. through the 2015-2016 academic year (TOPS) whether the program of study was academic or technical;
- c. type of credential (degree, certificate, diploma, baccalaureate);
- d. semester of completion; and
- e. beginning with the 2015-2016 academic year (TOPS):

- i. the CIP code for the program of study in which the student is enrolled;
- ii. the degree level code for the program of study in which the student is enrolled;
- iii. the increment key assigned by the board that provides each program a unique key for the program of study in which the student is enrolled.

B. Program Billing. Each term, institutions shall bill the board for students who are eligible for payments under state and federal scholarship, grant and loan programs administered by the board and LOSFA and who have enrolled at the institution in accordance with the following terms and conditions:

1.a. through the 2016-2017 academic year (college), institutions may only bill for students who have been certified by the board as eligible for a TOPS Award and, in the case of the TOPS Tech Award, enrolled in an eligible technical program of study; and

b. beginning with the 2017-2018 academic year (college), institutions may bill for students who have been certified by the board as eligible for a TOPS Opportunity, Performance, or Honors Award and may only bill for a TOPS-Tech Award if the student is enrolled in an associate's degree or other shorter-term training and education program that is aligned to state workforce priorities as determined by the Louisiana Board of Regents and the Louisiana Workforce Investment Council at that institution;

2. for scholarship, grant or loan programs that require full-time enrollment, institutions will bill the board based on their certification that the recipient is enrolled full-time, as defined in §301:

a. at eligible colleges and universities, except cosmetology and proprietary schools, at the end of the fourteenth class day or later for semester schools and the ninth class day or later for quarter and term schools, and for any qualifying summer sessions at the end of the last day to drop and receive a full refund for the full summer session. Institutions shall not bill for students who are enrolled less than full-time at the end of the fourteenth class day for semester schools or the ninth class day for quarter and term schools, and for any qualifying summer sessions at the end of the last day to drop and receive a full refund for the summer session, unless the student qualifies for payment for less than full-time enrollment as defined in §2103.C. Students failing to meet the full-time enrollment requirement are responsible for reimbursing the institution for any awards received. Refunds of awards to students who are not receiving federal title IV aid, for less than full-time enrollment after the fourteenth or ninth class day, as applicable, shall be returned to the state. Refunds to students who are receiving federal title IV aid shall be refunded to the state in accordance with the institution's federal title IV aid refund procedures;

b. at eligible cosmetology or proprietary schools, on a billing date for students who were enrolled full-time on that date. The billing dates are September 1, December 1, March 1 and June 1. Institutions shall not bill for students who are enrolled less than full-time on a billing date, unless the student qualifies for payment for less than full-time enrollment as provided in §2103.C. Students failing to meet the full-time enrollment requirement are responsible for reimbursing the institution for any awards received. Refunds of awards to students who are not receiving federal title IV aid, for less than full-time enrollment shall be returned to the state. Refunds to students who are receiving federal title IV aid shall be refunded to the state in accordance with the institution's federal title IV aid refund procedures;

3. in the event the student's total aid, including vocational rehabilitation awards, exceeds the cost of attendance, any federal loan aid included in the total aid package shall be reduced, then institutional and other aid in accordance with institutional practice, then the TOPS Award shall be reduced by the amount of any remaining over award;

4. annually, all institutions are required to provide the board a current fee schedule. The schedule must include an itemized description of the composition of the mandatory fees listed on the fee schedule, including the tuition amount, as those fees will appear on a student's fee bill;

5. certify that the institution will reimburse the board for any award funds incorrectly disbursed to ineligible students;

6. through the 2016-2017 academic year (college), upon the school's certification that a recipient of a TOPS Opportunity, Performance or Honors Award is enrolled full-time, institutions shall bill for and the board will reimburse the institution for each such recipient as follows:

a. public colleges and universities may bill for an amount up to the maximum tuition for that institution, as defined in §301;

b. Louisiana Technical College campuses may bill for an amount up to the tuition for that institution, as defined in §301;

c. LAICU member colleges and universities or an out-of-state college or university if all of the conditions of §703.I are met may bill for students enrolled in academic programs an amount up to the weighted average award amount, as defined in §301;

d. LAICU member colleges and universities may bill for students enrolled in nonacademic programs an amount up to the average award amount (TOPS-Tech), as defined in §301;

e. for recipients of the Performance and Honors Awards, institutions may bill the board for the stipend that accompanies these awards, in the amounts of \$200 or \$400 per semester, respectively;

f. for students enrolled in a public professional school, institutions may bill the board an amount equal to the tuition charged or the tuition charged a student pursuing a baccalaureate degree at the highest cost public school, whichever is less;

g. for students enrolled in a LAICU professional school, institutions may charge the weighted average award amount;

h. for students enrolled in graduate school, institutions may bill the board an amount equal to the tuition or the tuition charged for a student while pursuing a baccalaureate degree at the highest cost public school in the state, whichever is less;

i. for students enrolled in eligible cosmetology and proprietary schools, institutions may bill for an amount of up to one quarter of the annual *average award amount (TOPS-Tech)*, as defined in §301;

7. through the 2016-2017 academic year (college), upon the school's certification that a recipient of a TOPS-Tech Award is enrolled full-time, institutions shall bill for and the board will reimburse the institution for each such recipient as follows:

a. eligible public colleges and universities that do not offer an academic undergraduate degree at the baccalaureate level may bill for an amount up to the *tuition* for that institution, as defined in §301;

b. all other eligible colleges and universities, except eligible cosmetology or proprietary schools, may bill for an amount up to the *average award amount (TOPS-Tech)*, as defined in §301;

c. eligible cosmetology and proprietary schools may bill for an amount of up to one quarter of the annual *average award amount (TOPS-Tech)*, as defined in §301;

8. beginning in the 2017-2018 academic year (college), upon the school's certification that a recipient of a TOPS Award is enrolled full-time, institutions shall bill for an amount equal to the TOPS Award amount as defined in §301 and as determined and published by the board for the school and the student's program of study, if applicable, and the board shall reimburse the institution for each such recipient;

9. upon the school's certification that a recipient of a GO-Youth ChalleNGe Program Grant is enrolled full-time, institutions shall bill for and the board will reimburse the institution for each such recipient as follows:

a. eligible public community colleges and Louisiana Technical College may bill for an amount up to the tuition for that institution, as defined in §301; and

b. regionally-accredited independent colleges or universities in the state that are members of LAICU may bill up to an amount equal to the award amount authorized for TOPS-Tech students attending LAICU institutions during the program year (non-academic program);

10. unless otherwise directed by the student, before applying a TOPS Award to pay a student's tuition, institutions shall first apply the student's "out-of-pocket" payments, including student loans, toward tuition charges. In those cases when a student's tuition as defined in 26 U.S.C. 25A is paid from a source other than the TOPS Award, the institution shall apply the TOPS Award toward payment of expenses other than tuition which are described in the term cost of attendance as that term is defined in 20 U.S.C. 1087II, as amended, for the purpose of qualifying the student or his parent or custodian for the federal income tax credits provided for under 26 U.S.C. 25A;

11.a. upon the school's certification that a student who is eligible for a TOPS-Tech Early Start Award is enrolled in an industry-based occupational or vocational education credential program in a top demand occupation, institutions

shall bill for and the board will pay the institution for each such recipient according to the following schedule;

Credit Hours	Payment
1	\$50
2	\$100
3	\$150
4	\$200
5	\$250
6	\$300

b. the maximum that may be billed is \$300 per semester and \$600 per academic year (TOPS);

c. institutions may not bill for summer semesters or sessions;

12.a. beginning with the spring semester of 2014 through the Spring semester of 2016, for a public college or university to be permitted to bill for a TOPS Award amount under the provisions of §1903.B.6 of these rules, the college or university must include on the student fee bill line items entitled:

i. "Tuition Only" that equals the TOPS Award amount listed on the fee bill;

ii. "TOPS Award Amount" as defined in Section 301; and

iii. "TOPS Stipends" for TOPS Honors and Performance Award stipends. These amounts shall not be included in the "Tuition Only" or "TOPS Award Amount" line items;

b. there shall be no reference to a tuition amount on a student's fee bill other than as provided herein.

C. Disbursement of Funds. Upon receipt of award funds and prior to their disbursement to students, the institution shall:

1. for TOPS Teacher Award recipients:

a. verify that the recipient is enrolled full-time in an approved degree program or course of study leading to a degree in education or alternative program leading to regular certification as a teacher at the elementary or secondary level; or

b. if designated as a math or chemistry major, verify enrollment in a course of study leading to certification as a math or chemistry teacher;

2. for Rockefeller State Wildlife Scholarship recipients, verify undergraduate or graduate enrollment, whichever is applicable to the student, in:

a. wildlife, forestry or marine science; or

b. another major specified by the Louisiana Department of Wildlife and Fisheries as meeting their criteria for receipt of scholarship funds;

3. for Tuition Payment Program for Medical School Students:

a. verify enrollment at one of the Louisiana State University Health Sciences Center medical schools or at the Tulane University School of Medicine; and

b. verify the recipient is in good standing; and

c. verify the student has continued to make satisfactory progress towards a medical degree in a primary care field;

4. release award funds by crediting the student's account within 14 days of the institution's receipt of funds or disbursing individual award checks to recipients as

instructed by the board. Individual award checks for the Rockefeller State Wildlife Scholarship, TOPS Teacher Award and Tuition Payment Program for Medical School Students must be released to eligible recipients within 30 days of receipt by the school or be returned to the board;

5. for TOPS-Tech Early Start Awards:

a. verify the student is eligible and enrolled in a course in an industry-based occupational or vocational education credential program in a top-demand occupation; and

b. verify the student is in good standing;

6. for TOPS Awards at cosmetology or proprietary schools:

a. verify the student has continued to make steady academic progress; and

b. verify the student is enrolled full-time on the billing date.

D. Reporting of Academic Data. At the conclusion of each term, quarter or semester, the institution will complete and return to the board a college academic grade report including, but not limited to, the following data elements:

1. academic year hours earned; and

2. cumulative hours earned; and

3. cumulative grade point average; and

4. upon graduation, degree date and type and name of degree.

E. Records Retention. Records pertaining to the students listed on the billing certification form will be subject to audit as required by state statute. Such records will be maintained for a minimum of three years and be available upon request to the board and the Louisiana Legislative Auditor.

F. Qualified Summer Session

1. Except for students eligible for TOPS payments while enrolled in an eligible TOPS Tech program of study, students may request payment for a summer session if eligible under these rules and subject to the availability of program funding. Each student requesting payment must sign a form provided by LOSFA:

a. requesting payment for the summer session from the student's remaining TOPS eligibility;

b. stating the student understands that the use of the TOPS Award for the summer session reduces the student's TOPS eligibility by one semester or term;

c. stating the student understands that the hours earned cannot be used to meet the TOPS requirement to earn at least 24 hours each academic year; and

d. stating the student understands that the grades earned during the summer session will be included in the student's cumulative grade point average.

2. The institution's submission of a payment request for a student's enrollment in a summer session will constitute certification of: the student's eligibility for a TOPS Award payment for the summer session; receipt from the student of a signed written acknowledgment and consent that each payment will consume one semester of eligibility; and the student's enrollment in the summer session.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031, R.S. 17:3041.10-3041.15, 17:3041.21-3041.26, R.S. 17:5001 et seq., and R.S. 17:3050.1-3050.4.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:645 (April 1998), amended LR 24:1914 (October 1998), LR 25:1459 (August 1999),

LR 26:1998 and 2002 (September 2000), repromulgated LR 27:1864 (November 2001), amended LR 28:448 (March 2002), LR 28:775 (April 2002), LR 28:1760 (August 2002), LR 28:2333 (November 2002), LR 30:784 (April 2004), LR 30:1166 (June 2004), LR 31:40 (January 2005), LR 31:3111, 3114 (December 2005), LR 33:1340 (July 2007), LR 35:1233 (July 2009), LR 35:1490 (August 2009), LR 35:1491 (August 2009), LR 36:2857 (December 2010), LR 40:282 (February 2014), LR 40:1003 (May 2014), LR 41:667 (April 2015), LR 41:2599 (December 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:557 (March 2018).

Chapter 20. John R. Justice Student Grant Program §2001. General Provisions

A. The John R. Justice Student Grant Program (JRJ Grant) is administered by the Louisiana Board of Regents (the board) in accordance with a federal grant from the United States Department of Justice.

B. Description, History and Purpose. The JRJ Grant is administered in accordance with the federal John R. Justice Prosecutors and Defenders Incentive Act, 42 U.S.C.A. 3797cc-21, to encourage qualified lawyers to choose careers as public defenders and prosecutors and to continue in that service.

C. Effective Date. The JRJ Grant will be administered by the board beginning with the 2010-2011 federal fiscal year.

D. Award Amount

1. For the 2011 calendar year, twelve prosecutors will receive awards of \$5,000 each and six public defenders will receive awards of \$10,000 each. One public defender and two prosecutors will be selected for participation from each of the First, Second, Third, and Fifth Louisiana Circuit Court of Appeal Districts. Two public defenders and four prosecutors will be selected for participation from the Fourth Louisiana Circuit Court of Appeal.

2. Beginning in the 2012 calendar year, the number of awards and the amount of each grant shall be recalculated based on the amount of the federal grant allocated to Louisiana by the United States Department of Justice. Each calendar year's awards shall be allocated so that the total amount awarded to prosecutors is equal to the total amount awarded to public defenders.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 37:1387 (May 2011), amended LR 38:1585 (July 2012), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:560 (March 2018).

§2003. Definitions

A. Words and terms not otherwise defined in this Chapter shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa.

Adjusted Gross Income (AGI)—gross income minus any deductions allowed under the federal income tax code (title 26, *United States Code*).

Eligible Loan—an educational loan which is not paid in full and which was made under either the Federal Stafford Loan, Federal Graduate PLUS Loan, Federal Consolidation Loan, or Federal Perkins Loan program.

Federal Fiscal Year—October 1 to the following September 30.

Full-Time—works at least 30 hours per week as a prosecutor or defense attorney.

Least Ability to Pay—have the lowest differential between AGI and one hundred fifty percent of the poverty level for a family of the lawyer's size among eligible applicants.

Licensed—holding a current license to practice law in the state of Louisiana.

Poverty Level—poverty guidelines as issued by the United States Department of Health and Human Services.

Prosecutor—a lawyer who is a full-time employee of the state or of a unit of local government (including tribal government) who prosecutes criminal or juvenile delinquency cases at the state or unit of local government level (including supervision, education, or training of other persons prosecuting such cases).

Public Defender—a lawyer who:

a. is a full-time employee of the state or with a unit of local government (including tribal government) who provides legal representation to indigent persons in criminal or juvenile delinquency cases including supervision, education, or training of other persons providing such representation; or

b. who is a full-time employee of a nonprofit organization operating under a contract with the state or with a unit of local government who devotes substantially all of the employee's full-time employment to providing legal representation to indigent persons in criminal or juvenile delinquency cases including supervision, education, or training of other persons providing such representation; or

c. who is employed as a full-time federal defense lawyer in a defender organization pursuant to 18 U.S.C.A. 2006A(g) that provides legal representation to indigent persons in criminal or juvenile delinquency cases.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 37:1387 (May 2011), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:560 (March 2018).

§2005. Eligibility

A. To establish eligibility, a lawyer must:

1. be employed full time as a public defender or prosecutor for at least one year as of December 31 of the year preceding the award; and

2. not be in default on any educational loan;

3. complete and submit an application by the deadline;

4. have the least ability to pay his student loans;

5. authorize LOSFA to access records held by any third party that will verify information provided on the application;

6. submit a completed John R. Justice Student Loan Program service agreement to LOSFA. If an applicant is not selected to receive an award, the agreement will be null and void.

B. Upon notice from LOSFA that he must do so, the applicant must provide:

1. information necessary to substantiate information included on the application, including, but not limited to, the following:

a. paycheck stubs for the two months immediately preceding the application date; and

b. federal tax returns for the most recent tax year; and

c. statements from all student loan holders evidencing the required monthly payments on his student loans;

2. a letter from his current employer verifying that the employer is an eligible employing entity under the John R. Justice Prosecutors and Defenders Incentive Act and recommending the applicant for participation in the program.

C. Qualified lawyers are required to apply for participation each year. Prior year recipients will be given priority for participation in the program in the second and third year of the service obligation, provided the recipient continues to meet the requirements of §2005.A.1-4 and B.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 37:1387 (May 2011), amended LR 42:46 (January 2016), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:561 (March 2018).

§2007. Applicable Deadlines

A. Application Deadline

1. Applicants must complete and submit the on-line application each calendar year no later than April 30.

2. Applications received after the deadline will not be considered unless there are insufficient qualifying applications received by the deadline to make awards for all grants.

3. In the event there are insufficient applications to award all grants, a second deadline will be announced.

4. In the event all grants cannot be awarded after a second application deadline has passed, LOSFA shall inform the board and distribute the available remaining funds as directed by the board.

B. Documentation Deadline. An applicant from whom documentation is requested must provide the required documentation within 20 days from the request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 37:1388 (May 2011), amended LR 38:1585 (July 2012), LR 42:47 (January 2016), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:561 (March 2018).

§2011. Responsibilities of LOSFA

A. LOSFA shall:

1. evaluate documentation provided by applicants to substantiate the information provided on the application;

2. select program participants based on the documentation provided and the applicants' ability to pay student loans;

3. maintain program service agreements;

4. pay program funds to the program participant's eligible student loan holder with instructions that the funds are to be used to reduce the outstanding principal amount due on the loan(s);

5. maintain a secure database of all information collected on recipients and former recipients, including name, address, social Security Number, name of the institution(s) to which funds were disbursed, and amounts disbursed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 37:1388 (May 2011), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:561 (March 2018).

§2013. Responsibilities of the Louisiana Board of Regents

A. The board shall:

1. promulgate administrative rules in accordance with the Louisiana Administrative Procedure Act and in accordance with a federal grant from the United States Department of Justice to administer the John R. Justice Prosecutors and Defenders Incentive Act, 42 U.S.C.A. 3797cc-21 in Louisiana;

2. upon being informed by LOSFA that 18 grants cannot be awarded after a second application deadline has passed, establish a formula for apportionment of available remaining funds;

3. approve the number of awards and the amount of each grant each year based upon the funding allocated to Louisiana by the United States Department of Justice. The board shall ensure that 50 percent of the funds awarded are allocated for awards to prosecutors and 50 percent of the funds awarded are allocated for awards to public defenders.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3129.7.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 37:1388 (May 2011), amended LR 38:1586 (July 2012), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:562 (March 2018).

Chapter 21. Miscellaneous Provisions and Exceptions

§2101. Academic Suspension of Awards and Reinstatement

A. Students denied an award for their failure to maintain the required cumulative grade point average or for their failure to maintain steady academic progress, as defined in §301, may be reinstated upon attainment of the required cumulative grade point average, provided that the period of ineligibility did not persist for more than two years from the date of loss of eligibility.

B. Students whose TOPS Performance and Honors Awards are reinstated as the Opportunity Award are ineligible for annual stipends.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:646 (April 1998), amended LR 24:1915 (October 1998), LR 26:68 (January 2000), repromulgated LR 27:1866 (November 2001), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:562 (March 2018).

§2103. Circumstances Warranting Exception to the Initial and Continuous Enrollment Requirements

A. Initial Enrollment Requirement. Initially apply and enroll as a first-time freshman as defined in §301, unless granted an exception for cause by the Louisiana Board of Regents (the board), in an eligible college or university defined in §301. Initial enrollment requirements specific to TOPS are defined at §703.A.4, for TOPS-Tech at §803.A and for Louisiana GO-Youth ChalleNGe Program at §1505.

B. Continuous Enrollment Requirement. To maintain eligibility, all scholarship programs require recipients to continue to enroll as full-time students, as defined in §301, each consecutive semester or quarter, excluding summer sessions and intersession, at two-year and four-year colleges and universities. Recipients who cannot meet this requirement may be granted an exception for cause, as determined by the board.

C. Less Than Full-Time Attendance. The board will authorize awards under the TOPS Opportunity, Performance, Honors and Teachers Awards, the TOPS-Tech Award, the Rockefeller State Wildlife Scholarship and the Louisiana GO-Youth ChalleNGe Program, for less than full-time enrollment provided that the student meets all other eligibility criteria and at least one of the following:

1. requires less than full-time enrollment to complete the undergraduate degree; or

2. is enrolled in a degree program that defines full-time as less than 12 hours per semester or eight hours per quarter; or

3. requires less than full-time enrollment to complete requirements for a specified course of study or clinical program.

a. *Course of Study*—for the purposes of this paragraph is a program:

i. established by the postsecondary institution leading to an associate's degree; or

ii. with course work specified by school of study at a postsecondary institution (e.g., business, architecture, mass communications, art and design) required for admission to that school for further studies to earn a baccalaureate degree.

b. *Clinical Program*—for the purposes of this Paragraph means student teaching, practicum courses, or clinic based experiences required to earn a baccalaureate degree.

D. Procedure for Requesting Exceptions to the Initial and Continuous Enrollment Requirement

1. The student should complete and submit an application for an exception, with documentary evidence, to the office as soon as possible after the occurrence of the event or circumstance that supports the request. Through the 2000-2001 academic year (TOPS), the student must submit application for an exception no later than May 30 of the academic year the student requests reinstatement. Commencing with the 2001-2002 academic year (TOPS), the student must submit the application for exception no later than six months after the date of the notice of cancellation, except that a returning student must submit the application for exception no later than six months after the date of the notice of ineligibility due to failure to meet the continuing eligibility requirements of §705. The deadline for filing the exception shall be prominently displayed on the notice of cancellation. If the applicant for an exception is a dependent student, a parent or court-ordered custodian of the dependent student may submit the application for exception on behalf of the applicant.

2. If determined eligible for an exception, the recipient will be reinstated if he or she enrolls in the first fall, winter or spring term immediately following the exception ending date.

3. If determined ineligible by LOSFA for an exception provided in §2103.E.11.a.ii, recipient may appeal in accordance with §2109 of these rules.

E. Qualifying Exceptions to the Initial and Continuous Enrollment Requirement. A student who has been declared ineligible for TOPS, TOPS-Tech, TOPS Teacher, the Rockefeller State Wildlife Scholarship or the Louisiana GO Youth Challenge Program because of failure to meet the initial or continuous enrollment requirements may request reinstatement in that program based on one or more of the following exceptions.

1. Parental Leave

a. Definition. The student/recipient is pregnant or caring for a newborn or newly adopted child less than one year of age.

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including official college transcripts; and

ii. a written statement from a doctor of medicine who is legally authorized to practice certifying the date of diagnosis of pregnancy and the anticipated delivery date or the actual birth date or a copy of the hospital's certificate of live birth or a copy of the official birth certificate or equivalent official document or written documentation from the person or agency completing the adoption that confirms the adoption and date of adoption.

c. Maximum length of exception—up to the equivalent of one academic year (college) per pregnancy.

2. Physical Rehabilitation Program

a. Definition. The student/recipient is receiving rehabilitation in a program prescribed by a qualified medical professional and administered by a qualified medical professional.

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including the reason for the rehabilitation, dates of absence from class, the necessity of withdrawing, dropping hours, etc., the semester(s) or number of days involved, and any other information or documents; and

ii. a written statement from a qualified medical professional confirming the student/recipient's rehabilitation, and the beginning and ending dates of the rehabilitation.

c. Maximum length of exception—up to four consecutive semesters (six consecutive quarters) per occurrence.

3. Substance Abuse Rehabilitation Program

a. Definition. The student/recipient is receiving rehabilitation in a substance abuse program.

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including official college transcripts, the reason for the rehabilitation, dates of absence from class, the necessity of withdrawing, dropping hours, etc., the semester(s) or number of days involved, and any other information or documents; and

ii. a written statement from a qualified professional confirming the student's rehabilitation and the beginning and ending dates of the rehabilitation.

c. Maximum length of exception—up to two consecutive semesters (three consecutive quarters). This exception shall be available to a student only one time.

4.a. Temporary Disability—Student

i. Definition. The student/recipient is recovering from an accident, injury, illness or required surgery.

ii. Certification Requirements. The student/recipient must submit:

(a) a completed exception request form including official college transcripts, the reason for the disability, dates of absence from class, the necessity of withdrawing, dropping hours, etc., the semester(s) or number of days involved, and any other information or documents; and

(b) a written statement from a qualified professional of the existence of a temporary disability, the dates of treatment, and opinions as to the impact of the disability on the student's ability to attend school.

iii. Maximum length of exception—up to four consecutive semesters (six consecutive quarters).

b. Temporary Disability—Student/Recipient's Care of Immediate Family Member

i.(a). Definition. The student/recipient is providing continuous care to his/her immediate family member due to an accident, illness, injury or required surgery.

(b). An immediate family member is his/her spouse, dependent, parent, stepparent, custodian, or grandparent.

ii. Certification Requirements. The student/recipient must submit:

(a) a completed exception request form including official college transcripts, the reason for the disability, dates of absence from class, the necessity of withdrawing, dropping hours, etc., the semester(s) or number of days involved, and any other information or documents; and

(b) a written statement from a qualified professional of the existence of a temporary disability of the immediate family member, and the beginning and ending dates of the doctor's care; and

(c) a statement from a family member or a qualified professional confirming the care given by the student.

iii. Maximum length of exception—up to a maximum of two consecutive semesters (three consecutive quarters).

5. Permanent Disability

a. Definition. The student/recipient is permanently disabled in a manner that prevents the student from attending classes on a full-time basis.

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including official college transcripts, a description of the disability, the reason for the disability, the reason(s) the disability restricts class attendance to less than full-time; and

ii. a written statement from a qualified professional stating the diagnosis of and prognosis for the disability, stating that the disability is permanent, and

opining why the disability restricts the student/recipient from attending classes full-time.

c. Maximum Length of Exception. Up to the equivalent of eight full-time semesters of post-secondary education in part-time semesters.

6. Exceptional Educational Opportunity

a. Definition. The student/recipient is enrolled in an internship, residency, cooperative work, or work/study program or a similar program that is related to the student's major or otherwise has an opportunity not specifically sponsored by the school attended by the student that, in the opinion of the student's academic dean, will enhance the student's education. Participation in one of the programs does not qualify as an exception to the initial enrollment requirement.

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including official college transcripts; and

ii. a written statement from the college/school official that the applicant is a student at the school/college and that the program is offered or sponsored by the college/school, or a statement from the dean of the college or the dean's designee that the program is related to the student's major and will enhance the student's education. The statements must include the dates of leave of absence, the semester(s) or number of days involved, the beginning and ending dates of the program.

c. Maximum length of exception—up to four semesters (six consecutive quarters) or required program of study.

7. Religious Commitment

a. Definition. The student/recipient is a member of a religious group that requires the student to perform certain activities or obligations which necessitate taking a leave of absence from school.

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including official college transcripts, the necessity of withdrawing, dropping hours, etc., the semester(s) or number of days involved, and the length of the religious obligation; and

ii. a written statement from the religious group's governing official evidencing the requirement necessitating the leave of absence including dates of the required leave of absence.

c. Maximum length of exception—up to five consecutive semesters (eight consecutive quarters).

8. Death of Immediate Family Member

a. Definition. The student's spouse, parent, stepparent, custodian, dependent, sister or brother, step sibling, grandparent or step grandparent dies.

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including official college transcripts; and

ii. a copy of the death certificate or a doctor's or funeral director's verifying statement or a copy of the obituary published in the local newspaper.

c. Maximum length of exception—up to one semester or two quarters per death.

9. Military Service

a. Definition. The student/recipient is in the United States Armed Forces Reserves or National Guard and is called on active duty status or is performing emergency state service with the National Guard or enlists or reenlists and enters on active duty as a member of the regular United States Armed Forces.

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including official college transcripts, the dates of the required leave of absence, necessity of withdrawing, dropping hours, etc., the semester(s) or number of days involved, and the length of duty (beginning and ending dates); and

ii. a written certification from the military including the dates and location of active duty; or

iii. a copy of the military orders or other military documents confirming military service.

c. Maximum length of exception—up to the length of the required active-duty service period.

10. Transfer—Selective Enrollment Program

a. Definition. A student/recipient who completed his or her program requirements for transfer to a selective enrollment program.

b. Certification Requirements. The student/recipient must submit:

i. a completed exception request form including official college transcripts and the semester(s) affected; and

ii. a written statement from the dean of the college or the dean's designee certifying that the student/recipient has or will complete his or her course requirements for transfer to a selective enrollment program.

c. Maximum length of exception—two semesters or three quarters.

11. Exceptional Circumstances

a. Definition. The student/recipient has exceptional circumstances, other than those listed in §2103.E.1-10, which are beyond his immediate control and which necessitate full or partial withdrawal from, or non-enrollment in an eligible postsecondary institution.

i. The following situations are not exceptional circumstances:

(a). financial conditions related to a student's ability to meet his or her educational expenses are not a justified reason for failure to meet the hours or continuous enrollment requirement, because TOPS is a merit, rather than need-based award;

(b). dropping a course, failing a course, or withdrawing from school to protect the student's grade point average or because of difficulty with a course or difficulty arranging tutoring;

(c). not being aware of or understanding the requirements;

(d). assumption that advanced standing, or correspondence course work credited outside the academic year would be applied to the hours requirement;

(e). differing scholarship or award requirements for other programs, such as NCAA full-time enrollment requirements;

(f). voluntary withdrawal from school to move out-of-state or pursue other interests or activities;

(g). claims of receipt of advice that is contrary to these rules, public information promulgated by LOSFA, award letters, and the rights and responsibilities document that detail the requirements for full-time continuous enrollment;

(h). failure to provide or respond to a request for documentation within 30 days of the date of the request, unless additional time is requested in writing, LOSFA grants the request, and the requested documentation is provided within the additional time granted;

(i). an involuntary drop, suspension, or withdrawal from enrollment because of academics, scholastics, or failure to attend classes or to comply with institutional regulations;

(j). a suspension or expulsion for misconduct;

(k). an inability to register because of failure to satisfy financial obligations.

ii. All other situations will be assessed at the discretion of LOSFA and subject to appeal to the board.

b. Certification Requirement. Submit a completed exception request form including a sworn affidavit from the student detailing the circumstances and including the official college transcripts and documentation necessary to support the request for reinstatement.

c. Maximum length of exception—up to the number of semesters or quarters determined to be supported by the request for exception.

F. Students who are granted an exception based on military service in accordance with Paragraph E.9 above and who desire to enroll as a part-time student in an eligible postsecondary institution while on active duty shall be eligible on request for TOPS payment for such enrollment. Any payment for part-time attendance under this Subsection shall count towards the student's maximum eligibility for up to the equivalent of eight full-time semesters of postsecondary education in part time and full time semesters.

G. Natural Disaster Exceptions

1. For the purposes of this Subsection, *displaced students* are TOPS recipients and students eligible for TOPS and:

a. on August 26, 2005:

i. were enrolled at one of the following eligible college or university campuses:

(a). University of New Orleans;

(b). Dillard University;

(c). Delgado Community College;

(d). Nunez Community College;

(e). Louisiana State University Health Sciences Center at New Orleans;

(f). Southern University at New Orleans;

(g). Loyola University;

(h). New Orleans Baptist Theological Seminary;

(i). University of Holy Cross (formerly Our Lady of Holy Cross College);

(j). Tulane University;

(k). Xavier University;

(l). St. Josephs Seminary College; or

(m). Louisiana Technical College:

(i). Jefferson Campus;

(ii). Sidney N. Collier Campus;

(iii). Slidell Campus;

(iv). Sullivan Campus;

(v). West Jefferson Campus; or

ii. whose home of record was one of the following Louisiana parishes:

(a). Jefferson;

(b). Lafourche;

(c). Orleans;

(d). Plaquemine;

(e). St. Bernard;

(f). St. Tammany;

(g). Tangipahoa; or

(h). Washington; or

b. on September 23, 2005:

i. were enrolled at one of the following eligible college or university campuses:

(a). SOWELA Technical Community College;

(b). Louisiana Technical College:

(i). Gulf Area Campus;

(ii). Morgan Smith Campus;

(iii). Lamar Salter Campus;

(iv). Oakdale Campus; or

(v). Sabine Valley Campus; or

ii. whose home of record was one of the following Louisiana parishes:

(a). Acadia;

(b). Allen;

(c). Beauregard;

(d). Calcasieu;

(e). Cameron;

(f). Iberia;

(g). Jefferson Davis;

(h). Lafayette;

(i). St. Mary;

(j). Terrebonne; or

(k). Vermilion.

2. For the purposes of this Subsection, *home of record* is:

a. the domiciliary address of a dependent student's parent or court-ordered custodian; or

b. the domiciliary address of an independent student.

3. For the purposes of this Subsection, natural disaster is limited to Hurricane Katrina and/or Hurricane Rita.

4.a. For the 2005-2006 academic year (TOPS), displaced students are not required to enroll as full-time students, to maintain continuous enrollment or to earn at least 24 hours during the 2005-2006 academic year (TOPS).

b. Displaced students may enroll on a part-time basis in an eligible college or university without losing TOPS eligibility. Upon request by the student, the eligible college or university may bill for these part-time students.

c. The terms of eligibility for a displaced student whose part-time enrollment is paid by TOPS will be reduced by one full semester (term) for each semester (term) (part- or full-time) paid.

d. Institutions must document the displaced student's request for part-time payment of the award.

e. If a displaced student enrolls in an eligible college or university during the 2005-2006 academic year (TOPS) and receives grades, those grades will be included in calculating the student's cumulative grade point average.

5.a. For the 2005-2006 academic year (TOPS), students who are not displaced students, but due to the effects of a

natural disaster were unable to enroll for the first time as full-time students by the deadline or to enroll as full-time students or to maintain continuous enrollment or to earn at least 24 hours during the academic year (TOPS), may submit a request for an exception in accordance with §2103.D, based on one of the circumstances listed in §2103.E, or in accordance with the following procedures for the circumstances described in this Subsection.

i. The student should file the application for exception as soon as it is known that the student will not meet one or more of the continuing eligibility requirements to ensure the earliest reinstatement of the award. The student must submit the application for exception no later than six months after the date of the notice of cancellation. The deadline for filing the exception shall be prominently displayed on the notice of cancellation. If the applicant for an exception is a dependent student, a parent or court-ordered custodian of the dependent student may submit the application for exception on behalf of the applicant.

ii. If determined eligible for an exception, the recipient will be reinstated if he or she enrolls in the first fall, winter or spring semester or term immediately following the exception ending date.

b. Natural Disaster Exception (for other than displaced students)

i. Definition. The effects of a natural disaster prevented the student/recipient from enrolling as a full-time student or continuing enrollment or earning 24 hours during the 2005-2006 academic year (TOPS).

ii. Certification Requirements. The student/recipient must submit:

(a). a completed exception request form; and

(b). a written statement detailing the natural disaster's impact on the student and/or the student's immediate family (mother, father, custodian, siblings and/or spouse and children), which prevented the student from meeting the continuation requirements, including the length of the impact; and

(c). documentation corroborating the student's statement (examples: photographs of damage; insurance, FEMA, fire and/or police reports; statements from public officials; statements from family members or other persons with actual knowledge; receipts and invoices for work done and materials purchased).

iii. Maximum length of exception—up to two consecutive semesters (three consecutive quarters).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:5001 et seq. and R.S. 17:3050.1-3050.4.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1648 (December 1997), repromulgated LR 24:647 (April 1998), amended LR 24:1916 (October 1998), LR 26:1015 (May 2000), LR 26:2002 (September 2000), LR 27:36 (January 2001), repromulgated LR 27:1866 (November 2001), amended LR 27:1875 (November 2001), LR 28:46 (January 2002), LR 28:449 (March 2002), LR 28:775 (April 2002), LR 28:2330 and 2333 (November 2002), LR 29:126 (February 2003), LR 29:2373 (November 2003), LR 29:2373 (November 2003), LR 30:785 (April 2004), LR 30:1167 (June 2004), LR 31:1060 (May 2005), LR 33:440 (March 2007), LR 35:1233 (July 2009), LR 38:3160 (December 2012), LR 41:657, 667 (April 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:562 (March 2018).

§2105. Repayment Obligation, Deferment, Cancellation and Reduced Payments

A. Monetary Repayment. Recipients of the Rockefeller State Wildlife Scholarship who do not meet their obligation to obtain a degree in wildlife, forestry or marine science and recipients of the TOPS Teacher Award who do not fulfill their obligation to teach the required number of years and who are not eligible for discharge by cancellation, must repay the loan principal plus accrued interest as delineated in §§1111 and 911, respectively.

B. Deferment of Repayment Obligation. Recipients of the Rockefeller State Wildlife Scholarship or TOPS Teacher Award who are in repayment status may have their payments deferred for the following reasons.

1. Parental Leave

a. Definition. The recipient is pregnant or caring for a newborn or newly adopted child less than one year of age.

b. Certification Requirements. The recipient must submit:

i. a completed deferment request form; and

ii. a written statement from a doctor of medicine who is legally authorized to practice certifying the date of diagnosis of pregnancy and the anticipated delivery date or the actual birth date or a copy of the hospital's certificate of live birth or a copy of the official birth certificate or equivalent official document or written documentation from the person or agency completing the adoption that confirms the adoption and date of adoption.

c. Maximum length of deferment—up to one year per child.

2. Physical Rehabilitation Program

a. Definition. The recipient is receiving rehabilitation in a program prescribed by a qualified medical professional and administered by a qualified medical professional.

b. Certification Requirements. The recipient must submit:

i. a completed deferment request form including the reason for the rehabilitation, dates of absence from work, the number of days involved, and any other information or documents; and

ii. a written statement from a qualified medical professional describing the rehabilitation, including the diagnosis, the beginning date of the rehabilitation, the required treatment, and the length of the recovery period.

c. Maximum length of deferment—up to two years per occurrence.

3. Substance Abuse Rehabilitation Program

a. Definition. The recipient is receiving rehabilitation in a substance abuse program prescribed by a qualified professional and administered by a qualified professional.

b. Certification Requirements. The recipient must submit:

i. a completed deferment request form, the reason for the rehabilitation, dates of absence from work, the number of days involved, and any other information or documents; and

ii. a written statement from a qualified professional describing the rehabilitation, including the diagnosis, the beginning date of the rehabilitation, the required treatment, and the length of the recovery period.

c. Maximum length of deferment—up to one year. This deferment shall be available to a recipient only one time.

4. Temporary Disability

a. Definition. The recipient is recovering from an accident, injury, illness or required surgery, or the recipient is providing continuous care to his/her spouse, dependent, parent, stepparent, or custodian due to an accident, illness, injury or required surgery.

b. Certification Requirements. The recipient must submit:

i. a completed deferment request form, the reason for the disability, dates of absence from work, the number of days involved, and any other information or documents; and

ii. a written statement from a qualified professional of the existence and of the accident, injury, illness or required surgery, including the dates of treatment, the treatment required, the prognosis, the length of the recovery period, the beginning and ending dates of the doctor's care, and opinions as to the impact of the disability on the recipient's ability to work; and

iii. if a temporary disability of another, a statement from the family member or a qualified professional confirming the care given by the recipient.

c. maximum length of deferment—up to two years for recipient; up to a maximum of one year for care of a disabled dependent, spouse, parent, or custodian.

5. Religious Commitment

a. Definition. The recipient is a member of a religious group that requires the recipient to perform certain activities or obligations which necessitate taking a leave of absence from work.

b. Certification Requirements. The recipient must submit:

i. a completed deferment request form, the number of days involved, and the length of the religious obligation; and

ii. a written statement from the religious group's governing official evidencing the requirement necessitating the leave of absence including dates of the required leave of absence.

c. Maximum length of deferment—up to four consecutive semesters (six consecutive quarters).

6. Military Service

a. Definition. The recipient is in the United States Armed Forces Reserves and is called on active duty status or is performing emergency state service with the National Guard.

b. Certification Requirements. The recipient must submit:

i. a completed deferment request form and the length of duty (beginning and ending dates); and

ii. a written certification from the commanding officer or regional supervisor including the dates and location of active duty; or

iii. a certified copy of the military orders.

c. Maximum length of deferment—up to the length of the required active-duty service period.

7. Recipient is engaging in a full-time course of study at an institution of higher education at the baccalaureate level or higher; or

8. recipient is:

a. seeking and unable to find full-time employment for a single period not to exceed 12 months; or

b. seeking and unable to find full-time teaching employment at a qualifying Louisiana school for a period of time not to exceed 27 months.

9. Natural Disaster Deferments

a. For the purposes of this Subsection, *displaced students* are recipients of the Rockefeller State Wildlife Scholarship or TOPS Teacher Award who are in repayment status and:

i. on August 26, 2005, whose home of record was one of the following Louisiana parishes:

- (a). Jefferson;
- (b). Lafourche;
- (c). Orleans;
- (d). Plaquemine;
- (e). St. Bernard;
- (f). St. Tammany;
- (g). Tangipahoa; or
- (h). Washington; or

ii. on September 23, 2005, whose home of record was one of the following Louisiana parishes:

- (a). Acadia;
- (b). Allen;
- (c). Beauregard;
- (d). Calcasieu;
- (e). Cameron;
- (f). Iberia;
- (g). Jefferson Davis;
- (h). Lafayette;
- (i). St. Mary;
- (j). Terrebonne; or
- (k). Vermilion.

b. For the purposes of this Subsection, *home of record* is:

i. the domiciliary address of a dependent student's parent or court-ordered custodian; or

ii. the domiciliary address of an independent student.

c. For the purposes of this Subsection, natural disaster is limited to Hurricane Katrina and/or Hurricane Rita.

d. The loan payments for displaced students are deferred and accrual of interest is suspended from August 26, 2005 through August 31, 2006.

e. For the period of August 26, 2005 through August 31, 2006, recipients of the Rockefeller State Wildlife Scholarship or TOPS Teacher Award who are in repayment status and who are not displaced students, but who are unable to repay their loan during the academic year (college) due to the effects of a natural disaster, may submit a request for deferment of payments and suspension of accrual of interest in accordance with §2105.D, based on one of the circumstances listed in §2103.B.1 through 8 or the following circumstance.

i. The effects of a natural disaster prevented the student/recipient from making payments during the period of August 26, 2005, through August 31, 2006.

ii. Certification Requirements. The student/recipient must submit:

(a). a completed exception request form; and
(b). a written statement detailing the natural disaster's impact on the student and/or the student's immediate family (mother, father, custodian, siblings and/or spouse and children), which prevented the student from meeting the repayment requirements, including the length of the impact; and

(c). documentation corroborating the student's statement (examples: photographs of damage; insurance, FEMA, fire and/or police reports; statements from public officials; statements from family members or other persons with actual knowledge; receipts and invoices for work done and materials purchased).

iii. Maximum length of exception—through August 31, 2006.

C. A recipient who receives a deferment under §2105.B.7 and who is not able to enroll full-time due to a circumstance listed in §2103.E may request an exception to the full-time enrollment requirement of the deferment based on that circumstance. The maximum length of the continuation of the exception shall be the maximum length of exception provided by §2103.E.

D. Procedure for Requesting a Deferment

1. The recipient should complete and submit an application for a deferment, with documentary evidence, to the office as soon as possible after the occurrence of the event or circumstance that supports the request. The recipient must submit the application for deferment no later than three months after the date of the notice of repayment. The deadline for filing the request shall be prominently displayed on the notice of repayment. If the applicant for a deferment is a dependent student, a parent or court-ordered custodian of the dependent student may submit the application for exception on behalf of the applicant.

2. If determined eligible for a deferment, the recipient will be notified of the length of the deferment and of any conditions of the deferment.

E. Conditions of Deferment

1. Deferments may be subject to the following conditions:

a. related to the particular circumstances for which the deferment is granted, including, but not limited to, providing proof of enrollment;

b. agreement to give notice that the condition or circumstance that warranted the deferment has ceased;

c. agreement to a repayment schedule commencing on expiration of the deferment;

d. agreement to acknowledge debt;

e. agreement that during the deferment period, prescription will be interrupted (meaning the period of time within which the office has to enforce the promissory note will not continue to accrue); and/or

f. agreement to start repayment at the end of the deferment.

2. Conditions for deferments must be included in the notice of deferment.

F. The recipient must sign a written acknowledgment of receipt of the notice of deferment and acceptance of all conditions. The recipient must return the signed acknowledgment and acceptance within 30 days of the date of the notice, otherwise the deferment is void and repayment shall commence.

G. Cancellation of Repayment Obligation. Upon submission of applicable proof, loans may be canceled for the following reasons:

1. death of the recipient; or

2. complete and permanent disability of the recipient which precludes the recipient from gainful employment; or

3. upon a determination by the board that the remaining unpaid balance is \$25 or less.

H. Reduced Payments

1. Recipients who do not discharge the obligation by graduating in an eligible major and who are not eligible for discharge by cancellation must repay the loan principal, plus accrued interest and any collection costs incurred. Recipients in repayment status may request a temporary hardship repayment schedule that may be approved by LOSFA, upon receipt of documentation evidencing one or more of the following conditions:

a. the recipient is receiving federal or state public assistance;

b. the recipient's total gross yearly income does not exceed the current federal poverty level for his/her state;

c. the recipient is experiencing a severe temporary medical condition and is unable to meet his/her financial obligations; or

d. the recipient has experienced a severe personal catastrophe or calamity and is temporary unable to meet his/her financial obligations.

2. If allowed by LOSFA, such reduced payments will continue as long as the condition(s) exist.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:3042.1.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 24:649 (April 1998), amended LR 24:1918 (October 1998), LR 26:1603 (August 2000), repromulgated LR 27:1868 (November 2001), amended LR 28:775 (April 2002), LR 30:781 (April 2004), LR 30:1167, 1168 (June 2004), LR 33:442 (March 2007), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:566 (March 2018).

§2107. Funding and Fees

A. Limitation of Terms Funded. Routine funding for all scholarship and grant programs is limited to the fall, winter and spring school terms.

B. Less than Full-Time Attendance. The board will authorize awards under the TOPS Opportunity, Performance, Honors and Teachers Awards for less than full-time enrollment provided that the student meets all other eligibility criteria and the requirements of §2103.C.

C. Insufficient Funds Appropriated

1. All board administered state scholarship and grant program awards are contingent upon the annual appropriation of funds by the Louisiana Legislature.

2. In the event appropriated funds are insufficient to fully reimburse institutions for awards and stipends for all students determined eligible for the TOPS opportunity, performance, honors and TECH Awards for a given academic year, each student's award, including stipends for TOPS Performance and Honors Awards, shall be reduced by an equal percentage on a pro rata basis.

3. A student whose award is reduced pursuant to this Section shall not be required to accept payment of his award or enroll or maintain continuous enrollment in an eligible college or university during the time period during which

there is a funding shortfall. A student who exercises this option:

a. shall be eligible to receive his remaining TOPS Award upon enrollment in an eligible college or university, provided the student meets the continuation requirements for his award except as specifically set forth in this section; and

b. shall exhaust all award eligibility within five years of the reduction of his award, provided that if the student requests and is granted an exception to the requirement to enroll full time or to maintain continuous enrollment in school in accordance with §1901 of these rules, the time period within which the student must exhaust his award eligibility shall be extended by the number of semesters/terms for which he receives an exception.

4. The provisions of this Sections shall not apply to the stipend for books and other instructional materials provided to persons serving in the Louisiana National Guard as set forth in §701.E.4.a and b of these rules or to the TOPS Tech Early Start Program.

D. Stop Payment of Uncleared Checks. The board may stop payment on checks which are issued as scholarship or grant awards but not negotiated by September 1 following the close of the academic year for which they were issued.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1648 (December 1997), repromulgated LR 24:649 (April 1998), amended LR 24:1919 (October 1998), LR 26:1998 (September 2000), repromulgated LR 27:1869 (November 2001), amended LR 28:449 (March 2002), LR 28:777 (April 2002), LR 28:2333 (November 2002), LR 31:40 (January 2005), LR 38:3162 (December 2012), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:568 (March 2018).

§2109. Agency Decisions Subject to Appeal

A. Right of Appeal

1. A person aggrieved by an adverse decision of LOSFA under §2103.E.11.a.ii may appeal the decision in accordance with the procedures provided in this Section.

2. Appeals are made to the Louisiana Board of Regents (the board).

3. Decisions of the board are not subject to appeal and are final actions.

B. Notice of Adverse Decision

1. Notice of an adverse decision by LOSFA under §2103.E.11.a.ii must be transmitted in writing to the applicant or participant. The notice must state with reasonable specificity the decision and the reason for the decision, state that the decision may be appealed, and set forth the procedure for submission of an appeal.

C. Petition of Appeal

1. A petition of appeal must be in writing and filed within 30 days of the date of the notice of the decision.

2. The petition of appeal must include:

a. a sworn affidavit from the petitioner setting forth the basis of the appeal, including the specific reasons that LOSFA's decision is incorrect, and all facts supporting the appeal;

b. copies of all documents, including written statements by others, if any, that support the appeal;

c. official transcripts from the school/colleges attended during the periods in question; and

d. if the petitioner desires to make an oral presentation and/or argument, the petitioner must include in the petition for appeal:

i. a request to make oral presentation and/or argument;

ii. the name of each person who will speak and a brief summary of what each person will say; and

iii. the reasons why presentation of the appeal in writing is not sufficient and that an oral presentation and/or argument is justified.

3. The petitioner is not required to include documents in the petition of appeal which were forwarded with previous correspondence regarding the appeal.

4. The petition of appeal must be addressed to the Louisiana Board of Regents, in care of the Executive Director, Office of Student Financial Assistance and sent to Box 91202, Baton Rouge, LA 70821-9202, or hand delivered to 602 North Fifth Street, Galvez State Office Building, Sixth Floor, Baton Rouge, LA.

5. Oral Presentations and/or Arguments

a. The board may allow presentations and/or arguments when the board determines that such extraordinary procedures are justified based on information submitted by the petitioner.

b. LOSFA shall have the right to question the appellant and each person making an oral presentation on behalf of the appellant.

c. The Louisiana Board of Regents' chairman may limit the time available to the appellant to make an oral presentation.

D. Appellate Procedure

1. After receipt of the Petition of Appeal, LOSFA will review the petition of appeal and determine whether the matters included in it are sufficient to change LOSFA's adverse decision. If, based upon new information submitted, LOSFA reverses its decision and approves the appeal, the petitioner will be notified in writing and no further action will be taken on the petition.

2. If LOSFA's decision remains adverse, LOSFA will prepare and forward the appellate's file (including the petition of appeal, the original request for reinstatement, LOSFA records relating to the appeal, and a written statement of LOSFA's position regarding the appeal) to the Louisiana Office of Student Financial Assistance (LOSFA) Advisory Board.

3. If the petition of appeal contains the appellant's request to make an oral presentation or argument, LOSFA shall notify the appellant in sufficient time to permit the appellant to be present when the appeal is scheduled to be heard by the LOSFA Advisory Board.

4. Pending a decision by the LOSFA Advisory Board, no further action will be taken in the matter by LOSFA.

5. The LOSFA Advisory Board will review the appellate file and make one of the following recommendations to the board:

a. recommend that LOSFA's decision be upheld; or

b. recommend that LOSFA's decision be reversed;

or

c. remand the appellate file to LOSFA for further specified action(s); or

d. remand the appellate file to the board without recommendation.

6. The LOSFA Advisory Board will forward the appellate file and its recommendation to the board. The board will review the recommendations of the LOSFA Advisory Board and the appellate file.

7. The board may adopt the recommendations of the LOSFA Advisory Board or make a contrary decision approving or reversing LOSFA's decision, or remanding the matter to LOSFA for further specified actions.

8. Remanded matters will be expeditiously processed by LOSFA and returned to the board for a final decision.

9. A decision of the board to approve or reverse LOSFA's decision is final and is not subject to further review.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:650 (April 1998), amended LR 24:1920 (October 1998), LR 26:1261 (June 2000), repromulgated LR 27:1870 (November 2001), amended LR 28:2333 (November 2002), LR 33:442 (March 2007), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:000 (March 2018).

§2113. Revision of the Core Curricula

A. The board is authorized by law, subject to prior approval by BESE, to determine a high school level course to be equivalent to a course described in the core curricula or to authorize the name change of a core curricula course, including necessary changes to equivalencies and course names for advanced placement and International Baccalaureate® courses as prescribed by the College Board or the International Baccalaureate Foundation.

B. The determination of a course as equivalent to a course included in the definition of core curriculum shall be limited to those courses identified in the secondary programs of study contained in the *Louisiana Handbook for School Administrators* (LDE Bulletin 741).

C. Only those recommendations for a name change or for the designation of an equivalent course which have been submitted by a local school board or other equivalent education agency for private schools will be considered by the board and such recommendations shall be submitted directly to the Louisiana Office of Student Financial Assistance, Attention: Legal Division.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3031 and R.S. 17:5001 et seq.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:1921 (October 1998), amended LR 27:1220 (August 2001), repromulgated LR 27:1871 (November 2001), amended LR 41:657 (April 2015), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:570 (March 2018).

§2115. Procedures for Disabled Students and Exceptional Children

A. As provided for in §703.A.5.b.ii, a core curriculum course shall be waived for a student who is a disabled student or an exceptional child, as defined in §301, whose school certifies that it has the following documentation.

1. For a student claiming the status of a disabled student:

a. a written diagnosis from a person licensed or certified to diagnose the disability of the student, which

diagnosis specifies the need for special accommodation by the student's high school; and

b. a written statement from the principal of the high school that a plan of accommodation under Section 504 of the Rehabilitation Act of 1973 ("504 Plan") has been established, and the high school was unable to provide the special accommodation, or, if the special accommodation was provided by the high school, the failure to complete the specified core curriculum course was due solely to the student's diagnosed disability.

2. For a student claiming the status of an exceptional child:

a. a written Individual Education Program (IEP) in accordance with R.S. 17:1941 et seq. and Louisiana Department of Education Bulletin 1706; and

b. a written statement from the principal of the high school that the failure to complete the specified core curriculum course was due solely to the student's exceptionality.

B. For disabled students graduating prior to the 1999-2000 high school academic year and who are requesting a waiver of a core curriculum course based upon their status as a disabled student, those students must provide the documentation provided in §2115.A.1 above, however, those students need not establish the existence of a 504 plan.

C. A school official must obtain the consent from the student's parent or legal guardian, as required by law, prior to the release of information concerning a student who is requesting a waiver of a core course by reason of that student being a disabled student or an exception child.

D. If a core curriculum course is waived based upon the determination that a student's disability or exceptionality, then the grade achieved for that course will not be included in the determination of the student's grade point average for purposes of qualifying for a TOPS Award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3026.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 25:1795 (October 1999), repromulgated LR 27:1871 (November 2001), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:570 (March 2018).

Chapter 23. Tuition Payment Program for Medical School Students

§2301. General Provisions

A. Legislative Authority. The Tuition Payment Program for Medical School Students was created by Act 281 of the 1997 Regular Session of the Louisiana Legislature and amended by Act 894 of the 2004 Regular Session of the Louisiana Legislature.

B. Description, History and Purpose. The Tuition Payment Program for Medical School Students:

1. annually awards not more than 10 monetary loans to eligible students attending a medical school of the Louisiana State University Health Sciences Center and not more than five monetary loans to eligible students attending the Tulane University School of Medicine who commit to practice the profession of medicine as a primary care physician, as defined herein, for at least five consecutive years in a rural or medically disadvantaged area in Louisiana designated by the Louisiana State University Health Sciences Center, acting jointly with the Tulane University

School of Medicine, (hereinafter referred to as a "designated area"). When the individual receiving the award practices medicine in a designated area for five consecutive years as provided in these rules, the loans are forgiven in full;

2. was first funded for the 1998-99 award year;

3. the legislature's purpose for this program is to bring about an adequate supply of doctors of medicine who will engage in the general practice of medicine in the rural or medically disadvantaged areas of the state by inducing a sufficient number of the graduates from the Louisiana State University Health Sciences Center and the Tulane University School of Medicine to remain in or relocate to designated areas of Louisiana to practice their profession, thus affording adequate medical care to the people of Louisiana.

C. Award Amounts

1. Loans for students enrolled at one of the Louisiana State University Health Sciences Center medical schools shall be made in an amount not to exceed the full tuition and room and board amount for that school. Loans for students enrolled at the Tulane University School of Medicine shall be made in an amount not to exceed the tuition and room and board amount for a student enrolled at the most expensive medical school of the Louisiana State University Health Sciences Center.

2. Recipients may receive funding for each year of enrollment at an eligible medical school, until awarded a doctorate degree in medicine.

3. Recipients may receive other financial awards in conjunction with the Tuition Payment Program for Medical School Students.

4. In the event the student's total aid exceeds the *cost of attendance* as defined in §301 of these rules, any federal loan aid included in the total aid package shall be reduced, then institutional and other aid in accordance with institutional practice, then the Tuition Payment for Medical School Students shall be reduced by the amount of any remaining over award.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3041.10-3041.26.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 25:1460 (August 1999) amended LR 25:2177 (November 1999), repromulgated LR 27:1872 (November 2001), amended LR 31:40 (January 2005), repromulgated by the Board of Regents, Office of Student Financial Assistance, LR 44:570 (March 2018).

§2303. Establishing Eligibility

A. To establish eligibility, the student applicant must meet all of the following criteria:

1. be a U.S. Citizen; and

2. be a resident of Louisiana, as defined in §301 for at least two years prior to April 15 of the calendar year in which the award will be made; and

3. submit the completed Free Application for federal student aid (FAFSA) or renewal FAFSA, whichever is applicable to the student, by April 15 of the calendar years in which an award is being sought (for those students applying for the 1998/1999 academic year, the deadline for filing the FAFSA is extended to March 1, 1999); and

4. be enrolled at one of the Louisiana State University Health Sciences Center medical schools or in the Tulane University School of Medicine as a full-time student in a course of study leading to a doctorate degree in medicine with the intent to enter a residency program leading to a

specialization in a primary care field or has earned such a degree prior to commencement of residency. A "primary care field" shall include the following fields of medicine: family medicine, general internal medicine, general pediatrics, obstetrics/gynecology or a medical/pediatrics practice;

5. agree to the full-time practice of the profession of medicine as a primary care physician in a designated area for at least five consecutive years after graduating from medical school and completing a residency program in a primary care field as defined in §2303.A.4, above; and

6. complete and submit such other documentary evidence as may be required by the Louisiana Board of Regents (the board) within the deadline specified; and

7. not have a criminal conviction, except for misdemeanor traffic violations; and

8. agree that the award will be used exclusively for educational expenses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3041.10-3041.26.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 25:1461 (August 1999) amended LR 25:2177 (November 1999), LR 26:2754 (December 2000), LR 27:1220 (August 2001), repromulgated LR 27:1872 (November 2001), amended LR 28:777 (April 2002), LR 28:2333 (November 2002), LR 31:40 (January 2005), LR 33:443 (March 2007), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:571 (March 2018).

§2305. Application Process and Selection Criteria

A. The Louisiana State University Health Sciences Center and the Tulane University School of Medicine shall seek applications from medical students desiring to apply for a loan under this program and shall determine and report to the board, no later than the date specified by the board:

1. the academic standing of those applicants who meet the prerequisites of §2303.A.4 and 5. In determining the academic standing of applicants, the Louisiana State University Health Sciences Center and the Tulane University School of Medicine shall employ an evaluation system which is equitable to all applicants regardless of the medical school they attend; and

2. those applicants who have demonstrated an interest in primary care medicine through involvement in student activities which are supportive of the future practice of medicine as a primary care physician and which have been identified by the Louisiana State University Health Sciences Center or the Tulane University School of Medicine and approved by the administrator as meriting the award of extra points in the ranking of applicants.

B. From the lists of applicants submitted by the Louisiana State University Health Sciences Center and the Tulane University School of Medicine, the board shall rank the applicants in order of merit and select no more than 10 individuals to receive the award in any one year to attend one of the Louisiana State University Health Sciences Center medical schools and no more than 5 individuals to receive the award in any one year to attend the Tulane University School of Medicine [hereinafter "recipient(s)"]. The applicant's order of merit shall be determined by the academic standing of the applicant as reported by the Louisiana State University Health Sciences Center or the Tulane University School of Medicine and the extra points earned through student activities related to the practice of

primary care medicine. The award shall be in the form of a loan to the recipient as described in these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3041.10-3041.26.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 25:1461 (August 1999), repromulgated LR 27:1872 (November 2001), amended LR 31:41 (January 2005), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:571 (March 2018).

§2307. Award Amount

A. The loan shall not exceed the full cost of tuition plus room and board, as those terms are defined herein.

B. The loan disbursement will be in two increments during each academic year based upon requests for disbursements submitted by the Louisiana State University Health Sciences Center or by the Tulane University School of Medicine, which are consistent in timing with the normal payment of tuition by medical school students.

C. The loans for each of the two academic years are dependent upon sufficient appropriation by the state legislature. Should the state legislature fail to appropriate sufficient funds in each year to provide for the amount of the award agreed to by the board and student, the obligation to repay the loan will be remitted.

D. The cost of room and board included in an award under this Section shall not exceed the cost allocated to room and board in the calculation of "cost of attendance" determined in accordance with 20 U.S.C. 1087 11 for the highest cost Louisiana State University Health Sciences Center medical school.

E. Tuition shall not exceed the fees, charges and other costs normally required to be paid by all medical students at the school attended.

F. The specific award amount for each loan shall be that amount stated in the agreement between the student and the board and shall not exceed the tuition and room and board charged at the school attended.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3041.10-3041.26.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 25:1461 (August 1999), amended LR 26:2754 (December 2000), repromulgated LR 27:1873 (November 2001), amended LR 31:41 (January 2005), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:572 (March 2018).

§2309. Maintaining Eligibility

A. To continue receiving the tuition payment for medical school students, recipients must meet all of the following criteria:

1. have not graduated from medical school; and
2. be considered in good standing by the Louisiana State University Health Sciences Center or the Tulane University School of Medicine and continue to make satisfactory progress towards a medical degree in a primary care field or have completed studies in good standing; and
3. continue to enroll each subsequent term as a full-time student, unless granted an exception for cause by the board, in a course of study leading to a degree in medicine; and
4. annually apply for federal and state student aid by completing the FAFSA or renewal FAFSA, whichever is applicable to the student, by the state deadline; and

5. have no criminal convictions, except for misdemeanor traffic violations.

B. Upon receiving a doctorate degree in medicine, an award recipient will be continued in a deferred payment status under the terms of the Tuition Payment Program for Medical Students promissory note ("promissory note") as long as the recipient is enrolled in a residency program leading to a medical specialty in a primary care field. The recipient shall notify the board of the place and duration of the recipient's residency program no later than the date the recipient receives a doctorate in medicine. The notice shall include an endorsement from the Louisiana State University Health Sciences Center or its designee or from the Tulane University School of Medicine or its designee that the residency program is a program that will lead to the ability to practice as a primary care physician as defined herein. The Louisiana State University Health Sciences Center or the Tulane University School of Medicine shall make available to the recipient a list of designated areas. The recipient shall identify the designated area in which the recipient intends to practice medicine and include this selection in the notice sent to the board. By July 30 of each year following receipt of a doctorate degree in medicine, the recipient shall notify the board of the recipient's current address and include in such notice an endorsement from an appropriate official of the residency program in which the recipient is engaged that the recipient is making satisfactory progress in the program. The recipient shall notify the board in writing of the completion of the residency program and the date the recipient will initiate practice in a designated area. Each year thereafter, on the anniversary of the date the recipient enters a primary care practice in a designated area, the recipient shall send a written confirmation to the board that the recipient has practiced medicine during that year as required under the terms of the promissory note. The written confirmation shall be in the form of an affidavit executed before a notary public and shall be endorsed by the Louisiana Department of Health, affirming that the recipient has practiced in a designated area. Failure of the recipient to send any of the notices required under the terms of the promissory note in a timely manner shall cause the recipient to be placed in a repayment status.

C. Students who fail to maintain eligibility for a subsequent year of the loan will be placed in a repayment status six months from the date of their loss of eligibility, unless granted an exception for cause by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3041.10-3041.26.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 25:1462 (August 1999), LR 26:2754 (December 2000), repromulgated LR 27:1873 (November 2001), amended LR 28:777 (April 2002), LR 31:41 (January 2005), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:572 (March 2018).

§2311. Completion of Promissory Note and Acceptance of Award

A. Prior to receiving an award, the recipient must agree to the terms and conditions contained in and execute the Tuition Payment Program for Medical Students promissory note (promissory note). The promissory note obligates the recipient to initiate a primary care practice in a designated area upon the completion of a primary care residency

program. The recipient shall complete the primary care residency program within four years of the date of graduation from medical school and shall initiate the full-time practice of medicine as a primary care physician in a designated area within six months from the date of completion of the residency program. The designated area in which the recipient initiates practice shall be that area designated in the notice required by §2309.B, above, or such other designated area chosen by the recipient, upon completion of the residency program. The promissory note shall provide that if the area chosen in the notice provided for in §2309.B, above, is no longer a "designated area at the time the recipient finishes the residency program, it shall continue to be considered a designated area for purposes of discharge of the loan amount under these rules. The recipient shall be deemed to be in a full-time primary care practice if the recipient performs direct patient care for an average of at least 36 hours per week in a normal annual work schedule. Should a recipient fail to enter into the practice of medicine on a full-time basis as a primary care physician within the time specified herein, the loan shall be placed in a repayment status and double the amount of the loans shall be repaid together with all accrued interest and any collection costs incurred by the board, as specified in the promissory note and as required by §2313, below.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3041.10-3041.26.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 25:1462 (August 1999), repromulgated LR 27:1874 (November 2001), amended LR 31:42 (January 2005), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:572 (March 2018).

§2313. Discharge of Obligation

A. The loan may be discharged by engaging in a full-time primary care medical practice in a designated area for a period of five years, by monetary repayment or by cancellation.

B. Discharging the loan by entering into the full-time practice as a primary care physician in a designated area is accomplished by:

1. completing a residency in a primary care field of medicine within four years of the graduation from medical school; and

2. practice as a primary care physician on a full-time basis for a period of at least five consecutive years in a designated area.

C. Recipients who fail to complete the medical practice requirements as specified in the promissory note shall be required to repay the entire loan obligation in accordance with Subsection D, below.

D. Discharging the Promissory Note by Monetary Repayment. Recipients who elect not to discharge the obligation by practicing medicine as required in these rules and the promissory note and who are not eligible for discharge by cancellation must immediately repay double the loan principal plus accrued interest and any collection costs incurred according to the following terms and conditions:

1. interest shall accrue on the outstanding principal from the date of disbursement to the recipient, at the rate determined by the board and reflected in the promissory

note, not to exceed the maximum rate of interest which can be legally charged under Louisiana law for such loans. Annually, accrued interest shall be capitalized, meaning added to principal;

2. interest on each disbursement shall accrue from the date of disbursement until repaid, or fulfilled and shall be capitalized annually and at the time the recipient enters repayment status.

E. Repayment status:

1. the recipient will enter into a repayment status the first of the month following:

a. determination by the board that the recipient cannot discharge the loan by practicing medicine as required by these rules and the promissory note within the required time period; or

b. the date the recipient notifies the board that monetary repayment is desired; or

c. six months after the board determines that the recipient is no longer participating in a residency program in a primary care medical field or has otherwise failed to comply with the terms of the promissory note;

2. determination that a recipient has entered repayment status, the board will send written notice of the recipient's repayment status including the total amount of tuition that must be repaid, the amount of interest accrued and instructions for repayment;

3. the recipient must repay double the amount of the total tuition disbursed no later than 30 days from the date of the written notice of the recipient's repayment status. Accrued interest may be amortized in accordance with §2313.E.4;

4. the amount to be repaid annually will be the greater of:

a. the amount necessary to amortize the accrued loan interest, together with accruing interest, within five years; or

b. \$5,000 per year or the unpaid balance, whichever is less;

5. recipients in repayment status may have their payments deferred in accordance with §2105.B, deferment of repayment obligation;

6. during the period of time a recipient is in a deferment status, a recipient is not required to make payments and interest does not accrue;

7. the period of time for completion of repayment will be extended by a period of time equal to the length of time the recipient is in deferment status.

F. Cancellation. The obligation to repay any remaining unpaid balance of the promissory note shall be canceled in the event either of the following occurs:

1. upon submission to the board of a sworn affidavit from a qualified physician that the recipient is precluded from gainful employment because of a complete and permanent medical disability or condition; or

2. upon submission to the board of a death certificate or other evidence conclusive under state law, that the recipient is deceased.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3041.10-3041.26.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 25:1463 (August 1999), amended LR 25:2177 (November

1999), repromulgated LR 27:1874 (November 2001), amended LR 31:42 (January 2005), amended by the Board of Regents, Office of Student Financial Assistance, LR 44:573 (March 2018).

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RULE

Office of the Governor Board of Pardons and Committee on Parole

Administration, Clemency, Parole Eligibility,
Victim Notification and Participation in Hearings,
and Parole Decisions (LAC 22:V.203, 211,
and XI.102, 303, 307, 510, 701, 703, and 711)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), the Board of Pardons and the Committee on Parole have amended LAC 22:V.203, 211 and LAC 22:XI.102, 303, 307, 510, 701, 703 and 711. The rule changes contain technical revisions and also incorporate acts of the 2017 Regular Legislative Session. Act 70 provides relative to the release date of an offender required to complete certain rehabilitative programs prior to release on parole; Act 258 provides that if an offender has a parole hearing, a registered victim may submit a reentry statement to the Committee on Parole; Act 267 provides relative to the length of time certain applicants are required to wait before applying for a pardon or commutation of sentence; Act 280 provides relative to notice to victims, and medical treatment furlough; Act 337 provides relative to rights of crime victims with respect to notification of pardon or parole. This Rule is hereby adopted on the day of promulgation.

Title 22

CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT

Part V. Board of Pardons

Chapter 2. Clemency

§203. Eligibility for Clemency Consideration

A. - C.2.e.iii. ...

D. Life Sentences. An offender sentenced to life may not apply until he has served 15 years from the date of sentence, unless he has sufficient evidence which would have caused him to have been found not guilty. The 15 years shall include periods of time prior to the imposition of the sentence in which the defendant was in actual custody for the offense for which he was sentenced to life imprisonment. The offender must also meet the criteria stated in Subparagraphs C.2.a-d of this Section.

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:573.1, 15:574.12 and 44:1 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, LR 39:2255 (August 2013), amended LR 42:1087 (July 2016), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 44:574 (March 2018).

§211. Hearings before the Pardon Board

A. - B.

C. At least 90 days prior to public hearing date, the board shall give written notice of the date, time, and place to the following:

1. the district attorney and sheriff of the parish in which the applicant was convicted and, in Orleans Parish, the superintendent of police;

2. the applicant;

3. the direct victim or the spouse or next of kin of the deceased victim. The notice is not required when the victim, or the spouse or next of kin of a deceased victim advises the board, in writing, that such notification is not desired;

4. the Crime Victims Services Bureau of the Department of Public Safety and Corrections; and

5. any other interested person who notifies the Board of Pardons, in writing, giving name and return address.

D. The direct victim, the guardian of the victim, or close relative of a deceased victim shall have the right to make a written or oral statement as to the impact of the crime.

E. The direct victim, the guardian of the victim, or close relative of a deceased victim or a victim's advocacy group, and the district attorney or his representative may also appear before the panel by means of telephone communication from the office of the local district attorney.

1. Only three persons in favor, to include the applicant, and three in opposition, to include the victim/victim's family member, will be allowed to speak at the clemency hearing.

2. Any person making an oral presentation to the board will be allowed no more than 5 minutes. All persons making oral presentations in favor of an applicant shall be allowed cumulatively no more than 10 minutes. Any person making oral presentations against an applicant, including victims, shall be allowed cumulatively no more than 10 minutes.

F. There is no limit on written correspondence in favor of and/or opposition to the applicant's request. a candidate for parole release or an applicant for clemency.

G. The board shall provide notice to the Department of Public Safety and Corrections, Crime Victims Services Bureau at least 30 days prior to pardon hearing.

H. If an applicant is requesting commutation of sentence, and is released from custody and/or supervision prior to public hearing date, the case will be closed without notice to the applicant. Applicant may reapply two years from the date of release.

I. Applicant's failure to attend and/or notify the board of pardons office of his/her inability to attend the hearing will result in an automatic denial. The applicant may reapply two years from the date of scheduled hearing. Lifers who fail to attend and/or advise of inability to attend may reapply in five years if it is his/her initial hearing, and every five years thereafter.

J. Four members of the board shall constitute a quorum for the transaction of business, and all actions of the board shall require the favorable vote of at least four members of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:572.4, 15:574.12 and 44:1 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, LR 39:2256 (August 2013), amended LR 42:1088 (July 2016), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 43:46 (January 2017), LR 44:574 (March 2018).

Part XI. Committee on Parole

Chapter 1. Administration

§102. Powers and Duties of the Committee

A. The Louisiana Committee on Parole shall:

1. make parole, release and revocation decisions under R.S. 15:574.2;

2. evaluate any application filed pursuant to R.S. 15:308 and taking into consideration the risk of danger the applicant would pose to society if released from confinement, shall make recommendations to the Board of Pardons as to whether the applicant is eligible for a reduction in sentence pursuant to R.S. 15:308;

3. adopt rules not inconsistent with law as it deems necessary and proper with respect to the eligibility of offenders for parole and the conditions imposed upon offenders who are released on parole;

4. keep records of its official actions and make them accessible according to law;

5. collect, develop, and maintain statistical information concerning its services and decisions;

6. notify the district attorney of the parish where the conviction occurred as required by law:

a. the district attorney of the parish where the conviction occurred shall be allowed to review the record of the offender since incarceration, including but not limited to any educational or vocational training, rehabilitative program participation, disciplinary conduct and risk assessment score. The district attorney shall be allowed to present testimony to the committee and submit information relevant to the proceedings;

7. when requested to do so, notify, in writing at least seven days prior to the offender's release on parole, the chief of police, sheriff, or district attorney of the parish where the offender will reside and where the conviction(s) occurred;

8. submit an annual report on its performance to the secretary of the Department of Public Safety and Corrections on or before February 1 each year for the previous calendar year. This report shall include statistical and other data with respect to the work committee may make of sentencing, parole, or related functions, and may include recommendations for changes considered necessary to improve its effectiveness.

B. The Louisiana Committee on Parole may:

1. apply to a district court to issue subpoenas, compel the attendance of witnesses, and the production of books, papers, and other documents pertinent to the subject of its inquiry;

2. take testimony under oath, either at a hearing or by deposition;

3. sanction an offender's disorderly, threatening, or insolent behavior, or use of insulting, abusive, or obscene language at a hearing or in written communications with the offender's parole application, notice for which shall be provided to the offender at, or prior to, the commencement of proceedings.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2258 (August 2013), amended LR 41:42 (January 2015), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 44:575 (March 2018).

Chapter 3. Parole—Eligibility and Types

§303. Regular Parole

A. ...

B. Generally within nine months prior to an offender's parole eligibility date, all pertinent information will be compiled concerning the offender's case.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2295 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2269 (August 2013), LR 42:1283 (August 2016), LR 44:575 (March 2018).

§307. Medical Parole/Medical Treatment Furlough

A. - D. ...

E. The authority to grant medical parole shall rest solely with the committee.

1. Due to the nature of medical parole/medical treatment furlough cases, an exception to board policy, 05-509, victim notification and participation in hearings, shall be made regarding the notice to victims, requiring the notice to be at least 60 days in advance of the scheduled hearing date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2298 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2262 (August 2013), LR 41:44 (January 2015), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 44:575 (March 2018).

Chapter 5. Meetings and Hearings of the Committee on Parole

§510. Victims

A. Before a parole panel considers parole release for an offender who is serving a sentence of an offense in which a person was a victim, the direct victim of the offense shall be allowed to present written or oral testimony of the victim's views about the offense, the offender, and the effect of the offense on the victim. The parole panel shall allow one person to appear in person before the panel to present testimony on behalf of the victim. Nothing in this Section is intended to limit the panel's discretion to allow individual victims to make personal appearance or to make contact by phone through the local district attorney's victim advocacy representative. There is no limit on written correspondence in favor of and/or opposition to an offender's consideration for parole.

B. The direct victim, spouse, or next of kin of a deceased victim and any person who has filed a victim notice and registration form shall be advised in writing no less than 90 days prior to the scheduled hearing date.

B.1. - C.2. ...

3. the direct victim, the guardian of the victim, or close relative of a deceased victim will be allowed to speak to the panel prior to its making a decision in the case.

D. The Committee on Parole has delegated the responsibility for advance notice of a scheduled hearing to the direct victim to the Department of Public Safety and Corrections, Division of Probation and Parole. This notification is not required when the direct victim cannot be located despite the exercise of due diligence.

E. The written notice is not required when the victim, the spouse, or next of kin of a deceased victim, advises the committee in writing that such notification is not desired.

F. If victim notification is determined to have not met the advance notice time requirements required by this section, a victim may request that a hearing be re-scheduled if the hearing has not yet been conducted. Likewise, a victim may waive the notice requirement; however, such waiver must be received in writing from the victim.

G. Should a hearing be re-scheduled by the board for any reason other than the victim's request, the board shall notify the victim as soon as possible by telephone and shall follow-up with written confirmation of the telephone notification via certified U.S. Mail (with return receipt requested).

H. The direct victim, the guardian of the victim, or close relative of a deceased victim shall have the right to make a written or oral statement as to the impact of the crime.

I. The direct victim, the guardian of the victim, or close relative of a deceased victim or a victim's advocacy group, and the district attorney or his representative may also appear before the panel by means of telephone communication from the office of the local district attorney.

J. If more than one person is entitled to appear for a parole hearing, the person chosen by all persons entitled to appear may serve as a spokesperson for all those entitled to appear. Any person making an oral presentation to the parole panel will be allowed no more than five minutes. However, at the parole panel chairman's discretion more than one person may present a written or oral statement to the panel.

1. All persons making oral presentations in favor of an applicant shall be allowed cumulatively no more than 10 minutes. All persons making oral presentations against an applicant, including victims, shall be allowed cumulatively no more than 10 minutes.

K. There is no limit on written correspondence in favor of and/or opposition to a candidate for parole release.

L. The Committee on Parole shall notify all persons who have filed a victim notice and registration form with the Department of Public Safety and Corrections of an offender's release from incarceration by parole. Such written notice shall be sent by certified mail (with return receipt requested).

M. Notice to Crime Victim Services Bureau of Parole Hearings. The committee shall provide notice to the Department of Public Safety and Corrections Crime Victims Services Bureau at least 30 days prior to parole hearings.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2263 (August 2013), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 43:47 (January 2017), LR 44:575 (March 2018).

Chapter 7. Parole Decisions

§701. Policy Statement

A. - C.5.b. ...

c. Effective August 1, 2018, victims of any offender who appears before the Committee on Parole for a parole hearing may provide the parole panel a re-entry statement to request proximity or contact restrictions, if that offender is granted parole. Victims must submit the re-entry statement to the Committee on Parole at least 60 days prior to the offender's scheduled parole hearing. The committee will

consider the re-entry statement only for the purpose of determining the offender's parole conditions and not for the purpose of determining whether to order the release of the offender on parole. The re-entry statement is not binding on the Committee on Parole, but shall be considered in concert with other information when determining conditions of parole.

d. Evidence of official and/or community support may increase the likelihood of parole.

6. - 8.a. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2300 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2265 (August 2013), amended by the Office of the Governor, Board of Pardons, LR 40:58 (January 2014), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 44:576 (March 2018).

§703. Result of Decision to Grant or Deny Parole

A. - A.2. ...

B. No physical release from custody shall be authorized by the granting of a parole eligibility date that extends beyond nine months from the date of the hearing; nor shall release be authorized until all notice requirements, if any, have been timely made.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2301 (December 1998), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 39:2266 (August 2013), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 44:576 (March 2018).

§711. Conditional Parole

A. When the committee determines that it would be in the best interest of the public and the offender, the committee may require successful completion of a specific rehabilitative program (i.e., substance abuse treatment, transitional work program, 100 hours of pre-release training, reentry program, attainment of high school equivalency (HSE) as a prerequisite to release on parole to ensure public safety and enhance the offender's opportunity for success.

1. For conditional parole decisions, the committee will generally require completion of programs that have been certified by the Department of Public Safety and Corrections or that are recommended by the Division of Probation and Parole.

2. Program completion should occur within six months from the parole decision. However, if the program is more than six months in duration, the offender may be allowed up to nine months after the parole decision to complete the specified program. In no event, however, may the physical release from custody on parole extend beyond nine months from the hearing date.

3. If the offender has not successfully completed the program in nine months from the hearing date, the committee shall rescind or reconsider his parole and schedule a subsequent hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:574.2 et seq., R.S. 15:535 et seq., and R.S. 15:540 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Board of Parole, LR 24:2301 (December 1998), amended by the Office of the Governor, Board

of Pardons, Committee on Parole, LR 39:2267 (August 2013), amended by the Office of the Governor, Board of Pardons and Committee on Parole, LR 44:576 (March 2018).

Sheryl M. Ranatza
Board Chair

1803#036

RULE

**Office of the Governor
Division of Administration
Office of Facility Planning and Control**

Uniform Public Work Bid Form (LAC 34:III.313)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950, et seq.) and the provisions of R.S. 39:121, the Division of Administration, Facility Planning and Control has amended Title 34:III.Chapter 3, Louisiana Uniform Public Work Bid Form. This Rule revises the language of the Louisiana Uniform Public Work Bid Form to further clarify the requirement of supplying written evidence of the authority of the person signing, as required by R.S. 38:2212(B)(5). This Rule is hereby adopted on the day of promulgation.

Title 34

**GOVERNMENT CONTRACTS, PROCUREMENT
AND PROPERTY CONTROL**

Part III. Facility Planning and Control

Chapter 3. Louisiana Uniform Public Work Bid Form

§313. Unit Price Form

A. ...

LOUISIANA UNIFORM PUBLIC WORK BID FORM

* * *

THE FOLLOWING ITEMS ARE TO BE INCLUDED WITH THE SUBMISSION OF THIS LOUISIANA UNIFORM PUBLIC WORK BID FORM:

* The Unit Price Form shall be used if the contract includes unit prices. Otherwise it is not required and need not be included with the form. The number of unit prices that may be included is not limited and additional sheets may be included if needed.

** **A CORPORATE RESOLUTION OR WRITTEN EVIDENCE** of the authority of the person signing the bid for the public work as prescribed by LA R.S. 38:2212(B)(5).

BID SECURITY in the form of a bid bond, certified check or cashier's check as prescribed by LA R.S. 38:2218(A) attached to and made a part of this bid.

AUTHORITY NOTE: Promulgated in accordance with R.S. 38:2212.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of Facility Planning and Control, LR 35:1522 (August 2009), amended LR 41:336 (February 2015), LR 44:577 (March 2018).

Mark A. Moses
Director

1803#013

RULE

**Office of the Governor
Division of Administration
Tax Commission**

Ad Valorem Taxation
(LAC 61:V.101, 303, 304, 701, 703, 706, 907,
1103, 1307, 1501, 1503, 1504, 2503 and 3501)

In accordance with provisions of the Administrative Procedure Act (R.S. 49:950 et seq.), and in compliance with statutory law administered by this agency as set forth in R.S. 47:1837, the Tax Commission has adopted, amended and/or repealed Sections of the Louisiana Tax Commission real/personal property rules and regulations for use in the 2018 (2019 Orleans Parish) tax year. This Rule is hereby adopted on the day of promulgation.

Title 61

REVENUE AND TAXATION

Part V. Ad Valorem Taxation

Chapter 1. Constitutional and Statutory Guides to Property Taxation

§101. Constitutional Principles for Property Taxation

A. - F.3.h. ...

G. Special Assessment Level

1. - 1.d....

2. Any person or persons shall be prohibited from receiving the special assessment as provided in this Section if such person's or persons' adjusted gross income, for the year prior to the application for the special assessment, exceeds \$73,851 for tax year 2018 (2019 Orleans Parish). For persons applying for the special assessment whose filing status is married filing separately, the adjusted gross income for purposes of this Section shall be determined by combining the adjusted gross income on both federal tax returns.

3. - 9. ...

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution of 1974, Article VII, §18.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 15:1097 (December 1989), amended by the Department of Revenue, Tax Commission, LR 24:477 (March 1998), LR 26:506 (March 2000), LR 31:700 (March 2005), LR 32:425 (March 2006), LR 33:489 (March 2007), LR 34:673 (April 2008), LR 35:492 (March 2009), LR 36:765 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1394 (May 2011), LR 38:799 (March 2012), LR 39:487 (March 2013), LR 40:528 (March 2014), LR 41:671 (April 2015), LR 42:744 (May 2016), LR 43:648 (April 2017), LR 44:577 (March 2018).

Chapter 3. Real and Personal Property

§303. Real Property

A. - B.2. ...

C. In assessing affordable rental housing, the income approach is recommended. As defined in this Section, *affordable rental housing* means residential housing consisting of one or more rental units, the construction and/or rental of which is subject to section 42 of the *Internal Revenue Code* (26 USC 42), the Home Investment Partnership Program under the Cranston-Gonzalez National Affordable Housing Act (42 USC 12741 et seq.), the Federal Home Loan Banks Affordable Housing Program established pursuant to the Financial Institutions Reform, Recovery and

Enforcement Act (FIRREA) of 1989 (*Public Law 101-73*), or any other federal, state or similar program intended to provide affordable housing to persons of low or moderate income and the occupancy and maximum rental rates of such housing are restricted based on the income of the persons occupying such housing.

1. When utilizing the income approach in appraising affordable rental housing as defined herein, the total potential and/or anticipated rental income a property may generate shall be limited by the covenants and restrictions that burden the property. Hypothetical (or anticipated) market rent shall not be utilized in appraising affordable rental housing without taking into account the covenants and restrictions burdening the property.

2. Audited financial statements shall be submitted to the assessor as an attachment to the LAT filing, or as soon thereafter as practicable, but no later than June 15 of each year. For properties under construction and newly constructed property prior to the first full year of operation, the owner shall provide net operating income based on projected or pro-forma operating income and expense information.

3. The capitalization rate shall be set by the Tax Commission in conjunction with its rulemaking session.

a. It is recommended that the capitalization rate for affordable rental housing properties categorized as tier 1 shall be within a range of 5.5-6.5 percent, increased by the effective tax rate; for affordable rental housing properties categorized as tier 2 shall be within a range of 6.5-7.5 percent, increased by the effective tax rate; and for affordable rental housing properties categorized as tier 3 shall be within a range of 7.5-8.5 percent, increased by the effective tax rate. The tiers are as established and defined by the Real Estate Research Corporation for Apartment Investment Properties. These capitalization rates shall remain in effect until modified by the Tax Commission in accordance with its rulemaking authority.

4. When performing a valuation of any affordable rental housing property, the assessor shall not consider any of the following in determining fair market value:

a. Income tax credits available to the property under section 42 of the *Internal Revenue Code*.

b. Below-market interest rate on financing obtained under the Home Investment Partnership Program under the Cranston-Gonzales National Affordable Housing Act, or the Federal Home Loan Bank Affordable Housing Program established pursuant to the Financial Institution Reform, Recovery, and Enforcement Act of 1989.

c. Any other federal, state, or similar program intended to provide or finance affordable rental housing to persons of low or moderate income and requiring restricted occupancy and rental rates based on the income of the persons occupying such housing.

NOTE: Also see, Chapter 1, §111.D. thru D.3. and Chapter 2, §213.G thru G.3.

5. The income approach is recommended when assessing affordable rental housing. However, if another approach to value is utilized, the covenants and restrictions burdening the property must be considered and given the appropriate and proportional weight in the valuation process.

a. Although not recommended, if the sales comparison (market) approach is utilized to value affordable rental housing, the assessor's office must compare sales of comparable rent restricted properties. For affordable rental housing properties, the assessor must either use sales of other affordable rental housing properties (with the same or substantially similar restrictions and covenants) or, if that data isn't available, calculate adjustments to the sales of non-rent restricted, but otherwise comparable, properties. The assessor must specifically consider the restrictions on rent, transferability of the property, and the other covenants burdening the subject property in calculating and applying these adjustments.

b. Although not recommended, if the cost approach is utilized to value affordable rental housing, the assessor must calculate and subtract economic and functional obsolescence due to the restrictions on rent, the transferability of the property, and the other covenants burdening the subject property from the replacement cost. The assessor must consider all of the covenants burdening the subject property in calculating and applying obsolescence.

6. If an approach other than the income approach is utilized to value affordable rental housing, the assessor should also perform an income approach to value to verify the accuracy of the value determined by the other approach(es). If the income approach to value is substantially different (more than 10 percent) than the other approach(es) to value, it is strongly recommended that the income approach to value be used to ensure a fair and accurate valuation and assessment of the subject property.

D. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Louisiana Tax Commission, LR 7:44 (February 1981), amended by the Department of Revenue and Taxation, Tax Commission, LR 9:69 (February 1983), LR 12:36 (January 1986), LR 13:764 (December 1987), LR 16:1063 (December 1990), LR 17:611 (June 1991), LR 21:186 (February 1995), amended by the Department of Revenue, Tax Commission, LR 25:312 (February 1999), LR 26:506 (March 2000), LR 29:367 (March 2003), LR 30:487 (March 2004), LR 34:678 (April 2008), LR 35:492 (March 2009), LR 36:765 (April 2010), amended by the Division of Administration, Tax Commission, LR 38:799 (March 2012), LR 39:487 (March 2013), LR 42:745 (May 2016), LR 43:650 (April 2017), LR 44:577 (March 2018).

**§304. Electronic Change Order Specifications,
Property Classifications Standards and
Electronic Tax Roll Export Specifications**

A. - B. ...

* * *

C. Electronic Tax Roll Export Specifications

* * *

Assessment Information (Assmt.txt) (Required)				
Field Name	Field Type	Field Length	Required	Comments
tax_year	Numeric	4	Yes	Tax year submitting (ex. 1999, 2000)
* * *				
assessment_status	Character	2	Yes	“AC” = Active, “AJ” = Adjudicated, “EX” = Exempt/Tax Free, “TE” = Ten Year Exemption, “RE” = Restoration and “OT” = Other
homestead_exempt	Numeric	1	Yes	0 = None (default), 1 = homestead exemption, 2 = 100% Disabled Vet Homestead and 3 = 100% Unmarried Surviving Spouse of Active Duty Homestead
* * *				

Assessment Value Information (Avalue.txt) (Required)				
Field Name	Field Type	Field Length	Required	Comments
tax_year	Numeric	4	Yes	Tax year submitting (ex. 1999, 2000)
* * *				
homestead_credit	Numeric	6	Yes	Assessed value to be credited by Homestead Exemption (Not to exceed 15,000 of Assessed Value)
* * *				

* * *

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution of 1974, Article VII, §18 and R.S. 47:1837.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Commission, LR 31:703 (March 2005), amended LR 32:427 (March 2006), LR 36:765 (April 2010), amended by the Division of Administration, Tax Commission, LR 38:799 (March 2012), LR 39:487 (March 2013), LR 40:529 (March 2014), LR 41:672 (April 2015), LR 42:745 (May 2016), LR 43:651 (April 2017), LR 44:578 (March 2018).

Chapter 7. Watercraft

§701. Guidelines for Ascertaining Fair Market Value of Watercraft

A. General. Watercraft, other than those employed in interstate commerce, are subject to valuation and assessment by parish assessors. Gasoline powered watercraft and vessels employed in fisheries activities for human consumption are exempt from property taxation. As with other forms of personal property, watercraft are to be taxed where situated on January 1. Fair market value is the standard for valuation of watercraft. The procedures for valuation of watercraft follow.

B. Valuation

1. Fair market value is the valuation standard for watercraft. When using the cost approach, the assessor shall estimate the fair market value of each vessel having situs in his parish through use of the information provided him on LAT Form 11.

2. The same procedure shall be used as for other forms of machinery and equipment. That is, cost of the vessel will be brought up to current value through use of the appropriate index and depreciated based on the effective age of the vessel. The appropriate cost index, percent good factors and composite multipliers appear in Tables 703.A and 703.B. Obsolescence may be applied according to days worked as per Table 706. Consideration of additional obsolescence may be granted upon showing evidence of loss, substantiated by the taxpayer in writing.

3. Consideration of Obsolescence When Using the Cost Approach. Economic and/or functional obsolescence is a loss in value of personal property above and beyond physical deterioration. Upon a showing of evidence of such

loss, substantiated by the taxpayer in writing, economic or functional obsolescence shall be given. If economic and/or functional obsolescence is not given when warranted, an appreciated value greater than fair market value may result.

4. Gulf of Mexico Watercraft Fleet. When determining the three approaches to value, the assessor may use a variable annual income approach, as compiled by a certified marine surveyor-appraisal company, at the request of the Louisiana Assessors' Association, for weighting and correlating current market conditions as a part of the fair market valuation process.

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution of 1974, Article VII, Sections 18 and 21, R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:922 (November 1984), LR 12:36 (January 1986), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 20:198 (February 1994), amended by the Department of Revenue, Tax Commission, LR 24:479 (March 1998), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 44:579 (March 2018).

§703. Tables—Floating Equipment

A. Floating Equipment—Motor Vessels

Table 703.A Floating Equipment—Motor Vessels				
Cost Index (Average)		Average Economic Life 12 Years		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2017	0.990	1	94	.93
2016	1.010	2	87	.88
2015	1.002	3	80	.80
2014	1.011	4	73	.74
2013	1.024	5	66	.68
2012	1.032	6	58	.60
2011	1.062	7	50	.53
2010	1.095	8	43	.47
2009	1.087	9	36	.39
2008	1.118	10	29	.32
2007	1.162	11	24	.28
2006	1.226	12	22	.27
2005	1.283	13	20	.26

B. Floating Equipment—Barges (Non-Motorized)

Table 703.B Floating Equipment—Barges (Non-Motorized)				
Cost Index Average		Average Economic Life 20 Years		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2017	0.990	1	97	.96
2016	1.010	2	93	.94
2015	1.002	3	90	.90
2014	1.011	4	86	.87
2013	1.024	5	82	.84
2012	1.032	6	78	.80
2011	1.062	7	74	.79
2010	1.095	8	70	.77
2009	1.087	9	65	.71
2008	1.118	10	60	.67
2007	1.162	11	55	.64
2006	1.226	12	50	.61
2005	1.283	13	45	.58
2004	1.379	14	40	.55
2003	1.427	15	35	.50
2002	1.451	16	31	.45
2001	1.460	17	27	.39
2000	1.472	18	24	.35
1999	1.499	19	22	.33
1998	1.503	20	21	.32
1997	1.516	21	20	.30

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:924 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:204 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:479 (March 1998), LR 25:312 (February 1999), LR 26:506 (March 2000), LR 27:425 (March 2001), LR 28:518 (March 2002), LR 29:368 (March 2003), LR 30:487 (March 2004), LR 31:715 (March 2005), LR 32:430 (March 2006), LR 33:490 (March 2007), LR 34:678 (April 2008), LR 35:492 (March 2009), LR 36:772 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1394 (May 2011), LR 38:802 (March 2012), LR 39:490 (March 2013), LR 40:530 (March 2014), LR 41:673 (April 2015), LR 42:746 (May 2016), LR 43:652 (April 2017), LR 44:579 (March 2018).

§706. Table—Economic Obsolescence

A. Economic Obsolescence for Days Worked

Table 706 Economic Obsolescence for Days Worked		
No. of Days Worked	Obsolescence Amount	Manual Adj. Factor
329 and Over	0	1.00
274 to 328	10%	.90
219 to 273	20%	.80
164 to 218	30%	.70
111 to 163	40%	.60
54 to 110	50%	.50
Less than 53	60%	.40
Stacked Current Year	75%	.25
Stacked More Than One Year	90%	.10

AUTHORITY NOTE: Promulgated in accordance with La. Const. of 1974, Article VII, §18 and §21, R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Tax Commission, LR 44:580 (March 2018).

Chapter 9. Oil and Gas Properties

§907. Valuation of Oil, Gas, and Other Wells

A. - A.7. ...

1. Oil, Gas and Associated Wells; Region 1—North Louisiana

Table 907.A.1 Oil, Gas and Associated Wells; Region 1—North Louisiana				
Producing Depths	Cost—New By Depth, Per Foot		15% of Cost—New By Depth, Per Foot	
	\$ Oil	\$ Gas	\$ Oil	\$ Gas
0-1,249 ft.	36.69	128.43	5.50	19.26
1,250-2,499 ft.	33.13	94.43	4.97	14.16
2,500-3,749 ft.	26.04	62.54	3.91	9.38
3,750-4,999 ft.	36.02	62.32	5.40	9.35
5,000-7,499 ft.	42.35	60.83	6.35	9.12
7,500-9,999 ft.	92.84	81.99	13.93	12.30
10,000-12,499 ft.	270.73	99.46	40.61	14.92
12,500-14,999 ft.	440.29	150.18	66.04	22.53
15,000-17,499 ft.	563.53	171.25	84.53	25.69
17,500-Deeper ft.	N/A	479.02	N/A	71.85

2. Oil, Gas and Associated Wells; Region 2—South Louisiana

Table 907.A.2 Oil, Gas and Associated Wells; Region 2—South Louisiana				
Producing Depths	Cost—New By Depth, Per Foot		15% of Cost—New By Depth, Per Foot	
	\$ Oil	\$ Gas	\$ Oil	\$ Gas
0-1,249 ft.	282.13	127.59	42.32	19.14
1,250-2,499 ft.	97.43	212.06	14.61	31.81
2,500-3,749 ft.	95.14	169.07	14.27	25.36
3,750-4,999 ft.	83.86	135.25	12.58	20.29
5,000-7,499 ft.	114.57	153.64	17.19	23.05
7,500-9,999 ft.	156.29	160.86	23.44	24.13
10,000-12,499 ft.	213.12	210.27	31.97	31.54
12,500-14,999 ft.	279.57	272.02	41.94	40.80
15,000-17,499 ft.	452.85	364.21	67.93	54.63
17,500-19,999 ft.	552.92	515.88	82.94	77.38
20,000-Deeper ft.	295.24	774.50	44.29	116.18

3. Oil, Gas and Associated Wells; Region 3—Offshore State Waters

Table 907.A.3 Oil, Gas and Associated Wells; Region 3—Offshore State Waters*				
Producing Depths	Cost—New By Depth, Per Foot		15% Of Cost—New By Depth, Per Foot	
	\$ Oil	\$ Gas	\$ Oil	\$ Gas
0-1,249 ft.	N/A	N/A	N/A	N/A
1,250-2,499 ft.	1,414.25	1,033.39	212.14	155.01
2,500-3,749 ft.	727.23	794.20	109.08	119.13
3,750-4,999 ft.	1,038.04	728.24	155.71	109.24
5,000-7,499 ft.	516.58	674.51	77.49	101.18
7,500-9,999 ft.	654.92	638.29	98.24	95.74
10,000-12,499 ft.	741.43	646.99	111.21	97.05
12,500-14,999 ft.	644.83	629.65	96.72	94.45
15,000-17,499 ft.	444.44	653.32	66.67	98.00
17,500-19,999 ft.	221.38	624.59	33.21	93.69
20,000-Deeper ft.	N/A	981.79	N/A	147.27

B. The determination of whether a well is a region 2 or region 3 well is ascertained from its onshore/offshore status as designated on the permit to drill or amended permit to

drill form (Location of Wells Section), located at the Department of Natural Resources as of January 1 of each tax year. Each assessor is required to confirm the onshore/offshore status of wells located within their parish by referring to the permit to drill or amended permit to drill form on file at the Department of Natural Resources.

1. Parishes Considered to be Located in Region I

Table 907.B.1 Parishes Considered to be Located in Region 1			
Bienville	DeSoto	Madison	Tensas
Bossier	East Carroll	Morehouse	Union
Caddo	Franklin	Natchitoches	Webster
Caldwell	Grant	Ouachita	West Carroll
Catahoula	Jackson	Red River	Winn
Claiborne	LaSalle	Richland	
Concordia	Lincoln	Sabine	

NOTE: All wells in parishes not listed above are located in Region 2 or Region 3.

2. Serial Number to Percent Good Conversion Chart

Table 907.B.2 Serial Number to Percent Good Conversion Chart			
Year	Beginning Serial Number	Ending Serial Number	20 Year Life Percent Good
2017	249951	Higher	97
2016	249476	249950	93
2015	248832	249475	90
2014	247423	248831	86
2013	245849	247422	82
2012	244268	245848	78
2011	242592	244267	74
2010	240636	242591	70
2009	239277	240635	65
2008	236927	239276	60
2007	234780	236926	55
2006	232639	234779	50
2005	230643	232638	45
2004	229010	230642	40
2003	227742	229009	35
2002	226717	227741	31
2001	225352	226716	27
2000	223899	225351	24
1999	222882	223898	22
1998	221596	222881	21
1997	Lower	221595	20 *
VAR.	900000	Higher	50

*Reflects residual or floor rate.

NOTE: For any serial number categories not listed above, use year well completed to determine appropriate percent good. If spud date is later than year indicated by serial number; or, if serial number is unknown, use spud date to determine appropriate percent good.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2326.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:205 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:480 (March 1998), LR 25:313

(February 1999), LR 26:507 (March 2000), LR 27:425 (March 2001), LR 28:518 (March 2002), LR 29:368 (March 2003), LR 30:488 (March 2004), LR 31:717 (March 2005), LR 32:431 (March 2006), LR 33:492 (March 2007), LR 34:679 (April 2008), LR 35:495 (March 2009), LR 36:773 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1395 (May 2011), LR 38:803 (March 2012), LR 39:490 (March 2013), LR 40:531 (March 2014), LR 41:673 (April 2015), LR 42:746 (May 2016), LR 43:653 (April 2017), LR 44:580 (March 2018).

Chapter 11. Drilling Rigs and Related Equipment
§1103. Drilling Rigs and Related Equipment Tables

A. Land Rigs

Table 1103.A Land Rigs		
Depth "0" to 7,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
3,000	249,100	37,400
4,000	314,100	47,100
5,000	346,600	52,000
6,000	401,500	60,200
7,000	514,800	77,200
Depth 8,000 to 10,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
8,000	705,900	105,900
9,000	979,800	147,000
10,000	1,329,500	199,400
Depth 11,000 to 15,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
11,000	1,738,700	260,800
12,000	2,183,500	327,500
13,000	2,635,300	395,300
14,000	3,062,900	459,400
15,000	3,434,900	515,200
Depth 16,000 to 20,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
16,000	3,721,900	558,300
17,000	3,899,300	584,900
18,000	3,948,900	592,300
19,000	3,862,100	579,300
20,000	3,641,500	546,200
Depth 21,000 + Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
21,000	3,303,700	495,600
25,000 +	2,881,500	432,200

1. - 2. ...

B. Jack-Ups

Table 1103.B Jack-Ups			
Type	Water Depth Rating	Fair Market Value	Assessment
IC	0-199 FT.	\$ 54,900,000	\$ 8,235,000
	200-299 FT.	109,900,000	16,485,000
	300 FT. and Deeper	219,400,000	32,910,000
IS	0-199 FT.	16,500,000	2,475,000
	200-299 FT.	27,500,000	4,125,000
	300 FT. and Deeper	33,000,000	4,950,000
MC	0-199 FT.	5,500,000	825,000

Table 1103.B Jack-Ups			
Type	Water Depth Rating	Fair Market Value	Assessment
	200-299 FT.	11,000,000	1,650,000
	300 FT. and Deeper	43,900,000	6,585,000
MS	0-249 FT.	11,500,000	1,725,000
	250 FT. and Deeper	22,700,000	3,405,000

IC - Independent Leg Cantilever
 IS - Independent Leg Slot
 MC - Mat Cantilever
 MS - Mat Slot

C. Semisubmersible Rigs

Table 1103.C Semisubmersible Rigs		
Water Depth Rating	Fair Market Value	Assessment
	\$	\$
0- 800 FT.	50,200,000	7,530,000
801-1,800 FT.	90,000,000	13,500,000
1,801-2,500 FT.	164,900,000	24,735,000
2,501FT. and Deeper	517,400,000	77,610,000

NOTE: The fair market values and assessed values indicated by these tables are based on the current market (sales) appraisal approach and not the cost approach.

1. - 3.b.i. ...

D. Well Service Rigs Land Only

Table 1103.D Well Service Rigs Land Only				
Class	Mast	Engine	Fair Market Value (RCNLD)	Assessment
I	71' X 125M# 71' X 150M# 72' X 125M# 72' X 150M# 75' X 150M#	C-7 50 SERIES 6V71	105,000	15,800
II	96' X 150M# 96' X 180M# 96' X 185M# 96' X 200M# 96' X 205M# 96' X 210M# 96' X 212M# 96' X 215M#	C-11 50 SERIES 8V71	145,000	21,800
III	96' X 240M# 96' X 250M# 96' X 260M# 102' X 215M#	C-11 50 SERIES 8V92	185,000	27,800
IV	102' X 224M# 102' X 250M# 103' X 225M# 103' X 250M# 104' X 250M# 105' X 225M# 105' X 250M#	C-15 60 SERIES 12V71	225,000	33,800
V	105' X 280M# 106' X 250M# 108' X 250M# 108' X 260M# 108' X 268M# 108' X 270M# 108' X 300M#	C-15 60 SERIES 12V71 12V92	265,000	39,800

Table 1103.D Well Service Rigs Land Only				
Class	Mast	Engine	Fair Market Value (RCNLD)	Assessment
VI	110' X 250M# 110' X 275M# 112' X 300M# 112' X 350M#	C-15 60 SERIES 12V71 (2) 8V92	305,000	45,800
VII	117' X 215M#	C-15 60 SERIES (2) 8V92 (2) 12V71	335,000	50,300

D.1. - E.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:939 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 22:117 (February 1996), LR 23:205 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:487 (March 1998), LR 25:315 (February 1999), LR 26:508 (March 2000), LR 27:426 (March 2001), LR 28:519 (March 2002), LR 30:488 (March 2004), LR 31:718 (March 2005), LR 32:431 (March 2006), LR 33:493 (March 2007), LR 34:683 (April 2008), LR 35:497 (March 2009), LR 36:778 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1399 (May 2011), LR 38:808 (March 2012), LR 39:495 (March 2013), LR 40:536 (March 2014), LR 41:678 (April 2015), LR 42:748 (May 2016), LR 43:654 (April 2017), LR 44:581 (March 2018).

Chapter 13. Pipelines

§1307. Pipeline Transportation Tables

A. Current Costs for Other Pipelines (Onshore)

Table 1307.A Current Costs for Other Pipelines (Onshore)		
Diameter (inches)	Cost per Mile	15% of Cost per Mile
2	\$ 169,690	\$ 25,450
4	200,410	30,060
6	236,700	35,510
8	279,550	41,930
10	330,160	49,520
12	389,930	58,490
14	460,530	69,080
16	543,910	81,590
18	642,380	96,360
20	758,680	113,800
22	896,030	134,400
24	1,058,250	158,740
26	1,249,840	187,480
28	1,476,120	221,420
30	1,743,370	261,510
32	2,059,000	308,850
34	2,431,770	364,770
36	2,872,030	430,800
38	3,392,000	508,800
40	4,006,100	600,920
42	4,731,390	709,710
44	5,587,990	838,200
46	6,599,670	989,950
48	7,794,510	1,169,180

NOTE: Excludes river and canal crossings

B. Current Costs for Other Pipelines (Offshore)

Table 1307.B Current Costs for Other Pipelines (Offshore)		
Diameter (inches)	Cost per Mile	15% of Cost per Mile
2	\$ 986,640	\$ 148,000
4	990,090	148,510
6	994,340	149,150
8	1,011,910	151,790
10	1,036,720	155,510
12	1,068,760	160,310
14	1,108,030	166,200
16	1,154,550	173,180
18	1,208,290	181,240
20	1,269,270	190,390
22	1,337,490	200,620
24	1,412,940	211,940
26	1,495,630	224,340
28	1,585,550	237,830
30	1,682,710	252,410
32	1,787,100	268,070
34	1,898,730	284,810
36	2,017,590	302,640
38	2,143,680	321,550
40	2,277,010	341,550
42	2,417,580	362,640
44	2,565,380	384,810
46	2,720,420	408,060
48	2,882,690	432,400

C. Pipeline Transportation Allowance for Physical Deterioration (Depreciation)

Table 1307.C Pipeline Transportation Allowance for Physical Deterioration (Depreciation)	
Actual Age (Yrs)	26.5 Year Life Percent Good
1	98
2	96
3	94
4	91
5	88
6	86
7	83
8	80
9	77
10	73
11	70
12	67
13	63
14	60
15	56
16	52
17	48
18	44
19	39
20	35
21	33
22	30
23	28
24	26
25	25
26	23
27 and older	20 *

* Reflects residual or floor rate.

NOTE: See §1305.G (page PL-3) for method of recognizing economic obsolescence.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:941 (November 1984), LR 12:36 (January 1986), LR 16:1063 (December 1990), amended by the Department of Revenue, Tax Commission, LR 24:489 (March 1998), LR 25:316 (February 1999), LR 26:509 (March 2000), LR 27:426 (March 2001), LR 31:719 (March 2005), LR 32:432 (March 2006), LR 33:494 (March 2007), LR 34:684 (April 2008), LR 35:499 (March 2009), LR 36:778 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1401 (May 2011), LR 38:809 (March 2012), LR 39:496 (March 2013), LR 40:537 (March 2014), LR 41:680 (April 2015), LR 42:748 (May 2016), LR 43:655 (April 2017), LR 44:582 (March 2018).

Chapter 15. Aircraft
§1501. Guidelines for Ascertaining the Fair Market Value of Aircraft

A. General

1. Airplanes and helicopters, except those owned by a company engaged in the business of transporting passengers and/or property for hire on regularly scheduled flights, which are assessed as public service properties, are subject to valuation and assessment by parish assessors.

2. Antique airplanes, those manufactured at least 25 years ago, and not being used in commerce, are exempt from personal property taxes. Any aircraft weighing less than 6,000 pounds, which is owned by a private individual and not used for commercial or profit-making purposes is also exempt from personal property taxes (R.S. 47:6001).

3. Crop dusting airplanes used exclusively for agricultural purposes are exempt from personal property taxes (R.S. 47:1707).

4. As with other forms of personal property, aircraft are to be taxed where situated on January 1. Fair market value is the standard for valuation of aircraft. When determining the three approaches to value, the assessor may use any industry-recognized manual/manuals for weighting and correlating current market conditions as a part of the fair market valuation process. The procedures for discovery and valuation of aircraft follow.

B. Valuation When Using the Cost Approach. Fair market value is the valuation standard for aircraft. The assessor shall estimate the fair market value of each aircraft having situs in his parish through use of the information provided him on LAT Form 15. The same procedure shall be used as for other forms of machinery and equipment. That is, the original cost of the aircraft will be brought up to current value through use of the appropriate cost index, percent good factors and composite multipliers appearing in Table 1503.

C. Offshore oil and gas helicopters providing transportation and support services engaged in coastal trade shall be valued according to procedures established in paragraphs A. and B. of this chapter with obsolescence that may be granted according to Table 1504. Consideration of additional obsolescence may be granted upon showing evidence of loss, substantiated by the taxpayer in writing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837, R.S. 47:1952, R.S. 47:2323, R.S. 47:2326, R.S. 47:6001 and R.S. 47:1707.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:942 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 16:1063 (December 1990), LR 19:212 (February 1993), LR 20:198 (February 1994), amended

by the Department of Revenue, Tax Commission, LR 32:433 (March 2006), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 44:583 (March 2018).

§1503. Aircraft (Including Helicopters) Table

A. Aircraft (Including Helicopters)

Table 1503 Aircraft (Including Helicopters)				
Cost Index (Average)		Average Economic Life (20 Years)		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2017	0.990	1	97	.96
2016	1.010	2	93	.94
2015	1.002	3	90	.90
2014	1.011	4	86	.87
2013	1.024	5	82	.84
2012	1.032	6	78	.80
2011	1.062	7	74	.79
2010	1.095	8	70	.77
2009	1.087	9	65	.71
2008	1.118	10	60	.67
2007	1.162	11	55	.64
2006	1.226	12	50	.61
2005	1.283	13	45	.58
2004	1.379	14	40	.55
2003	1.427	15	35	.50
2002	1.451	16	31	.45
2001	1.460	17	27	.39
2000	1.472	18	24	.35
1999	1.499	19	22	.33
1998	1.503	20	21	.32
1997	1.516	21	20	.30

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:943 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:206 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:490 (March 1998), LR 25:316 (February 1999), LR 26:509 (March 2000), LR 27:427 (March 2001), LR 28:520 (March 2002), LR 29:370 (March 2003), LR 30:489 (March 2004), LR 31:719 (March 2005), LR 32:433 (March 2006), LR 33:495 (March 2007), LR 34:685 (April 2008), LR 35:499 (March 2009), LR 36:779 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1401 (May 2011), LR 38:809 (March 2012), LR 39:497 (March 2013), LR 40:538 (March 2014), LR 41:680 (April 2015), LR 42:749 (May 2016), LR 43:656 (April 2017), LR 44:584 (March 2018).

§1504. Aircraft (Including Helicopters) Table

Table 1504 Economic Obsolescence for Days Contracted		
No. of Days Worked	Obsolescence Amount	Manual Adj. Factor
329 & Over	0	1.00
274 to 328	10%	.90
219 to 273	20%	.80
164 to 218	30%	.70
111 to 163	40%	.60
54 to 110	50%	.50
Less than 53	60%	.40

Table 1504 Economic Obsolescence for Days Contracted		
No. of Days Worked	Obsolescence Amount	Manual Adj. Factor
Grounded Current Year	75%	.25
Grounded More Than One Year	90%	.10

AUTHORITY NOTE: Promulgated in accordance with La. Const. of 1974, Article VII, §18 and §21, R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Tax Commission, LR 44:584 (March 2018).

Chapter 25. General Business Assets

§2503. Tables Ascertain Economic Lives, Percent Good and Composite Multipliers of Business and Industrial Personal Property

A. ...

* * *

B. Cost Indices

Table 2503.B Cost Indices			
Year	Age	National Average 1926 = 100	January 1, 2017 = 100*
2017	1	1612.2	0.990
2016	2	1580.9	1.010
2015	3	1593.7	1.002
2014	4	1578.8	1.011
2013	5	1558.7	1.024
2012	6	1545.9	1.032
2011	7	1503.2	1.062
2010	8	1457.4	1.095
2009	9	1468.6	1.087
2008	10	1427.3	1.118
2007	11	1373.3	1.162
2006	12	1302.3	1.226
2005	13	1244.5	1.283
2004	14	1157.3	1.379
2003	15	1118.6	1.427
2002	16	1100.0	1.451
2001	17	1093.4	1.460
2000	18	1084.3	1.472
1999	19	1065.0	1.499
1998	20	1061.8	1.503
1997	21	1052.7	1.516
1996	22	1036.0	1.541
1995	23	1020.4	1.564
1994	24	985.0	1.620
1993	25	958.0	1.666
1992	26	939.8	1.698
1991	27	928.5	1.719
1990	28	910.2	1.754
1989	29	886.5	1.800
1988	30	841.4	1.897
1987	31	806.9	1.978

*Reappraisal Date: January 1, 2017 – 1596.1 (Base Year)

* * *

D. Composite Multipliers 2018 (2019 Orleans Parish)

Table 2503.D Composite Multipliers 2018 (2019 Orleans Parish)										
Age	3 Yr	5 Yr	6 Yr	8 Yr	10 Yr	12 Yr	15 Yr	20 Yr	25 Yr	30 Yr
1	.69	.84	.86	.89	.91	.93	.94	.96	.97	.97
2	.49	.70	.74	.80	.85	.88	.91	.94	.96	.96
3	.34	.52	.57	.67	.76	.80	.85	.90	.93	.95

Table 2503.D Composite Multipliers 2018 (2019 Orleans Parish)										
4	.16	.34	.41	.55	.68	.74	.80	.87	.91	.94
5		.24	.31	.44	.59	.68	.75	.84	.89	.93
6		.19	.20	.34	.51	.60	.70	.80	.87	.92
7			.19	.28	.41	.53	.66	.79	.86	.91
8				.24	.33	.47	.60	.77	.85	.90
9				.22	.26	.39	.53	.71	.82	.89
10					.23	.32	.48	.67	.79	.88
11					.23	.28	.43	.64	.79	.88
12						.27	.38	.61	.78	.87
13						.26	.33	.58	.77	.87
14							.32	.55	.77	.86
15							.30	.50	.74	.86
16							.29	.45	.70	.86
17								.39	.64	.85
18								.35	.57	.79
19								.33	.51	.76
20								.32	.45	.71
21								.30	.42	.67
22									.40	.62
23									.38	.58
24									.32	.55
25									.31	.52
26									.30	.48
27										.45
28										.40
29										.38
30										.38
31										.37

1. Data sources for tables are:
 - a. cost index—Marshall and Swift Publication Co.;
 - b. percent good—Marshall and Swift Publication Co.;
 - c. average economic life—various.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 9:69 (February 1983), LR 10:944 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:207 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:490 (March 1998), LR 25:317 (February 1999), LR 26:509 (March 2000), LR 27:427 (March 2001), LR 28:520 (March 2002), LR 29:370 (March 2003), LR 30:489 (March 2004), LR 31:719 (March 2005), LR 32:433 (March 2006), LR 33:496 (March 2007), LR 34:686 (April 2008), LR 35:500 (March 2009), LR 36:780 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1402 (May 2011), LR 38:810 (March 2012), LR 39:497 (March 2013), LR 40:538 (March 2014), LR 41:681 (April 2015), LR 42:750 (May 2016), LR 43:656 (April 2017), LR 44:584 (March 2018).

Chapter 35 Miscellaneous

§3501. Service Fees—Tax Commission

A. The Tax Commission is authorized by R.S. 47:1838 to levy and collect fees on an interim basis for the period beginning on July 1, 2014, and ending on June 30, 2018, in connection with services performed by the Tax Commission as follows.

1. A fee for assessing public service property, at the rate of .01 percent of the assessed value, beginning July 1, 2014 and ending on June 30, 2016 and at the rate of .04 percent of the assessed value beginning July 1, 2016 and ending on June 30, 2018, to be paid by each public service property which pays ad valorem taxes.

2. A fee for assessing insurance companies, at the rate of .015 percent of the assessed value, to be paid by each insurance company which pays ad valorem taxes.

3. A fee for assessing financial institutions, at the rate of .015 percent of the assessed value, to be paid by each bank and capital stock association which pays ad valorem taxes.

B. - C.2.b. ...

D. In accordance with Act 184 of 1993, the Tax Commission, in addition to powers contained in R.S. 47:1837 et seq., is authorized to make audits or examinations of any taxpayer's return due under R.S. 47:1852 and the property, place of business, books, records, activity and programs of the taxpayer insofar as it may affect, clarify or disclose its tax liability.

1. After procedures as set forth in R.S. 47:1835 relative to notification of tax due to the taxpayer and his time period for protesting such assessment have expired, the Tax Commission shall receive 10 percent of the additional tax, penalty and interest collected. Such funds shall be paid to the Tax Commission and shall be deposited in the Tax Commission expense fund.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1835 and R.S. 47:1838.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 19:212 (February 1993), amended LR 20:198 (February 1994), amended by the Department of Revenue, Tax Commission, LR 24:494 (March 1998), LR 25:320 (February 1999), LR 26:513 (March 2000), LR 28:521 (March 2002), LR 30:493 (March 2004), LR 31:724 (March 2005), LR 32:439 (March 2006), LR 33:502 (March 2007), LR 35:501 (March 2009), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 37:1403 (May 2011), LR 41:683 (April 2015), LR 43:662 (April 2017), LR 44:585 (March 2018).

Lawrence E. Chehardy
Chairman

1803#023

RULE

Department of Health Board of Medical Examiners

Physicians—General, Licensure and Certification
(LAC 46:XLV.125, 311, 404, and 417)

In accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority vested in the Louisiana State Board of Medical Examiners (board) by the Louisiana Medical Practice Act, R.S. 37:1270, the board has amended its rules governing physician licensure and certification. This Rule is hereby adopted on the day of promulgation.

Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS

Part XLV. Medical Professions

Subpart 1. General

Chapter 1. Fees and Costs

Subchapter C. Physicians and Surgeons Fees

§125. Licenses, Permits and Examination

A. - A.2.

B. For processing applications for permits of the type indicated, the following fees shall be payable to the board.

1. Graduate medical education and, on and after January 1, 2019, a continuing postgraduate training temporary permit—\$200.

B.2. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270 and 37:1281.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 10:906 (November 1984), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 17:603 (June 1991), LR 21:467 (May 1995), LR 21:1238 (November 1995), LR 30:238 (February 2004), amended by the Department of Health, Board of Medical Examiners, LR 44:586 (March 2018).

Subpart 2. Licensure and Certification

Chapter 3. Physicians

Subchapter B. Graduates of American and Canadian Medical School and Colleges

§311. Qualifications for License

A. To be eligible for a license, an applicant shall:

1. - 5.h. ...

6. have:

a. with respect to applications for licensure first received by the board before January 1, 2019, completed at least one year of postgraduate clinical training in a medical internship or equivalent program accredited by the American Council on Graduate Medical Education (ACGME) of the American Medical Association, or by the American Osteopathic Association (AOA), or by the Royal College of Physicians and Surgeons (RCPS) of Canada, and approved by the board. A combined postgraduate year one training program that is not accredited shall be deemed to satisfy the requirements of this Section provided each program comprising the combined program is accredited by the ACGME or by the AOA or by the RCPS;

b. with respect to applications for licensure first received by the board on and after January 1, 2019, completed at least two years, or alternatively have completed one year and have a current commitment in a form and manner specified by the board for a second year, of postgraduate clinical training in the United States or in Canada in a medical residency or equivalent program accredited by the ACGME, AOA, or by the RCPS and approved by the board. For physicians pursuing training in oral and maxillofacial surgery, one year of such training may be in a program accredited by the Commission on Dental Accreditation of the American Dental Association. To be approved by the board such program must be: offered and taken in an institution offering not fewer than one residency or equivalent program accredited by the ACGME, AOA, or the RCPS; the program in which the applicant participates must evidence the applicant's progressive responsibility for

patient care; the two years of such a program must be in the same specialty or alternatively, constitute the applicant, upon completion of the two years of such program, as eligible for specialty board certification or for postgraduate year three (PGY-3) training; and applicants are only permitted to engage in extracurricular medical practice outside of the program with the written permission and assurance of the program director that the applicant is in good standing, has good credentials, and is recommend for such extracurricular practice engagement.

A.7. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1271, 37:1272, 37:1274 and 37:1275.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 10:908 (November 1984), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:513 (June 1990), LR 27:836 (June 2001), LR 31:1583 (July 2005), LR 37:337 (January 2011), LR 38:3173 (December 2012), amended by the Department of Health, Board of Medical Examiners, LR 44:586 (March 2018).

Subchapter H. Restricted Licensure, Permits

§404. Continuing Postgraduate Training beyond Year One

A. The board shall issue a temporary permit to an applicant of an approved American or Canadian medical school or college (whether allopathic or osteopathic) for the purpose of participating in an accredited program of postgraduate medical training (residency training), beyond postgraduate year one, in a Louisiana medical school, college or other medical institution that is fully accredited by the ACGME and approved by the board.

B. Qualifications for Permit. To be eligible for a temporary permit for postgraduate medical training beyond year one, the applicant shall:

B.1. - E.3. ...

F. Renewal, Reissuance. A permit issued under this Section which has expired may be renewed or reissued by the board for two or more successive 12-month periods, provided that:

1. prior to the expiration of the initial temporary permit, permit holder has taken and successfully passed all three steps of USMLE or all three levels of COMLEX-USA or all steps, levels, parts or components of those examinations in the manner specified by §311.A.5.a-h, within the limitations and restrictions prescribed by §387 of these rules; and

2. - 2.c. ...

G. Causes for Refusal to Issue or Renew. Notwithstanding an applicant's eligibility for a permit under this Section, under the standards and criteria set forth in this Section, the board may nevertheless deny issuance or renewal of such permit for any of the causes for which it may deny licensure under R.S. 37:1285(A) or for which it may revoke a temporary permit pursuant to §404.H.

H. - H.3. ...

I. Effect of Revocation. A permittee who has had his temporary permit revoked by the board pursuant to §404.H shall not thereafter be eligible for a permit or a license to practice medicine in the state of Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1275, 37:1277, 37:1281 and 37:1285.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 27:844 (June 2001), amended by the Department of Health, Board of Medical Examiners, LR 44:586 (March 2018).

Subchapter I. License Issuance, Termination, Renewal, Reinstatement and Exemptions

§417. Renewal of License; Prerequisite Condition

A. - B. ...

C. Initial application for renewal of a license, issued on the basis of a commitment for year two of postgraduate clinical training under §311.A.6.b shall, as a prerequisite to renewal consideration, be accompanied by documentation satisfactory to the board of the completion of year two of such training.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1270(A)(8), 37:1271, 37:1272, 37:1274, 37:1275.1, 37:1280 and 37:1281.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 10:914 (November 1984), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:523 (June 1990), LR 24:1500 (August 1998), LR 26:695 (April 2000), LR 27:848 (June 2001), amended by the Department of Health, Board of Medical Examiners, LR 44:587 (March 2018).

Vincent A. Culotta, Jr., M.D.
Executive Director

1803#055

RULE

**Department of Health
Board of Veterinary Medicine**

**Continuing Education and Professional Conduct
(LAC 46:LXXXV.403, 1015, 1019, and 1227)**

The Louisiana Board of Veterinary Medicine has amended LAC 46:LXXXV.403 and 1227, amended §1015.A and repealed §§1015.B and 1019, in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953 et seq., and the Louisiana Veterinary Practice Act, R.S. 37:1518A(9) and 37:1533. The board is vested with the authority to regulate the practice of veterinary medicine to insure the health, welfare, and protection of the animals and the public.

The rules regarding continuing education (§§403 and 1227) have been amended to require specific courses/programs regarding drug diversion training, best practice of prescribing controlled dangerous substances, appropriate treatment for addiction, and any other matters that are deemed appropriate by the veterinary board in accordance with Act 76 of the 2017 Regular Session of the Legislature; and the rules regarding §1015.A have been amended, and §§1015.B and 1019 have been repealed, to remove the prohibition to non-veterinarian ownership of a veterinary practice, but retain regulatory accountability by the board over licensed veterinarians and the hands-on/decision making authority over the practice of veterinary medicine. This Rule is hereby adopted on the day of promulgation.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part LXXXV. Veterinarian

Chapter 4. Continuing Education

§403. Continuing Veterinary Education Requirements

A. - A.3. ...

4. Effective August 1, 2017, a veterinarian with prescriptive authority who holds a controlled dangerous substances (CDS) license with the LA Board of Pharmacy shall obtain three CE hours for veterinary licensure renewal which shall include drug diversion training, best practice of prescribing controlled dangerous substances, appropriate treatment for addiction, and any other matters that are deemed appropriate by the veterinary board. Successful completion of this requirement once shall satisfy the requirement in full. However, an exemption for the three CE hours is available for the veterinarian with prescriptive authority who holds a controlled dangerous substances (CDS) license if he timely submits an annual certification form as adopted by the veterinary board attesting that he has not prescribed, administered, or dispensed a controlled dangerous substance during the entire applicable reporting period. The required three CE hours set forth herein may be a component part of the annual 20 hours of CE for licensure renewal, and may be part of the on-line allowance. No license shall be renewed for a veterinarian who fails to comply with this CE requirement or the exemption.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated as §405 by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:224 (March 1990), amended LR 19:1427 (November 1993), LR 23:1147 (September 1997), LR 28:1208 (June 2002), LR 33:649 (April 2007), repromulgated LR 33:847 (May 2007), amended LR 36:319 (February 2010), LR 37:1152 (April 2011), amended by the Department of Health, Board of Veterinary Medicine, LR 44:587 (March 2018).

Chapter 10. Professional Conduct

§1015. Personal Responsibility of Licensee

A. It is unlawful for a person to practice veterinary medicine, as defined in the Louisiana Veterinary Practice Act and the board's rules, who does not possess a current license issued by the board, unless he falls within an exception defined in section 1514 of the Practice Act and/or the board's rules. The reason for the license requirement is to insure that any person involved in the actual practice of veterinary medicine, including the control of decision-making authority regarding veterinary patient care, is amenable to professional regulation and discipline by the board in order to protect the public and animals. The license is personal and individual to the veterinarian holder to lawfully practice veterinary medicine. The owner, member, officer, or director of a business entity, such as a partnership, corporation, or limited liability company, with a function that includes the provision of veterinary medicine does not have to possess a license issued by the board; however, the actual practitioner of veterinary medicine involved in patient care must be licensed by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:229 (March 1990), amended LR 25:1628 (September 1999), LR 31:928 (April 2005),), amended by the Department of Health, Board of Veterinary Medicine, LR 44:587 (March 2018).

§1019. Employment

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1518.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 16:229 (March 1990), repealed by the Department of Health, Board of Veterinary Medicine, LR 44:588 (March 2018).

Chapter 12. Certified Animal Euthanasia Technicians

§1227. Continuing Education

A. - A.5. ...

6. Effective August 1, 2017, a CAET with prescriptive authority who holds a controlled dangerous substances (CDS) license with the Board of Pharmacy shall obtain three CE hours for certification renewal which shall include drug diversion training, best practice of prescribing controlled dangerous substances, appropriate treatment for addiction, and any other matters that are deemed appropriate by the veterinary board. The required three CE hours set forth herein may be a component part of the annual six hours of CE for certification renewal. Successful completion of this requirement once shall satisfy the requirement in full. However, an exemption for the three CE hours is available for the CAET with prescriptive authority who holds a controlled dangerous substances (CDS) license if he timely submits an annual certification form as adopted by the veterinary board attesting that he has not prescribed, administered, or dispensed a controlled dangerous substance during the entire applicable reporting period. The required three CE hours set forth herein may be a component part of the annual six hours of CE for certification renewal, and may be part of the on-line allowance. No certification shall be renewed for a CAET who fails to comply with this CE requirement or the exemption.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1558.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Veterinary Medicine, LR 26:321 (February 2000), amended LR 36:320 (February 2010), LR 37:1153 (April 2011), amended by the Department of Health, Board of Veterinary Medicine, LR 44:5880 (March 2018).

Wendy D. Parrish
Executive Director

1803#032

RULE

**Department of Health
Bureau of Health Services Financing**

Family Planning Services (LAC 50:XV.25501)

The Department of Health, Bureau of Health Services Financing has amended LAC 50:XV.25501 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is

promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part XV. Services for Special Populations

Subpart 17. Family Planning Services

Chapter 255. Services

§25501. Covered Services

A. Medicaid covered family planning services include:

1. office visits and necessary re-visits for physical examinations as it relates to family planning or family planning-related services;

A.2. - B.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 40:1098 (June 2014), amended LR 41:379 (February 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 44:588 (March 2018).

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Rebekah E. Gee MD, MPH
Secretary

1803#045

RULE

**Department of Health
Bureau of Health Services Financing**

Hospice Licensing Standards (LAC 48:I.Chapter 82)

The Department of Health, Bureau of Health Services Financing has amended LAC 48:I.Chapter 82 as authorized by R.S. 36:254 and R.S. 40:2181-2191. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 48

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

**Chapter 82. Minimum Standards for Licensure of
Hospice Agencies**

Subchapter A. General Provisions

§8201. Definitions

A. ...

Activities of Daily Living (ADL's)—the following functions or self-care tasks performed either independently or with supervision or assistance:

a. - h. ...

* * *

Advance Directives—a witnessed document, statement, or expression voluntarily made by the declarant, authorizing the withholding or withdrawal of life-sustaining procedures. A declaration may be made in writing, such as a durable power of attorney for health care, a directive pursuant to

patient self-determination initiatives, a living will, or by other means of communication such as an oral directive which either states a person's choices for medical treatment or, in the event the person is unable to make treatment choices, designates who shall make those decisions.

Advanced Practice Registered Nurse (APRN)—a nurse who is legally authorized to practice advanced practice nursing in the state and designated by the patient as the licensed medical practitioner responsible for his/her medical care.

Attending/Primary Physician—a person who is a doctor of medicine or osteopathy licensed to practice medicine in the state of Louisiana, who is designated by the patient as the physician responsible for his/her medical care.

Bereavement Services—organized services provided under the supervision of a qualified professional to help the family cope with death related grief and loss issues. This shall be provided for at least one year following the death of the patient.

Branch—an alternative delivery site from which a hospice agency provides services within a portion of the total geographic area served by the parent agency. The branch office is part of the parent hospice agency and is located within a 50 mile radius of the parent agency and shares administration and supervision.

Bureau—Repealed.

* * *

Certified Nurse Aide (CNA) Registry—the state registry used to determine if a prospective hire who is a CNA has had a finding placed on the registry that he/she has abused or neglected a resident or misappropriated a resident's property or funds.

Cessation of Business—provider is non-operational and/or has stopped offering or providing services to the community.

* * *

Continuous Home Care—care provided by the hospice during a period of crisis as necessary to maintain the terminally ill individual at home. A minimum of eight hours of care shall be furnished on a particular day to be considered continuous home care. Nursing care shall be provided for more than one half of the period of care and shall be provided by either a registered nurse or licensed practical nurse. Services may be provided by a homemaker or home health aide to supplement the nursing care. A registered nurse shall complete an assessment of the patient and determine that the patient requires continuous home care prior to assigning a licensed practical nurse, homemaker, or a hospice aide to a patient requiring continuous home care. This assignment must comply with accepted professional standards of practice.

* * *

Core Services—nursing services, licensed medical practitioner services, medical social services, and counseling services, including bereavement counseling, dietary counseling, spiritual counseling, and any other counseling services provided to meet the needs of the individual and family. These services shall be provided by employees of the hospice, except that licensed medical practitioner services and dietary counseling services may be provided through contract. Core services also include support services, such as trained volunteers.

Department—the Department of Health (LDH).

Direct Service Worker (DSW)—an unlicensed person who provides personal care or other services and support to persons with disabilities or to the elderly to enhance their well-being, and who is involved in face-to-face direct contact with the person. Functions performed may include, but are not limited to, assistance in activities of daily living and personal care services. An example of a DSW may be a hospice or home health aide or homemaker.

* * *

Employee—an individual who may be contracted, hired for a staff position or a volunteer under the jurisdiction of the hospice.

Facility-Based Care—hospice services delivered in a place other than the patient's home, such as an inpatient hospice facility, nursing facility or hospital inpatient unit.

* * *

Geographic Area—area around location of licensed agency which is within 50 mile radius of the hospice premises. Each hospice shall designate the geographic area in which the agency will provide services.

Governing Body—the person or group of persons that assumes full legal responsibility for determining, implementing and monitoring policies governing the hospice's total operation. The governing body shall designate an individual who is responsible for the day-to-day management of the hospice program, and shall also ensure that all services provided are consistent with accepted standards of practice. Written minutes and attendance of governing body meetings are to be maintained.

Health Standards Section (HSS)—the agency within the Department of Health responsible for regulation of licensed health care providers, agencies or facilities.

* * *

Hospice Inpatient Facility—a facility where specific levels of hospice care ranging from residential to acute, including respite, are provided in order to meet the needs of the patient/family.

Hospice Inpatient Services—care and services available for pain control, symptom management and/or respite purposes that are provided for a patient either directly by the hospice agency or in a participating facility.

Hospice Physician—a person who is a doctor of medicine or osteopathy, and is currently and legally authorized to practice medicine in the State of Louisiana, designated by the hospice to provide medical care to hospice patients in lieu of their primary licensed medical practitioner.

Hospice Premises—the physical site where the hospice maintains staff to perform administrative functions, and maintains its personnel records, or maintains its patient service records, or holds itself out to the public as being a location for receipt of patient referrals.

* * *

Inpatient Services—Repealed.

Interdisciplinary Team (IDT)—an interdisciplinary team or teams designated by the hospice, composed of representatives from all the core services. The IDT shall include at least a doctor of medicine or osteopathy, a registered nurse, a social worker, a pastoral or other counselor, and a representative of the volunteer services. The interdisciplinary team is responsible for participation in the

establishment of the plan of care; provision or supervision of hospice care and services; periodic review and updating of the plan of care for each individual receiving hospice care, and establishment of policies governing the day-to-day provision of hospice care and services. If a hospice has more than one interdisciplinary team, it shall designate in advance the team it chooses to execute the establishment of policies governing the day-to-day provision of hospice care and services.

Interdisciplinary Team Conferences—regularly scheduled periodic meetings of specific members of the interdisciplinary team to review the most current patient/family assessment, evaluate care needs, and update the plan of care.

Louisiana At-Risk Registry—the reporting mechanism for hospice patients that require community assistance in emergency situations.

Louisiana Physician Order for Scope of Treatment (LaPOST)—a physician’s order that documents the wishes of a qualified patient for life-sustaining interventions, as well as the patient’s preferred treatment for each intervention, on a form that is recognized, adopted, and honored across treatment settings in accordance with state laws.

* * *

Major Alteration—any repair or replacement of building materials and equipment which does not meet the definition of minor alteration.

* * *

Minor Alteration—repair or replacement of building materials and equipment with materials and equipment of a similar type that does not diminish the level of construction below that which existed prior to the alteration. This does not include any alteration to the function or original design of the construction.

Non-Core Services—services provided directly by hospice employees or under arrangement. These services include, but are not limited to:

- a. hospice aide and homemaker;
- b. - f. ...

Non-Operational—the hospice agency location is not open for business operation on designated days and hours as stated on the licensing application and business location signage.

Palliative Care—the reduction or abatement of pain or other troubling symptoms by appropriate coordination of all services of the hospice care team required to achieve needed relief of distress.

* * *

Plan of Care (POC)—a written document established and maintained for each individual admitted to a hospice program. Care provided to an individual shall be in accordance with the plan. The plan includes an assessment of the individual’s needs and identification of the services including the management of discomfort and symptom relief.

* * *

Residential Care—hospice care provided in a nursing facility, adult residential facility or any residence or facility other than the patient’s private residence.

* * *

Sub-Unit—Repealed.

Sublicense—a license issued for the inpatient hospice facility that provides inpatient hospice services directly under the operation and management of the licensed hospice entity.

Terminally Ill—a medical prognosis of limited expected survival, of approximately six months or less at the time of referral to a hospice, of an individual who is experiencing an illness for which therapeutic strategies directed toward cure and control of the disease alone are no longer appropriate. Therapeutic strategies by the hospice agency are directed toward pain and symptom management of the terminal illness.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2257 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:588 (March 2018).

§8203. Licensing

A. Except to the extent required by §8205.A.1, it shall be unlawful to operate or maintain a hospice without first obtaining a license from the department. The Department of Health is the only licensing authority for hospice in the state of Louisiana.

B. - C.2. ...

a. At the sole discretion of the department, the provisional license may be extended for a period of time, not to exceed 90 days, in order for the facility to correct the noncompliance or deficiencies.

b. ...

c. LDH may re-issue a provisional license or allow a provisional license to expire when the hospice fails to correct violations within 60 days of being cited, or at the time of the follow-up survey, whichever occurs first.

d. A provisional license may be issued by LDH for the following non-exclusive reasons:

i. - v. ...

e. Agency fails to submit assessed fees after notification by LDH.

f. ...

D. Display of License. The current license shall be displayed in a conspicuous place inside the hospice program office at all times. A license shall be valid only in the possession of the agency to which it is issued. A license shall not be subject to sale, assignment, or other transfer, voluntary or involuntary. A license shall not be valid for any hospice other than the hospice for which originally issued. If an agency has been issued a sublicense for its hospice inpatient facility, both license and sublicense shall be displayed.

E. Initial Licensure. All requirements of the application process shall be completed by the applicant before the application will be processed by LDH. Each hospice applicant shall obtain facility need review approval prior to submission of initial licensing application.

1. No application will be reviewed until the application fee is received.

2. An initial applicant shall, as a condition of licensure, submit the following:

a. a complete and accurate hospice application packet. (This packet may be printed from the LDH-Hospice

webpage or may be purchased from LDH-HSS and contains the forms required for initial hospice licensure. The address provided on the application shall be the address from which the agency will be operating;

b. current required licensing fee by certified check, company check, or money order;

NOTE: Payment of any fees shall be submitted to the department's required payment source.

c. line of credit from a federally insured, licensed, lending agency for at least \$75,000 as proof of adequate finances to sustain the hospice agency for at least six months;

d. proof of general and professional liability insurance, and worker's compensation of at least \$300,000. The certificate holder shall be the Department of Health;

e. documentation of qualifications for administrator, director of nursing, and medical director. Any changes in the individuals designated or in their qualifications shall be submitted to and approved by LDH prior to the initial survey;

f. ...

g. proof of statewide criminal background investigations conducted by the Louisiana State Police, or its designee, on the administrator and all owners. If a corporation, submit proof of statewide criminal background investigations conducted by the Louisiana State Police, or its designee, on all board of directors and principal owners; and

h. if the hospice agency is also applying for an inpatient facility, then an 8 1/2 x 11 inch drawing of the physical plant shall be submitted and any other documentation requested by the department for licensure of the agency.

F. Denial of Initial Licensure. An applicant may be denied an initial license for the following reasons:

1. - 3. ...

G. Provisional Initial Licensure. In the event that the initial licensing survey finds that the hospice agency is noncompliant with any licensing laws, rules or regulations, the department, in its sole discretion, may determine that the noncompliance does not present a threat to the health, safety, or welfare of the patients, and may issue a provisional initial license for a period not to exceed six months.

1. The provider shall be required to correct all such noncompliance or deficiencies prior to the expiration of the provisional license.

a. If all such noncompliance or deficiencies are determined by the department to be corrected on a follow-up survey, a full license shall be issued.

b. If all such noncompliance or deficiencies are not corrected on the follow-up survey, the provisional license shall expire and the provider shall be required to begin the initial licensing process again by submitting a new application packet and fee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2259 (December 1998), LR 25:2409 (December 1999), amended by the Department of Health, Bureau of Health Services Financing, LR 44:590 (March 2018).

§8205. Survey

A. ...

1. Within 90 days after submitting its application and fee, the hospice shall complete the application process, shall become operational to the extent of providing care to only two outpatients, shall be in substantial compliance with applicable federal, state, and local laws, and shall be prepared for the initial survey. If the applicant fails to meet this deadline, the application shall be considered closed and the agency shall be required to submit a new application packet including the license application fee.

2. The hospice agency that applies for an inpatient facility license shall not provide care to patients in the agency's inpatient hospice facility setting prior to the initial survey and achieving inpatient facility licensure.

3. The initial survey will be scheduled after the agency notifies the department that the agency had become operational and is ready for the survey as provided in §8205.A.1.

4. If, at the initial licensing survey, the agency is in substantial compliance with all regulations, a full license will be issued.

5. If, at the initial licensure survey, an agency has more than five violations of any minimum standards or if any of the violations are determined to be of such a serious nature that they may cause or have the potential to cause actual harm, LDH shall deny licensing.

B. Licensing Survey. An unannounced on-site visit, or any other survey, which may include home visits, may be conducted periodically to assure compliance with all applicable federal, state, and local laws and/or any other requirements.

C. Follow-up Survey. An on-site follow-up may be conducted whenever necessary to assure correction of violations. When applicable, LDH may clear violations at exit interview and/or by documentation review.

D. Statement of Deficiencies

1. The department shall issue written notice to the agency of the results of any surveys in a statement of deficiencies, along with notice of specified timeframe for a plan of correction, if appropriate.

2. Any statement of deficiencies issued by the department to a hospice agency shall be available for disclosure to the public 30 calendar days after the agency submits an acceptable plan of correction of the deficiencies or 90 calendar days after the statement of deficiencies is issued to the agency, whichever occurs first.

E. Complaint Investigations

1. The department shall conduct complaint investigations in accordance with R.S. 40:2009.13 et seq.

2. Complaint investigations shall be unannounced.

3. Upon request by the department, an acceptable plan of correction shall be submitted by the agency for any complaint investigation where deficiencies have been cited. Such plan of correction shall be submitted within the prescribed timeframe.

4. A follow-up survey may be conducted for any complaint investigation where deficiencies have been cited to ensure correction of the deficient practices.

5. The department may issue appropriate sanctions, including but not limited to, civil fines, directed plans of correction, provisional licensure, denial of license renewal, and license revocation for non-compliance with any state law or regulation.

6. The department's surveyors and staff shall be given access to all areas of the hospice agency and all relevant files during any complaint investigation. The department's surveyors and staff shall be allowed to interview any agency staff or patient as necessary or required to conduct the investigation.

F. Unless otherwise provided in statute or in this Chapter, the hospice agency shall have the right to an informal reconsideration for any deficiencies cited as a result of a survey or an investigation.

1. Correction of the deficient practice, of the violation, or of the noncompliance shall not be the basis for the reconsideration.

2. The informal reconsideration of the deficiencies shall be submitted in writing within 10 calendar days of receipt of the statement of deficiencies, unless otherwise provided for in these provisions.

3. The written request for informal reconsideration of the deficiencies shall be submitted to the Health Standards Section.

4. Except as provided for complaint surveys pursuant to R.S. 40:2009.11 et seq., and as provided in this Chapter for license denials, revocations, and denial of license renewals, the decision of the informal reconsideration team shall be the final administrative decision regarding the deficiencies. There is no administrative appeal right of such deficiencies.

5. The agency shall be notified in writing of the results of the informal reconsideration.

6. The request for an informal reconsideration of any deficiencies cited as a result of a survey or investigation does not delay submission of the required plan of correction within the prescribed timeframe.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR:15:482 (June 1989), amended LR 24:2260 (December 1998), LR 25:2409 (December 1999), LR 29:2800 (December 2003), amended by the Department of Health, Bureau of Health Services Financing, LR 44:591 (March 2018).

§8207. Revocation or Denial of Initial License or Renewal of License

A. The secretary of LDH may deny an application for a license, or refuse to renew a license or revoke a license in accordance with R.S. 40:2187-2188. An agency's license may not be renewed and/or may be revoked for any of the following:

1. - 7. ...

8. failure to submit fees including, but not limited to, annual fee, renewal fee, provisional follow-up fee, or change of agency address or name, or any fines assessed by LDH;

9. failure to allow surveyors entry to hospice agency or access to any requested records during any survey;

10. failure to protect patient from unsafe skilled and/or unskilled care by any person employed or contracted by the agency;

11. agency staff or owner has knowingly, or with reason to know, made a false statement of a material fact in:

a. application for licensure;

b. data forms;

c. clinical record;

d. matter under investigation by the department;

e. information submitted for reimbursement from any payment source;

f. the use of false, fraudulent or misleading advertising;

g. that the agency staff misrepresented or was fraudulent in conducting hospice business; or

h. convictions of a felony by an owner, administrator, director of nursing or medical director as shown by a certified copy of the record of the court of conviction of the above individual; or if the applicant is a firm or corporation, of any of its members or officers, or of the person designated to manage or supervise the hospice agency;

12. failure to maintain proper insurance; or

13. failure to comply with all reporting requirements in a timely manner.

13.a. - 15. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2260 (December 1998), LR 29:2800 (December 2003), amended by the Department of Health, Bureau of Health Services Financing, LR 44:592 (March 2018).

§8209. License Renewal Process

A. License shall be renewed annually.

B.

C. An agency seeking a renewal of its hospice license shall:

1. request a renewal packet from HSS if one is not received at least 45 days prior to license expiration;

2. complete all forms and return to HSS at least 30 days prior to license expiration;

3. submit the current annual licensure fees with packet. An application is not considered to have been submitted unless the required licensure fees are received.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2261 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:592 (March 2018).

§8211. Notice and Appeal Procedure for Revocation of Licensure and Denial of Initial License or License Renewal

A. ...

B. Administrative Reconsideration

1. The hospice agency may request an administrative reconsideration of the violation(s) which support the department's actions.

a. The request for reconsideration shall be made, and received by the department, within 15 calendar days of receipt of notice.

2. The reconsideration shall be conducted by a designated official(s) of the department who did not participate in the initial decision to impose the actions taken.

a. Reconsideration shall be made solely on the basis of documents before the official and shall include the survey report and statement of violations, and all documentation the agency submits to the department at the time of the agency's request for reconsideration.

b. Oral presentations may be made by the department's spokesperson(s) and the agency's spokesperson(s).

c. The designated official shall have authority only to affirm the decision, to revoke the decision, to affirm part and revoke part, or to request additional information from either the department or the agency.

3. Correction of a violation shall not be a basis for reconsideration.

4. This process is not in lieu of the appeals process and may extend the time limits for filing an administrative appeal.

C. Administrative Appeal Process

1. Upon refusal of LDH to grant or renew a license as provided in the current state statutes, or upon revocation or suspension of a license, or the imposition of a fine, the affected agency, institution, corporation, person, or other group shall have the right to appeal such action by submitting a written request to the Division of Administrative Law (DAL) or its successor:

a. within 30 days after receipt of the notification of the refusal, revocation, suspension of a license, or imposition of a fine; or

b. within 30 days after receipt of the notification of the results of the administrative reconsideration of the department's action.

2. Hearings shall be conducted by the DAL in accordance with the Administrative Procedure Act (APA).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2261 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:592 (March 2018).

§8213. Fees

A. Any remittance submitted in payment of a required fee shall be in the form of a company or certified check or money order made payable to the "Louisiana Department of Health".

B. Fee amounts are determined by LDH. (Check with LDH to determine the current required fees.)

C. Fees paid to LDH are not refundable.

D. A licensing fee is required for:

1. - 2. ...

3. a change of controlling ownership; and

4. a change of location.

E. Additional licensure fees are required for inpatient hospice facilities which includes the required licensing fee and per unit fee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2261 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:593 (March 2018).

§8215. Changes

A. LDH shall be notified, in writing, of any of the following within five working days following the occurrence:

1. address/location (an inpatient hospice facility shall notify and receive approval by LDH prior to a change of address/location)—fee required;

2. - 5. ...

6. change in address of any branch office—fee required;

7. administrator (completed key personnel change form, obtained from LDH required);

8. director of nursing (completed key personnel change form required); or

9. cessation of business in accordance with the requirements of §8243.

B. Change of Ownership. A representative of the buyer shall request approval for a change of ownership prior to the sale.

1. Submit a written notice to LDH for a change of ownership. Change of ownership (CHOW) packets may be obtained from LDH. If the hospice had less than two active patients at the time of the most recent survey, and less than twenty new patients admitted since the last annual survey, the department may have issued a provisional license. Only an agency with a full license shall be approved to undergo a change of ownership.

2. Submit the following documents for a CHOW:

a. a new license application and the current licensing fee. The purchaser of the agency shall meet all criteria required for initial licensure for hospice in accordance with the provisions of §8203;

b. - c. ...

d. disclosure of ownership forms; and

e. a copy of the bill of sale and articles of incorporation.

3. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2262 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:593 (March 2018).

§8216. Emergency Preparedness

A. The hospice shall annually conduct and document an all hazard vulnerability or risk assessment for the agency's patients, both outpatient and inpatient.

B. The hospice shall develop an emergency responsiveness plan based on the risk assessment, inclusive of the following but not limited to:

1. preparation for evacuation;

2. training of employees;

3. patient and caregiver education and individual preparedness;

4. tracking of staff and patients;

5. communication and chain of command;

6. sheltering in place; and

7. coordination with local and state emergency operation offices.

C. The hospice shall update the “Louisiana at-risk registry” or other current state-required reporting mechanism as needed based on the following hospice patient criteria:

1. patients who live alone, without a caregiver and are unable to evacuate themselves;
2. patients with a caregiver physically or mentally incapable of carrying through on an evacuation order;
3. patients/caregivers without the financial means to carry through on an evacuation order; or
4. patients/caregivers refusing to evacuate.

D. The governing body shall be responsible to develop and annually review and document approval of the hospice agency’s emergency plans, policies and procedures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 44:593 (March 2018).

Subchapter B. Organization and Staffing

§8217. Personnel Qualifications/Responsibilities

A. *Administrator*—a person who is designated, in writing, by the governing body as administratively responsible for all aspects of hospice operations. When the administrator serves more than one licensed agency, he/she shall designate, in writing, an alternate to serve as administrator for each site where he/she is not physically housed continuously. The administrator may not serve more than two licensed agencies. The alternate shall be a full-time, on-site employee of the hospice and shall meet the same qualifications as the administrator. The administrator and the director of nurses/alternates may be the same individual if that individual is dually qualified.

NOTE: Repealed.

1. *Qualifications*. The administrator shall be a licensed physician, a licensed registered nurse, a social worker with a master’s degree, or a college graduate with a bachelor’s degree and at least three years of documented management experience in health care service delivery. However, a person who was employed by a licensed Louisiana hospice as the administrator as of December 20, 1998 shall be exempt from these requirements as long as he/she remains employed by that hospice as the administrator. If the hospice is sold to, acquired by, or merged into another legal entity, such transaction shall have no effect on the exemption provided in the preceding sentence.

2. - 2.f. ...

g. designate in advance the IDT he/she chooses to establish policies governing the day-to-day provisions of hospice care.

3. *Continuing Education*. The administrator shall annually obtain two continuing education hours relative to the administrator’s role, including but not limited to the following topics:

- a. Medicare and Medicaid regulations;
- b. management practices;
- c. labor laws; and
- d. Occupational Safety and Health Administration rules, laws, etc.

B. - B.1. ...

2. *Responsibilities*. Under the supervision of a qualified professional, and as part of an organized program

for the provision of bereavement services, the counselor shall implement bereavement counseling in a manner consistent with standards of practice. Services include, but are not limited to the following:

a. - c. ...

d. attend hospice IDT meetings; and

e. document bereavement services provided and progress of bereaved on a clinical progress note to be incorporated into the clinical record.

3. *Continuing Education*. The bereavement counselor shall annually obtain two continuing education hours relative to the bereavement counselor’s role, including but not limited to the following topics:

a. death and dying cultures;

b. suicide;

c. compassion fatigue;

d. anticipatory grief;

e. patient survivors;

f. grief groups;

g. grief;

h. loss;

i. adjustment;

j. ethics; and

k. advanced directives and LaPOST.

C. - C.1. ...

2. *Responsibilities*. The dietitian shall implement dietary services based on initial and ongoing assessment of dietary needs in a manner consistent with standards of practice including, but not limited to, the following:

a. ...

b. collaborate with the patient/family, physician, registered nurse, and/or the IDT in providing dietary counseling to the patient/family;

c. - e. ...

f. participate in IDT conference as needed; and

C.2.g. - D. ...

1. *Qualifications*. Documented evidence of appropriate training and skills to provide spiritual counseling, such as bachelor of divinity, master of divinity or equivalent theological degree or training from an accredited school or university. An individual may qualify as a spiritual counselor without said degree if he/she has documented skills to provide spiritual counseling and has received equivalent training and supervision from an individual who meets one of the above qualifications.

2. *Responsibilities*. The counselor shall provide spiritual counseling based on the initial and ongoing assessment of spiritual needs of the patient/family, in a manner consistent with standards of practice including, but not limited to, the following:

a. ...

b. provide consultation, support, and education to the IDT members on spiritual care;

c. ...

d. attend IDT meetings.

3. *Continuing Education*. The spiritual counselor shall annually obtain at least two hours of continuing education related to the following topics, including but not limited to:

a. end of life care;

b. cultural religious practices;

c. compassion fatigue;

d. suicide;

- e. documentation;
- f. ethics;
- g. grief;
- h. loss;
- i. adjustment; and
- j. advanced directives and LaPOST.

E. *Director of Nurses (DON)*—a person designated, in writing, by the governing body to supervise all aspects of patient care, all activities of professional staff and allied health personnel, and responsible for compliance with regulatory requirements. The DON, or alternate, shall be immediately available to be on site, or on site, at all times during operating hours, and additionally as needed. If the DON is unavailable he/she shall designate a registered nurse to be responsible during his/her absence.

1. Qualifications. A registered nurse shall be currently licensed to practice in the state of Louisiana:

1.a. - 2.e.vi. ...

vii. assure participation in regularly scheduled appropriate continuing education for all health professionals and hospice aides and homemakers;

E.2.e.viii. - F. ...

1. The hospice shall have a governing body that assumes full legal responsibility for determining, implementing and monitoring policies governing the hospice's total operation, inclusive of any inpatient hospice services.

2. - 3.e. ...

G. *Hospice Aide/Homemaker*. A qualified person who provides direct patient care and/or housekeeping duties in the home or homelike setting under the direct supervision of a registered nurse.

1. Qualifications. The hospice aide/homemaker shall meet one of the training requirements listed in §8217.G.1.a-c and shall meet all other requirements of §8217.G.1.d-g:

a. have current certified hospice and palliative nursing assistant (CHPNA) certification and have successfully completed a hospice aide competency evaluation; or

b. have successfully completed a hospice aide training program and have successfully completed a competency evaluation; or

c. have successfully completed a hospice aide competency evaluation; and

d. ...

e. have the ability to read, write, and carry out directions promptly and accurately;

f. competency shall be evaluated by a RN prior to hospice aide performing patient care; and

g. when employed by more than one agency, inform all employers and coordinate duties to assure highest quality when providing services to the patients; and

NOTE: The hospice aide competency evaluation is to be completed by a registered nurse prior to the hospice aide being assigned to provide patient care.

h. shall not have a finding of abuse, neglect or misappropriation placed against him/her on the Louisiana direct service worker (DSW) registry or the Louisiana certified nurse side (CNA) registry.

2. Responsibilities. The hospice aide/homemaker shall provide services established and delegated in the POC,

record and notify the primary registered nurse of deviations according to standard practice including, but not limited to, the following:

a. perform simple one-step wound care if written documentation of in-service for that specific procedure is in the aide's personnel record. All procedures performed by the aide shall be in compliance with current standards of nursing practice;

b. - b.iv. ...

v. helping the patient with prescribed exercises which the patient and hospice aide have been taught by appropriate personnel; and

vi. ...

d. complete a clinical note for each visit, which shall be incorporated into the record at least on a weekly basis.

3. Restrictions. The hospice aide/homemaker shall not:

a. - b. ...

4. Initial Orientation. The content of the basic orientation provided to hospice aides shall include the following:

a. ...

b. duties and responsibilities of a hospice aide/homemaker;

c. the role of the hospice aide/homemaker as a member of the health care team;

d. - k. ...

NOTE: The orientation and training curricula for hospice aides/homemakers shall be detailed in a policies and procedures manual maintained by the hospice agency and provision of orientation and training shall be documented in the employee personnel record.

5. Initial training shall include the following areas of instruction for personal care and support:

a. - c. ...

d. procedures for maintaining a clean, healthful environment;

e. changes in the patients' condition to be reported to the supervisor;

f. confidentiality;

g. patients' rights and responsibilities; and

h. emergency preparedness.

6. In-Service Training. Hospice aide/homemaker shall have a minimum of 12 hours of job-related in-service training annually specific to their job responsibilities within the previous 12 months:

a. at least two hours shall focus on end of life care annually; and

b. six of the twelve hours of job-related in service training shall be provided every six months.

7. In-service training may be prorated for employees working a portion of the year. However, part-time employees who worked throughout the year shall attend all 12 hours of in-service training. The in-service may be furnished while the aide is providing service to the patient, but shall be documented as training.

H. Licensed Practical Nurse. The LPN shall work under the direct supervision of a registered nurse and perform skilled nursing services as delegated by the registered nurse. The role of the LPN in hospice is limited to stable hospice patients.

1. Qualifications. A licensed practical nurse shall be currently licensed by the Louisiana State Board of Practical Nurse Examiners with no restrictions:

a. - b. ...

c. when employed by more than one agency the LPN shall inform all employers and coordinate duties to assure quality provision of services.

2. - 2.g. ...

h. perform routine venipuncture (phlebotomy) if written documentation of competency is in personnel record. Competency shall be evaluated by an RN even if LPN has completed a certification course; and

i. receive orders from the licensed medical practitioner and follow those that are within the realm of practice for an LPN and within the standards of hospice practice.

3. Restrictions. An LPN shall not:

a. - e. ...

f. make aide assignments;

g. function as a supervisor of the nursing practice of any registered nurse; or

h. function as primary on-call nurse.

I. Medical Director/Physician Designee and Advanced Practice Registered Nurse

NOTE: Repealed.

1. The medical director/physician designee shall be a physician, currently and legally authorized to practice in the state, and knowledgeable about the medical and psychosocial aspects of hospice care. The medical director reviews, coordinates, and is responsible for the management of clinical and medical care for all patients, inclusive of any inpatient hospice patient.

NOTE: The medical director or physician designee may be an employee or a volunteer of the hospice agency. The hospice agency may also contract for the services of the medical director or physician designee.

a. Qualifications. A doctor of medicine or osteopathy licensed to practice in the state of Louisiana.

b. Responsibilities. The medical director or physician designee assumes overall responsibility for the medical component of the hospice's patient care program and shall include, but not be limited to:

i. serve as a consultant with the attending physician regarding pain and symptom control as needed;

ii. serve as the attending physician if designated by the patient/family unit;

iii. review patient eligibility for hospice services;

iv. serve as a medical resource for the hospice interdisciplinary team;

v. act as a liaison to physicians in the community;

vi. develop and coordinate procedures for the provision of emergency care;

vii. provide a system to assure continuing education for hospice medical staff as needed;

viii. participate in the development of the POC prior to providing care, unless the POC has been established by an attending physician who is not also the medical director or physician designee;

ix. participate in the review and update of the POC, unless the plan of care has been reviewed/updated by the attending physician who is not also the medical director or physician designee. These reviews shall be documented;

x. develop and coordinate policies and procedures for the provision of patient care;

xi. attend IDT meetings;

xii. document evidence of active participation in the hospice program (i.e. performance of above responsibilities and time spent upon performance of those responsibilities); and

xiii. shall be readily available to the hospice staff.

c. Continuous Medical Education (CME). The medical director shall annually complete two hours of CME related to end of life care. Documentation of this CME shall be maintained in the medical director's personnel record.

2. An advanced practice registered nurse (APRN), legally authorized to practice advanced practice nursing in the state, shall not function as the medical director of the hospice but may be the licensed medical practitioner of individual hospice patients and meet the requirements of §8217.I.1.b.i-xii.

a. The APRN shall not be the referring practitioner and shall not be the signer of certification of terminal illness (CTI).

b. - i. Repealed.

J. Social Worker

1. Qualifications. The social worker shall be an individual who holds a current, valid license as a social worker (LMSW) issued by the Louisiana State Board of Social Work Examiners (LSBSWE), has master's degree from a school of social work accredited by the Council on Social Work Education, and who meets the following:

a. has at least one year of health care experience;

b. has documented clinical experience appropriate to the counseling and casework needs of the terminally ill;

c. shall be an employee of the hospice; and

d. when the social worker is employed by one or more agencies, he/she shall inform all employers and cooperate and coordinate duties to assure the highest performance of quality when providing services to the patient.

2. Responsibilities. The social worker shall assist the licensed medical practitioner and other IDT members in understanding significant social and emotional factors related to the patient's health status and shall include, but not be limited to:

a. assessment of the psychological, social and emotional factors having an impact on the patient's health status;

b. - c. ...

d. coordination with other IDT members and participate in IDT conferences;

e. - f. ...

g. acts as a consultant to other members of the IDT; and

h. ...

3. Continuing Education. The social worker shall annually obtain two hours of continuing education hours related to end of life care including but not limited to the following topics:

a. Medicare/Medicaid regulations;

b. psychosocial issues;

c. community resources/services;

d. death and dying;

- e. family/patient dynamics;
- f. ethics; and
- g. advanced directives and LaPOST.

K. ...

1. Qualifications. An occupational therapist shall be licensed by the state of Louisiana and registered by the American Occupational Therapy Association.

2. Responsibilities. The occupational therapist shall assist the licensed medical practitioner in evaluating the patient's level of functioning by applying diagnostic and prognostic procedures including, but not limited to, the following:

- a. provide occupational therapy in accordance with the licensed medical practitioner's orders and the POC;
- b. ...
- c. observe, record, and report to the licensed medical practitioner and/or interdisciplinary team the patient's reaction to treatment and any changes in the patient's condition;
- d. instruct and inform other health team personnel including, when appropriate, hospice aides/homemakers and family members in certain phases of occupational therapy in which they may work with the patient;
- e. ...
- f. participate in IDT conference as needed with hospice staff; and
- g. prepare written discharge summary when applicable, with a copy retained in patient's clinical record and a copy forwarded to the attending licensed medical practitioner.

3. - 3.a. ...

b. The occupational therapist and the occupational therapy assistant shall schedule joint visits at least once every two weeks or every four to six treatment sessions.

c. The occupational therapist shall review and countersign all progress notes written by the licensed and certified occupational therapy assistant.

d. ...

e. The supervising occupational therapist is responsible for:

i. ...

ii. establishing the type, degree and frequency of supervision required in the hospice care setting.

L. ...

1. Qualifications. The occupational therapist assistant shall be licensed by the Louisiana Board of Medical Examiners to assist in the practice of occupational therapy under the supervision of a licensed registered occupational therapist and have at least two years' experience as a licensed OTA before starting their hospice caseload.

M. Physical Therapist (PT). The physical therapist, when provided, shall be available to perform in a manner consistent with accepted standards of practice.

1. Qualifications. The physical therapist shall be currently licensed by the Louisiana State Board of Physical Therapy Examiners.

a. - c. Repealed.

2. Responsibilities. The physical therapist shall evaluate the patient's functional status and physical therapy needs in a manner consistent with standards of practice to include, but is not limited to, the following:

a. ...

b. provide services within the scope of practice as defined by state law governing the practice of physical therapy, in accordance with the POC, and in coordination with the other members of the IDT;

c. observe, and report to the licensed medical practitioner and the IDT, the patient's reaction to treatment and any changes in the patient's condition;

d. instruct and inform participating members of the IDT, the patient, family/care givers, regarding the POC, functional limitations and progress toward goals;

e. ...

f. when physical therapy services are discontinued, prepare written discharge summary, with a copy retained in the patient's clinical record and a copy forwarded to the attending licensed medical practitioner;

g. participate in IDT conference as needed with hospice staff.

M.3. - N. ...

1. Qualifications. A physical therapy assistant shall be licensed by the Physical Therapy Board of Louisiana and supervised by a physical therapist.

2. Responsibilities. The physical therapy assistant shall:

a. - b. ...

c. participates in IDT conference as needed with hospice staff.

O. Registered Nurse (RN). The hospice shall designate a registered nurse to coordinate the implementation of the POC for each patient.

1. Qualifications. A licensed registered nurse shall be currently licensed to practice in the state of Louisiana with no restrictions:

a. have at least two years of full-time experience as a registered nurse. However, two years of full-time clinical experience in hospice care as a licensed practical nurse may be substituted for the required two years of experience as a registered nurse; and

b. be an employee of the hospice. If the registered nurse is employed by more than one agency, he/she must inform all employers and coordinate duties to assure quality service provision.

c. Repealed.

2. Responsibilities. The registered nurse shall identify the patient/family's physical, psychosocial, and environmental needs and reassess as needed but no less than every 14 days:

a. - b. ...

c. collaborate with the patient/family, attending licensed medical practitioner and other members of the IDT in providing patient and family care;

d. - f. ...

g. if a home hospice/homemaker is assigned to a patient by the RN, in accordance with the POC, specific written instructions for patient care are to be prepared by the RN. All personal care services are to be outlined for the patient, in writing, by the RN in charge of that patient;

h. supervise and evaluate the hospice aide/homemaker's ability to perform assigned duties, to relate to the patient and to work effectively as a member of the health care team;

i. perform supervisory visits to the patient's residence at least every 14 days to assess relationships and

determine whether goals are being met. A supervisory visit with the aide present shall be made at least annually. Documentation of the aide present supervisory visit shall be placed in the hospice aide's personnel record;

j. document supervision, to include the aide/homemaker-patient relationships, services provided and instructions and comments given as well as other requirements of the clinical note;

k. annual performance review for each aide/homemaker documented in the individual's personnel record; and

l. annually conduct an on-site LPN supervisory visit with the LPN present. Documentation of such visit shall be kept in the LPN's personnel record.

3. Continuing Education. The registered nurse shall annually obtain at least two hours of continuing education hours related to end of life care.

P. ...

1. Qualifications. A speech pathologist shall:

a. - b. ...

2. Responsibilities. The speech pathologist shall assist the attending licensed medical practitioner in evaluation of the patient to determine the type of speech or language disorder and the appropriate corrective therapy in a manner consistent with standards of practice to include, but is not limited to, the following:

a. ...

b. observe, record and report to the attending licensed medical practitioner and the IDT the patient's reaction to treatment and any changes in the patient's condition;

c. ...

d. communicate with the registered nurse, director of nurses, and/or the IDT the need for a continuation of speech pathology services for the patient;

e. participate in IDT conferences;

f. ...

g. prepare written discharge summary as indicated, with a copy retained in patient's clinical record and a copy forwarded to the attending licensed medical practitioner.

Q. Volunteers. Volunteers play a vital role in enhancing the quality of care delivered to the patient/family by encouraging community participation in the overall hospice program. Volunteers that provide patient care and support services according to their experience and training shall do so in compliance with agency policies, and under the supervision of a designated hospice employee.

1. Qualifications. A mature, non-judgmental, caring individual supportive of the hospice concept of care, willing to serve others, and appropriately oriented and trained. Volunteers who are qualified to provide professional services shall meet all standards associated with their specialty area.

2. Responsibilities. The volunteer shall:

a. ...

b. provide input into the plan of care and interdisciplinary team meetings, as appropriate;

c. - e. ...

3. Training. The volunteers shall receive appropriate documented training which shall include at a minimum:

a. - n. ...

o. the role of the IDT; and

p. additional supplemental training for volunteers working in specialized programs (e.g. nursing facilities).

4. The hospice shall offer relevant in-service training on a quarterly basis and maintain documentation of such.

5. Pursuant to state law, requirements for minimum volunteer services shall be at least 5 percent of the total hours of service of the hospice agency.

R. Volunteer Coordinator. The hospice shall designate an employee of the agency who is skilled in organization and documentation as a volunteer coordinator.

1. Responsibilities. The volunteer coordinator shall be responsible for:

a. overseeing the volunteer program;

b. recruitment, retention, and education of volunteers;

c. coordinating the services of volunteers with the patient and/or family; and

d. attending IDT meetings.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR:15:482 (June 1989), amended LR 24:2262 (December 1998), LR 25:2409 (December 1999), LR 29:2801 (December 2003), amended by the Department of Health, Bureau of Health Services Financing, LR 44:594 (March 2018)..

Subchapter C. Patient Care Services

§8219. Patient Care Standard

A. Patient Certification. To be eligible for hospice care, an individual, or his/her representative, shall sign an election statement with a licensed hospice; the individual shall have a certification of terminal illness and shall have a plan of care (POC) which is established before services are provided.

B. Admission Criteria. The hospice shall have written policies to be followed in making decisions regarding acceptance of patients for care. Decisions are based upon medical, physical and psychosocial information provided by the patient's attending licensed medical practitioner, the patient/family and the interdisciplinary team. The admission criteria shall include:

1. ...

2. certification of terminal illness (CTI) signed by the attending licensed medical practitioner and the medical director of the agency;

NOTE: The CTI shall not be signed by an APRN

B.3. - C. ...

1. An assessment visit shall be made by a registered nurse, who will assess the patient's needs with emphasis on pain and symptom control. This assessment shall occur within 48 hours of referral for admission, unless otherwise ordered by physician or unless a request for delay is made by patient/family.

2. - 2.c. ...

d. patient release of information;

e. patient's signed designation of attending licensed medical practitioner;

i. - iv. Repealed.

f. orientation of patient/caregiver, which includes:

i. advanced directives and LaPOST;

ii. agency services;

iii. patient's rights; and

iv. agency contact procedures; and

g. for an individual who is terminally ill, certification of terminal illness signed by the medical director or the physician member of the IDT and the individual's attending physician.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2268 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:598 (March 2018).

§8221. Plan of Care (POC)

A. Prior to providing care, a written plan of care is developed for each patient/family by the attending physician, the medical director, physician designee or the APRN and the IDT. The care provided to an individual shall be in accordance with the POC.

1. ...

2. The IDT member who assesses the patient's needs shall meet or call at least one other IDT member before writing the IPOC. At least one of the persons involved in developing the IPOC shall be a registered nurse or physician. Within two days of the assessment, the other members of the IDT shall review the IPOC and provide their input. This input may be by telephone. The IPOC shall be signed by the attending licensed medical practitioner and an appropriate member of the IDT.

3. At a minimum the POC shall include the following:

3.a. - 4. ...

5. The hospice shall designate a registered nurse to coordinate the implementation of the POC for each patient.

B. Review and Update of the Plan of Care. The plan of care is reviewed and updated at intervals specified in the POC, when the patient's health status changes, and a minimum of every 14 days for home care and every 7 days for general inpatient/continuous care, collaboratively with the IDT and the attending licensed medical practitioner.

NOTE: In the event that the day of the regularly scheduled IDT meeting falls on a holiday, 15 days is acceptable.

1. The hospice agency shall have policy and procedures for the following:

a. the attending licensed medical practitioner's participation in the development, revision, and approval of the POC is documented. This is evidenced by change in patient orders and documented communication between hospice staff and the attending licensed medical practitioner;

b. orders shall be signed and dated in a timely manner, not to exceed 14 days, unless the hospice has documentation that verifies attempts to get orders signed (in this situation up to 30 days will be allowed).

2. The agency shall have documentation that the patient's health status and POC is reviewed and the POC updated, even when the patient's health status does not change.

C. Coordination and Continuity of Care. The hospice shall adhere to the following additional principles and responsibilities:

1. - 10. ...

11. maintenance of appropriately qualified IDT health care professionals and volunteers to meet patients need;

12. maintenance and documentation of a volunteer staff to provide administrative or direct patient care. The hospice shall document a continuing level of volunteer activity;

13. coordination of the IDT, as well as of volunteers, by a qualified health care professional, to assure continuous assessment, continuity of care and implementation of the POC;

14. - 15. ...

16. each member of the IDT accepts a fiduciary relationship with the patient/family, maintaining professional boundaries and an understanding that it is the responsibility of the IDT to maintain appropriate agency/patient/family relationships;

17. has a written agency policy to follow at the time of death of the patient; and

18. has written agency policies and procedures for emergency response based on an all hazards risk assessment, inclusive of training for employees, patients and their caregivers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2268 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:599 (March 2018).

§8223. Pharmaceutical Services

A. - A.2. ...

3. Drugs and treatments are administered by agency staff only as ordered by the licensed medical practitioner.

B. - C. ...

D. Hospice provides the IDT and the patient/family with coordinated information and instructions about individual drug profiles.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2269 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:599 (March 2018).

§8225. Pathology and Laboratory Services

A. Hospice provides or has access to pathology and laboratory services which comply with CLIA guidelines and meet patient's needs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2269 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:599 (March 2018).

§8227. Radiology Services

A. Radiology services provided by hospice either directly; or under arrangements that shall comply with applicable federal and state laws, rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2269 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:599 (March 2018).

§8229. Discharge/Revocation/Transfer

A. ...

B. Discharge. Patient shall be discharged only in the following circumstance:

1. ...

2. patient relocates from the hospice's defined geographical service area;

3. if the safety of the patient or of the hospice staff is compromised. The hospice shall make every effort to resolve these problems satisfactorily before discharge. All efforts by the hospice to resolve the problem shall be documented in detail in the patient's clinical record; and

4. if the patient enters a non-contracted nursing facility or hospital and all options have been exhausted (a contract is not attainable or the patient chooses not to transfer to a facility with which the hospice has a contract, the hospice shall then discharge the patient. The hospice shall notify the payor source to document that all options have been pursued and that the hospice is not "dumping" the patient;

5. the hospice shall clearly document why the hospice found it necessary to discharge the patient.

C. Revocation. Occurs when the patient or representative makes a decision to discontinue receiving hospices services:

1. - 2. ...

3. if a patient or representative chooses to revoke from hospice care, the patient shall sign a statement that he or she is aware of the revocation and stating why revocation is chosen.

D. - E.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2269 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:599 (March 2018).

§8231. Patient Rights and Responsibilities

A. - A.7. ...

8. confidentiality with regard to provision of services and all patient records, including information concerning patient/family health status, as well as social, and/or financial circumstances. The patient information and/or records may be released only with patient/family's written consent, and/or as required by law;

A.9. - B. ...

C. The patient has the responsibility to the best of their ability to:

C.1. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 15:482 (June 1989), amended LR 24:2270 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:600 (March 2018).

§8233. Clinical Records

A. In accordance with accepted principles of practice the hospice shall establish and maintain a clinical record (either hard copy or electronic) for every individual receiving care and services. The record shall be complete, promptly and accurately documented, legible, readily accessible and systematically organized to facilitate retrieval. The clinical record shall contain all pertinent past and current medical, nursing, social, and other therapeutic information, including the current POC under which services are being delivered.

B. Hospice records shall be maintained in a distinct location and not mingled with records of other types of health care related agencies.

C. - E. ...

F. Records shall be maintained for six years from the date of discharge, unless there is an audit or litigation affecting the records. Records for individuals under the age of majority shall be kept in accordance with current state and federal law.

G. ...

H. The clinical record shall contain a comprehensive compilation of information including, but not limited to, the following:

1. - 2. ...

3. written orders for admission and changes to the POC;

H.4. - J. ...

K. The agency may produce, maintain and store records either in paper documentation form or in electronic form. Records stored in electronic form shall be password protected.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 15:482 (June 1989), amended LR 24:2270 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:600 (March 2018).

Subchapter D. Administration

§8235. Agency Operations

A. ...

1. Staff shall be able to distinguish and describe the scope and delineation of all activities being provided by the hospice.

2. ...

3. The hospice shall have a distinct telephone number. If the telephone number is shared with other health care related agencies, the telephone operator(s) shall demonstrate knowledge and ability to distinguish and direct calls to the appropriate persons. If an answering service is used after normal hours, there shall be evidence of distinct hospice staff and the answering service should be able to direct calls to the appropriate persons for each service.

4. The hospice shall not share office space with a non-health care related entity. When office space is shared with another health care related entity the hospice agency shall operate separate and apart.

B. ...

1. The hospice shall be required to have regular posted (in a prominent and easily accessible manner) business days and hours and be fully operational at least 8 hours a day, 5 days a week between 7 a.m. and 6 p.m. Hospice services are available 24 hours per day, 7 days a week, which include, at a minimum:

a. professional registered nurse services;

1.b. - 2. ...

a. The on-call RN shall triage calls and may delegate to another employee as appropriate.

C. Policies and procedures:

1. shall be written, current, and annually reviewed by appropriate personnel;

2. shall contain policies and procedures specific to agency addressing personnel standards and qualifications, agency operations, patient care standards, problem and complaint resolution, purpose and goals of operation, the

hospice's defined service area, as well as regulatory and compliance issues;

3. shall clarify the agency's prohibited use of social media. The policy shall ensure that all staff, either contracted or directly employed, receive training relative to the restrictive use of social media that includes, at a minimum, confidentiality of patient information, preservation of patient dignity and respect, protection of patient privacy and personal and property rights;

4. shall meet or exceed requirements of the minimum standards and all applicable federal, state, and local laws, including but not limited to criminal histories conducted by the Louisiana State Police, or its designee, on all non-licensed persons providing nursing care, health-related services, or supportive services to any patient; and

5. shall include a process for checking the direct service worker registry and the Louisiana certified nurse aide registry upon hiring an employee, and every six months thereafter, to ensure that non-licensed direct care staff do not have a finding placed against him/her of abuse, neglect, or misappropriation of funds of an individual. If there is such a finding on the DSW and/or CNA registry, the applicant shall not be employed nor does a current employee have continued employment with the hospice agency.

D. ...

1. Hospice's responsibility to the community:

a. shall not accept orders to assess or admit from any source other than licensed physician or authorized physician representative (e.g. hospital discharge planner). Although the hospice may provide care to relatives of employees, the order to admit to the hospice shall be initiated by the primary attending physician;

b. ...

c. shall not participate in door to door solicitation;

d. - e. ...

f. shall have policy and procedures and a written plan for emergency operations in case of disaster including that at any time the hospice has an interruption in services or a change in the licensed location due to an emergency situation, the hospice shall notify the HSS no later than the next stated business day;

g. provide all services needed in a timely manner, at least within 24 hours, unless orders by the licensed medical practitioner indicate otherwise. However, admission timeframes shall be followed as indicated in the admission procedures subsection;

h. ...

i. shall have policy and procedures for post-mortem care in compliance with all applicable federal, state, and local laws;

j. - k. ...

2. Hospice's responsibility to the patient shall include, but is not limited to, the following:

a. - f. ...

g. provide information on advanced directives and LaPost in compliance with all applicable federal, state, and local laws;

h. - o.v. ...

vi. patients shall be permitted to receive visitors at any hour, including small children.

3. - 3.b.iii. ...

iv. policies and procedures for storing, accessing, and distributing controlled drugs, supplies and equipment;

3.b.v. - c. ...

d. maintain insurance and worker's compensation at all times;

e. - f. ...

g. provide adequate information, in-service training, supplies, and other support for all employees to perform to the best of their ability;

h. provide in-service training to promote effective, quality hospice care; and

i. have training on the prohibited use of social media.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 15:482 (June 1989), amended LR 24:2271 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:600 (March 2018).

§8237. Contract Services

A. ...

B. The hospice shall not at any time use contract employees as administrator/alternate or for the provision of core services, except that physician or physician designee services may be provided through contract.

C. ...

D. Whenever services are provided by an outside agency or individual, a legally binding written agreement shall be effected. The legally binding written agreement shall include at least the following items:

1. - 3. ...

4. the delineation of the role(s) of the hospice and the contractor in the admission process, patient/family assessment, and the IDT conferences;

D.5. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 15:482 (June 1989), amended LR 24:2272 (December 1998), LR 29:2801 (December 2003), amended by the Department of Health, Bureau of Health Services Financing, LR 44:601 (March 2018).

§8239. Quality Assurance/Performance Improvement

A. ...

B. The hospice shall have written plans, policies and procedures addressing quality assurance and performance improvement.

C. Hospice shall monitor and evaluate its resource allocation regularly to identify and resolve problems with the utilization of its services, facilities and personnel.

D. Hospice shall follow a written plan for continually assessing and improving all aspects of operations which include:

D.1. - E. ...

F. The governing body and administration shall strive to create a work environment where problems can be openly addressed and service improvement ideas encouraged.

G. Quality assessment and improvement activities are based on the systematic collection, review, and evaluation of data which, at a minimum, includes:

1. - 2. ...
3. reports from staff, volunteers and patients about services;

G4. - I. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 15:482 (June 1989), amended LR 24:2273 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:601 (March 2018).

§8241. Branch Offices

A. No branch office may be opened without written approval from LDH.

B. ...

C. Each branch shall serve the same or part of the geographic area approved for the parent.

D. Each branch office shall have a registered nurse immediately available to be on site, or on site in the branch office at all times during stated operating hours.

E. All services provided by the parent agency shall be available in the branch.

F. - H. ...

I. Approval for branch offices will be issued, in writing, by LDH for one year and will be renewed at time of annual renewal if the branch office:

1. ...
2. serves only patients who are geographically nearer to the branch than to the parent office;
3. offers exact same services as the parent agency; and
4. if the parent office meets requirements for full licensure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2273 (December 1998), LR 25:2409 (December 1999), amended by the Department of Health, Bureau of Health Services Financing, LR 44:602 (March 2018).

§8243. Cessation of Business

A. Except as provided in §8245 and §8246 of these licensing regulations, a license shall be immediately null and void if a hospice ceases to operate.

1. - 2. Repealed.

B. A cessation of business is deemed to be effective the date on which the hospice stopped offering or providing services to the community.

1. - 2. Repealed.

C. Upon the cessation of business, the hospice shall immediately return the original license to the department.

D. Cessation of business is deemed to be a voluntary action on the part of the hospice. The hospice does not have a right to appeal a cessation of business.

E. Prior to the effective date of the closure or cessation of business, the hospice shall:

1. give 30 days' advance written notice to:
 - a. the HSS;
 - b. each patient's attending licensed medical practitioner; and
 - c. each patient or patient's legal representative, if applicable; and

2. provide for an orderly discharge and transition of all of the patients in the hospice.

F. In addition to the advance notice of voluntary closure, the hospice shall submit a written plan for the disposition of all patient medical records for approval by the department. The plan shall include:

1. the effective date of the voluntary closure;
2. provisions that comply with federal and state laws on storage, maintenance, access, and confidentiality of the closed hospice's patients' medical records;
3. an appointed custodian(s) who shall provide the following:
 - a. access to records and copies of records to the patient or authorized representative, upon presentation of proper authorization(s); and
 - b. physical and environmental security that protects the records against fire, water, intrusion, unauthorized access, loss and destruction; and
4. public notice regarding access to records, in the newspaper with the largest circulation in close proximity to the closing hospice, at least 15 days prior to the effective date of closure.

G. If a hospice fails to follow these procedures, the owners, managers, officers, directors, and administrators may be prohibited from opening, managing, directing, operating, or owning a hospice for a period of two years.

H. Once the hospice has ceased doing business, the hospice shall not provide services until the hospice has obtained facility need review approval and applied for initial licensure in accordance with requirements of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 15:482 (June 1989), amended LR 24:2274 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:602 (March 2018).

§8245. Inactivation of Licensure due to a Declared Disaster or Emergency

A. A hospice agency licensed in a parish which is the subject of an executive order or proclamation of emergency or disaster issued in accordance with R.S. 29:724 or R.S. 29:766 may seek to inactivate its license for a period not to exceed one year, provided that the following conditions are met:

1. the licensed agency shall submit written notification to the Health Standards Section within 60 days of the date of the executive order or proclamation of emergency or disaster that:
 - a. the hospice agency has experienced an interruption in the provisions of services as a result of events that are the subject of such executive order or proclamation of emergency or disaster issued in accordance with R.S. 29:724 or R.S. 29:766;
 - b. the hospice agency intends to resume operation as a hospice in the same service area;
 - c. includes an attestation that the emergency or disaster is the sole causal factor in the interruption of the provision of services;
 - d. includes an attestation that all patients have been properly discharged or transferred to another agency or facility; and

e. provides a list of patients and where that patient is discharged or transferred to;

2. the agency resumes operating as a hospice in the same service area within one year of the issuance of an executive order or proclamation of emergency or disaster in accordance with R.S. 29:724 et seq., or R.S. 29:766 et seq.;

3. the hospice continues to pay all fees and cost due and owed to the department including, but not limited to, annual licensing fees and outstanding civil monetary penalties; and

4. the hospice continues to submit required documentation and information to the department.

B. Upon receiving a completed written request to inactivate a hospice license, the department shall issue a notice of inactivation of license to the hospice.

C. Upon completion of repairs, renovations, rebuilding or replacement, a hospice agency which has received a notice of inactivation of its license from the department shall be allowed to reinstate its license upon the following conditions being met.

1. The hospice shall submit a written license reinstatement request to the licensing agency of the department 60 days prior to the anticipated date of reopening.

a. The license reinstatement request shall inform the department of the anticipated date of opening, and shall request scheduling of a licensing survey.

b. The license reinstatement request shall include a completed licensing application with appropriate licensing fees.

2. The agency resumes operating as a hospice in the same service area within one year.

3. - 6. Repealed.

D. Upon receiving a completed written request to reinstate a hospice license, the department shall conduct a licensing survey. If the hospice meets the requirements for licensure and the requirements under this Section, the department shall issue a notice of reinstatement of the hospice license.

1. The licensed capacity of the reinstated license shall not exceed the licensed capacity of the hospice agency at the time of the request to inactivate the license.

E. No change of ownership of the hospice agency shall occur until such agency has completed repairs, renovations, rebuilding or replacement construction, and has resumed operations as a hospice agency.

F. The provisions of this Section shall not apply to a hospice agency which has voluntarily surrendered its license and ceased operation.

G. Failure to comply with any of the provisions of this Section shall be deemed a voluntary surrender of the hospice license and any applicable facility need review approval for licensure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 15:482 (June 1989), amended LR 24:2274 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:602 (March 2018).

§8246. Inactivation of Licensure due to a Non-Declared Disaster or Emergency

A. A hospice in an area or areas which have been affected by a non-declared emergency or disaster may seek to inactivate its license, provided that the following conditions are met:

1. the hospice shall submit written notification to the Health Standards Section within 30 days of the date of the non-declared emergency or disaster stating that:

a. the hospice has experienced an interruption in the provisions of services as a result of events that are due to a non-declared emergency or disaster;

b. the hospice intends to resume operation as a hospice agency in the same service area;

c. the hospice attests that the emergency or disaster is the sole causal factor in the interruption of the provision of services; and

d. the hospice's initial request to inactivate does not exceed one year for the completion of repairs, renovations, rebuilding or replacement of the facility;

NOTE: Pursuant to these provisions, an extension of the 30 day deadline for initiation of request may be granted at the discretion of the department.

2. the hospice continues to pay all fees and costs due and owed to the department including, but not limited to, annual licensing fees and outstanding civil monetary penalties and/or civil fines; and

3. the hospice continues to submit required documentation and information to the department, including but not limited to cost reports.

B. Upon receiving a completed written request to temporarily inactivate a hospice license, the department shall issue a notice of inactivation of license to the hospice.

C. Upon receipt of the department's approval of request to inactivate the agency's license, the hospice shall have 90 days to submit plans for the repairs, renovations, rebuilding or replacement of the facility, if applicable, to the Office of the State Fire Marshal (OSFM) and the Office of Public Health (OPH) as required.

D. The hospice shall resume operating as a hospice in the same service area within one year of the approval of renovation/construction plans by OSFM and OPH as required.

EXCEPTION: If the hospice requires an extension of this timeframe due to circumstances beyond the agency's control, the department will consider an extended time period to complete construction or repairs. Such written request for extension shall show the agency's active efforts to complete construction or repairs and the reasons for request for extension of the agency's inactive license. Any approval for extension is at the sole discretion of the department.

E. Upon completion of repairs, renovations, rebuilding or replacement of the facility, a hospice which has received a notice of inactivation of its license from the department shall be allowed to reinstate its license upon the following conditions being met:

1. the hospice shall submit a written license reinstatement request to the licensing agency of the department;

2. the license reinstatement request shall inform the department of the anticipated date of opening and shall

request scheduling of a licensing or physical environment survey, where applicable; and

3. the license reinstatement request shall include a completed licensing application with appropriate licensing fees.

F. Upon receiving a completed written request to reinstate a hospice license, the department may conduct a licensing or physical environment survey. The department may issue a notice of reinstatement if the agency has met the requirements for licensure including the requirements of this Subsection.

G. No change of ownership of the hospice shall occur until such hospice has completed repairs, renovations, rebuilding or replacement construction and has resumed operations as a hospice facility.

H. The provisions of this Subsection shall not apply to a hospice which has voluntarily surrendered its license and ceased operation.

I. Failure to comply with any of the provisions of this Subsection shall be deemed a voluntary surrender of the hospice license and any applicable facility need review approval for licensure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 44:603 (March 2018).

Subchapter E. Hospice Inpatient Facility

§8247. Requirements for Licensure of Inpatient Hospice

A. Hospice inpatient services may be provided directly by the hospice or through arrangements made by the hospice. An agency is prohibited from providing hospice inpatient services only. A hospice that elects to provide hospice inpatient services directly is required to be licensed as a hospice agency and sublicensed as a hospice inpatient facility. Separate applications and fees are required. The application process to establish a hospice inpatient facility may be completed simultaneously with an application to provide hospice services.

B. An application packet shall be obtained from LDH.

1. A completed application packet for a hospice inpatient facility shall be submitted to and approved by LDH prior to an agency providing hospice services.

2. The application submitted shall include the current licensing fee plus any bed fees. All fees shall be in the form of a company check, certified check or money order made payable to LDH. All fees submitted are non-refundable. All state-owned hospice facilities are exempt from fees.

3. ...

4. Each initial applicant or an existing hospice inpatient facility requesting a change of address shall have approval from the following offices prior to an on-site survey by this department.

a. Office of Public Health—Local Health Unit. All hospice inpatient facilities shall comply with the rules, LAC Title 51, *Public Health—Sanitary Code* and enforcement policies as promulgated by OPH. It shall be the primary responsibility of OPH to determine if applicants are complying with those requirements. No initial license shall be issued without the applicant furnishing a certificate from OPH that such an applicant is complying with their

provisions. A provisional license may be issued to the applicant if OPH issues the applicant a conditional certificate.

b. Office of the State Fire Marshal. All hospice inpatient facilities shall comply with the rules, established fire protection standards and enforcement policies as promulgated by OSFM. It shall be the primary responsibility of OSFM to determine if applicants are complying with those requirements. No license shall be issued or renewed without the applicant furnishing a certificate from OSFM that such applicant is complying with their provisions. A provisional license may be issued to the applicant if OSFM issues the applicant a conditional certificate.

C. New constructions shall be reviewed by OSFM for compliance with the applicable hospice licensing rules.

1. All new construction, other than minor alterations for a hospice inpatient facility, shall be done in accordance with the specific requirements of OSFM and OPH regulations covering new construction, including submission of preliminary plans and the final work drawings and specifications shall also be submitted prior to any change in facility type.

2. No new hospice inpatient facility shall be constructed, nor shall major alterations be made to existing hospice inpatient facilities, or change in facility type be made without the prior written approval of, and unless in accordance with plans and specifications approved in advance by the Department of Health and the Office of State Fire Marshal. The review and approval of plans and specifications shall be made in accordance with the requirements of OSFM to include:

a. copies of the approval letters of the architectural and the licensing facility plans from OSFM and any other office/entity designated by the department to review and approve the facility's architectural and licensing plan review;

b. a copy of the on-site inspection report with approval for occupancy by OSFM, if applicable; and

c. a copy of the on-site health inspection report with approval for occupancy from OPH. Before any new hospice inpatient facility is licensed or before any alteration or expansion of a licensed hospice inpatient facility can be approved, the applicant shall furnish one complete set of plans and specifications to OSFM, with fees and other information as required. Plans and specifications for new construction other than minor alterations shall be prepared by or under the direction of a licensed architect and/or a qualified licensed engineer.

3. Notice of satisfactory review from OPH and OSFM for *Life Safety Code* (LSC) approval and licensing plan review constitutes compliance with this requirement if construction begins within 180 days of the date of such notice. This approval shall in no way permit and/or authorize any omission or deviation from the requirements of any restrictions, laws, regulations, ordinances, codes, or rules of any responsible agency.

4. Repealed.

D. An agency seeking to renew its license shall:

1. request a renewal application packet from LDH if one is not received at least 45 days prior to the license expiration date;

D.2. - E. ...

F. An agency shall notify LDH, in writing, prior to a change in name of the agency, address change, or a change in the number of beds.

1. ...

2. The new facility location shall meet the same licensing requirements as those required for an initial survey including approval of building plans by OSFM and OPH.

G. - H. ...

I. Equipment and furnishings in an inpatient facility shall provide for the health care needs of the patient while providing a home-like atmosphere.

J. - K. ...

L. The hospice inpatient facility shall ensure the following:

1. ...

2. the facility has an acceptable, written all hazards risk assessment and emergency preparedness plan. The plan shall include:

a. - c. ...

i. in the event of an evacuation, the facility shall have a method to release patient information consistent with the HIPAA Privacy Rule;

d. fire and/or other emergency drills, in accordance with the LSC;

e. procedures covering persons in the facility and in the community in cases of all hazards (i.e., hurricanes, tornadoes, floods); and

f. arrangements with community resources in the event of a disaster;

3. the facility shall design and equip areas for the comfort and privacy of each patient and family members. The facility shall have the following:

a. - c. ...

d. decor which is homelike in design and function; and

e. patients shall be permitted to receive visitors at any hour, including small children;

4. patient rooms are designed and equipped for adequate nursing care and the comfort and privacy of patients. Each patient's room shall:

a. be equipped with toilet and bathing facilities;

b. - c. ...

d. contain room decor that is homelike and non-institutional in design and function. Room furnishings for each patient shall include a bed with side rails, a bedside stand, an over-the-bed table, an individual reading light easily accessible to each patient and a comfortable chair. The patient shall be permitted to bring personal items of furniture or furnishings into their rooms unless medically inappropriate;

4.e. - 6.c.iii. ...

7. the hospice inpatient facility shall make provisions for isolating patients with infectious diseases. The hospice should institute the most current recommendations of The Centers for Disease Control and Prevention (CDC) relative to the specific infection(s) and communicable disease(s). The hospice provisions for isolating patients with infectious diseases shall include:

a. - b. ...

c. measures for prevention of infections, especially those associated with immunosuppressed patients and other factors which compromise a patient's resistance to infection;

d. - e. ...

f. isolation procedures and requirements for infected or immunosuppressed patients;

g. - m. ...

n. employee health policies regarding infectious diseases, and when infected or ill employees shall not render direct patient care;

8. ...

9. the hospice inpatient facility shall provide the following:

a. ...

b. hand washing facilities located convenient to each nurses' station and medication distribution station;

c. - j. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 15:482 (June 1989), amended LR 24:2274 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:604 (March 2018).

§8249. Governing Body for Inpatient Hospice

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 15:482 (June 1989), amended LR 24:2276 (December 1998), repealed by the Department of Health, Bureau of Health Services Financing, LR 44:605 (March 2018).

§8251. Medical Director

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 15:482 (June 1989), amended LR 24:2277 (December 1998), repealed by the Department of Health, Bureau of Health Services Financing, LR 44:605 (March 2018).

§8253. Nursing Services

A. There shall be an organized nursing service that provides 24-hour nursing services. The nursing services shall be under the direction of the director of nursing and in accordance with the requirements of §8217.E.1-2.e.ix.

B. The inpatient facility shall have staff on the premises on a 24 hour a day, 7 day a week basis when there are patients in the facility. The services provided shall be in accordance with the patient's plan of care. Each shift shall include two direct patient care staff, one of which shall be a registered nurse who provides direct patient care. The nurse to patient ratio shall be at least one nurse to every eight patients. In addition there shall be sufficient number of direct patient care staff on duty to meet the patient care needs. When there are no patients in the hospice inpatient facility, the hospice shall have a registered nurse on-call to be immediately available to the hospice inpatient facility.

C. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 15:482 (June 1989), amended LR 24:2277 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:605 (March 2018).

§8255. Nutritional Services

A. - A.1.c. ...

2. The hospice inpatient facility shall have a dietary manager who is responsible for:

a. planning menus that meet the nutritional needs of each patient, following the orders of the patient's licensed medical practitioner and, to the extent medically possible, the recommended dietary allowances of the Food and Nutrition Board of the National Academy of Sciences. There shall be a current therapeutic diet manual approved by the dietician and medical staff, and readily available to all medical, nursing, and food service personnel, which shall be the guide used for ordering and serving diets.

b. ...

3. A dietary manager shall meet one of the following:

a. - b. ...

c. has training and experience in food service supervision and management in the military or other service equivalent in content to a dietetic technician or dietetic assistant training program by correspondence or classroom, approved by the American Dietetic Association.

A.4. - B.1.b. ...

c. All food shall be stored, prepared, distributed and served under sanitary conditions to prevent food borne illness. This includes keeping all readily perishable food and drink at or below 40 degrees Fahrenheit, except when being prepared and served. Refrigerator temperatures shall be maintained at 40 degrees Fahrenheit or below; freezers at 0 degrees Fahrenheit or below.

d. Hot foods shall leave the kitchen or steam table at or above 140 degrees Fahrenheit. In-room delivery temperatures shall be maintained at 120 degrees Fahrenheit, or above for hot foods and 50 degrees Fahrenheit or below for cold items. Food shall be covered during transportation and in a manner that protects it from contamination while maintaining required temperatures.

e. All equipment and utensils used in the preparation and serving of food shall be properly cleansed, sanitized and stored. This includes maintaining a water temperature in dish washing machines at 140 degrees Fahrenheit during the wash cycle (or according to the manufacturer's specifications or instructions) and 180 degrees Fahrenheit for the final rinse. Low temperature machines shall maintain a water temperature of 120 degrees Fahrenheit with 50 ppm (parts per million) of hypochlorite (household bleach) on dish surfaces. For manual washing in a 3-compartment sink, a wash water temperature of 75 degrees Fahrenheit with 50 ppm of hypochlorite or equivalent, or 12.5 ppm of iodine; or a hot water immersion at 170 degrees Fahrenheit for at least 30 seconds shall be maintained. An approved lavatory shall be convenient and equipped with hot and cold water tempered by means of a mixing valve or combination faucet for dietary services staff use. Any self-closing, slow-closing, or metering faucet shall be designed to provide a flow of water for at least 15 seconds without the need to reactivate the faucet. Effective with the promulgation of these requirements, an additional lavatory shall be provided in the dishwasher area in newly constructed hospices or in existing hospices undergoing major dietary alterations.

f. - g. ...

h. Toxic items such as insecticides, detergents and polishes shall be properly stored, labeled and used in accordance with manufacturer's guidelines.

i. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 15:482 (June 1989), amended LR 24:2277 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:606 (March 2018).

§8257. Pharmaceutical Services of Inpatient Hospice

A. ...

B. The hospice shall ensure that pharmaceutical services are provided by appropriate methods and procedures for the storage, dispensing and administering of drugs and biologicals. Whether drugs and biologicals are obtained from community or institutional pharmacists or stocked by the facility, the hospice facility is responsible for ensuring that pharmaceutical services are provided in accordance with accepted professional principles and appropriate federal, state, and local laws.

C. ...

D. Licensed Pharmacist. The hospice shall employ a licensed pharmacist or have a formal agreement with a licensed pharmacist to advise the hospice on ordering, storage, administration, disposal, and record keeping of drugs and biologicals.

E. Orders for Medications. A licensed medical practitioner's order shall be obtained for all medication administered to the patient.

1. If the medication order is verbal, the licensed medical practitioner shall give it only to a licensed nurse, pharmacist, or another physician; and the individual receiving the order shall record and sign it immediately.

2. All orders (to include telephone and/or verbal) are to be signed by the prescribing licensed medical practitioner in a timely manner, not to exceed 30 days.

F. Administering Medications. Patients shall be accurately identified prior to administration of a medication.

1. Medications are administered only by a physician, a licensed nurse; or the patient, if his/her attending licensed medical practitioner has approved self-administration.

2. Orders shall be checked at least daily to assure that changes are noted.

3. ...

4. Each patient has an individual medication administration record (MAR) on which the dose of each medication administered shall be properly recorded by the person administering the medication to include:

a. - e. ...

f. medications brought to the hospice by the patient or other individuals for use by that patient shall be accurately identified as to name and strength, properly labeled, stored in accordance with facility policy and shall be administered to the patient only upon the written orders of the attending licensed medical practitioner;

g. medications shall not be retained at the patient's bedside nor shall self-administration be permitted except when ordered by the licensed medical practitioner. These medications shall be appropriately labeled and safety precautions taken to prevent unauthorized usage;

h. medication errors and drug reactions are immediately reported to the director of nurses, pharmacist and the licensed medical practitioner, and an entry made in the patients' medical record and on an incident report in accordance with facility policy. This procedure shall include recording and reporting to the licensed medical practitioner the failure to administer a medication, for any other reason than refusal of a patient to take a medication. The refusal of a patient to take a medication should be reported during IDT conferences. If there is adverse consequence resulting from the refusal, this is to be immediately reported to the director of nurses, pharmacist and licensed medical practitioner, and an entry made in the patients' medical record and on an incident report in accordance with facility policy;

i. the nurse's station or medicine room for all hospice inpatient facilities shall have readily available items necessary for the proper administration and accounting of medications;

j. each hospice shall have available current reference materials that provide information on the use of medications, side effects and adverse reactions to drugs and the interactions between drugs.

G. Conformance with Medication Orders. Each hospice inpatient facility shall have a procedure for at least quarterly monitoring of medication administration. This monitoring may be accomplished by a registered nurse or a pharmacist, to assure accurate administration and recording of all medications.

1. ...

2. Medications shall be released upon discharge or transfer only upon written authorization of the attending licensed medical practitioner.

3. An entry of such release shall be entered in the medical record to include medications released, amounts, who received the medications and signature of the person carrying out the release.

H. ...

1. In accordance with state and federal laws, all drugs and biologicals are stored in locked compartments under proper temperature controls and only authorized personnel have access to the keys. Separately locked compartments are provided for storage of controlled drugs listed in schedule II of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and other drugs subject to abuse, except under single unit package drug distribution systems in which the quantity stored is minimal and a missing dose can be readily detected.

2. Controlled drugs no longer needed by the patient are disposed of in compliance with state requirements.

3. There shall be a secure drug or medicine room/drug preparation area at each nurses' station of sufficient size for the orderly storage of medications, both liquid and solid dosage forms and for the preparation of medications for patient administration within the unit. In the event that a drug cart is used for storage and administration of medication, the room shall be of sufficient size to accommodate placement of the cart.

4. - 5. ...

6. Sufficient artificial lighting shall be provided and the temperature of the medicine storage area shall not be lower than 48 degrees Fahrenheit or above 85 degrees

Fahrenheit and the room shall be provided with adequate ventilation.

7. - 10.a. ...

b. External use only drugs shall be plainly labeled and stored separate from drugs and biologicals. No poisonous substance shall be kept in the kitchen, dining area, or any public spaces or rooms. This Section shall not prohibit storage within the drug or medicine room of approved poisonous substances intended for legitimate medicinal use, provided that such substances are properly labeled in accordance with applicable federal and state law.

11. - 12.c. ...

d. There shall be records available to show amount received, name of patient and amount used, prescribing licensed medical practitioner, time of administration, name of individual removing and using the medication, and the balance on hand.

e. - f. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2181-2191.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 15:482 (June 1989), amended LR 24:2278 (December 1998), amended by the Department of Health, Bureau of Health Services Financing, LR 44:606 (March 2018).

Rebekah E. Gee MD, MPH
Secretary

1803#046

RULE

Department of Health Bureau of Health Services Financing

Inpatient Hospital Services
Pre-Admission Certification
(LAC 50:V.301)

The Department of Health, Bureau of Health Services Financing has repealed LAC 50:V.301 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part V. Hospital Services

Subpart 1. Inpatient Hospital Services

Chapter 3. Pre-Admission Certification

§301. General Provisions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 36:66 (January 2010), amended LR 38:824 (March 2012), repealed by the Department of Health, Bureau of Health Services Financing, LR 44:607 (March 2018).

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and

Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Rebekah E. Gee MD, MPH
Secretary

1803#047

RULE

**Department of Health
Bureau of Health Services Financing**

Intermediate Care Facilities for Persons
with Intellectual Disabilities
Supplemental Payments
(LAC 50:VII.32917)

The Department of Health, Bureau of Health Services Financing has repealed LAC 50:VII.32917 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part VII. Long Term Care

Subpart 3. Intermediate Care Facilities for Persons with Intellectual Disabilities

Chapter 329. Reimbursement Methodology

Subchapter A. Non-State Facilities

§32917. Supplemental Payments

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 43:663 (April 2017), repealed LR 44:608 (March 2018).

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Rebekah E. Gee MD, MPH
Secretary

1803#048

RULE

**Department of Public Safety and Corrections
Corrections Services**

Drug-Free Workplace (LAC 22:I.207)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), the Department of Public Safety and Corrections, Corrections Services, has amended §207, Drug-Free Workplace. This Rule is hereby adopted on the day of promulgation.

Title 22

**CORRECTIONS, CRIMINAL JUSTICE AND LAW
ENFORCEMENT**

Part I. Corrections

Chapter 2. Personnel

§207. Drug-Free Workplace

A. Purpose—to provide a comprehensive program of substance abuse education and to establish guidelines for employee drug and alcohol testing.

B. Applicability—deputy secretary, undersecretary, chief of operations, regional wardens, wardens, director of probation and parole and director of prison enterprises. Each unit head is responsible for ensuring that appropriate unit written policy and procedures are in place to comply with the provisions of this regulation and for conveying its contents to all concerned.

C. Policy. Substance abuse is a major contributor to criminal activity and is particularly detrimental to the department’s mission to provide for the safety of employees and the public. Employees who engage in substance abuse may not be able to perform the essential functions of their positions and may be less likely to enforce policies and procedures effectively to control or to prevent illicit drug and alcohol use by other employees and offenders. Therefore, it is the secretary’s policy to promote increased employee awareness of substance abuse and to achieve and maintain a workplace free of drugs and alcohol.

D. Definitions

CAP-FUDT-Certified Laboratory—a laboratory certified for forensic urine testing by the College of American Pathologists.

Collection Site—a designated place for the employee to provide a urine specimen to be analyzed for the presence of drugs.

Custodian of Records—a staff person responsible for the direct accountability of drug test results.

Drug Testing—

a. for the purpose of this regulation, drug testing programs shall be comprised of two testing components:

i. preliminary analysis (using the testing instrument available on the current contract issued by the procurement and contractual review division and approved by the secretary); and

ii. formal testing;

b. the application of formal testing may be contingent upon the results of the preliminary analysis. Alcohol testing consists only of administering the approved test and replicating any positive results.

Employee—any individual employed by or appointed to a position with corrections services (including student workers and temporary appointments and, for the purpose of this regulation, employees of Allen Correctional Center and Winn Correctional Center) or by an outside agency or provider who works in an institution or division or any individual under contract with corrections services who works in an institution or division.

a. (This does not necessarily confer “employment” status on independent contractors or employees of outside agencies, but serves to define a class of people who are subject to participation in the drug-free workplace program.)

Formal Testing—a second analytical procedure following a positive result on a preliminary analysis to identify the presence of a specific drug which is independent of the preliminary analysis using a different technique and/or chemical principle. Formal testing is conducted by a CAP-FUDT or SAMSHA-certified laboratory.

Medical Review Officer (MRO)—a licensed physician designated by the unit head who is responsible for receiving positive preliminary analysis results. The MRO must possess knowledge of substance abuse disorders and appropriate medical training to determine and evaluate an individual's positive result together with his medical history and other relevant biomedical information.

Offender—anyone in the physical custody of the Department of Public Safety and Corrections or under the supervision of the Division of Probation and Parole.

Preliminary Analysis—an immunoassay screen to detect the presence of drugs or metabolites using approved drug testing instruments. (See Paragraph H.1 for additional information.) The results of the preliminary analysis are to be used solely to indicate the need for additional formal testing, except for those who are being tested for pre-employment purposes. In this case, when the preliminary analysis is positive, it shall be sufficient cause to either remove the prospective employee from consideration for employment or appointment or be cause for conducting formal testing. If formal testing is conducted and the result is positive, this shall be cause for the prospective employee's elimination from consideration for employment or appointment.

SAMSHA-Certified Laboratory—a laboratory certified for forensic drug testing by the Substance Abuse and Mental Health Services Administration.

SAMSHA Guidelines—the mandatory guidelines for federal workplace drug testing programs as published in the Federal Register on April 11, 1988 (53 FR 11970), revised on June 9, 1994 (59 FR 29908), further revised on September 30, 1997 (62 FR 51118) and any further revised guidelines issued by SAMSHA.

Safety/Security Sensitive Position—any job which directly or indirectly affects the safety and security of others. For the purpose of this regulation, safety/security sensitive positions are those which involve direct contact with offenders and those having access to confidential information relative to the care, confinement or supervision of offenders.

Unit Head—the head of an operational unit, specifically, the undersecretary, warden, director of probation and parole and director of prison enterprises.

E. General. Each unit head is responsible for implementation of a substance abuse education program that requires compliance with this regulation. Each employee is responsible for refraining from illegal use, possession, sale or manufacture of controlled substances and from reporting to work or working while under the influence of alcohol, illegal drugs or impaired by prescription drugs.

F. Type of Testing

1. Pre-Employment. Drug testing shall be conducted prior to employment. (See Paragraph D.9 for additional information.) The unit human resources office is responsible for ensuring all new employees are given a copy of this regulation upon hire. All new employees shall sign and date

the receipt of drug-free workplace regulation. A copy of this form shall be maintained in the employee's personnel file.

2. Reasonable Suspicion/Probable Cause. Reasonable suspicion/probable cause screening and subsequent testing, as appropriate, may be based on:

a. observable phenomena, such as direct observation of drug use or possession and/or the physical symptoms of being under the influence of a drug or alcohol or when the odor of alcohol, marijuana smoke or other substance is present;

b. abnormal conduct or erratic behavior;

c. arrest or conviction for a drug or alcohol-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use or trafficking (the term "trafficking" shall also mean "distribution");

d. information provided by reliable and credible sources or independently corroborated;

e. newly discovered evidence that the employee tampered with a previous drug or alcohol test;

f. credible allegation or confirmation of involvement in a significant violation of policy in which judgment may have been impaired.

3. Post Accident/Incident. An employee shall be subject to drug and alcohol testing following an accident or incident that occurs during the course and scope of their employment if the employee's action or inaction may have been a causative factor and such incident:

a. involves circumstances leading to a reasonable suspicion of the employee's drug or alcohol use or impairment;

b. results in a fatality; or

c. results or causes the release of hazardous waste as defined in R.S. 30:2173(2) or hazardous materials as defined in R.S. 32:1502(5).

i. An employee who is involved in an accident or incident that results in bodily injury or property damage may be subject to drug and alcohol testing.

ii. Should an employee refuse after being directed to submit to drug or alcohol testing as a result of an accident or incident, impairment shall be legally presumed under R.S. 23:1081 and state of Louisiana workers' compensation law benefits may be denied.

4. Rehabilitative. Staff testing positive without a legitimate explanation and whose employment is not terminated shall be subject to participation in a rehabilitation program. As a condition for returning to work after participating in such a program, the employee must agree to follow-up testing on a random basis for up to 48 months. (Additionally, medical professionals who are participating in a rehabilitation program, substance abuse aftercare program or who have a documented substance abuse history must agree to periodic drug/alcohol testing throughout the course of their employment.)

5. Random. All employees who occupy safety/security sensitive positions (as defined in this regulation) shall be subject to random drug testing. On a monthly basis, a list of employee numbers representing at least 5 percent of a unit's employees shall be selected at random by a computer-generated selection process. This list shall be provided to each institution, the Division of Probation and Parole, Division of Prison Enterprises and headquarters.

a. The Office of Information Services shall generate the list of employee numbers at the prescribed interval and ensure that the lists are distributed directly to each unit head.

i. (Alternatively, if a unit has a drug-testing services contract with a CAP-FUDT or SAMSHA-certified laboratory, the production of this list may be included as part of those services.)

b. Unit heads shall establish a policy for matching the employee numbers to employee names, notification of selected employees, recording of test results and other appropriate procedures as needed.

c. All tests shall be conducted during the selected employees' work hours; no employee shall be called in on his day/night off specifically for the purpose of a random drug test.

d. The conduct of this program shall be in accordance with Subsection H of this Section.

6. Promotion. Drug testing shall be conducted prior to promotion.

G. Substances to be Tested. In accordance with R.S. 49:1005, drug testing may be performed for any of the following classes of drugs: marijuana; opiates; cocaine; amphetamines; and phencyclidine in the random testing or preliminary testing process. This does not preclude testing for any other illegal drugs (e.g. methamphetamines), alcohol, or abused prescription medication if there is reasonable suspicion or probable cause.

H. Conduct of the Drug Testing Program

1. Preliminary Analysis

a. The testing instrument available on the current contract issued by the procurement and contractual review division and approved by the secretary shall be utilized as a preliminary analysis to determine the need for further testing, but may not be used as the basis for any disciplinary action or other adverse action. The collection process shall be done on-site by unit staff who have received the appropriate training. (Formal testing may be utilized initially in lieu of preliminary analysis when the unit head or designee determines that this is the most efficient method.)

b. When the test produces a positive result, the MRO shall be notified. The MRO shall obtain a list of medication used by the employee at the time of the test and shall give the employee the opportunity to provide a medical history and/or discuss the test results.

c. Upon review and evaluation of all available information, the MRO shall determine the need for formal testing.

d. If formal testing is deemed necessary by the MRO, the employee shall be escorted to a collection site by a unit staff person.

e. Pursuant to Paragraph D.9 of this Section, it is not mandatory that the MRO review the results of a pre-employment preliminary analysis which results in a positive finding.

f. All employee preliminary testing shall be reported on the employee drug/alcohol field test.

2. Formal Testing

a. Formal testing shall be conducted by a CAP-FUDT or SAMSHA-certified laboratory and shall be performed in compliance with SAMSHA guidelines.

b. All urine specimens for drug testing shall be collected, stored and transported in strict accordance with

SAMSHA guidelines. The cut off limits for drug testing shall also be in accordance with SAMSHA guidelines with the exception of initial testing for marijuana. The initial cut off level for marijuana shall be no less than 50 nanograms/ML and no more than 100 nanograms/ML as specified by the testing entity.

c. In the event of a positive result on a formal drug test, the laboratory's staff shall provide a copy of the results to the employee and to the unit head.

I. Conduct of the Alcohol Testing Program

1. Pursuant to established policy and procedures, employees are prohibited from reporting for or being on duty under the influence of alcohol or other intoxicants (or when the odor or effect is noticeable). Towards this end, employees may be required to submit to alcohol testing while on duty under circumstances defined in Subsection F.

2. A portable breathalyzer or other instrument and approved by the secretary shall be used to determine a violation of this regulation. In the event of a positive reading on the portable breathalyzer, a second test shall be conducted.

3. The alcohol test can be administered only by those persons specifically authorized by the unit head and who have been trained in the use of the testing instrument(s).

J. Training Required. A minimum of one hour of training per year on the effects and consequences of controlled substance abuse on personal health and safety at the workplace and indicators of substance use or abuse is required for all full time employees.

K. Record Keeping and Reporting Requirements

1. The custodian of records designated by each unit head shall maintain a record of each employee who has submitted to a drug or alcohol test, the date of such test, the name of the person performing the test, the number of tests performed and a summary of the results of each type of test.

2. All test results shall be retained for a minimum of three years after the employee resigns, retires or is dismissed from employment.

3. Pursuant to R.S. 49:1012, all information, interviews, reports, statements, memoranda and/or test results received through the unit's drug testing program are confidential communications and may not be used or received in evidence, obtained in discovery or disclosed in any public hearing or private proceedings, except in an administrative or disciplinary proceeding or hearing, or civil litigation where drug use by the tested individual is relevant. All such confidential information shall be maintained in a secure manner.

4. A monthly report utilizing the employee drug testing report of drug testing activities shall be compiled by the headquarters human resources office for submission in the C-05-001 report.

5. By November 1 of each year, each unit's business office shall submit a report to the headquarters human resources office detailing the number of employees affected by the drug testing program, the categories of testing conducted, the associated costs of testing and the effectiveness of the program. In conjunction with the undersecretary's office, the headquarters human resources office shall compile the department's annual employee drug testing report for submission to the Division of Administration annually by December 1.

L. Impaired Ability Due to Prescription or Over the Counter Medication

1. Employees in safety/security sensitive positions are required to notify their immediate supervisor when they are taking medication which may affect their ability to perform the essential functions of the job prior to the start of their work day/shift.

2. Upon notification, supervisors must immediately contact the unit's MRO or designee to determine if the employee can safely perform the job duties while under the influence of the stated medication.

3. Employees who may cause a direct threat to the safety and security of the public, staff or offender population while under the influence of such medication shall not be allowed to complete the workday and shall be placed in enforced sick leave.

M. Violation of this Regulation

1. The disciplinary penalties and guidelines shall be utilized in the administration of this regulation. Refusal to submit to testing may result in disciplinary action. Formal testing with positive results may be cause for initiation of disciplinary action.

2. When confirmed positive formal test results do not result in termination, referral to the employee assistance program or other individual or agency equipped to coordinate accessibility to substance abuse education or counseling is appropriate and may be made.

3. Any time there is a reasonable suspicion that any employee is impaired and could be a direct threat or cannot safely perform their essential functions due to the use of drugs (prescribed or other) or alcohol consumption, the employee shall be immediately removed from the employee's workstation and taken to a secure location (away from any possible contact with offenders) for preliminary or formal testing.

4. If any employee tests positive for drugs or alcohol during either the random, preliminary or formal testing, the employee will be placed on appropriate leave status and escorted off the premises. If impaired, assistance shall be provided to ensure the employee is transported to a safe location. The employee shall not be allowed to return to work until the condition is resolved or no earlier than the next scheduled workday if the unit head or designee so approves the return to work.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of Corrections Services, LR 25:522 (March 1999), amended LR 26:1308 (June 2000), LR 35:958 (May 2009), LR 39:3321 (December 2013), amended by the Department of Public Safety and Corrections, Corrections Services, LR 44:608 (March 2018).

James M. Le Blanc
Secretary

1803#049

RULE

**Department of Transportation and Development
Professional Engineering and Land Surveying Board**

Engineering and Land Surveying
(LAC 46:LXI.Chapters 1, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25,
27, 29, 31, and 33)

Under the authority of the Louisiana professional engineering and land surveying licensure law, R.S. 37:681 et seq., and in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., the Louisiana Professional Engineering and Land Surveying Board has amended its rules contained in LAC 46:LXI.101 to 3301. This Rule is hereby adopted on the day of promulgation.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

**Part LXI. Professional Engineers and Land Surveyors
Chapter 1. General Provisions**

§101. Evidence of Qualification; Licensure

A. In order to safeguard life, health and property, and to promote the public welfare, any individual in either public or private capacity, or foreign or domestic firm, practicing or offering to practice engineering or land surveying in the state of Louisiana, shall be required to submit evidence that they are qualified to so practice and shall be licensed with the board. Unless specifically exempted by law, it shall be unlawful for any person to practice or to offer to practice in the state of Louisiana, engineering or land surveying, as defined in the licensure law and the rules of the board, or to use in connection with their name or otherwise assume, use or advertise any title or description tending to convey the impression that they are a professional engineer, professional land surveyor, professional engineering firm or professional land surveying firm, unless such person has been duly licensed under the provisions of the licensure law and the rules of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 7:643 (December 1981), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1020 (July 2001), LR 30:1704 (August 2004), LR 44:611 (March 2018).

§103. Rulemaking

A. Under the provisions of R.S. 37:688, the board has the authority to make, adopt, revise, amend, promulgate and enforce bylaws, rules and regulations consistent with the constitution and laws of the state of Louisiana. This is necessary for the proper performance of the duties of the board and the regulations of the proceedings before it, as well as for the protection of the public and the proper administration of the licensure law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 7:643 (December 1981), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1020 (July 2001), LR 30:1704 (August 2004), LR 44:611 (March 2018).

§105. Definitions

A. The words and phrases defined in R.S. 37:682 shall apply to these rules. In addition, the following words and phrases shall have the following meanings, unless the content of the rules clearly states otherwise.

ABET—Accreditation Board for Engineering and Technology, Inc.

ANSAC/ABET—the Applied and Natural Science Accreditation Commission of ABET.

Accredited Engineering Curriculum—a curriculum approved by EAC/ABET as an engineering academic program that satisfies the academic requirements for the practice of engineering at the professional level.

Accredited Land Surveying Curriculum—a curriculum approved by ANSAC/ABET as a land surveying or geomatics academic program that satisfies the academic requirements for the practice of land surveying at the professional level.

* * *

Bona Fide Employee—an individual in the service of an employer under a contract of hire, expressed or implied, oral or written, where the employer has the power or right to control and direct the employee in the material details of how the work is to be performed and the employer pays wages or a salary directly to the employee, pays a share of social security and federal unemployment tax, withholds federal income tax and the employee's share of Social Security payments, provides training, furnishes tools and materials, and sets hours of work. Generally such employees work full-time for the employer, perform work at a location assigned by the employer and do not offer their services to the general public.

Bona Fide Established Commercial Marketing Agency—a business which is specifically devoted to public relations, advertising and promoting the services of a client, and which may be appropriately licensed as required by state law.

EAC/ABET—the Engineering Accreditation Commission of ABET.

Employees—for purposes of R.S. 37:701(C) only, shall mean:

a. any and all individuals to or for whom a firm engaged in industrial operations pays salary or other compensation, withholds taxes, provides benefits or pays workers' compensation and/or liability insurance, including without limitation all individuals covered by the definition of *bona fide employee* as set forth in the rules of the board; or

b. ...

* * *

Fraud, Deceit, or Misrepresentation—as used in R.S. 37:698(A)(1) or (2) or R.S. 37:700(A)(3), shall mean intentional deception to secure gain, through attempts to deliberately conceal, mislead, or misrepresent the truth with

the intent to have others take some action relying thereupon, or any act which provides incorrect, false, or misleading information, upon which others might rely.

Gross Incompetence—as used in R.S. 37:698(A)(2), shall mean the practice of engineering or land surveying by a licensee who is either incapable of exercising ordinary care and diligence or who lacks the ability and skill necessary to properly perform the duty undertaken. (The practice of engineering in a discipline other than that in which the licensee has been listed will not be considered as evidence of gross incompetence, provided the licensee is otherwise qualified by education or experience.) Examples of practice which the board may consider to constitute gross incompetence include but are not limited to:

a. the undertaking of assignments other than those for which the licensee is qualified by education or experience in the specific technical fields involved; or

b. the affixing of the licensee's signature or seal to any engineering or land surveying plan or document dealing with the subject matter in which the licensee lacks competence by virtue of education or experience.

Gross Misconduct—as used in R.S. 37:698(A)(2), shall mean the practice of engineering or land surveying by a licensee who performs any acts, causes any omissions or makes any assertions or representations which are fraudulent, deceitful, or misleading, or which in any manner whatsoever discredits or tends to discredit the professions of engineering or land surveying. Gross misconduct as used herein shall also include any act or practice in violation of the board's rules of professional conduct or the board's rules on use of seals.

Gross Negligence—as used in R.S. 37:698(A)(2), shall mean the practice of engineering or land surveying by a licensee characterized by the licensee's lack of reasonable care, precaution, or attention to the life, health, safety, property or welfare of others, which could result in injury or damage to life or property or financial loss. Examples of practice which the board may consider to constitute gross negligence include, but are not limited to:

a. the preparation of an incomplete or inaccurate engineering or land surveying plan or document that is below acceptable standards, which is released for construction or other lawful purposes, and which could result in financial loss, damage or injury; or

b. failure of the licensee to exercise reasonable diligence and care in providing professional services, which could result in financial loss, damage or injury.

NCEES—the National Council of Examiners for Engineering and Surveying.

NCEES Model Law Engineer—Repealed.

NCEES Model Law Surveyor—Repealed.

* * *

Practice of Engineering—

a. practice of engineering is defined in R.S. 37:682. The board recognizes in the design of buildings and similar structures that there is overlap between the work of architects and professional engineers. It is recognized that an architect who has complied with all of the current laws of Louisiana relating to the practice of architecture has a right to engage in some activities properly classifiable as the practice of engineering insofar as it is necessarily incidental to his/her work as an architect. Likewise, it is recognized

that the professional engineer who has complied with all of the current laws of Louisiana and is properly licensed has the right to engage in some activities properly classifiable as architecture insofar as it is necessarily incidental to his/her work as a professional engineer. Furthermore, the architect or the professional engineer, as the case may be, shall assume all responsibility for compliance with all the laws or ordinances relating to the designs or projects in which he/she may be engaged;

b. teaching of engineering design and the responsible charge of the teaching of engineering design shall be considered as the practice of engineering. An accredited engineering curriculum ensures the minimum quality requirements for the teaching of engineering design. Thus, the teaching of engineering design courses and the responsible charge of the teaching of engineering design courses must be conducted by professional engineers or by engineering faculty in an accredited engineering curriculum. These unlicensed engineering faculty members are exempt from licensure by the board only for the purpose of teaching of engineering design courses and the responsible charge of the teaching of engineering design courses in an accredited engineering curriculum and shall not otherwise practice or offer to practice engineering in the state of Louisiana as defined by R.S. 37:682 without being licensed by the board.

Practice of Land Surveying—defined in R.S. 37:682. The board recognizes that there exists a close relationship between land surveying and some areas of engineering, with some activities common to both professions; however, survey work related to property boundaries must be performed under the responsible charge of a professional land surveyor. Presented below are guidelines which shall be used as an aid in determining the types of surveying services which may be rendered by professional land surveyors or professional engineers.

a. - a.iii. ...

b. Surveying and mapping functions not unique to land surveying must be performed by or under the responsible charge of a professional land surveyor whenever they require the establishment of relationships to property ownership boundaries. These functions include:

i. - iii. ...

iv. surveys for record drawing;

v. - viii. ...

c. Surveying and mapping functions which do not require the establishment of relationships to property ownership boundaries must be performed by or under the responsible charge of either a professional engineer or a professional land surveyor. These surveying and mapping functions include:

c.i. - d. ...

* * *

Seal—a symbol, image, or list of information that may be found in the form of a rubber stamp, computer-generated data, or other form found acceptable to the board that is applied or attached to a document in a manner consistent with the board's rules on use of seals.

* * *

Under the Responsible Charge of a Professional Engineer—as it applies in R.S. 37:701(C) only, shall mean:

a. the work performed by a professional engineer duly licensed under the provisions of the licensure law; or

b. the work reviewed and approved by a professional engineer duly licensed under the provisions of the licensure law, who is authorized to direct changes to the engineering work; or

c. the work performed in accordance with a system of engineering practices approved by a professional engineer duly licensed under the provisions of the licensure law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Surveyors, LR 4:298 (August 1978), amended LR 5:110 (May 1979), LR 7:643 (December 1981), LR 14:449 (July 1988), LR 16:772 (September 1990), LR 17:804 (August 1991), LR 20:901 (August 1994), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1020 (July 2001), LR 30:1704 (August 2004), LR 32:1618 (September 2006), LR 35:1908 (September 2009), LR 38:835 (March 2012), repromulgated LR 38:1030 (April 2012), LR 44:612 (March 2018).

Chapter 7. Bylaws

§701. Board Nominations

A. ...

B. The practice area of engineering of each professional engineer board member shall remain unchanged during each administrative year.

1. Professional engineer board members shall continue to represent the practice area of engineering for which appointed.

2. Professional engineer board members who retire from active practice shall continue to represent the practice area of engineering for which appointed and currently serving at the time of retirement.

C. ...

D. In the event of the death, resignation or removal of a board member, the executive director shall immediately notify the appropriate nominating organization.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 4:298 (August 1978), amended LR 5:120 (May 1979), LR 11:1179 (December 1985), LR 19:57 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1023 (July 2001), LR 30:1706 (August 2004),), LR 37:2411 (August 2011), LR 44:613 (March 2018).

§703. Compensation and Expenses

A. Authority to Incur Traveling Expenses

1. ...

2. The board may, by resolution at one of its meetings, authorize any of its members or representatives to travel at the expense of the board to attend meetings and conventions such as those of NCEES, ABET, or other allied organizations. Per diem for time spent traveling and for time spent at the meeting will be allowed.

B. Reimbursement of Transportation Expenses

1. Expenses for transportation by personally-owned vehicles shall be reimbursed at the mileage rate specified by the board at a regular meeting. Reimbursement shall be on the basis of the most direct route. The traveler shall be required to pay all of the operating expenses of the vehicle.

B.2. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:58 (February 1976), amended LR 5:110 (May 1979), LR 11:1182 (December 1985), LR 19:55 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1023 (July 2001), LR 30:1707 (August 2004), LR 44:613 (March 2018).

§705. Meetings

A. - B. ...

C. Special Meetings. The chairman or the secretary may call special meetings when considered necessary. Upon written request of at least six board members, the chairman is required to call a special meeting.

D. - E. ...

F. Separate Notice of All Meetings. In addition, separate written public notice of any regular, special, or rescheduled meeting shall be given no later than 24 hours before the holding of the meeting. This separate notice shall include the agenda, date, time and place of the meeting.

G. Posting of Notice. The written public notice discussed in §705.E and F shall include:

1. ...

2. publication of the notice on the board website no less than 24 hours before the meeting.

H. Notice to Board Members. Notice of all meetings, in conformity with §705.E and F, shall be given in writing to each board member by the executive director.

I.

J. *Robert's Rules of Order*. *Robert's Rules of Order* shall govern the proceedings of the board at all meetings, except as otherwise provided herein or by law.

K. Location of Meetings. All meetings shall be held at the board office, unless, in the judgment of the chairman, it is necessary, convenient or preferable to meet elsewhere.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:52 (February 1976), amended LR 5:118 (May 1979), LR 11:1181 (December 1985), LR 19:55 (January 1993), LR 21:1354 (December 1995), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1023 (July 2001), LR 30:1707 (August 2004), LR 44:614 (March 2018).

§707. Board Organization

A. - C. ...

D. Duties

1. ...

2. Vice Chairman. The vice chairman shall, in the absence of the chairman, perform the duties of and possess all of the powers of the chairman. Should the chairman's membership on the board end prior to the election of his/her successor, the vice chairman shall automatically assume the duties of chairman.

3. Secretary. The secretary shall:

a. be the official custodian of the records of the board and of the seal of the board and ensure that the seal of the board is affixed to all appropriate documents;

b. sign, with the chairman, certificates, the issuance of which shall have been authorized by resolution of the board;

3.c. - 4. ...

E. Committees. The board may establish standing committees, including but not limited to the following: executive committee, engineering committees, land surveying committee, engineer intern committee, laws and rules committee, education/accreditation committee, finance committee, nominations and awards committee, complaint review committees, continuing professional development committee, firm licensure committee, and enforcement committee. The board may also establish ad hoc committees from time-to-time as necessary.

1. - 5. ...

6. Laws and Rules Committee. The chairman of the board shall appoint a laws and rules review committee composed of not less than two board members. The laws and rules committee shall work with similar committees of professional and technical organizations on matters of mutual concern. The laws and rules committee shall also make recommendations to the board in matters concerned with the licensure law and the rules of the board.

7. - 13. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:52 (February 1976), amended LR 5:110 (May 1979), LR 11:1179 (December 1985), LR 19:54 (January 1993), LR 21:1353 (December 1995), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1024 (July 2001), LR 30:1707 (August 2004), LR 33:2788 (December 2007), LR 35:1908 (September 2009), LR 37:2411 (August 2011), LR 38:2563 (October 2012), LR 40:1388 (July 2014), LR 42:1104 (July 2016), LR 44:614 (March 2018).

§709. Executive Director

A. - B. ...

C. Duties of the Executive Director. The executive director shall:

1. ...

2. record and file all applications, Louisiana laws of land surveying examinations, licenses, certificates, suspensions, revocations and disciplinary and enforcement actions;

3. - 7. ...

8. supervise the administration of the Louisiana laws of land surveying examinations examination;

9. - 10. ...

11. notify by letter to the last known address, every licensee and certificate holder of the date of the expiration of the license or certificate and the amount of the fee that shall be required for its renewal;

12. - 13. ...

14. investigate and dispose of allegations and apparent violations of the licensure law when possible and refer any such matters requiring formal action to complaint review committees;

15. assist the board in the adoption and amendment of rules and bylaws in accordance with the state law;

16. - 17. ...

18. be an associate member of NCEES;

19. - 24. ...

25. assist in the legislative audit made of all receipts and disbursements at the close of each fiscal year by a certified public accountant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation, Board of Registration for Professional Engineers and Land Surveyors, LR 2:53 (February 1976), amended LR 5:118 (May 1979), LR 11:1180 (December 1985), LR 19:55 (January 1993), LR 21:1354 (December 1995), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1025 (July 2001), LR 30:1709 (August 2004), LR 37:2412 (August 2011), LR 38:2563 (October 2012), LR 44:614 (March 2018).

§713. Amendments to Bylaws

A. The bylaws of the board may be amended at any regular or special meeting, provided, however, that such proposed amendments have been submitted in writing to the members of the board at least 30 days prior to the meeting. The board may waive this 30-day provision at a regular or special meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:54 (February 1976), amended LR 5:119 (May 1979), LR 11:1183 (December 1985), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1026 (July 2001), LR 30:1710 (August 2004), LR 44:615 (March 2018).

§715. Rulemaking Process

A. Power to Promulgate Rules. Under the provisions of the licensure law, the board is given the power to make and promulgate rules and regulations necessary for the proper performance of its duties and the regulations of the proceedings before it, as well as for the protection of the public and the proper administration of the licensure law.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:54 (February 1976), amended LR 5:119 (May 1979), LR 11:1182 (December 1985), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1026 (July 2001) LR 30:1710 (August 2004), LR 37:2412 (August 2011), LR 44:615 (March 2018).

§719. Minutes

A. ...

B. Required Items for Inclusion. The minutes shall include, but need not be limited to:

1. - 2. ...

3. the substance of all matters decided, and, at the request of any board member, a record, by individual board member, of any votes taken.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 11:1181 (December 1985), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1026 (July 2001), LR 30:1710 (August 2004), LR 44:615 (March 2018).

§723. Voting

A. General Provisions. Unless otherwise specified in the following Subsections, a simple majority of a quorum of the board at a meeting properly noticed and convened is necessary in order to elect an officer or approve a measure before the board.

B. - C.2. ...

D. Approval of Items Added to Agenda. If two or more board members present at a regular or special meeting are agreed to defer action of a matter not on the original agenda of the meeting that matter shall not be approved and shall be placed on the original agenda of the next scheduled meeting.

E. - H.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 11:1181 (December 1985), amended LR 19:55 (January 1993), LR 21:1355 (December 1995), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1027 (July 2001), LR 30:1711 (August 2004), LR 44:615 (March 2018).

§725. Executive Session

A. Reasons for Calling Executive Sessions. Executive sessions may be held for the following purposes:

1. discussion of the character, professional competence, or physical or mental health of a person, provided that such person is notified in writing at least 24 hours, exclusive of Saturdays, Sundays and legal holidays, before the scheduled time contained in the notice of the meeting at which such executive session is to take place and that such person may require that such discussion be held at an open meeting. In cases of extraordinary emergency, written notice to such person shall not be required; however, the board shall give such notice as it deems appropriate and circumstances permit;

2. - 3. ...

4. investigative proceedings regarding allegations of misconduct;

5. cases of extraordinary emergency, which shall be limited to natural disaster, threat of epidemic, civil disturbances, suppression of insurrections, the repelling of invasions, or other matters of similar magnitude; or

6. any other matters now provided for or as may be provided for by the Legislature.

B. Limitations on Executive Sessions. No final or binding action shall be taken during an executive session; nor may an executive session be called for discussion of the appointment of a person to a public body or, except as provided in R.S. 39:1593(C)(2)(c), for discussing the award of a public contract.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 11:1181 (December 1985), LR 19:55 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1027 (July 2001), LR 30:1711 (August 2004), LR 44:615 (March 2018).

Chapter 9. Requirements for Certification and Licensure of Individuals and Temporary Permit to Practice Engineering or Land Surveying

§901. Engineer Intern Certification

A. The requirements for certification as an engineer intern under the several alternatives provided in the licensure law are as follows:

1. ...

2. Graduates with Advanced Engineering Degree. The applicant shall be a graduate of a non-accredited engineering or related science or engineering technology curriculum of four years or more approved by the board as being of satisfactory standing, who has obtained an engineering graduate degree in an engineering discipline or sub-discipline from a college or university having an undergraduate accredited engineering curriculum in the same discipline or sub-discipline, approved by the board as being of satisfactory standing and in accordance with §1105, who is of good character and reputation, who has passed the examination required by the board in the fundamentals of engineering, who was recommended for certification by a professional engineer holding a valid license to engage in the practice of engineering issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, who has submitted an application for certification in accordance with the requirements of R.S. 37:694, and who was duly certified as an engineer intern by the board.

3. Other Non-Accredited Engineering Graduates. The applicant shall be a graduate of a non-accredited engineering curriculum of four years or more approved by the board as being of satisfactory standing, who has a specific record of four years or more of verifiable progressive experience obtained subsequent to graduation, on engineering projects of a level and scope satisfactory to the board, who is of good character and reputation, who has passed the examination required by the board in the fundamentals of engineering, who was recommended for certification by a professional engineer holding a valid license to engage in the practice of engineering issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, and having a personal knowledge of his/her engineering experience, who has submitted an application for certification in accordance with the requirements of R.S. 37:694, and who was duly certified as an engineer intern by the board.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:352 (November 1976), amended LR 5:114 (May 1979), LR 6:735 (December 1980), LR 7:644 (December 1981), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1027 (July 2001), LR 30:1711 (August 2004), LR 32:1618 (September 2006), LR 37:2412 (August 2011), LR 38:2563 (October 2012), LR 43:343 (February 2017), LR 44:616 (March 2018).

§903. Professional Engineer Licensure

A. The requirements for licensure as a professional engineer under the alternatives provided in the licensure law are as follows:

1. the applicant for licensure as a professional engineer shall be an engineer intern, or an individual who meets the qualifications to be an engineer intern, who has a verifiable record of four years or more of progressive experience obtained subsequent to meeting the educational and applicable experience qualifications to be an engineer intern on engineering projects of a level and scope satisfactory to the board, who is of good character and reputation, who has passed the examination(s) required by the board in the principles and practice of engineering in the discipline(s) of engineering in which the applicant seeks to be listed, who was recommended for licensure by five personal references (at least three of whom must be professional engineers who have personal knowledge of the applicant's engineering experience and character and ability), who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional engineer by the board; or

2. the applicant for licensure as a professional engineer shall be an individual who holds a valid license to engage in the practice of engineering issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, based on requirements that do not conflict with the provisions of the licensure law and which were of a standard not lower than that specified in the applicable licensure law in effect in Louisiana at the time such license was issued, who is of good character and reputation, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and if the state, territory, or possession, or the District of Columbia, in which he/she is licensed will accept the licenses issued by the board on a comity basis, and who was duly licensed as a professional engineer by the board.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688 and 37:3651.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:352 (November 1976), amended LR 5:114 (May 1979), LR 5:365 (November 1979), LR 6:735 (December 1980), LR 7:644 (December 1981), LR 10:804 (October 1984), LR 11:362 (April 1985), LR 19:56 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1028 (July 2001), LR 30:1712 (August 2004), LR 32:1619 (September 2006), LR 37:2412 (August 2011), LR 38:2564 (October 2012), LR 39:1060 (April 2013), LR 39:2801 (October 2013), LR 43:538 (March 2017), LR 43:1419 (July 2017), LR 44:616 (March 2018).

§905. Temporary Permit to Practice Engineering

A. A person who is not a resident of and has no established place of business in Louisiana may be granted a temporary permit to practice or offer to practice engineering in Louisiana when such practice does not exceed 120 consecutive days in any calendar year, provided such person is licensed to practice engineering in their own state,

territory, or possession of the United States, or the District of Columbia, in which the requirements and the qualifications for obtaining a license are not lower than those specified in the licensure law, and provided further that before beginning such temporary practice in Louisiana, the person shall have applied to the board, paid the prescribed fee, and received a temporary permit, and upon the conclusion of such work they shall advise the board as to the period of time that they have practiced in Louisiana under such temporary permit.

B. A military-trained individual or military spouse may be granted a written temporary permit to practice engineering for the period from the time the individual has applied to the board for licensure pursuant to §903.B until either the license has been granted or notice of denial of licensure has been issued, provided such individual holds a current, valid license to engage in the practice of engineering issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, based on requirements that are substantially equivalent to or exceed the requirements for licensure under R.S. 37:693(B)(2) and §903.A, and provided further that before beginning such temporary practice in Louisiana, the individual shall have applied to the board, paid the prescribed fee, and received a temporary permit, and upon the conclusion of such work, he/she shall advise the board as to the period of time that he/she has practiced in Louisiana under such temporary permit.

C. - E. ...

F. The fee for a temporary permit for an individual shall be twice the fee paid by an applicant applying for licensure as a professional engineer pursuant to §903.A.2. The fee for a temporary permit for a firm shall be twice the fee paid by an applicant applying for licensure as a professional engineering firm.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688 and 37:3651.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 8:192 (April 1982), amended LR 16:773 (September 1990), LR 19:56 (January 1993), LR 22:286 (April 1996), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1028 (July 2001), LR 30:1712 (August 2004), LR 37:2412 (August 2011), LR 39:2802 (October 2013), LR 44:616 (March 2018).

§907. Land Surveyor Intern Certification

A. The requirements for certification as a land surveyor intern under the two alternatives provided in the licensure law are as follows:

1. the applicant for certification as a land surveyor intern shall be a graduate holding a baccalaureate degree from a curriculum of four years or more who has completed at least 30 semester credit hours, or the equivalent, in land surveying, mapping, and real property courses approved by the board, who is of good character and reputation, who has passed the examination required by the board in the fundamentals of land surveying, who was recommended for certification by a professional land surveyor holding a valid license to engage in the practice of land surveying issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, who has submitted an application for certification in

accordance with the requirements of R.S. 37:694, and who was duly certified as a land surveyor intern by the board; or

2. the applicant for certification as a land surveyor intern shall be an individual certified by the board as a land surveyor in training or a land surveyor intern on or before January 1, 1995.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:352 (November 1976), amended LR 5:114 (May 1979), LR 5:365 (November 1979), LR 6:735 (December 1980), LR 7:644 (December 1981), LR 10:90 (February 1984), LR 16:773 (September 1990), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1028 (July 2001), LR 30:1712 (August 2004), LR 32:1619 (September 2006), LR 37:2413 (August 2011), LR 38:2564 (October 2012), LR 44:617 (March 2018).

§909. Professional Land Surveyor Licensure

A. The requirements for licensure as a professional land surveyor under the two alternatives provided in the licensure law are as follows:

1. the applicant for licensure as a professional land surveyor shall be a land surveyor intern, or an individual who meets the qualifications to be a land surveyor intern, who is of good character and reputation, who has a verifiable record of four years or more of combined office and field experience in land surveying including two years or more of progressive experience on land surveying projects under the supervision of a professional land surveyor, who has passed the oral examination required by the board, who has passed the examinations required by the board in the principles and practice of land surveying and the Louisiana laws of land surveying, who was recommended for licensure by five personal references (at least three of whom must be professional land surveyors who have personal knowledge of the applicant's land surveying experience and character and ability), who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional land surveyor by the board; or

2. the applicant for licensure as a professional land surveyor shall be an individual who holds a valid license to engage in the practice of land surveying issued to him/her by the proper authority of a state, territory, or possession of the United States, or the District of Columbia, based on requirements that do not conflict with the provisions of the licensure law and which were of a standard not lower than that specified in the applicable licensure law in effect in Louisiana at the time such license was issued, who is of good character and reputation, who has passed the examination required by the board in the Louisiana laws of land surveying, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and if the state, territory, or possession, or the District of Columbia in which he/she is licensed will accept the licenses issued by the board on a comity basis, and who was duly licensed as a professional land surveyor by the board.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688 and 37:3651.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:244 (August 1976), amended LR 2:352 (November 1976), LR 5:114 (May 1979), LR 6:735 (December 1980), LR 7:645 (December 1981), LR 11:362 (April 1985), LR 16:773 (September 1990), LR 19:56 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1029 (July 2001), LR 30:1713 (August 2004), LR 32:1619 (September 2006), LR 35:1909 (September 2009), LR 37:2413 (August 2011), LR 38:2564 (October 2012), LR 39:2802 (October 2013), LR 43:539 (March 2017), LR 44:617 (March 2018).

§911. Temporary Permit to Practice Land Surveying

A. A military-trained individual or military spouse may be granted a written temporary permit to practice land surveying for the period from the time the individual has applied to the board for licensure pursuant to §909.B until either the license has been granted or notice of denial of licensure has been issued, provided such individual holds a current, valid license to engage in the practice of land surveying issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, based on requirements that are substantially equivalent to or exceed the requirements for licensure under R.S. 37:693(B)(4) and §909.A, and provided further that before beginning such temporary practice in Louisiana, the individual shall have applied to the board, paid the prescribed fee, and received a temporary permit, and upon the conclusion of such work, he/she shall advise the board as to the period of time that he/she has practiced in Louisiana under such temporary permit.

B. - D. ...

E. The fee for a temporary permit shall be twice the fee paid by an applicant applying for licensure as a professional land surveyor pursuant to §909.A.2.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3651.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 39:2803 (October 2013), LR 44:618 (March 2018).

Chapter 11. Curricula

§1101. Approved Curricula

A. The board shall determine which curricula are to be recognized under the provisions of the licensure law as approved curricula for the certification and licensure of individuals as engineer interns, professional engineers, land surveyor interns, and professional land surveyors.

B. In general, the board will recognize as approved all accredited engineering curricula of four years or more. The board may recognize as approved an engineering curriculum that was not accredited at the time of the applicant's graduation, but which became accredited within the following two years.

C. ...

D. In general, the board will recognize as approved all accredited land surveying curricula of four years or more. The board may recognize as approved a land surveying curriculum that was not accredited at the time of the applicant's graduation, but which became accredited within the following two years.

E. Based on an investigation by a committee of the board, the board may, by a majority vote at a regular

meeting, recognize as an approved curriculum a non-accredited land surveying curriculum of four years or more from a school of satisfactory standing that does not meet the specifications of §1101.D. The board shall keep a record of the land surveying curricula thus approved.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:113 (May 1979), amended LR 5:365 (November 1979), LR 7:646 (December 1981), LR 10:805 (October 1984), LR 19:57 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1029 (July 2001), LR 30:1713 (August 2004), LR 44:618 (March 2018).

§1103. Other Engineering Curricula

A. To qualify for certification as an engineer intern pursuant to §901.A.3, a graduate of a non-accredited engineering curriculum must present evidence of experience of such quality and extent that the board believes that the applicant has obtained engineering knowledge and skills at least equivalent to that obtained by education in an accredited engineering curriculum.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:113 (May 1979), amended 7:647 (December 1981), LR 10:805 (October 1984), LR 19:907 (July 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1029 (July 2001), LR 30:1713 (August 2004), LR 44:618 (March 2018).

Chapter 13. Examinations

§1301. General

A.1. Only individuals who have received permission from NCEES will be allowed to take the fundamentals of engineering and fundamentals of land surveying examinations, and all applications for these examinations must be timely filed with NCEES.

A.2. - D. ...

E. Any applicant found to have engaged in conduct which subverts or attempts to subvert the examination process may, at the discretion of the board, have his/her scores on the examination withheld and/or declared invalid, have disciplinary action taken as described in R.S. 37:698-700 and/or be subject to the imposition of other appropriate sanctions.

F. The board may require applicants to demonstrate their knowledge of the laws and rules of the board, and the English language. Applicants must be able to speak and write the English language. Proficiency in English may be evidenced by possession of a baccalaureate degree taught exclusively in English, or by passage of both the TOEFL (test of English as a foreign language) paper-based exam with a score of 550 or better (213 or better on the TOEFL computer-based exam) and the TSE (test of spoken English) exam with a score of 45 or better. Applicants requesting a waiver from the TOEFL and/or TSE requirements must submit a written request and supporting reasoning to the board. A waiver from the TOEFL and/or TSE requirements may be granted by the board upon receipt of one of the following:

1. - 2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:113 (May 1979), amended LR 7:647 (December 1981), LR 11:363 (April 1985), LR 16:774 (September 1990), LR 19:57 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1030 (July 2001), LR 30:1714 (August 2004), LR 35:1909 (September 2009), LR 37:2413 (August 2011), repromulgated 37:2752 (September 2011), amended LR 38:2565 (October 2012), LR 39:2282 (August 2013), LR 42:1104 (July 2016), LR 44:618 (March 2018).

§1305. Approval to Take the Examination in the Principles and Practice of Engineering

A. An applicant who meets all of the other requirements for licensure as a professional engineer may be permitted to take the examination in the principles and practice of engineering in the discipline(s) of engineering in which he/she seeks to be listed.

B. An applicant who has already been duly certified as an engineer intern by the board, but has not yet met the experience requirement for licensure as a professional engineer, may be permitted to take the examination in the principles and practice of engineering in the discipline(s) of engineering in which he/she seeks to be listed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:113 (May 1979), amended LR 7:647 (December 1981), LR 11:363 (April 1985), LR 11:950 (October 1985), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1030 (July 2001), LR 30:1715 (August 2004), LR 40:1390 (July 2014), LR 44:619 (March 2018).

§1309. Approval to Take the Examinations in the Principles and Practice of Land Surveying and in the Louisiana Laws of Land Surveying

A. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:113 (May 1979), amended LR 7:647 (December 1981), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1030 (July 2001), LR 30:1715 (August 2004), LR 44:619 (March 2018).

§1311. Examination for Record Purposes

A. The board provides the opportunity for professional engineers who were previously licensed in Louisiana to take the examination in the principles and practice of engineering in the discipline(s) of engineering in which they seek to be listed without affecting their current licensure status with the board. These examinations are offered at times and places designated by the board or NCEES. Each applicant will be charged a fee for this service.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:114 (May 1979), amended LR 7:647 (December 1981), amended by the Department of Transportation and Development, Professional Engineering and

Land Surveying Board, LR 27:1030 (July 2001), LR 30:1715 (August 2004), LR 44:619 (March 2018).

§1313. Examination Results

A. The board or NCEES will specify the minimum passing score for all examinations for certification or licensure of applicants.

B. Applicants will be informed only as to whether they passed or failed an examination.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:114 (May 1979), amended LR 7:647 (December 1981), LR 11:363 (April 1985), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1031 (July 2001), LR 30:1715 (August 2004), LR 39:2282 (August 2013), LR 44:619 (March 2018).

Chapter 15. Experience

§1501. Recognition of Experience

A. The board will not recognize experience acquired by an applicant in violation of the licensure law of any state, territory, or possession of the United States, or the District of Columbia.

B. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:112 (May 1979), amended LR 7:647 (December 1981), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1031 (July 2001), LR 30:1715 (August 2004), LR 36:1034 (May 2010), LR 44:619 (March 2018).

§1503. Graduate-Level Engineering Degree

A. An applicant who has obtained a master's degree in engineering which has followed a baccalaureate degree in engineering from an accredited engineering curriculum may use the master's degree for credit for one year's experience. An applicant who has obtained an earned doctoral degree in engineering which has followed a baccalaureate degree in engineering from an accredited engineering curriculum may use the doctoral degree for credit for two years' experience. The two-year's credit for the doctoral degree includes the one year for a master's degree.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 3:502 (December 1977), amended LR 5:112 (May 1979), LR 6:735 (December 1980), LR 7:647 (December 1981), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1031 (July 2001), LR 30:1715 (August 2004), LR 41:1122 (June 2015), LR 44:619 (March 2018).

§1505. Work Experience

A. No applicant will be allowed credit of more than one year of experience for both work and education during any consecutive 12-month period.

B. Two years of the required engineering work experience shall be obtained in a state, territory, or possession of the United States, or the District of Columbia. However, the board may allow substitution of two years of foreign engineering work experience provided that the

experience is obtained under the supervision of a professional engineer holding a valid license to engage in the practice of engineering issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia.

C. Two years of the required land surveying work experience shall be obtained in a state, territory, or possession of the United States, or the District of Columbia. However, the board may allow substitution of two years of foreign land surveying work experience provided that the experience is obtained under the supervision of a professional land surveyor holding a valid license to engage in the practice of land surveying issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:112 (May 1979), amended LR 7:647 (December 1981), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1031 (July 2001), LR 30:1716 (August 2004), LR 32:1620 (September 2006), LR 44:619 (March 2018).

§1507. Engineering Experience Subsequent to Degree

A. Except as otherwise provided in Subsection B, only experience obtained subsequent to completion of a degree specified in the requirements for qualifying as an engineer intern will be considered as engineering experience.

B. Up to one year of engineering experience may be obtained prior to graduation, if obtained through a college or university-sponsored co-op program as part of an accredited engineering curriculum approved by the board, and only after completion of the first half of the curriculum. If the co-op program work is full-time work, the amount of credit given is equal to the time worked.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:112 (May 1979), amended LR 7:647 (December 1981), LR 11:362 (April 1985), LR 27:1031 (July 2001), LR 30:1716 (August 2004), LR 44:620 (March 2018).

§1511. Experience from Faculty Engineering Research and Design Projects

A. Experience gained in engineering research and design projects by members of an engineering faculty in an accredited engineering curriculum is creditable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Professional Engineering and Surveying Board, LR 27:1031 (July 2001), amended LR 30:1716 (August 2004), LR 44:620 (March 2018).

§1513. Teaching Experience

A. Engineering. Teaching experience must be in engineering or engineering-related courses at an advanced level in an accredited engineering curriculum.

B. Land Surveying. Teaching experience must be in land surveying or land surveying-related courses at an advanced level in an accredited land surveying curriculum.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Professional Engineering and Surveying Board, LR 27:1032 (July 2001), amended LR 30:1716 (August 2004), LR 44:620 (March 2018).

§1517. Knowledge Required

A. Engineering. Experience should include demonstration of a knowledge of engineering mathematics, physical and applied science, properties of materials, and the fundamental principles of engineering design.

B. Land Surveying. Experience should include demonstration of a knowledge of surveying mathematics, theory of measurements, application of legal principles of boundary surveying, and the fundamental principles of land surveying.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Professional Engineering and Surveying Board, LR 27:1032 (July 2001), amended LR 30:1716 (August 2004), LR 44:620 (March 2018).

§1519. Applied Experience

A. Engineering. Experience should include demonstration of the application of engineering principles in the practical solution of engineering problems.

B. Land Surveying

1. Experience should include demonstration of the application of land surveying principles in the practical execution of land surveying tasks.

2. A substantial portion of the experience must be spent in charge of work related to property conveyance and/or boundary line determination.

3. Adequate experience in the technical field aspects of land surveying must be demonstrated.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Professional Engineering and Surveying Board, LR 27:1032 (July 2001), amended LR 30:1716 (August 2004), LR 44:620 (March 2018).

§1521. Experience Acquired in the United States

Military

A. Engineering. Engineering experience gained in the United States military must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. Normally, it would be expected that the experience gained in the United States military is through service in an engineering or engineering-related group.

B. Land Surveying. Land surveying experience gained in the United States military must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. Normally, it would be expected that the experience gained in the United States military is through service in a land surveying group.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Professional Engineering and Surveying Board, LR 27:1032 (July 2001), amended LR 30:1717 (August 2004), LR 44:620 (March 2018).

§1523. Sales Experience

A. For sales experience to be creditable as engineering experience, it must be demonstrated that engineering principles were required and applied in gaining the experience.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Professional Engineering and Surveying Board, LR 27:1032 (July 2001), amended LR 30:1717 (August 2004), LR 44:620 (March 2018).

§1525. Construction Experience

A. For construction experience to be creditable as engineering experience, it must be demonstrated that engineering principles were required and applied in gaining the experience.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Professional Engineering and Surveying Board, LR 27:1032 (July 2001), amended LR 30:1717 (August 2004), LR 44:621 (March 2018).

Chapter 17. Applications and Fees

§1701. Applications

A. Applications for certification as an engineer intern or land surveyor intern shall be completed on the most current forms developed by the board. The application shall contain statements showing the applicant's qualifications, and a recommendation for certification by a professional engineer or professional land surveyor holding a valid license to engage in the practice of engineering or land surveying issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, as appropriate. Furthermore, applications for certification as an engineer intern pursuant to §901.A.3 submitted by graduates of a non-accredited engineering curriculum shall also contain a recommendation for certification by a professional engineer (holding a valid license to engage in the practice of engineering issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia) having personal knowledge of the applicant's engineering experience.

B. Applications for licensure as a professional engineer or professional land surveyor shall be completed on the most current forms developed by the board. The application shall contain statements showing the applicant's qualifications, and the names and addresses of five personal references who recommend the applicant for licensure. None of the five personal references can be an immediate family member or business associate of the applicant. For purposes of this §1701.B, immediate family member is defined as a spouse, child, spouse of a child, sibling, spouse of a sibling, sibling of a spouse, parent, parent of a spouse, stepparent or stepchild. For purposes of this §1701.B, business associate is defined as a subordinate of the applicant, or a consultant or contractor who provides goods or services to the applicant or to a business, entity or agency in which the applicant is an owner, member, officer, director, trustee, partner, principal, manager, employee, associate, consultant or contractor. Three or more of the five personal references furnished by an applicant for licensure as a professional engineer shall be professional engineers holding valid licenses to engage in the practice of engineering issued to them by proper authority of a state, territory, or possession of the United States, or the District of Columbia. Three or more of the five personal references furnished by an applicant for licensure as a professional land surveyor shall be professional land surveyors holding valid licenses to engage in the practice of

land surveying issued to them by proper authority of a state, territory, or possession of the United States, or the District of Columbia. Applicants for licensure as a professional engineer or professional land surveyor must also successfully complete the board's Louisiana laws and rules quiz and Louisiana ethics and professionalism quiz prior to licensure. Additionally, applicants for licensure as a professional land surveyor must successfully complete the board's Louisiana standards of practice for boundary surveys quiz prior to licensure.

C. - D. ...

E. An application for certification or licensure may be considered incomplete by the board. The applicant may be denied admission to an examination until the information submitted in the application has been investigated and replies have been received from references. The board may require additional information and documents it considers necessary for the proper evaluation of an application.

F. ...

G. Applicant files may be destroyed at the discretion of the executive director no earlier than the end of the applicable retention period set forth in the board's records retention schedule.

H. Applications for licensure of an engineering firm and/or land surveying firm shall be completed on the most current forms developed by the board and shall contain the names, license numbers, and signatures of all professional engineers and/or professional land surveyors designated as supervising professionals in accordance with Chapter 23 (Firms). The name and signature of an officer of the firm duly authorized to make certifications on behalf of the firm must appear in the specified location of the form. If the applicant is a corporation, a copy of the corporation's Louisiana certificate of incorporation (domestic) or certificate of authority (foreign) must accompany the application. If the applicant is a limited liability company, a copy of the company's Louisiana certificate of organization (domestic) or certificate of authority (foreign) must accompany the application. The board will license firms that are corporations using only the name as reflected on the corporation's Louisiana certificate of authority or certificate of incorporation. The board will license firms that are limited liability companies using only the name as reflected on the company's Louisiana certificate of authority or certificate of organization. Designated supervising professionals for the firm must also successfully complete the board's Louisiana laws and rules quiz and Louisiana ethics and professionalism quiz prior to licensure of the firm. Additionally, designated supervising professionals for a land surveying firm must successfully complete the board's Louisiana standards of practice for boundary surveys quiz prior to licensure of the firm.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:112 (May 1979), amended LR 5:365 (November 1979), LR 7:646 (December 1981), LR 11:362 (April 1985), LR 19:57 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1032 (July 2001), LR 30:1717 (August 2004), LR 37:2414 (August 2011), LR 38:2565 (October 2012), LR 39:2283 (August 2013), LR 41:2690 (December 2015), LR 44:621 (March 2018).

§1703. Fees

A. Application fees, renewal fees and all other fees shall be established by the board by a majority vote at a regular meeting. The fees so established shall be in accordance with the limits specified in the licensure law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 3:503 (December 1977), amended LR 5:365 (November 1979), LR 7:646 (December 1981), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1033 (July 2001), LR 30:1718 (August 2004), LR 44:622 (March 2018).

Chapter 19. Disciplines of Engineering

§1901. Disciplines

A. Professional engineers will be issued licenses by the board as a professional engineer, and the board shall list a professional engineer in one or more of the disciplines of engineering approved by NCEES based on such individual having passed the examination in the principles and practice of engineering in such discipline(s).

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:118 (May 1979), amended LR 5:365 (November 1979), LR 7:646 (December 1981), LR 11:362 (April 1985), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1033 (July 2001), LR 30:1718 (August 2004), LR 39:1061 (April 2013), LR 43:1420 (July 2017), LR 44:622 (March 2018).

Chapter 21. Certificates of Licensure and Certification of Individuals or Firms

§2101. Expiration and Renewals

A. Licenses and certificates of individuals and firms shall expire on the date specified on the applicable biennial renewal form and/or as shown on the board's records and shall become invalid after that date unless renewed within 120 days. After that period, the licensee or certificate holder may apply to the board to reactivate his/her expired license or certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 7:648 (December 1981), amended LR 6:417 (June 1983), LR 11:363 (April 1985), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1035 (July 2001), LR 30:1718 (August 2004), LR 44:622 (March 2018).

§2103. Licensure and Certification Status

A. The board has established the following licensure statuses for licensees.

Active Status—the licensure status which exists for a licensee of the board who has complied with all the licensure and licensure renewal requirements of the board and who has elected to be in this status on his/her biennial licensure renewal form.

Expired Status—the licensure status which exists for a licensee of the board who has failed to properly renew

licensure as required in R.S. 37:697. A licensee in an expired status cannot practice or offer to practice engineering or land surveying in Louisiana.

Inactive Status—the licensure status which exists for an individual licensee of the board who has chosen not to practice or offer to practice engineering and/or land surveying in Louisiana and who has elected to be in this status on his/her biennial licensure renewal form. A licensee in an inactive status can represent himself/herself to the public as a P.E. inactive or a P.L.S. inactive, as applicable, but cannot otherwise practice or offer to practice engineering and/or land surveying in Louisiana.

Retired Status—the licensure status which exists for an individual licensee of the board who has chosen not to practice or offer to practice engineering and/or land surveying in Louisiana and who has elected to be in this status on his/her biennial licensure renewal form. To qualify for the retired status, the licensee must be at least 70 years of age or have been a licensee of the board for at least 35 years. Unless the licensee is granted a waiver by the board, the renewal fee for the retired status shall be one-half of the current renewal fee for the active status. A licensee qualified for the retired status may be granted a waiver of this renewal fee if the licensee is at least 70 years of age, has been a licensee of the board for at least 35 years continuously, has never been subject to disciplinary action in any jurisdiction, has never committed any of the offenses described in R.S. 37:698(A)(3), (4) or (5), and is of good character and reputation. A licensee in a retired status can represent himself/herself to the public as a P.E. retired or a P.L.S. retired, as applicable, but cannot otherwise practice or offer to practice engineering and/or land surveying in Louisiana.

B. The board has established the following certification statuses for certificate holders.

Active Status—the certification status which exists for a certificate holder of the board who has complied with all the certification and certification renewal requirements of the board and who has elected to be in this status on his/her biennial certification renewal form.

Expired Status—the certification status which exists for a certificate holder of the board who has failed to properly renew certification as required in R.S. 37:697.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2151 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1035 (July 2001), LR 30:1719 (August 2004), LR 36:1034 (May 2010), LR 44:622 (March 2018).

Chapter 23. Firms

§2301. General

A. The following rules with regard to firms shall apply equally to domestic or foreign firms, partnerships, associations, cooperatives, ventures, corporations, limited liability companies, limited liability partnerships, and any other entities, unless otherwise provided:

1. use of the term *professional services* in this Chapter will refer to either engineering services or land surveying services; and

2. ...

B. A firm must be licensed with the board before it may provide or offer to provide professional services in Louisiana.

1. A firm which has in its name the words *engineer*, *engineering*, *land surveyor*, *land surveying* or any modification or derivative thereof shall be construed to be offering to provide professional services and therefore must be licensed with the board before doing business in Louisiana, unless it has in its name modifying or explanatory words which would, in their ordinary meaning, negate the inference of the practice of engineering or land surveying.

2. A firm may provide or offer to provide both engineering and land surveying services in Louisiana; provided, however, that the firm must be licensed separately as an engineering firm and as a land surveying firm, and the requirements of this Chapter will apply separately to providing or offering to provide engineering services and land surveying services.

3. A firm may provide or offer to provide both professional services and the services of other related professions in Louisiana, such as architecture and landscape architecture; provided, however, the firm must be licensed under and comply with the provisions of the licensure law and this Chapter.

C. Unless otherwise provided, sole proprietorships which are not legal entities and which bear the full name of the owner who is a licensed professional are exempt from the application of this Chapter. Such sole proprietorships are not required to be licensed as engineering or land surveying firms with the board. Sole proprietorships which are not legal entities and which do not bear the full name of the owner who is a licensed professional must be licensed with the board as an engineering or land surveying firm and must comply with all the provisions of this Chapter.

D. Joint ventures that provide or offer to provide professional services in Louisiana will not be required to be licensed as separate entities. Nevertheless, any firm (including those sole proprietorships otherwise excluded under §2301.C) that provides or offers to provide professional services in conjunction with its participation in a joint venture can do so only if it complies with the provisions of these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:689.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 3:502 (December 1977), amended LR 5:116 (May 1979), LR 8:191 (April 1982), LR 16:774 (September 1990), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1035 (July 2001), LR 30:1719 (August 2004), LR 37:2414 (August 2011), LR 44:622 (March 2018).

§2305. Supervising Professional

A.1. - A.3.a. ...

b. institution of and adherence to policies of the firm that are in accordance with the licensure law and the rules of the board; and

c. ensuring that all professional services provided by the firm are performed by or under the responsible charge of licensed professionals.

B. The supervising professional of a firm which participates in a joint venture shall be responsible for

assuring that all professional services performed by the joint venture are rendered in conformity with the provisions of these rules.

C. Nothing herein shall prohibit a supervising professional from also being in responsible charge of professional services provided by the firm.

D. A failure to comply with any of the provisions of this Chapter may subject both the licensed firm and the supervising professional to disciplinary action by the board.

E. Compliance with this Section will not be met by a contractual relationship between the firm and a licensed professional or a firm of licensed professionals in which such licensed professional or firm of licensed professionals is available on a consultative basis. Nor will it be considered compliance if a licensed professional is related to the firm solely in a nominal or inactive capacity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:689.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:115 (May 1979), amended LR 8:191 (April 1982), LR 10:343 (April 1984), LR 11:362 (April 1985), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1036 (July 2001), LR 30:1719 (August 2004), LR 33:2789 (December 2007), LR 35:2856 (December 2009), LR 38:1418 (June, 2012), LR 44:623 (March 2018).

§2307. Professional Identification

A. Letterhead, business cards, advertisements, promotional materials, websites and other identifying items issued or used by firms in Louisiana shall reflect the exact firm name contained on the firm's certificate of licensure issued by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:689.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:116 (May 1979), amended LR 8:191 (April 1982), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1036 (July 2001), LR 30:1720 (August 2004), LR 33:2789 (December 2007), LR 44:623 (March 2018).

§2309. Enforcement

A. In the event that a firm shall fail to comply with these rules, the board may take whatever action is necessary against such firm to require compliance or to enjoin further practice or offers to practice engineering or land surveying.

B. Firms are subject to all disciplinary and enforcement provisions provided for in the licensure law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:689.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 3:502 (December 1977), amended LR 5:116 (May 1979), LR 8:191 (April 1982), LR 19:57 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1036 (July 2001), LR 30:1720 (August 2004), LR 44:623 (March 2018).

Chapter 25. Professional Conduct

§2501. Scope; Knowledge; Definition of Licensee

A. In order to safeguard life, health and property, to promote the public welfare, and to establish and maintain a high standard of integrity and practice, the following rules of

professional conduct shall be binding on every licensee. These rules of professional conduct deal primarily with the relationship between licensees and the public and should not be construed as a substitute for codes of ethics of the various professional and technical societies.

B. All licensees are charged with having knowledge of the licensure law and the rules of the board and shall be deemed to be familiar with their provisions and to understand them.

C. For purposes of this Chapter only, the term *licensee* shall mean any professional engineer, professional land surveyor, engineer intern, land surveyor intern, or firm holding a license or certificate issued by the board.

D. A licensee possessing personal knowledge of a violation of the licensure law or the rules of the board shall report such knowledge to the board in writing and shall cooperate with the board in furnishing such further information or assistance as it may require.

E. Licensees shall timely respond to all inquiries and correspondence from the board and shall timely claim correspondence sent to them from the board via the U.S. Postal Service or other delivery service.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 4:299 (August 1978), amended LR 7:648 (December 1981), LR 16:776 (September 1990), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1036 (July 2001), LR 30:1720 (August 2004), LR 44:623 (March 2018).

§2503. Licensees

A. Licensees shall hold paramount the life, health, property and welfare of the public in the performance of their professional duties.

B. Licensees shall at all times recognize that their primary obligation is to protect the life, health, property, and welfare of the public. If their professional judgment is overruled by nontechnical authority, they will clearly point out the consequences, notifying the proper authority of any observed conditions which endanger public life, health, property and welfare.

C. Licensees shall approve and seal only those documents which are safe for public life, health, property, and welfare, which are complete and accurate, which are in conformity with accepted engineering and land surveying standards or practice, and which conform to applicable laws and ordinances.

1. ...

2. Except as permitted by §2701.A.3.b.ii, licensees shall not seal the work of or take the professional responsibility for any documents related to engineering or land surveying not performed by the licensee or under their responsible charge.

3. Licensees shall not accept the responsibility for, nor review, revise, sign, or seal documents when such documents are begun by persons not properly licensed; or do any other act to enable anyone to evade the requirements of the licensure law.

D. Licensees shall submit to a client only that work prepared by the licensee or under their responsible charge; however, licensees, as third parties, may complete, correct,

revise, or add to the work of another licensee or other related design professional, if allowed by Louisiana law, when engaged to do so by a client, provided:

1. the client furnishes the documentation of all such work submitted to him/her by the previous licensees or other related design professionals;

2. ...

3. all work completed, corrected, revised, or added to shall contain a notation describing the work done by the licensee now in responsible charge, shall have the seal and signature of the licensee affixed thereto, shall contain the date of execution, and shall become the responsibility of the licensee.

E. Licensees shall be objective and truthful in all professional reports, statements or testimony. Licensees shall include all relevant and pertinent information in such reports, statements or testimony.

F. ...

G. Licensees shall issue no statements, criticisms, or arguments on engineering or land surveying matters connected with public policy which are inspired or paid for by an interested party or parties, unless the licensee has prefaced the comment by explicitly identifying the licensee's name, by disclosing the identities of any party or parties on whose behalf the licensee is speaking, and by revealing the existence of any pecuniary interest the licensee may have in the instant matter.

H. Licensees shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice or employment of another licensee, nor indiscriminately criticize another licensee's work in public. If the licensee believes that another licensee is guilty of misconduct or illegal practice, such information shall be presented to the board in a manner consistent with the requirement of those rules for reporting personal knowledge of rule or licensure law violations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 7:648 (December 1981), amended LR 11:950 (October 1985), LR 16:776 (September 1990), LR 17:273 (March 1991), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1037 (July 2001), LR 30:1721 (August 2004), LR 44:624 (March 2018).

§2505. Services

A. Licensees shall provide services only in the area of their competence.

B. ...

C. Licensees shall not affix their signatures or seals to any documents dealing with subject matters in which they lack competence, nor to any such document not prepared by them or under their responsible charge. Responsible charge requires a licensee to have client contact, provide internal and external financial control, oversee training of subordinates, and exercise control and supervision overall job requirements to include research, planning, design, field supervision and work product review. A licensee shall not contract with a non-licensed individual to provide these professional services. Other types of research, such as land title searches and material testing, may be contracted to a non-licensed individual, provided the licensee reviews the

work. Licensees may affix their seal, signature and date to documents depicting the work of two or more licensees or other related design professionals provided that a note under the seal designates the specific subject matter for which each is responsible.

D. Licensees may accept an assignment outside of their areas of competence to the extent that their services are restricted to those phases of the project in which they are qualified, and to the extent that they are satisfied that all other phases of such project will be performed or supervised by other licensees, in which case they may then seal, sign and date the documents for the whole project.

E. In the event a question arises as to the competence of a licensee in a specific technical field which cannot be otherwise resolved to the board's satisfaction, the board, either upon request of the licensee or on its own volition, may require the licensee to take an appropriate examination or quiz or submit to an appropriate interview.

F. Firms may offer and/or provide a combination of engineering and construction services in connection with a design-build project in Louisiana without obtaining a firm license from the board, provided that:

1. prior to the execution of the contract for the project, the firm obtains an authorization certificate from the board by filing, on a form approved by the board, a written disclosure on which it shall designate a professional engineer (professional of record) licensed in Louisiana to be in responsible charge of all engineering services offered and/or provided by the firm for such project;

2. - 3. ...

4. in the event such professional of record's services terminate with respect to the project or his/her role in the project otherwise changes, then within five business days:

- a. ...

- b. the firm shall file with the board a new written disclosure designating a new professional of record employed by the firm and licensed in Louisiana to be in responsible charge of all engineering services offered and/or provided by the firm for such project.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 7:648 (December 1981), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1037 (July 2001), LR 30:1721 (August 2004), LR 32:1620 (September 2006), LR 33:2789 (December 2007), LR 35:2856 (December 2009), LR 44:624 (March 2018).

§2507. Conflicts of Interest

A. - C. ...

D. Licensees shall not solicit or accept, directly or indirectly, benefits of any substantial nature or significant gratuity, from any supplier of materials or equipment, or from contractors, their agents, servants or employees or from any other party dealing with the client or employer of the licensee in connection with any project on which the licensee is performing or has contracted to perform professional services.

E. When in public service as a member, advisor or employee of a governmental body or agency, or under contract to provide consultation, advice, technical reviews and recommendations to a governmental body or agency,

licensees shall not participate in considerations or actions with respect to professional services provided by them or their organization to that governmental body or agency or to any other person.

F. Licensees shall not solicit nor accept professional services from a governmental body or agency of which the licensee or a principal, officer or employee of the licensee's firm serves as a member, employee, consultant, contractor or representative, except upon public disclosure of all pertinent facts and circumstances and consent of all parties.

G. Licensees shall not attempt to supplant another licensee in a particular engagement after becoming aware that the other has been selected for the engagement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 7:648 (December 1981), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1038 (July 2001), LR 30:1722 (August 2004), LR 44:625 (March 2018).

§2509. Improper Solicitation

A. ...

B. Licensees shall not falsify or permit misrepresentation or exaggeration of:

1. the licensee's or any associate's academic or professional qualifications;

2. the licensee's degree of responsibility in or for the subject matter of prior work; or

3. pertinent facts concerning employers, employees, associates or joint ventures, of the licensee's or his/her firm's past accomplishments.

C. - C.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 7:648 (December 1981), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1038 (July 2001), LR 30:1722 (August 2004), LR 44:625 (March 2018).

§2511. Conduct of Advertising

A. Licensees shall not make exaggerated, misleading, deceptive or false statements or claims about professional qualifications, experience or performance in brochures, correspondence, listings, websites, or other public communications.

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Professional Engineering and Surveying Board, LR 27:1038 (July 2001), amended LR 30:1722 (August 2004), LR 44:625 (March 2018).

Chapter 27. Use of Seals

§2701. Seal and Signature

A. The following rules for the use of seals to identify work performed by a professional engineer or professional land surveyor shall be binding on every licensee.

1. Seal Possession

- a. ...

- b. Firms are not authorized to possess or use seals.

c. In the case of a temporary permit issued to a licensee of another state, territory, or possession of the United States, or the District of Columbia, the licensee shall affix the seal of his/her jurisdiction of licensure, his/her signature, the date of execution, and his/her Louisiana temporary permit number to all of his/her work.

2. Seal Design and Signature Requirements

a. The design of the seal shall have the following minimum information:

i. "State of Louisiana";

ii. - iii. ...

iv. "Professional Engineer" or "Professional Engineer in _____ Engineering," or "Professional Land Surveyor."

Seals issued prior to promulgation of these rules may use the word "registered" in lieu of "licensed". If a seal is replaced, the new seal shall use the word "licensed" in lieu of "registered".

b. - d. ...

e. Computer-generated seals of the same design and size may be used.

f. ...

3. Seal Responsibility

a. The application of the licensee's seal, signature, and date shall constitute certification that the work thereon was done by the licensee or under his/her responsible charge. The licensee shall be personally and professionally responsible and accountable for the care, custody, control and use of his/her seal, professional signature and identification. A seal which has been lost, misplaced or stolen shall, upon discovery of its loss, be reported immediately to the board by the licensee. The board may invalidate the license number of said licensee, if it deems this necessary, and issue another license number to the licensee.

b. Responsible Charge

i. Documents will be deemed to have been prepared under the responsible charge of a licensee only when:

(a). the client or any public or governmental agency requesting preparation of such documents makes the request directly to the licensee or the licensee's employee as long as the employee works in the licensee's place(s) of business;

(b). the licensee supervises the initial preparation of the documents and has continued input into their preparation prior to their completion;

(c). the licensee reviews the final documents; and

(d). the licensee has the authority to and does make any necessary and appropriate changes to the final documents:

(i). if the documents are prepared outside the licensee's office, the licensee shall maintain all evidence of the licensee's responsible charge including correspondence, time records, check prints, telephone logs, site visit logs, research done for project, calculations, changes, and all written agreements with any persons preparing the documents outside of the licensee's office;

(ii). a licensee failing to maintain documentation of the items set forth above, when such are applicable, shall be considered to be in violation of R.S.

37:698(A)(6), and the licensee shall be subject to disciplinary action as set forth in the licensure law.

ii. No licensee shall affix his/her seal or signature to documents developed by others not under his/her responsible charge, except:

(a). - (d). ...

iii. No licensee shall affix his/her seal, signature or date to documents having titles or identities excluding the licensee's name unless:

(a). such documents were indeed developed by the licensee or under the licensee's responsible charge;

(b). - (c). ...

4. Seal Use

a. Completed Work

i. Professional engineers shall affix their seal, sign their name, and place the date of execution on all engineering documents that have been issued by them to a client or any public or governmental agency as completed work.

(a). In the case of an individual who has been granted a temporary permit to practice engineering in Louisiana, the individual shall affix the seal from his/her jurisdiction of licensure, his/her signature, the date of execution, and his/her Louisiana temporary permit number to the completed work.

ii. Professional land surveyors shall affix their seal, sign their name, and place the effective date on all land surveying documents that have been issued by them to a client or any public or governmental agency as completed work. For purposes of this §2701.A.4.a.ii, *effective date* is defined as the date the professional land surveyor certifies that the land surveying document represents his/her work.

iii. Drawings and Plats

(a). In the case of multiple sealings, the first sheet or title page of each document shall be sealed, signed and dated by the licensee(s) in responsible charge of the whole project. In addition, each other sheet shall be sealed, signed and dated by the licensee(s) in responsible charge of the work on that sheet.

iv. Specifications, Reports, Design Calculations and Information

(a). In the case of specifications, reports, design calculations and information of multiple pages, the first sheet or title page of each document shall be sealed, signed and dated by the licensee(s) in responsible charge of the whole project.

a.v. - b.ii. ...

c. Exempt Work

i. No seal or signature shall be required in any of the following situations:

(a). on any sewage facility project in which the estimated number of gallons of sewage affected does not exceed 3,000 per day, as calculated by the governmental body or agency reviewing the project;

(b). on any water facility project in which the estimated number of gallons of water affected does not exceed 3,000 per day, as calculated by the governmental body or agency reviewing the project; provided that such project does not cause a change in treatment, chemical addition, or any other process affecting either the quality or quantity of water being produced;

(c). on any project for the construction of individual or private water wells;

(d). on any project involving both water and sewage facilities in which the estimated number of gallons of water affected does not exceed 3,000 per day and the estimated number of gallons of sewage affected does not exceed 3,000 per day, as calculated by the governmental body or agency reviewing the project; or

(e). on any project involving the in-kind replacement of water or sewage facilities in which the estimated number of gallons of water affected does not exceed 3,000 per day and the estimated number of gallons of sewage affected does not exceed 3,000 per day, as calculated by the governmental body or agency reviewing the project.

ii. ...

5. Electronic Transmission

a. Documents which require a seal may be transmitted electronically provided the seal, signature and date of the licensee are transmitted in a secure mode that precludes the seal, signature and date being reproduced or modified.

b. Originally-sealed documents which no longer require a seal may be transmitted electronically but shall have the seal removed before transmitting and shall have the following inserted in lieu of the seal, signature and date.

"This document was originally issued and sealed by (name of licensee and license number) on (date of sealing). This document should not be considered a completed work."

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:696.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 8:192 (April 1982), amended LR 12:692 (October 1986), LR 16:774 (September 1990), LR 17:273 (March 1991), LR 19:58 (January 1993), LR 22:287 (April 1996), LR 23:869 (July 1997), amended by the Louisiana Legislature, House Concurrent Resolution Number 2 of the 1998 First Extraordinary Session, LR 24:1207 (June 1998), repromulgated by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 25:1525 (August 1999), amended LR 27:1039 (July 2001), LR 30:1723 (August 2004), LR 33:2789 (December 2007), LR 34:2415 (November 2008), LR 35:1910 (September 2009), LR 38:1418 (June 2012), LR 39:1481 (June 2013), LR 42:443 (March 2016), LR 43:344 (February 2017), LR 43:540 (March 2017), LR 44:625 (March 2018).

Chapter 29. Standards of Practice for Boundary Surveys

§2901. Scope and Purpose

A. The following standards of practice for boundary surveying in Louisiana have been adopted to help ensure that boundary surveys are performed in accordance with acceptable procedures.

B. The purpose of these standards of practice is to safeguard life, health and property, and to promote the public welfare, by establishing technical standards of practice for every boundary survey performed in Louisiana so that professional performance can be evaluated for but not limited to research, field work, monuments, descriptions, plats and maps. If higher standards are required by clients, or by local, state and federal jurisdictions, then those standards shall govern. When a boundary survey involves certain corners or lines that are covered under the appropriate edition of the *Manual of Instructions for the Survey of the Public Lands of the United States*, then the manual's rules or

instructions for these particular surveys shall apply. Every professional land surveyor performing a boundary survey in Louisiana is required to follow these standards.

C. A boundary survey in Louisiana shall only be performed by a professional land surveyor, licensed pursuant to the laws of Louisiana, or persons under his/her responsible charge. The professional land surveyor shall at all times comply with the provisions of the licensure law and the rules of the board.

D. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 16:1064 (December 1990), amended LR 22:713 (August 1996), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1042 (July 2001), LR 30:1725 (August 2004), LR 37:2414 (August 2011), LR 44:627 (March 2018).

§2905. Classification of Boundary Surveys

A. Types of Boundary Surveys. Three types of boundary surveys, which relate to or define property boundaries, are regulated by these standards of practice. These are property boundary surveys, route surveys and mineral unitization surveys.

B. Presented below are classifications which define the degree of accuracy which shall be attained for boundary surveys performed in Louisiana. These classifications are based upon the purposes for which the property is being used at the time the survey is performed and any proposed developments which are disclosed to the professional land surveyor by the client. Refer to §2913 for accuracy standards for each of the following classes of boundary surveys.

1. - 4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 16:1065 (December 1990), amended LR 22:714 (August 1996), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1043 (July 2001), LR 30:1726 (August 2004), LR 37:2415 (August 2011), LR 44:627 (March 2018).

§2907. Property Boundary Survey

A. - B. ...

C. Product. A property boundary survey shall result in the recovery, establishment or reestablishment of monumented corners and points of curvature and tangency. Reference monuments shall be established or reestablished when required by these standards of practice (see Subsection E, "monuments"). In the event that no plat or map is required, the professional land surveyor shall maintain adequate records to substantiate his/her professional opinion in reestablishing boundary lines and corners on a survey. If requested by the client, a property boundary survey may also include the following:

1. - 3. ...

D. Research and Investigation. Where the purpose of a property boundary survey neither requires nor includes research and investigation of servitudes, a note to that effect shall be placed upon the plat or map. However, when such research or investigation is required, the professional land

surveyor shall request from the client or their agent the most recent legal description, plats or maps describing the property to be surveyed. The professional land surveyor shall then evaluate the necessity to obtain the following data based on the specific purpose of the survey:

1. - 3. ...

E. Monuments. The professional land surveyor shall set monuments at all boundary or lot corners, including points of curvature and points of tangency, unless monuments already exist or cannot be set due to physical obstructions. The following guidelines apply to artificial monuments to be set.

1. All monuments set shall be composed of a durable material and shall incorporate a ferrous material to aid in locating them by magnetic locators and, if composed of a ferrous material, shall be a minimum of 1/2 inch outside diameter and a minimum of 18 inches in length unless it is physically impossible to set such a monument. If rebar rods are used as survey monuments, the minimum size shall be a #4 bar.

2. - 6. ...

F. Field Procedures. All field work shall be performed in accordance with accepted modern surveying theory, practice and procedures. Any person in charge of a survey field party shall be well-trained in the technical aspects of property boundary surveying. Every professional land surveyor under whose responsible charge a property boundary survey is conducted is also required to adhere to the following.

1. All field measurement procedures shall be consistent with these standards of practice and modern surveying theory, procedures and techniques.

2. - 7. ...

G. Plats and Maps. Every original plat or map of a property boundary survey should be a reproducible drawing at a suitable scale which clearly shows the results of the field work, computations, research and record information as compiled and checked. The plat or map shall be prepared in conformity with the following guidelines.

1. - 5. ...

6. A statement indicating the origin of azimuths or bearings shall be shown on each plat or map. If bearings are used, the basis of the bearing shall include one or more of the following:

a. ...

b. reference to the Louisiana state plane coordinate system with the appropriate zone and, when applicable, a controlling station(s) with coordinates and datum noted;

6.c. - 9. ...

10. Cemeteries and burial grounds known by the professional land surveyor to be located within the premises being surveyed shall be indicated on the plat or map. However, a detailed survey of the limits of the cemetery or burial ground shall not be required unless directed by the client.

11. - 13. ...

14. Each plat or map shall show the following:

a. - d. ...

e. name, telephone number, mailing address and license number of the professional land surveyor and, if applicable, the firm who employs the professional land surveyor;

14.f. - 15. ...

H. Descriptions. A written legal description of the surveyed tract of land shall provide information to properly locate the property on the ground and distinctly set it apart from all other lands. The following guidelines apply.

1. - 4. ...

5. Every metes and bounds description may be written in at least two parts. The first part, called the "general description," shall indicate the general location of the property by naming the particular lot or block within which it is located if in a subdivision or by naming the grant or aliquot part of a rectangular section within which it is located, along with the township, range, land district and meridian (if applicable), city (if applicable), parish and state. The second part, called the "particular description," shall logically compile and incorporate calls for the following:

a. - c. ...

d. the area, if stated, shall be in square feet, acres or hectares within the tolerances specified in this Chapter.

6. - 11. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 16:1065 (December 1990), amended LR 19:58 (January 1993), LR 22:714 (August 1996), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1043 (July 2001), LR 30:1726 (August 2004), LR 33:2790 (December 2007), LR 37:2415 (August 2011), LR 44:627 (March 2018).

§2913. Positional Accuracy Specification and Positional Tolerances [Formerly §2909]

A. ...

* * *

*Short courses in classes "A" and "B" may generate positional errors of less than 0.01 feet. A minimum course distance of 200 feet shall be used in calculating positional error.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 16:1068 (December 1990), amended LR 22:716 (August 1996), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1046 (July 2001), LR 30:1729 (August 2004), LR 37:2419 (August 2011), LR 44:628 (March 2018).

Chapter 31. Continuing Professional Development (CPD)

§3101. Introduction

A. This Chapter provides for a continuing professional development program to ensure that all individual licensees are informed of those technical and professional subjects necessary to safeguard life, health and property and promote the public welfare. Every individual licensee shall meet the continuing professional development requirements of this Chapter as a condition for licensure and licensure renewal.

B. The primary purpose of licensing for professional engineers and professional land surveyors is to help protect the public from unqualified or unethical practitioners. The requirement for continuing professional development is also intended to help protect the public by reinforcing the need

for lifelong learning in order to stay more current with changing technology, equipment, procedures, processes, tools, and established standards. This Chapter provides flexibility in selecting among a broad range of activities that are intended to strengthen or maintain competency in technical, managerial (business) or ethical endeavors. Licensees are encouraged to select meaningful continuing professional development activities which will be of benefit in the pursuit of their chosen fields.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2152 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1046 (July 2001), LR 30:1729 (August 2004), LR 44:628 (March 2018).

§3103. Definitions

A. Terms used in this Chapter are defined as follows.

Acceptable Activity—subject matter which is technical in nature or addresses business management practices, professional ethics, quality assurance, codes or other similar topics which facilitate the licensee's professional development as a professional engineer or professional land surveyor, and/or serves to safeguard life, health and property and promote the public welfare. Any course/activity offered by a board-approved sponsor/provider will qualify as an acceptable activity. It will be the responsibility of the licensee to determine if a course/activity offered by an unapproved sponsor/provider is an acceptable activity.

Board-Approved Sponsor/Provider—the Louisiana Engineering Society; the Louisiana Society of Professional Surveyors; professional and technical engineering or land surveying societies; federal, state or local governmental agencies; and colleges or universities. All sponsors/providers must conduct courses which will enhance and improve a licensee's professional development as a professional engineer or professional land surveyor, and/or serve to safeguard life, health and property and promote the public welfare.

Continuing Education Unit—a unit of credit customarily used for continuing education courses. One continuing education unit equals 10 hours of in-class time in approved continuing education courses.

Continuing Professional Development (CPD)—the educational process whereby a licensee engages in a continuing program to maintain, improve or expand skills and knowledge.

* * *

Dual Licensee—an individual who is licensed as both a professional engineer and professional land surveyor.

Licensure Status—

- a. *active status*—a licensure status as defined in §2103;
- b. *expired status*—a licensure status as defined in §2103;
- c. *inactive status*—a licensure status as defined in §2103;
- d. *retired status*—a licensure status as defined in §2103.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2152 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1047 (July 2001), LR 30:1730 (August 2004), LR 42:1104 (July 2016), LR 44:629 (March 2018).

§3105. Requirements

A. During each biennial licensure renewal period beginning before January 1, 2017, every professional engineer, including those listed in two or more disciplines, is required to earn 30 PDHs in engineering-related acceptable activities. Effective January 1, 2017 and beginning with professional engineers whose biennial licensure renewal periods begin after January 1, 2017, every professional engineer, including those listed in two or more disciplines, is required to earn 15 PDHs per calendar year in engineering-related acceptable activities. Effective January 1, 2017 and beginning with professional engineers whose biennial licensure renewal periods begin after January 1, 2017, professional engineers may not earn more than 8 PDHs within a single calendar day.

1. During each biennial licensure renewal period beginning before January 1, 2017, at least one of the PDHs shall be earned in professional ethics. Effective January 1, 2017 and beginning with professional engineers whose biennial licensure renewal periods begin after January 1, 2017, at least one of the PDHs per calendar year shall be earned in professional ethics. Professional ethics concerns the standard of professional conduct and responsibility required of a professional engineer.

2. During each biennial licensure renewal period beginning before January 1, 2017, at least eight of the PDHs shall be earned in *Life Safety Code*, building codes and/or Americans with Disabilities Act Accessibility Guidelines by every professional engineer who designs buildings and/or building systems in Louisiana during such period. Effective January 1, 2017 and beginning with professional engineers whose biennial licensure renewal periods begin after January 1, 2017, at least four of the PDHs per calendar year shall be earned in *Life Safety Code*, building codes and/or Americans with Disabilities Act Accessibility Guidelines by every professional engineer who designs buildings and/or building systems in Louisiana during such calendar year.

B. During each biennial licensure renewal period beginning before January 1, 2017, every professional land surveyor is required to earn 15 PDHs in land surveying-related acceptable activities. Effective January 1, 2017 and beginning with professional land surveyors whose biennial licensure renewal periods begin after January 1, 2017, every professional land surveyor is required to earn 8 PDHs per calendar year in land surveying-related acceptable activities.

1. During each biennial licensure renewal period beginning before January 1, 2017, at least one of the PDHs shall be earned in professional ethics. Effective January 1, 2017 and beginning with professional land surveyors whose biennial licensure renewal periods begin after January 1, 2017, at least one of the PDHs per calendar year shall be earned in professional ethics. Professional ethics concerns

the standard of professional conduct and responsibility required of a professional land surveyor.

2. During each biennial licensure renewal period beginning before January 1, 2017, at least two of the PDHs shall be earned in the standards of practice for boundary surveys in Louisiana. Effective January 1, 2017 and beginning with professional land surveyors whose biennial licensure renewal periods begin after January 1, 2017, at least one of the PDHs per calendar year shall be earned in the standards of practice for boundary surveys in Louisiana.

C. During each biennial licensure renewal period beginning before January 1, 2017, every dual licensee is required to earn 30 PDHs; however, at least one-third of the PDHs shall be earned separately for each profession. Effective January 1, 2017 and beginning with dual licensees whose biennial licensure renewal periods begin after January 1, 2017, each dual licensee is required to earn 15 PDHs per calendar year; however, at least one-third of the PDHs for each calendar year shall be earned separately for each profession.

1. During each biennial licensure renewal period beginning before January 1, 2017, at least one of the PDHs shall be earned in professional ethics. Effective January 1, 2017 and beginning with dual licensees whose biennial licensure renewal periods begin after January 1, 2017, at least one of the PDHs per calendar year shall be earned in professional ethics. Professional ethics concerns the standard of professional conduct and responsibility required of a professional engineer and/or professional land surveyor.

2. During each biennial licensure renewal period beginning before January 1, 2017, at least two of the PDHs shall be earned in the standards of practice for boundary surveys in Louisiana. Effective January 1, 2017 and beginning with dual licensees whose biennial licensure renewal periods begin after January 1, 2017, at least one of the PDHs per calendar year shall be earned in the standards of practice for boundary surveys in Louisiana.

3. During each biennial licensure renewal period beginning before January 1, 2017, at least eight of the PDHs shall be earned in *Life Safety Code*, building codes and/or Americans with Disabilities Act Accessibility Guidelines by every professional engineer who designs buildings and/or building systems in Louisiana during such period. Effective January 1, 2017 and beginning with dual licensees whose biennial licensure renewal periods begin after January 1, 2017, at least four of the PDHs per calendar year shall be earned in *Life Safety Code*, building codes and/or Americans with Disabilities Act Accessibility Guidelines by every professional engineer who designs buildings and/or building systems in Louisiana during such calendar year.

D. Excess PDHs

1. Effective for biennial licensure renewal periods beginning before January 1, 2017, if a licensee exceeds his/her biennial licensure renewal period requirement of PDHs, up to a maximum of 15 PDHs may be carried forward into the subsequent biennial licensure renewal period. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, if a licensee exceeds his/her annual requirement of PDHs, up to a maximum of 7 PDHs may be carried forward into the subsequent calendar year.

2. Excess PDHs may include, without limitation, those earned in professional ethics, the standards of practice for boundary surveys in Louisiana, *Life Safety Code*, building codes and/or Americans with Disabilities Act Accessibility Guidelines.

E. Licensees will be required to verify compliance with these CPD requirements at the end of each of their biennial licensure renewal periods.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2152 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1047 (July 2001), LR 30:1730 (August 2004), LR 37:2420 (August 2011), LR 42:1104 (July 2016), LR 44:629 (March 2018).

§3109. Exemptions

A. A licensee may be exempt from the CPD requirements in this Chapter for any one or more of the following reasons.

1. Effective for biennial licensure renewal periods beginning before January 1, 2017, new licensees shall be exempt from the CPD requirements prior to their first licensure renewal. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, new licensees shall be exempt from the CPD requirements during the calendar year in which they are licensed.

2. Effective for biennial licensure renewal periods beginning before January 1, 2017, licensees serving on active duty in the United States military for a period of time exceeding 180 consecutive days in a biennial licensure renewal period shall be exempt from the CPD requirements during that biennial licensure renewal period. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, licensees serving on active duty in the United States military for a period of time exceeding 180 consecutive days in a calendar year shall be exempt from the CPD requirements during that calendar year.

3. Effective for biennial licensure renewal periods beginning before January 1, 2017, licensees experiencing disability, serious illness, or serious injury of a nature and duration which prevent them from satisfying the CPD requirements during a biennial licensure renewal period may be granted an exemption from such requirements for said period. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, licensees experiencing disability, serious illness, or serious injury of a nature and duration which prevent them from satisfying the CPD requirements during a calendar year may be granted an exemption from such requirements for said year. Supporting documentation, such as a signed letter from a physician who has treated the disability, illness or injury, is required. This documentation shall be on the letterhead of the physician, shall set forth the nature of the disability, illness or injury and the period of time under treatment by the physician, and shall contain a statement by the physician as to any limitations placed upon the licensee which impaired his/her ability to satisfy the

CPD requirements. Effective for biennial licensure renewal periods beginning before January 1, 2017, this exemption may only be granted for one biennial licensure renewal period at a time. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, this exemption may only be granted for one calendar year at a time.

4. Effective for biennial licensure renewal periods beginning before January 1, 2017, licensees working outside of the United States for more than 180 days in a biennial licensure renewal period where compliance with the CPD requirements is impractical due to location, working hours, mail restrictions, etc., may be granted an exemption from such requirements for said period. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, licensees working outside of the United States for more than 90 days in a calendar year where compliance with the CPD requirements is impractical due to location, working hours, mail restrictions, etc., may be granted an exemption from such requirements for said calendar year. Supporting documentation, such as a signed letter from the licensee's employer, is required. This documentation shall be on the letterhead of the employer, shall set forth both the location and the period of time in which the licensee has been working outside of the United States, and shall contain a statement by the employer as to why it was impractical for the licensee to satisfy the CPD requirements.

5. Licensees who certify their licensure status as inactive on their biennial licensure renewal form shall be exempt from the CPD requirements until their next licensure renewal. In the event such licensee subsequently elects to be reinstated to active status, he/she must meet the requirements set forth in §3121.

6. Licensees who certify their licensure status as retired on their biennial licensure renewal form shall be exempt from the CPD requirements until their next licensure renewal. In the event such licensee subsequently elects to be reinstated to active status, he/she must meet the requirements set forth in §3121.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2153 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1048 (July 2001), LR 30:1731 (August 2004), LR 42:1105 (July 2016), LR 44:630 (March 2018).

§3111. Determination of Credit

A. PDHs may be earned as indicated in §3113 for the following activities:

1. successful completion of college courses, correspondence courses, continuing education courses, seminars, tutorials, and short courses, and/or by teaching/instructing these items;

2. - 4. ...

5. authoring and publishing articles/papers in engineering or land surveying journals; or authoring and publishing books related to engineering or land surveying;

6. ...

7. formal, documented problem preparation for NCEES or state professional engineering or land surveying exams;

A.8. - B. ...

C. The board has final authority with respect to the acceptability of activities, PDH credit, PDH value for activities, and other methods of earning PDH credit. PDH credit for acceptable college or correspondence courses may be based upon course credit established by the college or school.

D. Selection of activities is the responsibility of the licensee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2153 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1048 (July 2001), LR 30:1731 (August 2004), LR 37:2420 (August 2011), LR 39:1481 (June 2013), LR 42:1106 (July 2016), LR 44:631 (March 2018).

§3113. Units

A. - A.3. ...

B. Effective for biennial licensure renewal periods beginning before January 1, 2017, PDH credit will be awarded as follows:

1. fifty contact minutes of verified attendance at an activity in accordance with §3111.A.1-2, or problem preparation for a NCEES or state professional engineering or land surveying exam in accordance with §3111.A.7 = one PDH. A maximum of 10 PDHs will be allowed per biennial licensure renewal period for problem preparation;

2. membership in an engineering or land surveying professional association or technical society in accordance with §3111.A.4 = one PDH per biennial licensure renewal period for each association or society. A maximum of three PDHs will be allowed per biennial licensure renewal period for all such memberships;

3. teaching/instructing or presenting an activity in accordance with §3111.A.1-3 = twice the PDHs allowed for attending the activity. A maximum of 30 PDHs will be allowed per biennial licensure renewal period for teaching, instructing and presenting;

4. authoring and publishing a peer reviewed (refereed) article/paper in an engineering or land surveying journal, or authoring and publishing a peer reviewed (refereed) book related to engineering or land surveying, in accordance with §3111.A.5 = 10 PDHs per biennial licensure renewal period for all such articles/papers or books;

5. authoring and publishing a non-peer reviewed (non-refereed) article/paper in an engineering or land surveying journal in accordance with §3111.A.5 = 5 PDHs per biennial licensure renewal period for all such articles/papers;

6. obtaining a patent in accordance with §3111.A.6 = 10 PDHs for each patent;

7. serving as a thesis director for a student pursuing a masters or doctoral degree in engineering in accordance with §3111.A.8 = 1 PDH per hour of thesis credit. A maximum of 10 PDHs will be allowed per biennial licensure renewal period for all such students;

8. serving on a technical committee that is assisting federal, state or local governmental agencies in developing standards related to engineering or land surveying in accordance with §3111.A.9 = 1 PDH per 50 contact minutes of attendance at a committee meeting. A maximum of 10 PDHs will be allowed per biennial licensure renewal period for service on all of such committees.

C. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, PDH credit will be awarded as follows:

1. fifty contact minutes of verified attendance at an activity in accordance with §3111.A.1-2, or problem preparation for a NCEES or state professional engineering or land surveying exam in accordance with §3111.A.7 = one PDH. A maximum of five PDHs will be allowed per calendar year for problem preparation;

2. membership in an engineering or land surveying professional association or technical society in accordance with §3111.A.4 = one PDH per calendar year for each association or society. A maximum of two PDHs will be allowed per calendar year for all such memberships;

3. teaching/instructing or presenting an activity in accordance with §3111.A.1-3 = twice the PDHs allowed for attending the activity. A maximum of 15 PDHs will be allowed per calendar year for teaching, instructing and presenting;

4. authoring and publishing a peer reviewed (refereed) article/paper in an engineering or land surveying journal, or authoring and publishing a peer reviewed (refereed) book related to engineering or land surveying, in accordance with §3111.A.5 = 5 PDHs per calendar year for all such articles/papers or books;

5. authoring and publishing a non-peer reviewed (non-refereed) article/paper in an engineering or land surveying journal in accordance with §3111.A.5 = 3 PDHs per calendar year for all such articles/papers;

6. obtaining a patent in accordance with §3111.A.6 = 10 PDHs for each patent;

7. serving as a thesis director for a student pursuing a masters or doctoral degree in engineering in accordance with §3111.A.8 = 1 PDH per hour of thesis credit. A maximum of 5 PDHs will be allowed per calendar year for all such students;

8. serving on a technical committee that is assisting federal, state or local governmental agencies in developing standards related to engineering or land surveying in accordance with §3111.A.9 = 1 PDH per 50 contact minutes of attendance at a committee meeting. A maximum of 5 PDHs will be allowed per calendar year for service on all of such committees.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1048 (July 2001), LR 30:1732 (August 2004), LR 37:2421 (August 2011), LR 39:1481 (June 2013), LR 42:1106 (July 2016), LR 44:631 (March 2018).

§3115. Record Keeping

A. All licensure renewals will require the completion and submission of a biennial licensure renewal form. By completing and submitting this form, the licensee is certifying that he/she has met all requirements for licensure renewal, including CPD requirements. This form will also contain an affirmation which must be completed if the licensee desires to change his/her licensure status.

B. Effective for biennial licensure renewal periods beginning before January 1, 2017, all licensees are required to maintain a board-approved professional development activity log outlining all PDHs claimed during a biennial licensure renewal period. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, all licensees are required to maintain a board-approved professional development activity log outlining all PDHs claimed during a calendar year. Licensees must complete all sections of the log and be prepared to submit the completed log and any corresponding documentation to the board upon request. Blank log forms can be obtained from the board's website.

C.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1049 (July 2001), LR 30:1732 (August 2004), LR 42:1107 (July 2016), LR 44:632 (March 2018).

§3117. Audit and Review of Records

A. ...

B. Additionally, the board will conduct random audits in connection with impending biennial licensure renewals of up to 30 percent of all board licensees. A license will not be renewed and will be deemed to have expired, unless the licensee provides proof of compliance with all CPD requirements and there are no discrepancies or deficiencies discovered.

C. The board will require that all licensees against whom formal disciplinary charges are pending in Louisiana provide proof of compliance with all CPD requirements.

D. Should a licensee fail to provide proof of compliance with all CPD requirements, or if discrepancies or deficiencies are discovered as the result of any of the requests/audits provided for in §3117.A-C, the licensee will be deemed not in compliance with the CPD requirements of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1049 (July 2001), LR 30:1732 (August 2004), LR 35:2856 (December 2009), LR 44:632 (March 2018).

§3119. Failure to Comply

A. When a licensee is deemed not in compliance with the CPD requirements of the board, the licensee will be so notified and will be given 120 days to satisfy the CPD

requirements. The licensee must provide documented evidence of compliance, accompanied by payment of an administrative fee of \$200. Failure to comply will subject the licensee to disciplinary action as provided in the licensure law.

B. Effective for biennial licensure renewal periods beginning before January 1, 2017, PDHs earned and used to satisfy a not-in-compliance situation may not also be used to satisfy the CPD requirements for the current biennial licensure renewal period. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, PDHs earned and used to satisfy a not-in-compliance situation may not also be used to satisfy the CPD requirements for the current calendar year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1049 (July 2001), LR 30:1732 (August 2004), LR 42:1107 (July 2016), LR 44:632 (March 2018).

§3121. CPD Reinstatement

A. Effective for biennial licensure renewal periods beginning before January 1, 2017, to become reinstated to an active status, a licensee in an expired, inactive, or retired status must have earned all PDHs which he/she would have been required to earn if he/she had been in an active status during the previous biennial licensure renewal period as provided in §3105. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, to become reinstated to an active status, a licensee in an expired, inactive, or retired status must have earned all PDHs which he/she would have been required to earn if he/she had been in an active status during the previous two calendar years as provided in §3105.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1049 (July 2001), LR 30:1732 (August 2004), LR 42:1107 (July 2016), LR 44:633 (March 2018).

Chapter 33. Disciplinary and Enforcement Proceedings

§3301. Disciplinary and Enforcement Proceedings

A. Any disciplinary or enforcement proceedings initiated by or with the board will be governed by the substantive and procedural provisions of the licensure law and these rules and by the provisions of the Louisiana Administrative Procedure Act (R.S. 49:950 et seq.).

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:117 (May 1979) amended LR 6:149 (April 1980), LR 7:649 (December 1981), amended by the Department of Transportation and Development,

Professional Engineering and Land Surveying Board, LR 27:1049 (July 2001), LR 30:1733 (August 2004), LR 44:633 (March 2018).

Donna D. Sentell
Executive Director

1803#015

RULE

Workforce Commission Plumbing Board

Plumbers—Continuing Professional Education Programs (LAC 46:LV.101, 312, 1001 and 1002)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:953, the Louisiana State Plumbing Board (board) has amended LAC 46:LV.101, 312, 1001 and 1002. The Rule change to §101 addresses a conflict in the current definition of “repair” resulting from the creation of the tradesman plumber license. The Rule change to §312 corrects a typographical error relating to the initial registration fee for apprentice plumbers and the initial license fee for tradesman plumbers. The Rule change to §§1001 and 1002 amends the number of continuing education hours required for tradesman, journeyman, master plumbers, gas fitters and master gas fitters and sets forth the required hours for dual license holders. This Rule is hereby adopted on the day of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LV. Plumbers

Chapter 1. Introductory Information

§101. Definitions

* * *

Repair—as that term is used in R.S. 37:1367(A), shall mean and be limited to the performance of repairs to existing plumbing, the clearing of stoppages, or repairing leaks. Such repair work shall be performed only by a *journeyman plumber* as defined in §101, *journeyman plumber*, of these rules, or by a *tradesman plumber* as defined in §101, *tradesman plumber*, of these rules.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D).

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated by the Department of Employment and Training, Plumbing Board, LR 17:49 (January 1991), amended by the Department of Labor, Plumbing Board, LR 21:1348 (December 1995), LR 26:329 (February 2000), amended by the Workforce Commission, Plumbing Board, LR 42:575 (April 2016), LR 43:541 (March 2017), LR 43:972 (May 2017), LR 44:633 (March 2018).

Chapter 3. Licenses

§312. Fees

A. The fees and charges of the board relative to apprentice plumbers shall be as follows:

1. initial registration fee—\$10;

A.2. - B.3. ...

4. initial license fee (this fee to be paid after applicant has successfully passed the exam, in order to receive his first license)—\$ 30;

B.5. - I.13. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(D) and R.S. 37:1371.

HISTORICAL NOTE: Adopted by the Department of Labor, Plumbing Board, 1968, amended and promulgated LR 7:588 (November 1981), amended LR 15:1089 (December 1989), amended by the Department of Employment and Training, Plumbing Board, LR 16:23 (January 1990), LR 17:53 (January 1991), amended by the Department of Labor, Plumbing Board, LR 19:898 (July 1993), LR 19:1594 (December 1993), LR 21:1351 (December 1995), LR 26:327 (February 2000), amended by the Workforce Commission, Plumbing Board, LR 43:545 (March 2017), LR 43:975 (May 2017), LR 44:633 (March 2018).

Chapter 10. Continuing Professional Education Programs

§1001. Tradesman, Journeyman and Master Plumbers

A. CPE Requirement

1. All persons seeking to renew a tradesman license issued by the Louisiana State Plumbing Board are required to attend and show proof of attendance at no less than 3 1/2 hours of a Louisiana State Plumbing Board-approved CPE class in the prior calendar year, as set out in this Section.

2. All persons seeking to renew a journeyman license issued by the Louisiana State Plumbing Board are required to attend and show proof of attendance at no less than 3 1/2 hours of a Louisiana State Plumbing Board-approved CPE class in the prior calendar year, as set out in this Section.

3. All persons seeking to renew a master plumber's license or to convert an inactive master plumber's license to an active master plumber's license must attend and show proof of attendance at no less than five hours of a Louisiana State Plumbing Board-approved CPE class in the prior calendar year, as set out in this Section.

4. ...

5. A holder of an inactive master plumber's license who seeks to function as a journeyman plumber is required to attend and show proof of attendance at no less than 3 1/2 hours of a Louisiana State Plumbing Board-approved CPE class in the prior calendar year, as set out in this Section.

6. All persons holding and seeking to renew journeyman plumber and gas fitter licenses issued by the Louisiana State Plumbing Board are required to attend and show proof of attendance at no less than 4 1/2 hours as set out in this Section and in §1002.B.

7. All persons holding and seeking to renew journeyman plumber and master gas fitter licenses issued by the Louisiana State Plumbing Board are required to attend and show proof of attendance at no less than six hours as set out in this Section and in §1002.B.

8. All persons holding and seeking to renew master plumber and gas fitter licenses issued by the Louisiana State Plumbing Board are required to attend and show proof of attendance at no less than six hours as set out in this Section and in §1002.B.

9. All persons holding and seeking to renew master plumber and master gas fitter licenses issued by the Louisiana State Plumbing Board are required to attend and show proof of attendance at no less than six hours as set out in this Section and in §1002.B.

B. - B.1. ...

2. The course materials will provide the basis for a minimum of 3 1/2 classroom hours of study for tradesman plumbers and journeyman plumbers. One hour will be in the subjects of health protection, consumer protection or environmental protection, 1/2 hour shall include information concerning the Act, Louisiana State Plumbing Board rules, and 2 hours covering current industry practices and codes, and subjects from a list approved and published by the Louisiana State Plumbing Board.

3. The course materials will provide the basis for a minimum of 5 classroom hours of study for master plumbers. One hour will be in the subjects of health protection, consumer protection or environmental protection, 1/2 hour shall include information concerning the Act, Louisiana State Plumbing Board rules, 2 hours covering current industry practices and codes, and subjects from a list approved and published by the Louisiana State Plumbing Board, and 1 1/2 hours on business topics approved by the Louisiana State Plumbing Board.

4. The Louisiana State Plumbing Board will periodically publish lists of approved and required subjects.

5. The course materials must be presentations of relevant issues and changes within the subject areas as they apply to the plumbing practice in the current market, public health or topics which increase or support the licensee's development of skill and competence.

6. The course materials may not advertise or promote the sale of goods, products or services.

7. The course materials must be printed and bound in perfect/standard, metal coil or ring binder form.

8. The course materials will include perforated Louisiana State Plumbing Board forms within the binding of the course materials that may be removed for use by the licensees. The forms will include CPE evaluation forms, license and endorsement examination forms and general complaint forms.

9. All course materials must have the following characteristics:

a. high quality, readable and carefully prepared written materials with correct grammar, spelling and punctuation;

b. appropriate illustrations and graphics to show concepts not easily explained in words; and

c. in depth and comprehensive presentation of subject matter which increases or supports the skills or competence of the licensees.

10. The provider of course materials must have legal ownership of or an appropriate license for the use of all copyrighted material included within the course materials. Louisiana State Plumbing Board approved course materials will contain a prominently displayed approval statement in 10-point bold type or larger containing the following language:

"THIS CONTINUING PROFESSIONAL EDUCATION COURSE MATERIAL HAS BEEN APPROVED BY THE LOUISIANA STATE PLUMBING BOARD FOR USE IN THE (State Year) CPE YEAR. BY ITS APPROVAL OF THIS COURSE MATERIAL, THE LOUISIANA STATE PLUMBING BOARD DOES NOT ASSUME ANY RESPONSIBILITY FOR THE ACCURACY OF THE CONTENTS. FURTHER, THE LOUISIANA STATE PLUMBING BOARD HAS NOT MADE ANY DETERMINATION THAT THE PARTY PUBLISHING THE COURSE MATERIALS HAS COMPLIED WITH ANY

APPLICABLE COPYRIGHT AND OTHER LAWS IN PUBLISHING THE COURSE MATERIAL AND THE LOUISIANA STATE PLUMBING BOARD DOES NOT ASSUME ANY LIABILITY OR RESPONSIBILITY THEREFOR. THE COURSE MATERIAL IS NOT BEING PUBLISHED BY NOR IS IT A PUBLICATION OF THE LOUISIANA STATE PLUMBING BOARD."

11. The provider of course materials will conduct instructor training in the use of course materials.

12. The provider of course materials will be required to have distribution facilities that will ensure prompt distribution of course materials, facsimile ordering and a statewide toll free telephone number for placing orders. The provider of course materials must ship any ordered material within 10 business days after the receipt of the order and payment for the course materials.

13. Any individual, business or association who wishes to offer to provide course materials shall apply to the Louisiana State Plumbing Board for approval using application forms prepared by the Louisiana State Plumbing Board. In order to be approved, the application must satisfy the Louisiana State Plumbing Board as to the ability of the individual, business or association to provide quality course materials as required in this Section and must include:

- a. name and address of individual applicant;
- b. names and addresses of all officers, directors, trustees or members of the governing board of any business or association applicant;
- c. statement by individual applicant, and each officer, director, trustee or member of governing board as to whether he or she has ever been convicted of a felony or misdemeanor other than a minor traffic violation;
- d. certificate of good standing issued by the Louisiana Secretary of State for corporate applicants;
- e. maximum fees to be charged for course materials;
- f. taxpayer identification number;
- g. method for quarterly reporting of course provider, instructors, and licensee evaluations of course materials to the Louisiana State Plumbing Board; and an application fee to be set as provided by law.

14. The provider of course materials must sell course materials to all course providers on request, at a price not to exceed the maximum fee to be charged as stated on the provider's application.

15. The Louisiana State Plumbing Board may refuse to accept any application for approval as a provider of course materials that is not complete. The Louisiana State Plumbing Board may deny approval of an application for any of the following reasons:

- a. failure to comply with the provisions of this Section;
- b. inadequate coverage of the materials required to be included in course materials; or
- c. unsatisfactory evaluations of the course materials by licensees or Louisiana State Plumbing Board members or staff.

16. If an application is refused or disapproved, written notice detailing the basis of the decision shall be provided to the applicant within 90 days of the refusal or disapproval.

17. A provider's authority to offer the course materials for which CPE credit is given expires on December 31 of the calendar year following approval.

18. To be approved, 20 copies of course materials, including any handouts and audio/visual aids to be used, must be submitted in complete draft form to the Louisiana State Plumbing Board's office no later than October 15 (or at least 30 days prior to the Louisiana State Plumbing Board's November meeting, whichever is earlier) for Louisiana State Plumbing Board approval at its November Louisiana State Plumbing Board meeting. At least 20 copies each of all course materials that are approved at the Louisiana State Plumbing Board's November meeting shall be provided to the Louisiana State Plumbing Board's office no later than February of the following year, at no cost to the Louisiana State Plumbing Board.

19. Upon a showing of compelling necessity, the plumbing board, in its discretion, may grant an exception to the requirement that material be submitted prior to the plumbing board's November meeting, and, pursuant to this exception, may approve material submitted at least 30 days prior to any quarterly meeting of the plumbing board, which otherwise meets the requirements of this Section.

20. A provider's failure to comply with this Section constitutes grounds for disciplinary action, consistent with the Louisiana Administrative Procedure Act, against the provider or for disapproval of future applications for approval as a provider of course materials.

C. - E.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(I).

HISTORICAL NOTE: Promulgated by the Department of Labor, State Plumbing Board, LR 30:2068 (September 2004), amended LR 37:2440 (August 2011), amended by the Workforce Commission, Plumbing Board, LR 43:979 (May 2017), LR 44:634 (March 2018).

§1002. Gas Fitters and Master Gas Fitters

A. CPE Requirement

1. All persons seeking to renew a gas fitter's license issued by the Louisiana State Plumbing Board are required to attend and show proof of attendance at no less than 2 1/2 hours of a Louisiana State Plumbing Board-approved CPE class in the prior calendar year, as set out in this Section.

2. All persons seeking to renew a master gas fitter's license or to convert an inactive master gas fitter's license to an active master gas fitter's license must attend and show proof of attendance at no less than four hours of a Louisiana State Plumbing Board-approved CPE class in the prior calendar year, as set out in this Section.

3. ...

4. A holder of an inactive master gas fitter's license who seeks to function as a gas fitter is required to attend and show proof of attendance at no less than 2 1/2 hours of a Louisiana State Plumbing Board-approved CPE class in the prior calendar year, as set out in this Section.

5. All persons holding and seeking to renew gas fitter and journeyman plumber licenses issued by the Louisiana State Plumbing Board are required to attend and show proof of attendance at no less than 4 1/2 hours as set out in this Section and in §1001.B.

6. All persons holding and seeking to renew gas fitter and master plumber licenses issued by the Louisiana State Plumbing Board are required to attend and show proof of attendance at no less than six hours as set out in this Section and in §1001.B.

7. All persons holding and seeking to renew master gas fitter and journeyman plumber licenses issued by the Louisiana State Plumbing Board are required to attend and show proof of attendance at no less than six hours as set out in this Section and in §1001.B.

8. All persons holding and seeking to renew master gas fitter and master plumber licenses issued by the Louisiana State Plumbing Board are required to attend and show proof of attendance at no less than six hours as set out in this Section and in §1001.B.

B. - B.2. ...

3. The course materials will provide the basis for a minimum of 2 1/2 classroom hours of study for gas fitters. One hour will be in the subjects of health protection, consumer protection or environmental protection, 1 1/2 hours shall include information concerning the Act, Louisiana State Plumbing Board rules with the one remaining hour covering current industry practices and codes, and subjects from a lists approved and published by the Louisiana State Plumbing Board.

4. The course materials will provide the basis for a minimum of four classroom hours of study for master gas fitters. One hour will be in the subjects of health protection, consumer protection or environmental protection, 1/2 hour shall include information concerning the Act, Louisiana State Plumbing Board rules, and one hour covering current industry practices and codes, and subjects from a list approved and published by the Louisiana State Plumbing Board, and 1 1/2 hours on business topics approved by the Louisiana State Plumbing Board.

5. The Louisiana State Plumbing Board will periodically publish lists of approved and required subjects.

6. The course materials must be presentations of relevant issues and changes within the subject areas as they apply to the gas fitting practice in the current market, public health or topics which increase or support the licensee's development of skill and competence.

7. The course materials may not advertise or promote the sale of goods, products or services.

8. The course materials must be printed and bound in perfect/standard, metal coil or ring binder form.

9. The course materials will include perforated Louisiana State Plumbing Board forms within the binding of the course materials that may be removed for use by the licensees. The forms will include CPE evaluation forms, license and endorsement examination forms and general complaint forms.

10. All course materials must have the following characteristics:

- a. high quality, readable and carefully prepared written materials with correct grammar, spelling and punctuation;
- b. appropriate illustrations and graphics to show concepts not easily explained in words; and
- c. in depth and comprehensive presentation of subject matter which increases or supports the skills or competence of the licensees.

11. The publishers of course materials must have legal ownership of or an appropriate license for the use of all copyrighted material included within the course materials. Louisiana State Plumbing Board approved course materials will contain a prominently displayed approval statement in

10-point bold type or larger containing the following language:

“THIS CONTINUING PROFESSIONAL EDUCATION COURSE MATERIAL HAS BEEN APPROVED BY THE LOUISIANA STATE PLUMBING BOARD FOR USE IN THE (state year) CPE YEAR. BY ITS APPROVAL OF THIS COURSE MATERIAL, THE LOUISIANA STATE PLUMBING BOARD DOES NOT ASSUME ANY RESPONSIBILITY FOR THE ACCURACY OF THE CONTENTS. FURTHER, THE LOUISIANA STATE PLUMBING BOARD HAS NOT MADE ANY DETERMINATION THAT THE PARTY PUBLISHING THE COURSE MATERIALS HAS COMPLIED WITH ANY APPLICABLE COPYRIGHT AND OTHER LAWS IN PUBLISHING THE COURSE MATERIAL AND THE LOUISIANA STATE PLUMBING BOARD DOES NOT ASSUME ANY LIABILITY OR RESPONSIBILITY THEREFOR. THE COURSE MATERIAL IS NOT BEING PUBLISHED BY NOR IS IT A PUBLICATION OF THE LOUISIANA STATE PLUMBING BOARD.”

12. The publishers of course materials will conduct instructor training in the use of course materials.

13. Any individual, business or association who wishes to offer to publish course materials shall apply to the Louisiana State Plumbing Board for approval using application forms prepared by the Louisiana State Plumbing Board.

14. The Louisiana State Plumbing Board may refuse to accept any application for approval as a publisher of course materials that is not complete. The Louisiana State Plumbing Board may deny approval of an application for any of the following reasons:

- a. failure to comply with the provisions of this Section;
- b. inadequate coverage of the materials required to be included in course materials; or
- c. unsatisfactory evaluations of the course materials by licensees or Louisiana State Plumbing Board members or staff.

15. If an application is refused or disapproved, written notice detailing the basis of the decision shall be provided to the applicant within 90 days of the refusal or disapproval.

16. A publisher's authority to offer the course materials for which CPE credit is given expires on December 31 of the calendar year following approval.

17. To be approved, 10 copies of course materials, including any handouts and audio/visual aids to be used, must be submitted in complete draft form to the Louisiana State Plumbing Board's office no later than October 15 (or at least 30 days prior to the Louisiana State Plumbing Board's November meeting, whichever is earlier) for Louisiana State Plumbing Board approval at its November Louisiana State Plumbing Board meeting. At least 10 copies each of all course materials that are approved at the Louisiana State Plumbing Board's November meeting shall be provided to the Louisiana State Plumbing Board's office no later than February of the following year, at no cost to the Louisiana State Plumbing Board.

18. Upon a showing of compelling necessity, the plumbing board, in its discretion, may grant an exception to the requirement that material be submitted prior to the plumbing board's November meeting, and, pursuant to this exception, may approve material submitted at least 30 days prior to any quarterly meeting of the plumbing board, which otherwise meets the requirements of this Section.

19. A publisher's failure to comply with this Section constitutes grounds for disciplinary action, consistent with the Louisiana Administrative Procedure Act, against the provider or for disapproval of future applications for approval as a provider of course materials.

C. - E.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1366(I) and R.S. 37:1368(H).

HISTORICAL NOTE: Promulgated by the Workforce Commission, Plumbing Board, LR 43:549 (March 2017), amended LR 44:635 (March 2018).

Ashley Jones Tullier
Executive Director

1803#017

Notices of Intent

NOTICE OF INTENT

Department of Children and Family Services Division of Child Welfare

Criminal Background and State Central Registry Checks;
Risk Assessment Evaluation; State Repository,
Central Registry and Administrative Appeal
(LAC 67:I.Chapters 2 and 3 and 67:V.Chapter 11)

In accordance with the with the provisions of the Administrative Procedure Act, R.S. 49:953(A), the Department of Children and Family Services (DCFS) proposes to amend LAC 67:I, Chapter 2, Sections 201 and 203; and to repeal Chapter 3, Sections 301, 303, 305, 307, 309 and 311. The proposed Rule will also amend LAC 67:V, Sections 1103 and 1105, and promulgate Sections 1101 State Repository and 1111 Child Protective Services Administrative Appeal.

Pursuant to R.S. 46:51.2, it is necessary to provide a DCFS employee or potential employee listed on the State central registry (SCR) subsequent to January 1, 2010, an opportunity to make a formal written request for an administrative appeal of a justified finding of child abuse or neglect that affects his/her employment eligibility to a denial or termination of employment with DCFS in certain positions. The repeal of sections 301, 303, 305, 307, 309 and 311 is necessary due to the repeal R.S. 17:407.41 and the right to a risk assessment evaluation.

This Rule will also implement the provisions of Act 348 of the 2017 Regular Legislative Session and 42 USC 9858f. DCFS will establish and maintain a state repository and SCR. Individuals determined to be a perpetrator of child abuse and neglect will have the right to an administrative appeal. Information on individuals listed on the state repository and/or the SCR will be released in accordance with the provisions of this Rule and, when required, upon receipt of a written request containing the individual's consent, and payment of the SCR clearance fee.

Title 67

SOCIAL SERVICES

Part I. General Administration

Chapter 2. Criminal Background and State Central Registry Checks

§201. Introduction and Purpose

A. The Department of Children and Family Services (DCFS) has a fervent commitment to protect children by preventing the employment by the department of an individual who has specific past criminal convictions, in positions whose duties include the investigation of child abuse or neglect, supervisory or disciplinary authority over children, direct care of a child, or performance of licensing surveys and/or has been determined to be a perpetrator of abuse or neglect of a child and listed on the state central registry.

B. In order to enhance the state's ability to protect children, the Louisiana Legislature enacted laws which provide for state and federal criminal background checks and a state central registry check for certain DCFS employees and potential employees.

C. The department will utilize the state central registry of justified (valid) reports of abuse or neglect for clearances of certain current and potential department employees, and will prohibit these individuals from being employed or considered for employment in those positions whose duties include the investigation of child abuse or neglect, supervisory or disciplinary authority over children, direct care of a child, or performance of licensing surveys when their name is recorded on the state central registry subsequent to January 1, 2010 and when their administrative appeal rights have been exhausted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:51.2.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 36:851 (April 2010), amended by the Department of Children and Family Services, Division of Child Welfare, LR 44:

§203. Conditions of Employment

A. - A.2. ...

3. If the potential employee's name is recorded on the state central registry subsequent to January 1, 2010 and prior to July 1, 2018, they shall not be denied consideration for employment until the potential employee has exhausted their right to an administrative appeal and thereafter the potential employee's name is confirmed to be listed on the state central registry.

4. If the individual's name is recorded on the state central registry as a perpetrator of child abuse or neglect subsequent to July 1, 2018, they shall not be employed or considered for employment by the department in positions whose duties include the investigation of child abuse or neglect, supervisory or disciplinary authority over children, direct care of a child, or performance of licensing surveys.

B. Any current employee of the department whose duties include the investigation of child abuse or neglect, supervisory or disciplinary authority over children, direct care of a child, or performance of licensing surveys and whose name is recorded subsequent to January 1, 2010 and prior to July 1, 2018, shall not be terminated from their position in the department until the employee has exhausted their right to an administrative appeal and thereafter the employee's name is confirmed to be listed on the state central registry. If the employee's name is recorded on the state central registry subsequent to July 1, 2018, they shall be terminated from their current position whose duties include the investigation of child abuse or neglect, supervisory or disciplinary authority over children, direct care of a child, or performance of licensing surveys by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:51.2.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 36:851 (April 2010), amended by the Department of Children and Family Services, Division of Child Welfare, LR 44:

Chapter 3. Risk Assessment Evaluation

§301. Introduction

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:51.2, R.S. 46:1414.1, R.S. 15:1110.2, and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 36:851 (April 2010), amended by the Department of Children and Family Services, Division of Programs, LR 39:3247 (December 2013), LR 42:860 (June 2016), repealed by Department of Children and Family Services, Division of Child Welfare, LR 44:

§303. Risk Evaluation Panel and/or Risk Evaluation Coordinator

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:51.2, R.S. 46:1414.1, R.S. 15:1110.2 and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 36:851 (April 2010), amended by the Department of Children and Family Services, Division of Programs, LR 39:3248 (December 2013), LR 42:861 (June 2016), repealed by Department of Children and Family Services, Division of Child Welfare, LR 44:

§305. Risk Assessment Evaluation Process

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:51.2, R.S. 46:1414.1, R.S. 15:1110.2 and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 36:852 (April 2010), amended by the Department of Children and Family Services, Division of Programs, LR 39:3248 (December 2013), LR 42:861 (June 2016), repealed by Department of Children and Family Services, Division of Child Welfare, LR 44:

§307. Risk Determination Criteria

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:51.2, R.S. 46:1414.1, R.S. 15:1110.2 and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 36:852 (April 2010), amended by the Department of Children and Family Services, Division of Programs, LR 39:3248 (December 2013), LR 42:862 (June 2016), repealed by Department of Children and Family Services, Division of Child Welfare, LR 44:

§309. Appeals Process

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:51.2, R.S. 46:1414.1, R.S. 15:1110.2 and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 36:852 (April 2010), amended by the Department of Children and Family Services, Division of Programs, LR 39:3248 (December 2013), LR 42:862 (June 2016), repealed by Department of Children and Family Services, Division of Child Welfare, LR 44:

§311. Correction or Expungement of Central Registry Entries

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:51.2, R.S. 46:1414.1, R.S. 15:1110.2 and R.S. 17:407.41.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Programs, LR 42:862 (June 2016), repealed by Department of Children and Family Services, Division of Child Welfare, LR 44:

Part V. Child Welfare

Subpart 3. Child Protective Services

Chapter 11. Administration and Authority

§1101. State Repository

A. The Department of Children and Family Services (DCFS) establishes and will maintain a state repository of all reports of abuse and neglect. The state repository will include information on individuals involved in reports and investigations of child abuse and neglect with the following dispositions:

1. non-report (information from reporter did not meet criteria for report of child abuse or neglect);
2. valid/justified; invalid/not justified; inconclusive;
3. alternative response family assessment;
4. client non-cooperation;
5. unable to locate;
6. administrative closure;
7. false report; and
8. protective service alerts.

B. All records of reports of child abuse or neglect are confidential in accordance with state and federal law and regulations.

AUTHORITY NOTE: Promulgated in accordance with Act 348 of 2017 and Children's Code, Article 616, State Repository.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Child Welfare, LR 44:

§1103. State Central Registry

A. Within the state repository of reports of abuse and neglect, the Department of Children and Family Services (DCFS) establishes and maintains a state central registry (SCR) that is comprised of three tier levels of certain justified/valid reports of abuse and neglect. Each justified/valid allegation shall be assigned a tier level for each perpetrator and child victim combination. At the time of the case closure, the highest tier of all justified/valid determinations shall be assigned to that perpetrator. The three SCR tiers range from tier 1 which includes the most severe abuse and neglect harm/injury to the child victim to tier 3 which includes the least severe harm/injury to the child victim. The SCR tier system determines placement on the SCR and the duration of time the individual's name will remain on the SCR. Information on a perpetrator of child abuse or neglect shall be maintained indefinitely on the SCR for tier 1 determinations. Information on a perpetrator shall be maintained on the SCR for 18 years from the date of the justified/valid finding for tier 2 determinations. Information on a perpetrator shall be maintained on the SCR for seven years from the date of the justified/valid finding for tier 3. An individual will be removed from the SCR at the end of the SCR retention period for tiers 2 and 3. Individuals shall be notified in writing of the period of maintenance on the SCR along with the notification of a valid finding.

B.1. Individuals in investigations in families who have been determined to be justified/valid as a perpetrator of child abuse and/or neglect prior to July 1, 2018, will be maintained on the SCR for the lesser of:

- a. the length of time as determined for the allegation in accordance with the SCR tier system; or
- b. the retention period in effect at the time of the valid/justified determination.

2. Individuals who have been placed on the SCR as a perpetrator of abuse or neglect as the result of an investigation determined to be justified/valid prior to July 1, 2018, will have the right to an administrative appeal pursuant to LAC 67:V.1111. Information on such determinations will not be released until the individual has exhausted their right to an administrative appeal, unless otherwise allowed by law. Once the individual has exhausted their administrative appeal rights, if an SCR clearance has been received by DCFS, the clearance will be completed and information released consistent with the administrative hearing decision and as permitted for the purpose of the clearance request.

C.1. Individuals in investigations in families who have been determined to be justified/valid as a perpetrator of child abuse and/or neglect subsequent to July 1, 2018, will be maintained on the SCR in accordance with the application of the SCR tier level.

2. Individuals in investigations in families who have been determined to be justified/valid as a perpetrator of child abuse and/or neglect for a tier 1, 2, or 3 finding, as defined in LAC 67:V.1103.A, subsequent to July 1, 2018, shall be provided written notice of the SCR and the rules governing maintenance and release of SCR records. The written notice shall also inform the individual of their right to an administrative appeal pursuant to LAC 67:V.1111. The individual's name will not be placed on the SCR until the individual has exhausted his right to an administrative appeal. If the individual fails to request an administrative appeal within 30 days of the written notification of the justified/valid finding, withdraws their request for an administrative appeal, or the justified/valid finding is upheld by an administrative law judge, the individual's name will be immediately placed on the SCR.

D. Once an individual has exhausted their administrative appeal rights, the individual's name shall be listed on the SCR if at least one justified/valid finding that meets the criteria for a tier 1, 2, or 3 finding, as defined in LAC 67:V.1103.A is upheld.

E. Information on individuals in child abuse or neglect investigations that appear to be not justified/invalid or inconclusive used as a part of the basis of a later, related and justified/valid tier 1, 2 or 3 determination shall become part of the file for the justified/valid report and shall cease to be a separate report. The information will be maintained on the SCR for the length of the time for the justified/valid determination.

F.1. Any person whose name is included on the SCR subsequent to July 1, 2018, may file a rule to show cause against DCFS in the court exercising juvenile jurisdiction in the parish in which the investigation was conducted to show why the individual's name should not be removed from the SCR. A perpetrator of a tier 1 justified/valid determination cannot be removed through this procedure. This rule to show cause may be filed for a perpetrator of a tier 2 justified/valid determination after nine years from the date of the case closure, or, four years from the date of the case closure for a perpetrator of a tier 3 justified/valid determination with the following circumstances:

a. there was no child in need of care adjudication related to the justified/valid determination;

b. no criminal charges are currently pending, associated with the incident, or criminal conviction for any offense listed in R.S. 15:587.1; and

c. there have been no subsequent justified/valid determinations involving the individual as a perpetrator of child abuse or neglect.

2. DCFS will remove the petitioner's name and other identifying information from the SCR upon receipt of a court order to do so.

G. DCFS is authorized to release information maintained on the SCR in limited circumstances. This information will be released according to the following provisions.

1. DCFS will disclose information regarding perpetrators of child abuse and/or neglect who are listed on the SCR to other states' child welfare agencies upon formal inquiry by that agency, when the inquiry is made pursuant to an ongoing child protective services investigation, child protection alternative response, foster care home study, adoptive home study, or family services case following a child protective services investigation in the requesting state, in accordance with R.S. 46:56(F)(4)(a). This information may also be released to private licensed child placing agencies located in Louisiana and in other states upon formal inquiry and verification of licensure. Information released to such agencies is confidential and shall not be released to sources outside the agency.

2. DCFS will disclose internally information regarding perpetrators of child abuse and/or neglect who are listed on the SCR for foster, adoptive and other home studies for the purpose of placement of children or as a visitation resource for children who are in the custody of the department or receiving services from the department.

3. DCFS will disclose information regarding perpetrators of abuse and/or neglect who are listed on the SCR when requested by an employer or prospective employer of a person who will be exercising supervisory authority over that employer's minor children or other dependent person as part of that person's direct employment and supervision as a caregiver by the parent or person with the dependent. The written request for the information will be a signed and notarized request form that must be signed by the employee and employer. The form will be provided upon request from the employer, prospective employer, employee, or prospective employee. The information will be disclosed to the employer or prospective employer.

4. DCFS will disclose information regarding perpetrators of child abuse and/or neglect who are listed on the SCR to the court when requested pursuant to R.S. 46:56(F)(1) and Ch. C., article 616 C, with a written request from a judge of a court exercising juvenile jurisdiction for a CASA applicant, with the applicant's written consent.

5. DCFS will disclose information regarding perpetrators of child abuse and/or neglect who are listed on the SCR for independent adoptions in accordance with the *Louisiana Children's Code*.

6. DCFS will disclose internally information regarding perpetrators of child abuse and/or neglect who are listed on the SCR when requested pursuant to R.S. 46:51.2(A) for potential or current employees of DCFS. Information disclosed shall be limited to those names recorded on the SCR subsequent to January 1, 2010.

7. DCFS will disclose information regarding perpetrators of child abuse and/or neglect listed on the SCR when requested as part of the application process of a prospective DCFS volunteer or service provider. Information disclosed shall be limited to those names recorded on the SCR subsequent to January 1, 2010. The disclosures for prospective volunteers and service providers are limited to the following individuals:

a. an individual who will be providing services for a child currently in the department's custody through a mentoring or tutoring program; or, formal plan approved by DCFS;

b. an individual who has personally entered into an agreement with the department for the provision of transportation services for a child currently in its custody;

c. an individual who has agreed to serve as a monitor of a safety plan developed by the department for the protection of a child's health and safety while remaining in his home.

8. DCFS will disclose information on perpetrators with justified/valid sexual abuse determinations on the SCR in accordance with 34 USC 30301 et seq., and 28 CFR 115.5 et seq. for prospective and current juvenile facility employees of the Office of Juvenile Justice upon receipt of a written request.

9. DCFS will disclose information on perpetrators of child abuse and/or neglect who are:

a. listed on the SCR involving any owner, operator, current or prospective employee or volunteer of a specialized provider or juvenile detention facility licensed by DCFS to DCFS Licensing;

b. a day care center licensed by the Louisiana Department of Education (LDOE) to LDOE;

c. a registered family child day care home registered by LDOE to LDOE; and/or

d. LDOE employees and potential employees responsible for the performance of licensing inspections to LDOE.

10. LDOE is authorized to collect the \$25 fee for the clearance on behalf of DCFS for requests from any owner, operator, current or prospective employee or volunteer a day care center licensed by the LDOE or a registered family child day care home provider registered by LDOE. An owner, operator, current or prospective employee or volunteer of a specialized provider or juvenile detention facility licensed by DCFS shall submit the \$25 fee to DCFS with the written request which shall include the express consent of the applicant to the departments. DCFS will not disclose such information until there is confirmation of receipt of the \$25 fee by LDOE or DCFS.

11. DCFS will disclose to a potential employer or another lead state agency information on perpetrators of child abuse and/or neglect who are listed on the SCR for individuals as requested by other states as pursuant to federal law for employees and potential employees of child day care settings upon receipt of a written request containing the individual's consent when submitted in writing and upon receipt of the \$25 fee. DCFS will not disclose such information until it has confirmed receipt of the fee.

AUTHORITY NOTE: Promulgated in accordance with the Children's Code, title VI, articles 615 and 616 and title XII, article 1173, R.S. 14:403(H), R.S. 46:51.2(A), R.S. 46:56, R.S. 46:1414.1, 42 USC 15601 et seq., 28 CFR 115.6., and 42 USC 9858f.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Services, LR 18:79 (January 1992), amended LR 20:198 (February 1994), LR 21:583 (June 1995), LR 23:590 (May 1997), LR 26:790 (April 2000), LR 31:1609 (July 2005), LR 36:838 (April 2010), amended by the Department of Children and Family Services, Division of Programs, Child Welfare Section, LR 42:862 (June 2016), amended by the Department of Children and Family Services, Division of Child Welfare, LR 44:

§1105. Maintenance and Disclosure of Information on Reports and Investigations on the State Repository

A. The Department of Children and Family Services (DCFS) will maintain records of investigations on reports of child abuse and/or neglect in families determined to be not justified/invalid on the State Repository. Except as specifically authorized by law, the records will be maintained for the exclusive use of child protection services to assist in future risk and safety assessments, and shall not become part of the SCR. The information shall be confidential and will not be released to other persons or agencies outside of DCFS, except as specifically authorized by law.

1. Records of reports that have been determined to be not justified/invalid shall be maintained on the state repository for 7 years from the date of the determination. At the end of 7 years from the date of the determination, the information will be expunged unless there have been subsequent reports and investigations involving the same perpetrator. When there are subsequent investigations with determinations of not justified/invalid or inconclusive, all records will be maintained until the youngest child in the victim's family at the time of the investigation reaches the age of 18 or 7 years from the date of the latest determination, whichever is longer.

2. When there are subsequent investigations involving the same perpetrator determined to be justified/valid and the information from the not justified/invalid report is used as a part of the basis for a later, related justified/valid report, the earlier not justified/invalid report shall become part of the file of such justified/valid report and shall cease to be a separate report. All the information is maintained until the retention period for the justified/valid finding has elapsed.

B. DCFS will maintain records on the state repository on reports of child abuse and/or neglect in families determined to be inconclusive for seven years after the determination of the finding unless there is a subsequent report and investigation involving the same perpetrator. If there is a subsequent investigation determined to be not justified/invalid or inconclusive, the information will be maintained until the youngest child in the alleged victim's family at the time of the investigation reaches the age of eighteen or seven years from the date of the latest determination, whichever is longer. When there are subsequent investigations determined to be justified/valid and information from the inconclusive investigation is used as a part of the basis for a later, related justified/valid determination, the inconclusive report shall become part of the file of such justified/valid report and shall cease to be a separate report. All the information is maintained until the longest retention period for the determinations has elapsed.

C. DCFS will maintain information on the state repository on reports and investigations of child

abuse/neglect in foster homes, specialized providers, juvenile detention centers, residential facilities, day care centers, and registered family child day care homes determined to be not justified/invalid or inconclusive. These records will be maintained for seven years unless there is a subsequent report and investigation involving the same alleged perpetrator. In that case, all records will be maintained an additional seven years for the not justified/invalid or inconclusive determination.

D. Information on investigations determined to be client non-cooperation will be maintained on the state repository for seven years unless there is a subsequent investigation involving the same perpetrator, in which case all records will be maintained until the retention period for the subsequent determination has elapsed.

E. Information on investigations determined to be unable to locate will be maintained on the state repository for three years unless there is a subsequent investigation or alternative response family assessment involving the same perpetrator, in which case all records will be maintained until the retention period for the subsequent determination or assessment has elapsed.

F. Information on intake cases on families and out-of-home settings closed as not accepted for an investigation or an alternative response family assessment with current or previous DCFS involvement will be maintained on the state repository for 18 months or the record retention period for the closed or active case, whichever is longer. If a subsequent not accepted report involving the same perpetrator is received within the 18 month retention period, all intake cases are maintained until the most recent not accepted report has been maintained for 18 months. If there are subsequent reports involving the same perpetrator accepted for investigation, all not accepted reports are maintained until the longest retention period for the justified/valid determinations or assessments has elapsed.

G. Protective service alerts from other states will be maintained on the state repository for one year from the month the information is entered into the agency computer tracking and management system when the protective service alert is not associated with a DCFS case. Protective service alerts associated with a DCFS and family services case are retained for the retention period for the associated agency case.

H. Alternative response family assessment records are retained on the state repository for seven years from the date of closure. If there are subsequent investigations or alternative response family assessments involving the same perpetrator, all information will be maintained until the retention period for the subsequent determination has elapsed, however in no circumstance will the original assessment be maintained for less than seven years.

I. Information on a report and investigation determined to be a false report will be maintained on the state repository for six years.

J. Information of individuals with justified/valid findings for their involvement as a perpetrator of child abuse or neglect will be maintained on the state repository indefinitely for tier 1 justified/valid determinations; and, for 18 years from the date of the finding for all other justified/valid determinations.

K. Information on a report and investigation determined to be inconclusive is confidential and shall only be released for the following purposes, unless otherwise specifically authorized by law.

1. Information on an adult with an alleged involvement in the abuse/neglect may be released, with the individual's written permission when they are applying to be a volunteer, foster parent, adoptive parent, or caregiver pursuant to *Louisiana Children's Code* Ch. C., article 616.

2. Information regarding a report and investigation may be released to law enforcement without an individual's consent with a current criminal investigation involving acts against children.

L. Information on a report and investigation determined to be justified/valid maintained on the state repository shall not be released for employment purposes, except as allowed by LAC 67:V.1103, and shall only be released for the following purposes, except as specifically authorized by law.

1. DCFS will disclose information regarding perpetrators of child abuse and/or neglect listed on the state repository to other states' child welfare agencies upon formal inquiry by that agency, when the inquiry is made pursuant to an ongoing child protective services investigation, child protection alternative response, foster care home study, adoptive home study, or family services case following a child protective services investigation in the requesting state, in accordance with R.S. 46:56(F)(4)(a). This information may also be released to private licensed child placing agencies located in Louisiana and in other states upon formal inquiry and verification of licensure. Information released to such agencies is confidential and shall not be released to sources outside the agency.

2. DCFS will disclose information regarding perpetrators of child abuse and/or neglect listed on the state repository for the limited purpose of evaluating applicants for CASA volunteers, with their signed consent.

3. DCFS will disclose information regarding perpetrators of child abuse and/or neglect listed on the state repository for foster, adoptive and other home studies for the purpose of placement of children or as a visitation resource for children who are in the custody of the department or receiving services from the department.

4. DCFS will disclose information regarding perpetrators of child abuse and/or neglect listed on the state repository when requested as part of the application process of an individual who has agreed to serve as a monitor of a safety plan developed by the department for the protection of a child's health and safety while remaining in his home. Information disclosed shall be limited to those names recorded on the repository subsequent to January 1, 2010.

5. DCFS will disclose information on perpetrators with justified/valid sexual abuse determinations on the state repository in accordance with 34 USC 30301 et seq., and 28 CFR 115.5 et seq. for prospective and current juvenile facility employees of the Office of Juvenile Justice upon receipt of a written request containing the individual's consent.

6. DCFS will disclose information on the state repository when requested by an employer or prospective employer of a person who will be exercising supervisory authority over that employer's minor children or other

dependent person as part of that person's direct employment and supervision as a caregiver by the parent or person with the dependent. The written request for the information will be a signed and notarized request form that must be signed by the employee and employer. The form will be provided upon request from the employer, prospective employer, employee, or prospective employee. The information will be disclosed to the employer or prospective employer.

7. DCFS will disclose information regarding perpetrators of child abuse and/or neglect in foster homes, child day care centers, specialized providers, juvenile detention centers, residential facilities, registered family child day care homes and residential facilities on all valid determinations on the state repository to the agency or sponsoring agency responsible for the licensure or registration of the facility.

M. Any person whose name is included on the SCR prior to July 1, 2018 with a justified/valid determination may file a rule to show cause against DCFS in the court exercising juvenile jurisdiction in the parish in which the investigation was conducted to show why the information on file should not be expunged. DCFS will expunge the petitioner's name and other identifying information from the SCR upon receipt of a court order to do so. Any expungement order issued by a court shall not take effect as to non-identifying statistical information on file until the three-year record retention period required by federal law for audit purposes has expired, counting from the month and year of the determination. During the three-year record retention period, such records bearing the non-identifying statistical information shall be sealed and accessible only to the financial auditors.

N. When after an investigation, the determination is made by the department that the report does appear to be justified/valid, any subsequent adjudication by a court exercising juvenile jurisdiction which dismisses the child in need of care petition involving the report shall be added to the State Repository.

O. An individual may inquire in person at a DCFS parish child welfare office as to whether they have any appealable justified/valid findings when they provide proof of their identity. They will be advised in writing of any appealable justified/valid finding and of their right to an administrative appeal.

AUTHORITY NOTE: Promulgated in accordance with Louisiana Children's Code Article 616.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Services, LR 26:96 (January 2000), amended LR 31:1608 (July 2005), LR 36:840 (April 2010), amended by the Department of Children and Family Services, Division of Child Welfare, LR 44:

§1111. Child Protective Services Administrative Appeal

A. The Department of Children and Family Services (DCFS) establishes an administrative appeal process with the Division of Administrative Law (DAL). The purpose is to provide individuals the right to appeal DCFS Child Protective Services investigation findings of justified/valid. Any individual with a justified/valid finding of child abuse or neglect may request an appeal of their justified/valid finding directly with DAL.

B. Individuals with justified/valid findings in an investigation prior to July 1, 2018, will have the right to an administrative appeal of any/all of their DCFS findings of justified/valid. When a request for an SCR clearance is received by DCFS, or DCFS verifies that an individual has a justified/valid finding, and the individual is listed as a perpetrator with a justified/valid finding of abuse or neglect in an investigation prior to July 1, 2018; the individual will be notified in writing of their right to an administrative appeal. The individual will have 30 calendar days from the date of the written notification to request an appeal through DAL.

C. Any individual notified of a DCFS justified/valid finding in an investigation subsequent to July 1, 2018, will have the right to an administrative appeal of any/all of their DCFS findings of justified/valid. The individual will have 30 calendar days from the date of the written notification to request an appeal through the DAL.

D. When DCFS receives a request for an SCR clearance on an individual who is a prospective or current employee in a licensed/registered child care setting by the Louisiana Department of Education, a current or prospective employee of an Office of Juvenile Justice juvenile facility, a current or prospective employee in a specialized provider, juvenile detention facility provider licensed by DCFS; or, a current or prospective employee of DCFS in a position whose duties include the investigation of child abuse or neglect, supervisory or disciplinary authority over children, direct care of a child, or performance of licensing surveys, they may request an expedited appeal. A request for an expedited appeal shall be submitted to DAL within 14 calendar days of the date of the written notification. If the appeal is not submitted within the 14 days, the individual has 30 calendar days from the date of the written notification to request a non-expedited appeal through DAL.

E. The appeal request, whether expedited or not expedited, shall include the DCFS written notification of their justified/valid determination. If no request for an appeal is timely submitted and confirmed by DAL, the individual's right to an administrative appeal is exhausted. DAL will provide notice of the filing of an appeal to the individual requesting an administrative appeal and DCFS.

F. The following provisions shall be applicable to all proceedings related to an administrative appeal request.

1. The administrative appeal hearing will be held in the DCFS region or parish where the justified/valid finding occurred, or in a location designated and agreed upon by all parties and DAL for convenience and accessibility, or as ordered by DAL.

2. Pursuant to R.S. 46:56, all proceedings related to an administrative appeal requested pursuant to this section shall be closed to the public.

3. Information that is contained in the record that is considered confidential pursuant to R.S. 46:56 shall not be released to the public.

4. Any relevant records and/or reports in individual cases may be released to parties, their counsel, or other legal representative upon the issuance of a discovery order signed by the administrative law judge assigned to the case. Under

no circumstances shall any information that could identify the reporter of the abuse or neglect or any other non-discoverable information be released for discovery.

5. DCFS will bear the burden of proving by a preponderance of the evidence that the finding of justified/valid should be upheld.

G. When DCFS is notified by the DAL of an appeal decision to overturn an investigation finding, the department will modify the department's records to reflect the decision for each investigation finding overturned. DCFS will notify the individual of the new finding and the department's action as a result of the appeal decision(s). This notification shall include information on the maintenance period on the SCR and/or the state repository.

H. DAL notification that the justified/valid findings are upheld shall result in the individual being recorded as a perpetrator of abuse or neglect with a justified/valid finding, and; if the determination meets the criteria for a tier 1, 2, or 3 finding, the individual's name shall be listed on the SCR.

I. An individual's right to appeal is exhausted in the following circumstances:

1. the individual does not request an administrative appeal with DAL within 30 days of the date of the written notification of their right to appeal the DCFS determination;

2. the individual timely requests an administrative appeal with DAL, an appeal hearing is held and a written decision is rendered by DAL; or

3. the individual withdraws their appeal request.

J. Except as otherwise authorized by law, DCFS will not disclose the individual is listed on the SCR as a perpetrator of child abuse or neglect until their right to an administrative appeal is exhausted, and at least one justified/valid finding has been upheld that meets the criteria for a tier 1, 2, or 3 finding.

K. Within 30 calendar days after the mailing date listed on the notice of final decision by DAL, or if a rehearing is requested, within 30 calendar days after the date of the decision thereon, a party may obtain judicial review by filing a petition for review of the decision in the Nineteenth Judicial District Court or the district court of the domicile of the individual.

AUTHORITY NOTE: Promulgated in accordance with Act 348 of 2017 and Children's Code Article 616.1.1.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Division of Child Welfare, LR 44:

Family Impact Statement

The proposed Rule is not anticipated to have an impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule is not anticipated to have an impact on poverty as defined by R.S. 49:973.

Small Business Analysis

The proposed Rule is not anticipated to have an adverse impact on small businesses as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule is not anticipated to have an impact on providers of services funded by the state as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

All interested persons may submit written comments through April 25, 2018 to Rhenda Hodnett, Assistant Secretary of Child Welfare, Department of Children and Family Services, P. O. Box 3318, Baton Rouge, LA 70821.

Public Hearing

A public hearing on the proposed Rule will be held on April 25, 2018 at the Department of Children and Family Services, Iberville Building, 627 North Fourth Street, Seminar Room 1-127, Baton Rouge, LA beginning at 9 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing, at said hearing. Individuals with disabilities who require special services should contact the DCFS Appeals Unit at least seven working days in advance of the hearing. For assistance, call (225) 342-4120 (voice and TDD).

Marketa Garner Walters
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Risk Assessment Evaluation; State Repository, Central Registry and Administrative Appeal

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

Beginning in FY 19, the annual ongoing cost to the Department of Children and Family Services (DCFS) to implement the provisions of this rule is \$6.6 million, which includes personnel cost associated with 32 full time positions (\$2.2 M), computer software and equipment expenses (\$700 K), and the cost of administrative appeal hearings (\$3.7 M). The Division of Administrative Law (DAL) will conduct the administrative appeal hearings. The cost to DAL is ultimately dependent on the number of administrative appeals requested annually. DAL anticipates needing one attorney (\$152 K salary and benefits) for every 330 hearings and one support staff (\$42 K salary and benefits) for every 550 hearings.

This rule is being promulgated pursuant to Act 348 of the 2017 Regular Legislative Session. Act 348 requires DCFS to maintain a State Central Registry (SCR) of all reports of child abuse and neglect. The department projects to conduct approximately 18,000 SCR background checks annually on employees of childcare providers. This rule also provides that childcare workers have the right to request an administrative appeal prior to the findings of the background check being included in the SCR. The proposed rule change also repeals current provisions on background checks for childcare workers that are now obsolete due to the implementation of the more expansive SCR process.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule authorizes DCFS to charge fee of up to \$25 to conduct SCR background checks on employees of childcare facilities and facilities licensed by DCFS. This fee is anticipated to generate approximately \$454,850 in revenue each year for DCFS.

DCFS is also anticipated to collect \$100,000 in interagency revenue each year from the Louisiana Department of Education (LDE) to conduct SCR background checks on employees working in LDE licensed early learning centers.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

There may be an economic cost to individuals included in the SCR given that it will limit their opportunity to find employment in the childcare industry. However, they have the right to appeal any investigative findings before it would impact their employability.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The implementation of this rule may reduce the number of available childcare workers given that individuals included in the SCR will likely be unemployed in the childcare industry.

Rhenda Hodnett
Assistant Secretary
1803#035

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Civil Service
Board of Ethics**

Food and Drink Limit (LAC 52:I.1703)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Department of Civil Service, Louisiana Board of Ethics, has initiated rulemaking procedures to make amendments to the rules for the Board of Ethics to bring the rules into compliance with current statutory provisions and section 1115.1C of the *Code of Governmental Ethics*.

**Title 52
ETHICS**

Part I. Board of Ethics

Chapter 17. Code of Governmental Ethics

§1703. Food and Drink Limit

A. In accordance with R.S. 42:1115.1(C), beginning on July 1, 2018, the limit for food, drink or refreshments provided in R.S. 42:1115.1(A) and (B) is \$61.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:1115.1.

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 36:304 (February 2010), amended LR 36:1466 (July 2010), LR 38:1951 (August 2012), LR 39:3062 (November 2013) LR 40:1678 (September 2014), LR 41:1262 (July 2015), LR 44:

Family Impact Statement

The proposed Rule changes have no known impact on family formation, stability or autonomy, as described in R.S. 49:972.

Poverty Impact Statement

The proposed rule changes have no known impact on poverty, as described in R.S. 49:972.

Small Business Analysis

The proposed rule should not have any known or adverse impact on small business as described in R.S. 49:956.6.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session.

Public Comments

Interested persons may direct their comments to Kathleen M. Allen, Louisiana Board of Ethics, P.O. Box 4368, Baton

Rouge, LA 70821, telephone (225) 219-5600, until 4:45 p.m. on April 10, 2018.

Kathleen M. Allen
Ethics Administrator

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Food and Drink Limit**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule provides for setting a rule, which raises the monetary limit on the receipt of food and drink by a public employee and public servant from sixty (\$60) dollars to sixty-one (\$61) dollars pursuant to Section 1115.1C of the Code of Governmental Ethics. The estimated cost to implement the proposed rule change is \$168 in FY 17-18, which accounts for the cost to publish the Notice of Intent and the rule in the State Register.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will have no anticipated effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed action will affect all public employees and public servants by setting a standard monetary limit on the receipt of food and drink.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no anticipated effect on competition and employment.

Kristy Gary
Deputy Administrator
1803#024

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

**Bulletin 1566—Pupil Progression Policies and Procedures
(LAC 28:XXXIX.503, 703, 705, and 707)**

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education has approved for advertisement amendments to *Bulletin 1566—Pupil Progression Policies and Procedures*: §503, Regular Placement; §505, Other Placement Requirements; §703, Retention; §705, Support for Students; and §707, Exceptions to High Stakes Policy. The proposed amendments are related to student promotion and summer remediation.

Title 28

EDUCATION

Part XXXIX. Bulletin 1566—Pupil Progression Policies and Procedures

Chapter 5. Placement Policies—General Requirements

§503. Regular Placement

A. - B.1.a. ...

b. any first-time eighth grade student who does not meet the passing standard set forth in §703 of this bulletin

and any student not eligible for any waiver pursuant to §707 of this bulletin, after being offered summer remediation, may be placed on a high school campus in transitional ninth grade;

c. - f. ...

i. For any student who recently completed the eighth grade and is transferring into the LEA from another state or country after summer remediation, the LEA shall review the student's academic record to determine appropriate placement in ninth grade or transitional ninth grade. Such placement shall occur no later than October 1 of each school year.

B.1.f.ii. - E.1.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 25:2171 (November 2000), amended LR 26:1433 (July 2000), LR 26:1576 (August 2000), LR 27:188 (February 2001), LR 27:1006 (July 2001), LR 27:1682 (October 2001), LR 29:123 (February 2003), LR 30:407 (March 2004), LR 31:1974 (August 2005), LR 31:3103 (December 2005), LR 33:2063 (October 2007), LR 34:2389 (November 2008), LR 36:2003 (September 2010), LR 40:765 (April 2014), LR 40:1332 (July 2014), LR 40:2533 (December 2014), LR 41:1271 (July 2015), LR 44:

Chapter 7. Promotion and Support Policy

§703. Promotion and Support Standard for Grade 8

A. Eighth grade students shall score at least at the "basic" achievement level in either English language arts or mathematics and "approaching basic" in the other subject in order to be promoted to the ninth grade. Students who do not meet the promotion standard after taking the eighth grade state assessments may be placed on a high school campus in the transitional ninth grade. For any student who recently completed the eighth grade and is transferring into the LEA from another state or country, the LEA shall review the student's academic record to determine appropriate placement in ninth grade or transitional ninth grade. Such placement shall occur no later than October 1 of each school year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:

§705. Supports for Students

A. Summer Remediation

1. LEAs shall offer, at no cost, extended, on-grade level instruction through summer remediation to students who, based on a preponderance of evidence of student learning, are considered to be academically struggling, did not take the spring LEAP tests, and failed to meet the standard set forth in §701 and §703 of this bulletin. The LEA shall provide transportation to and from the assigned LEAP remediation summer site(s) from, at a minimum, a common pick-up point.

A.2. - B.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2005 (September 2010), amended LR 40:2533 (December 2014), LR 44:

§707. Exceptions to Promotion and Support Policy for Eighth Grade Students

A. - D. ...

E. Extenuating Circumstances Waiver

1. An LEA, through its superintendent, may grant a waiver on behalf of individual students who are unable to participate in LEAP testing because of one or more of the following extenuating circumstances as verified through appropriate documentation:

E.1.a. - F.4.a. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2006 (September 2010), amended LR 40:2242 (November 2014), LR 44:

Family Impact Statement

In accordance with section 953 and 974 of title 49 of the *Louisiana Revised Statutes*, there is hereby submitted a Family Impact Statement on the Rule proposed for adoption, repeal or amendment. All Family Impact Statements shall be kept on file in the state board office which has adopted, amended, or repealed a Rule in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.

2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.

3. Will the proposed Rule affect the functioning of the family? No.

4. Will the proposed Rule affect family earnings and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? No.

6. Is the family or a local government able to perform the function as contained in the proposed Rule? Yes.

Poverty Impact Statement

In accordance with section 973 of title 49 of the *Louisiana Revised Statutes*, there is hereby submitted a Poverty Impact Statement on the Rule proposed for adoption, amendment, or repeal. All Poverty Impact Statements shall be in writing and kept on file in the state agency which has adopted, amended, or repealed a Rule in accordance with the applicable provisions of the law relating to public records. For the purposes of this section, the word "poverty" means living at or below 100 percent of the federal poverty line.

1. Will the proposed Rule affect the household income, assets, and financial security? No.

2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? Yes.

3. Will the proposed Rule affect employment and workforce development? No.

4. Will the proposed Rule affect taxes and tax credits? No.

5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No.

Small Business Analysis

The impact of the proposed Rule on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, April 8, 2018, to Shan N. Davis, Executive Director, Board of Elementary and Secondary Education, P.O. Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Shan Davis, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Bulletin 1566—Pupil Progression Policies and Procedures

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There is no impact to the Department of Education. The impact on the expenditures of local school districts is indeterminable. The proposed revisions provide additional flexibility to the districts in determining which students must be offered summer remediation. Current rules provide that students who do not take spring LEAP tests, or fail to meet the passing standard must be offered on-grade level instruction through summer remediation. However, districts will not receive LEAP score results before June 2018, which does not allow them sufficient time to identify and prepare summer programs for eligible students. Current policy also does not enable local school districts to consider other evidence of student learning that could aid in identifying the students who could benefit from summer remediation. The proposed change allows districts to use a preponderance of evidence of student learning to determine whether students are academically struggling, rather than solely the LEAP score. This is meant to assist districts in identifying summer school needs. While the changes could assist in more accurately projecting summer

remediation needs, it could also result in districts offering summer instruction to students who subsequently pass the test, which could increase rather than decrease expenditures. Impacts will vary by district and are indeterminable at this time.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

This policy change will have no effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Charter schools, which are also public schools, will experience impacts similar to the local school districts as a result of determining which students are eligible for, and should be offered summer remediation. Any costs or savings will vary by school and are indeterminable at this time.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment.

Beth Scioneaux
Deputy Superintendent
1803#025

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Board of Regents Proprietary School Section

Definitions; Student Complaint Procedure; Forms
(LAC 28:III.103, 1701, and 2301)

In accordance with the Administrative Procedure Act, R.S. 17:3141 et seq., notice is hereby given that the Board of Regents is amending the rules and regulations to LAC 28:III, Proprietary Schools, by codifying current practices and procedures into administrative law to assist in the oversight of licensed Louisiana proprietary schools.

Title 28

EDUCATION

Part III. Proprietary Schools

Chapter 1. General Provisions

§103. Definitions

Proprietary Schools—hereinafter referred to as “school”, as defined in R.S. 17:3141.2 and R.S. 17:3141.16(B)(4).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3141.2(5).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 33:1857 (September 2007), amended by the Board of Regents, Proprietary School Section, LR 44:

Chapter 17. Student Complaint Procedure

§1701. Policies, Conciliation, Conferences, Hearing, and Review

A. - B.6. ...

C. Mediation Conferences

1. If the student advises the Section that no satisfactory resolution has been achieved with the school through the conciliation procedure, at that point the commission staff may forward the complaint and all associated materials to a qualified neutral third party.

C.2. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3141.3(E), R.S. 17:3141.3(D)(2).

HISTORICAL NOTE: Promulgated by the Department of Education, Board of Regents, LR 33:1865 (September 2007), amended by the Board of Regents, Proprietary School Section, LR 44:

Chapter 23. Forms

§2301. Proprietary Schools Licensure Forms

A. - A.7.I. ...

m. signature, title and approval date of Board of Regents official.

8. PSC-10 Exemption from Surety Bond. The applicant shall complete the following items of the PSC-10 form:

a. name and address of proprietary school;
b. attestation of that the school does not require students to pay tuition for a course of study more than one month in advance; the school has been in continuous operation for at least five years; and the school has met all the requirements of the Board of Regents;

c. signature and title of school official;
d. signature and seal of notary; and
e. signature and approval date of Board of Regents official.

9. PSC-11 Application for Associate in Occupational Studies Degree. The applicant shall complete the following items of the PSC-11 form:

a. title of associate in occupational studies degree proposal;
b. name and location of proprietary school;
c. name and address of institution;
d. signature and title of school official; and
e. name, signature, and seal of notary.

10. PSC-12 Annual Renewal Fee Affidavit. The applicant shall complete the following items of the PSC-12 form:

a. name and location of proprietary school;
b. attestation of the dates of the previous business year and the gross tuition collected;
c. number of students enrolled in the previous business year;
d. number of students graduated in the previous business year;
e. signature and title of school official;
f. name, signature, and seal of notary; and
g. enrollment data.

11. PSC-13 Annual Student Protection Fee. The applicant shall complete the following items of the PSC-13 form:

a. name and location of proprietary school;
b. attestation of the dates of the previous business year and the gross tuition collected;
c. signature and title of school official; and
d. name, signature, and seal of notary.

12. PSC-14 Proprietary School License Requirements Checklist. The applicant shall complete the following items of the PSC-14 form:

a. PSC-1 form;
b. PSC-2 form;
c. copy of documents from the Office of the Secretary of State validating legal structure and any other documentation as required;

d. current audited balance sheet of the school prepared by an independent CPA licensed in the state of Louisiana;

e. inventory list of equipment available for each course of study;

f. copies of all enrollment contracts or agreements with a minimum cancellation and refund policy that has been approved by the commission;

g. copies of all circulars, brochures, bulletins, certificates, diplomas, and advertising copy for all media;

h. copy of school catalog;

i. PSC-3 form;

j. copy of bill of sale (for change of ownership applications only);

k. PSC-6 or PSC-5 form;

l. license fee;

m. student protection fund fee;

n. solicitor fee;

o. PSC-4;

p. PSC-9;

q. copy of detailed program outline and subject descriptions for each program of study;

r. copy of fee schedule for each program of study;

s. narrative geographic description of school location;

t. copy of certificate of occupancy;

u. PSC-17 form; and

v. business plan.

13. PSC-15 Student Claim Form. The applicant shall complete the following items of the PSC-15 form:

a. name and contact information of claimant;

b. name and contact information of next of kin;

c. name and address of school claim filed against;

d. course of instruction;

e. student's enrollment status at time of closure;

f. dates of attendance;

g. graduation status;

h. claimant's attendance status within 90 days of school closure;

i. reason for leaving/withdrawing;

j. method of payment to school;

k. name and address lender if applicable;

l. claimant's signature and Social Security number; and

m. date of claim.

14. PSC-17 Initial License Tuition Refund Affidavit. The applicant shall complete the following items of the PSC-17 form:

a. legal structure of school;

b. name of proprietary school and/or name of corporation and state of incorporation;

c. signature of owner(s) and/or name and signature of corporate secretary; and

d. name, signature, and seal of notary.

15. PSC-18 License Renewal Tuition Refund Affidavit. The applicant shall complete the following items of the PSC-18 form:

a. legal structure of school;

b. name of proprietary school and/or name of corporation and state of incorporation;

c. attestation of payable tuition refunds;

d. signature of owner(s) and/or name and signature of corporate secretary; and

e. name, signature, and seal of notary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3141.3(E), R.S. 17:3141.3(D)(2).

HISTORICAL NOTE: Promulgated by the Board of Regents, Proprietary School Section, LR 40:1688 (September 2014), amended LR 44:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. This proposed Rule has a positive impact on family functioning, stability, or autonomy as described in R.S. 49:972 by allowing waiver service recipients within active duty military families to return to Louisiana and have preferential assignment to available waiver opportunities.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the provider to provide the same level or service; or
3. the overall effect on the ability of the provider to provide the same level of services.

Public Comments

Interested persons may submit written comments to Larry Tremblay, Deputy Commissioner for Planning, Research, and Academic Affairs, Louisiana Board of Regents, P.O. Box 3677, Baton Rouge, LA, 70821, by April 25, 2018. He is responsible for responding to inquiries regarding this proposed Rule.

Larry Tremblay
Deputy Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Definitions; Student Complaint Procedure; Forms

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will have no estimated implementation costs or savings to state or local governmental

units. The proposed rule changes codify Act 204 of 2017, which exempts proprietary schools that offer educator preparation programs approved by the Board of Elementary and Secondary Education from being licensed by Board of Regents (BOR) and from paying the licensure fees assessed by the BOR. In addition, the proposed rule change makes technical changes to its definitions by making the definition of a "proprietary school" consistent with existing law.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change will result in a decrease in BOR's revenue. There will be no impact to local governmental units. The proposed rule change codifies Act 204 of 2017 that exempts teacher preparatory proprietary schools approved by the Department of Education from paying the licensure renewal fee. The licensure renewal fee is based upon the gross tuition collected by the proprietary school for the previous fiscal year. The licensure renewal fee for schools with gross tuition income under \$50,000 is \$500 and over \$50,000 is \$1,000 or .25% of total gross tuition income, whichever is greater. Currently, there are four entities that would be eligible for this exemption and this would decrease Board of Regents' annual revenues by a minimum of \$2,000.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change will result in an economic benefit to certain proprietary schools that would otherwise be required to pay the licensure renewal fee.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule update has no effect on competition and employment.

Larry Tremblay
Deputy Commissioner
1803#031

Gregory V. Albrecht
Chief Economist
Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor Board of Pardons

Clemency Consideration Eligibility (LAC 22:V.203)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), the Board of Pardons hereby gives notice of its intent to amend its rules in LAC 22:V.203. These proposed rule changes revise eligibility for clemency for non-violent offenses. Technical revisions to Section 203 remove the waiting period for filing a request for clemency for non-violent crimes.

Title 22

CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT

Part V. Board of Pardons

Chapter 2. Clemency

§203. Eligibility for Clemency Consideration

A. - B. ...

C. Incarcerated Applicants or Applicants Under Supervision of the Louisiana Department of Public Safety and Corrections

1. An executive pardon shall not be considered for an offender while in prison, except when exceptional circumstances exist.

Public Comments

Written comments may be addressed to Mary Fuentes, Executive Director, Board of Pardons and Parole, P.O. Box 94304, Baton Rouge, LA 70804 until 4:30 p.m. on April 10, 2018

Sheryl M. Ranatza
Board Chair

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Clemency Consideration Eligibility

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule changes may result in a cost savings to state governmental units. The proposed rule changes revise eligibility for clemency for non-violent offenses and revisions to Section 203, which remove the waiting period for filing a request for clemency for non-violent crimes. While the implementation costs to state and local governmental units are not material, in the event additional offenders become eligible and are subsequently granted a commutation of sentence, the state may realize an indeterminable SGF savings upon release. The savings are the result of no longer housing the offender. In FY 18 (at 12/12/2017), the daily rate to house a state offender in a state facility averages \$54.21 resulting in \$19,786.65 (\$54.21 x 365 days) potential savings annually.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no effect on revenue collections of state or local governmental units as a result of the proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

There is no estimated cost to directly affected persons or non-governmental groups. Individuals released may realize economic benefits by utilizing job skills from previous employment history or through successful completion of vocational training while incarcerated to obtain employment. Upon gaining employment, the individual may provide economic benefits to the community and state by being a productive member and providing taxes to the local, state and federal coffers.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment as a result of the proposed rule change.

Thomas C. Bickham, III
Undersecretary
1803#020

John D. Carpenter
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor Office of Financial Institutions

Business and Industrial Development Corporations
(LAC 10:XV.111)

Under the authority of and in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 51:2389, the commissioner of the Office of Financial Institutions hereby gives notice of intent to adopt

2. An incarcerated offender who is not serving a life sentence for a non-violent crime may request a commutation of sentence:

- a. at any time; and
- b. must have been disciplinary report free for a period of at least 24 months prior to the date of the application or at the time of the hearing (if a hearing is granted); and
- c. must not be classified to a maximum custody status at the time of the application or at the time of the hearing (if a hearing is granted); and
- d. must possess a marketable job skill, either through previous employment history or through successful completion of vocational training while incarcerated.

3. An incarcerated offender who is not serving a life sentence, but who is serving a sentence for a violent offense as defined in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541, may request a commutation of sentence:

- a. after having served a minimum of 10 years;
- b. must have been disciplinary report free for a period of at least 24 months prior to the date of the application or at the time of the hearing (if a hearing is granted); and
- c. must not be classified to a maximum custody status at the time of the application or at the time of the hearing (if a hearing is granted); and
- d. must possess a marketable job skill, either through previous employment history or through successful completion of vocational training while incarcerated.

D. Life Sentences. An offender sentenced to life may not apply until he has served 15 years from the date of sentence, unless he has sufficient evidence which would have caused him to have been found not guilty. The 15 years shall include periods of time prior to the imposition of the sentence in which the defendant was in actual custody for the offense for which he was sentenced to life imprisonment. The offender must also meet the criteria stated in Subparagraphs C.3.a-d of this Section.

E. Capital Cases. Any offender sentenced to death may submit an application within one year from the date of the direct appeal denial. See also §213, Capital Cases.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:573.1, 15:574.12 and 44:1 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, LR 39:2255 (August 2013), amended LR 42:1087 (July 2016), amended by the Office of the Governor, Board of Pardons, LR 44:

Family Impact Statement

Amendment to the rules has no known impact on family formation, stability or autonomy, as described in R.S. 49-972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relations to individual or community asset development as described in R.S. 49:973.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2012 Regular Legislative Session.

the following changes to more closely align its small business rules with governing federal policy.

Title 10

**FINANCIAL INSTITUTIONS, CONSUMER CREDIT,
INVESTMENT SECURITIES, AND UCC**

Part XV. Other Regulated Entities

**Chapter 1. Business and Industrial Development
Corporations**

§111. Small Business Administration

A. If an applicant desires to participate in a program of the Small Business Administration, (SBA), or the commissioner determines that an application indicates that an applicant's participation in such program will comprise a significant portion of the applicant's business plan, the commissioner may grant conditional licensure to the applicant as a BIDCO subject to conditions determined by the commissioner, pending the submission by the applicant of evidence, deemed sufficient by the commissioner, of approval granted by the SBA, within 90 days of the issuance of the commissioner's conditional licensure.

B. ...

C. If the commissioner determines that sufficient evidence of SBA approval has not been provided to him within the time frame described in Subsection A hereinabove, the commissioner's conditional licensure shall be void, and the applicant shall have no right to any judicial, administrative, or other relief. The applicant may request new licensure subject to conditions pursuant to Subsection A at least 10 business days prior to the expiration of an existing conditional license without filing a new application pursuant to this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950 et seq., and R.S. 51:2389.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Financial Institutions, LR 18:26 (January 1992), amended by the Office of the Governor, Office of Financial Institutions, LR 44:

Family Impact Statement

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

This Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This Rule has no known impact on small business as described in R.S. 49:965.5.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

All interested persons are invited to submit written comments regarding this proposed Rule no later than 5 p.m. on April 9, 2018, to Susan R. Rouprich, General Counsel, to 8660 United Plaza, Second Floor, Baton Rouge, LA 70809.

Christine O. Kirkland
Deputy Commissioner

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Business and Industrial
Development Corporations**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

There are no anticipated costs or savings to state or local governmental units as a result of the proposed rule revision. The proposed revision enhances the consistency between the process of applying for a Business and Industrial Development Corporation license and federal policies governing small business lending programs.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE
OR LOCAL GOVERNMENTAL UNITS (Summary)**

There is no anticipated effect on revenue collections for the state or any local governmental units as a result of the proposed rule revision.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO
DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL
GROUPS (Summary)**

There are no anticipated costs or material economic benefits to directly affected persons or non-governmental groups. Currently applicants for Business and Industrial Development Corporation licenses must provide evidence of approval to participate in a program of the Small Business Administration prior to issuance of a license. The proposed rule change will allow applicants to receive a conditional license and to provide evidence of SBA program approval within 90 days.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT
(Summary)**

The proposed rule revision will have no effect on competition and employment.

Christine O. Kirkland
Deputy Commissioner
1803#030

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Board of Dentistry**

Anesthesia/Analgesia Administration
(LAC 46:XXXIII.1511)

In accordance with the applicable provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Dental Practice Act, R.S. 37:751 et seq., and particularly R.S. 37:760(8), notice is hereby given that the Department of Health, Board of Dentistry intends to amend LAC 46:XXXIII.1511.

The Louisiana State Board of Dentistry is amending LAC 46:XXXIII.1511 to require that every dentist who performs moderate or greater sedation must now have adequate equipment for the establishment of an intravenous infusion, regardless of the route of administration of the sedation.

**Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part XXXIII. Dental Health Profession

Chapter 15. Anesthesia/Analgesia Administration

**§1511. Required Facilities, Personnel and Equipment
for Sedation Procedures**

A. - A.7.c. ...

d. adequate equipment for the establishment of an intravenous infusion;

A.7.e. - B.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:760(8).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 42:55 (January 2016), amended by the Department of Health, Board of Dentistry, LR 43:956 (May 2017), amended by the Department of Health, Board of Dentistry, LR 43:1964 (October 2017), LR 44:

Family Impact Statement

There will be no family impact in regard to issues set forth in R.S. 49:972.

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973. In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;

2. the effect on early childhood development and preschool through postsecondary education development;

3. the effect on employment and workforce development;

4. the effect on taxes and tax credits;

5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Provider Impact Statement

The proposed rulemaking should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;

2. the total direct and indirect effect of the cost to the providers to provide the same level of service; or

3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments on these proposed rule changes to Arthur Hickham, Jr., Executive Director, Louisiana State Board of Dentistry, One Canal Place, Suite 2680, 365 Canal Street, New Orleans, LA 70130. A request pursuant to R.S. 49:953(A)(2) for oral presentation, argument, or public hearing must be in writing and received by the board within 20 days of the date of the publication of this notice. Written comments must be submitted to and received by the board within 20 days of the date of the publication of this notice.

Public Hearing

A request pursuant to R.S. 49:953(A)(2) for oral presentation, argument, or public hearing must be in writing

and received by the board within 20 days of the date of the publication of this notice.

Arthur F. Hickham, Jr.
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Anesthesia/Analgesia Administration**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will not affect expenditures for state or local governmental units except for a one-time, \$500 publication cost in FY 18 for the LA State Board of Dentistry (LSBD) to publish the notice of intent and proposed rule change in the *Louisiana Register*.

The proposed rule change requires dentists providing moderate or greater sedation to have the ability to establish intravenous infusion of sedation.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change will not affect revenue collections for state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change may result in costs for dentists giving moderate or greater sedation who currently do not have adequate equipment to establish intravenous infusion of sedation. As a result, some dentists may incur costs to purchase such equipment. For reference, information obtained from the LSBD indicates that such equipment costs approximately \$10-20.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes will not affect competition or employment.

Arthur F. Hickham, Jr.
Executive Director
1803#038

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Board of Nursing**

Denial or Delay of Licensure (LAC 46:XLVII.3331)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 37:917-918, that the Louisiana State Board of Nursing (LSBN) is proposing rule changes to §3331, denial or delay of licensure. Our mission is "To safeguard the life and health of the citizens of Louisiana by assuring persons practicing as registered nurses and advanced practice registered nurses are competent and safe". The proposed Rule change revises the criteria set forth in Title 46, Professional and Occupational Standards, Part XLVII, Chapter 33, General, Subchapter C, Registration and Registered Nurse Licensure, Section 3331, Denial or Delay

of Licensure, Licensure by Endorsement, Reinstatement, or the Right to Practice Nursing as a Student Nurse. *Louisiana Revised Statute* 14:2(B) enumerates the crimes of violence by which LSBN has aligned proposed Rule changes for applicants that apply for licensure, licensure by endorsement, reinstatement, or the right to practice as a student nurse set forth in §3331. *Louisiana Revised Statute* 14:2(B) enumerates the crimes of violence by which LSBN has aligned proposed Rule changes for applicants that apply for licensure, licensure by endorsement, reinstatement, or the right to practice as a student nurse set forth in §3331. LSBN has more broadly enumerated violations that will be considered for denial and delay of nursing licensure. The scope became broader by allowing the board to use its discretion in determining the number of years that a nursing applicant for licensure, licensure by endorsement, reinstatement, or the right to practice as a student nurse shall be delayed or denied approval for licensure, for reinstatement, to receive a temporary working permit, to be eligible for NCLEX-RN, or to enter or progress into any clinical nursing course. The LSBN has changed the timeframe from a minimum of five years to up to five years.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XLVII. Nurses: Practical Nurses and Registered Nurses

Subpart 2. Registered Nurses

Chapter 33. General

Subchapter C. Registration and Registered Nurse Licensure

§3331. Denial or Delay of Licensure, Licensure by Endorsement, Reinstatement, or the Right to Practice Nursing as a Student Nurse

A. Denial of Licensure, Licensure by Endorsement, Reinstatement, or the Right to Practice Nursing as a Student Nurse

1. Applicants for licensure, licensure by endorsement, reinstatement, or the right to practice as a student nurse shall be denied approval for licensure, for reinstatement, to receive a temporary working permit, to be eligible for NCLEX-RN, or to enter or progress into any clinical nursing course, if the applicant has pled guilty, *nolo contendere*, or “best interest of” to, or the equivalent thereto in jurisdictions other than Louisiana, or has been convicted of committing, attempting to commit, or conspiring to commit:

- a. any of the following crimes:
 - i. R.S. 14:28.1, solicitation for murder;
 - ii. R.S. 14:30, first degree murder;
 - iii. R.S. 14:30.1, second degree murder;
 - iv. R.S. 14:32.6, first degree feticide;
 - v. R.S. 14:34, aggravated battery;
 - vi. R.S. 14:34.1, second degree battery;
 - vii. R.S. 14:34.7, aggravated second degree battery;
 - viii. R.S. 14:37.1, assault by drive-by shooting;
 - ix. R.S. 14:42, aggravated or first-degree rape;
 - x. R.S. 14:42.1, forcible or second-degree rape;
 - xi. R.S. 14:43, simple or third-degree rape;
 - xii. R.S. 14:43.1, sexual battery;
 - xiii. R.S. 14:43.2, second degree sexual battery;

- xiv. R.S. 14:43.3, oral sexual battery;
- xv. R.S. 14:43.5, intentional exposure to AIDs virus;
- xvi. R.S. 14:44, aggravated kidnapping;
- xvii. R.S. 14:44.1, second degree kidnapping;
- xviii. R.S. 14:44.2, aggravated kidnapping of a child;
- xix. R.S. 14:45, simple kidnapping;
- xx. R.S. 14:46.2, human trafficking;
- xxi. R.S. 14:46.3, trafficking of children for sexual purposes;
- xxii. R.S. 14:52, aggravated arson;
- xxiii. R.S. 14:64, armed robbery;
- xxiv. R.S. 14:64.1, first degree robbery;
- xxv. R.S. 14:64.3, armed robbery use of firearm, additional penalty;
- xxvi. R.S. 14:64.4, second degree murder;
- xxvii. R.S. 14:81.1, pornography involving juveniles;
- xxviii. R.S. 14:81.2, molestation of a juvenile or a person with a physical or mental disability;
- xxix. R.S. 14:84.4, prohibited sexual conduct between educator and student;
- xxx. R.S. 14:82.2 (C)(4)(5), purchase of commercial sexual activity;
- xxxi. R.S. 14:89, crime against nature;
- xxxii. R.S. 14:89.1, aggravated crime against nature;
- xxxiii. R.S. 14:93.2.3, second degree cruelty to juveniles;
- xxxiv. R.S. 14:93.3, cruelty to persons with infirmities;
- xxxv. R.S. 14:93.5, sexual battery of persons with infirmities;
- xxxvi. R.S. 14:128.1, terrorism; or
- xxxvii. an equivalent crime in jurisdictions other than Louisiana; or

b. a crime designated or defined as an “aggravated offense,” as a “criminal offense against a victim who is a minor,” as a “sexual offense,” or as a “sexual offense against a victim who is a minor,” as listed, defined, enumerated, or designated within R.S. 15:541, or any other later-enacted and comparable law(s); or an equivalent crime in jurisdictions other than Louisiana.

2. For purposes of this Section, a first offender pardon, suspension of imposition of sentence, expungement, or similar action shall not negate or diminish the applicability of this Section.

3. ...

4. These provisions of this Section shall not apply to the reinstatement of a license that has been revoked, suspended, or surrendered as a result of disciplinary action taken against a licensee by the board or which reinstatement otherwise would be subject to the provisions of LAC 46:XLVII.3415.

B. Denial of Licensure, Reinstatement, or the Right to Practice Nursing as a Student Nurse for up to Five Years

1. Applicants for licensure, licensure by endorsement, reinstatement, or the right to practice as a student nurse shall be denied approval for licensure, for reinstatement, to receive a temporary working permit, to be eligible for NCLEX-RN, or to enter or progress into any clinical nursing course for up to five years, if the applicant has pled guilty, *nolo contendere*, or “best interest of” to, or the equivalent

thereto in jurisdictions other than Louisiana, or has been convicted of committing, attempting to commit, or conspiring to commit:

a. felony which reflects an inability to practice nursing safely with due regard for the health and safety of clients or patients not previously mentioned or related to the aforementioned Paragraph A.1-A.1.b of this Section, or any of the following crimes:

- i. R.S. 14:31, manslaughter;
- ii. R.S. 14:32.1, vehicular homicide;
- iii. R.S. 14:32.7, second degree feticide;
- iv. R.S. 14:34.2, battery of a police officer;
- v. R.S. 14:37, aggravated assault;
- vi. R.S. 14:37.2, aggravated assault upon a peace officer;
- vii. R.S. 14:37.4, aggravated assault with a firearm;
- viii. R.S. 14:37.7, domestic abuse aggravated assault;
- ix. R.S. 14:38.1, mingling harmful substances;
- x. R.S. 14:40.2, stalking;
- xi. R.S. 14:46.1, false imprisonment; offender armed with a dangerous weapon;
- xii. R.S. 14:55, aggravated criminal damage to property;
- xiii. R.S. 14:60, aggravated burglary;
- xiv. R.S. 14:62.8, home invasion;
- xv. R.S. 14:64.2, carjacking;
- xvi. R.S. 14:65, simple robbery;
- xvii. R.S. 14:65.1, purse snatching;
- xviii. R.S. 14:66, extortion;
- xix. R.S. 14:67.3, unauthorized use of "access card" as theft;
- xx. R.S. 14:67.11, credit card fraud by persons authorized to provide goods and services;
- xxi. R.S. 14:67.16, identity theft;
- xxii. R.S. 14:67.21, theft of assets of a person who is aged or person with a disability;
- xxiii. R.S. 14:67.22, fraudulent acquisition of a credit card;
- xxiv. R.S. 14:68.2, unauthorized use of supplemental nutrition assistance program benefits or supplemental nutrition assistance program benefit access devices;
- xxv. R.S. 14:70.1, Medicaid fraud;
- xxvi. R.S. 14:70.4, access device fraud;
- xxvii. R.S. 14:80, felony carnal knowledge of a juvenile;
- xxviii. R.S. 14:81, indecent behavior with juveniles;
- xxix. R.S. 14:81.3, computer-aided solicitation of a minor;
- xxx. R.S. 14:82.1, prostitution; persons under 18;
- xxxi. R.S. 14:82.2, purchase of commercial sexual activity;
- xxxii. R.S. 14:83, soliciting for prostitutes;
- xxxiii. R.S. 14:83.1, inciting prostitution;
- xxxiv. R.S. 14:83.2, promoting prostitution;
- xxxv. R.S. 14:84, pandering;
- xxxvi. R.S. 14:85, letting premises for prostitution;
- xxxvii. R.S. 14:86, enticing persons into prostitution;
- xxxviii. R.S. 14:92, contributing to the delinquency of a minor;
- xxxix. R.S. 14:94, illegal use of weapons or dangerous instrumentalities;

- xl. R.S. 14:102, cruelty to animals, simple;
- xli. R.S. 14:106(A)(5), obscenity (by solicitation of a person under the age of 17);
- xlii. R.S. 14:108.1(C), aggravated flight from an officer;
- xliii. R.S. 14:283, video voyeurism;
- xliv. R.S. 14:283.1, voyeurism (second or subsequent conviction); or
- b. a crime involving the production, manufacturing, distribution or dispensing of a controlled dangerous substance as provided for and defined in R.S. 40:961 through 40:995, otherwise referred to as the uniform controlled dangerous substances law, or an equivalent crime in jurisdictions other than Louisiana, including without limitation:
 - i. R.S. 40:962.1.1, possession of 12 grams or more of ephedrine, pseudoephedrine, or phenylpropanolamine or their salts, optical isomers, and salts of optical isomers;
 - ii. R.S. 40:962.1.2, restriction on the sale and purchase of nonprescription products containing dextromethorphan, its salts or optical isomers, and salts of optical isomers;
 - iii. R.S. 40:966, penalty for distribution or possession with intent to distribute narcotic drugs listed in schedule I; possession of marijuana, possession of synthetic cannabinoids, possession of heroin;
 - iv. R.S. 40:967, prohibited acts—schedule II, penalties;
 - v. R.S. 40:968, prohibited acts—schedule III, penalties;
 - vi. R.S. 40:969, prohibited acts—schedule IV, penalties;
 - vii. R.S. 40:970, prohibited acts—schedule V, penalties;
 - viii. R.S. 40:971, prohibited acts; all schedules;
 - ix. R.S. 40:971.1, prohibited acts; false representation;
 - x. R.S. 40:971.2, unlawfully prescribing, distributing, dispensing, or assisting in illegally obtaining controlled dangerous substances;
 - xi. R.S. 40:979, attempt and conspiracy;
 - xii. R.S. 40:981, distribution to persons under 18;
 - xiii. R.S. 40:981.1, distribution to a student;
 - xiv. R.S. 40:981.2, soliciting minors to produce, manufacture, distribute, or dispense controlled dangerous substances;
 - xv. R.S. 40:981.3, violation of uniform controlled dangerous substances law; drug free zone;
 - xvi. R.S. 40:983, creation or operation of a clandestine laboratory for the unlawful manufacture of a controlled dangerous substance; definition; penalties;
 - xvii. R.S. 40:983.1, creation or operation of a clandestine laboratory for the unlawful manufacture of controlled dangerous substance on or within one thousand feet of school property;
 - xviii. R.S. 40:989, dangerous chemical substances; butyl nitrate, nitrous oxide, and amyl nitrate; use and transference;
 - xix. R.S. 40:989.1, unlawful production, manufacture, distribution, or possession of hallucinogenic plants;

xx. R.S. 40:989.2, unlawful production, manufacturing, distribution, or possession of prohibited plant products;

xxi. R.S. 40:989.3, unlawful distribution of products containing *Mitragyna speciosa* to minors;

xxii. R.S. 40:996.6, violations (stop order); or

c. two or more misdemeanors which reflect an inability to practice nursing safely with due regard for the health and safety of clients or patients, including but not limited to:

i. R.S. 14: 35, simple battery;

ii. R.S. 14:37, aggravated assault;

iii. R.S. 14: 43, sexual battery;

iv. R.S. 14:59, criminal mischief;

v. R.S. 14:63.3, entry on or remaining in places after being forbidden;

vi. R.S. 14:83, soliciting for prostitutes;

vii. any crimes related to alcohol or drugs; or

d. a misdemeanor which reflects an inability to practice nursing safely with due regard for the health and safety of clients or patients where aggravating circumstances also exist, including but not limited to ongoing substance abuse or dependency, discovered as part of an investigation.

2. Applicants who are denied licensure, licensure by endorsement, reinstatement, or the right to practice nursing as a student nurse as set forth in Paragraph B.1 of this Section shall not be eligible to submit a new application until the following conditions are met:

a. the applicant presents evidence of:

i. the final disposition of the criminal case involving the applicant including, if applicable, the completion of all court-ordered probation and/or parole; community supervision, restitution; and

ii. the applicant can practice nursing safely. The evidence may include, but not be limited to, certified court documents, comprehensive evaluations by board approved-evaluators, employer references, and other evidence of rehabilitation. Prior to requesting a board hearing, all evidence the applicant desires to be considered shall be presented to board staff; and

b. a hearing or conference shall be held before the board to review the evidence, to afford the applicant the opportunity to prove that the cause for the denial no longer exists, and to provide an opportunity for the board to evaluate the evidence presented and determine whether or not a new application can be submitted and considered without being subject to the mandatory delay provisions of Paragraph B.1 of this Section when no new or other grounds for such delay exist.

C. Delay of Licensure, Licensure by Endorsement, Reinstatement, or the Right to Practice Nursing as a Student Nurse

1. Applicants for licensure, licensure by endorsement, reinstatement, and for practice as a student nurse may be delayed approval for licensure, for reinstatement, to receive a temporary working permit, to be eligible for NCLEX-RN, or to enter or progress into any clinical nursing course, if the applicant:

a. has a pending criminal charge involving any violence or danger to another person, or involving a crime that constitutes a threat to patient care, or one that involves

drug possession, use, production, manufacturing, distribution or dispensing; or

b. has any pending disciplinary action or any restrictions of any nature by any licensing/certifying board in any state; or

c. has pled guilty, *nolo contendere*, “best interest of”, or the equivalent thereto in jurisdictions other than Louisiana, or has been convicted of committing, attempting to commit, or conspiring to commit, or allowed to participate in a pre-trial diversion program or a district attorney’s probation program in lieu of prosecution for, a crime which may not constitute grounds for denial, but nonetheless reflects the inability of the applicant to practice nursing safely; and the conditions of the court or the pre-trial diversion program have not been met; or the applicant is currently serving a court ordered probation or parole at the time the applicant submits an application; or

d. has been diagnosed with or treated for a physical or mental condition which may interfere with or affect the ability of the applicant to practice nursing safely;

e. has been diagnosed with or treated for substance dependence or substance use disorders.

2. Applicants who are delayed licensure, licensure by endorsement, reinstatement, or the right to practice nursing as a student nurse are not eligible for consideration of a new application until the following conditions are met:

a. if the delay is based on the existence of a pending criminal charge, the applicant shall present evidence the charge(s) has/have been dismissed, said evidence to include documents indicating the dismissal was predicated upon the applicant’s successful completion of a pre-trial diversion program, a district attorney’s probation program, or completion of conditions imposed for consideration of suspension of sentence under La. C.Cr.P. arts. 893 or 894 or their respective equivalents in jurisdictions other than Louisiana; or

i. if the charge results in a felony conviction, other than for the commission of a crime which constitutes grounds for denial of the application, the applicant shall present evidence of the final disposition of the criminal case involving the applicant including, if applicable, the completion of all court-ordered probation and/or parole;

ii. if the charge results in a misdemeanor conviction, other than for the commission of a crime which constitutes grounds for denial of the application, the applicant shall present evidence of the final disposition of the criminal case including, if applicable, the completion of all court ordered probation and/or parole;

b. if the delay is based upon pending disciplinary action, the applicant shall present evidence of unencumbered license(s) or certification from all affected jurisdictions, which evidence shall prove the matter has been resolved satisfactorily; or

c. if the delay is based upon the existence of a physical or mental condition, the applicant shall present comprehensive psychological, psychiatric, chemical dependency and/or other appropriate medical evaluations completed with board-approved evaluators, which may include, but not be limited to, forensic evaluations with polygraph examination, and any other evidence which demonstrates the ability of the applicant to practice nursing safely;

d. if the delay is based on the existence of a substance use disorder or dependency and/or treatment for that disorder/dependency, the applicant shall demonstrate to the board's satisfaction continuous, on-going, and consistent sobriety and successful participation in, or completion of, all treatment recommendations, all of which shall be reviewed on a case-by-case basis;

e. a hearing or conference may be held before the board to review and to evaluate any evidence, to afford the applicant an opportunity to prove the cause for the delay no longer exists, or the cause is being treated successfully, or is in remission, and to provide an opportunity for the board to determine whether or not a new application may be submitted and considered without being subject to the delay provisions of Paragraph B.1 of this Section when no new or other grounds for such a delay exist.

3. The provisions of this Section shall not apply to the reinstatement of a license which has been revoked, suspended, or surrendered as a result of disciplinary action taken against a licensee by the board or which reinstatement otherwise would be subject to the provisions of LAC 46:XLVII.3415.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918, 920 and 921.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Nursing, LR 23:961 (August 1997), repromulgated LR 24:1293 (July 1998), amended LR 27:202 (February 2001), LR 38:818 (March 2012), amended by the Department of Health, Board of Nursing, LR 44:

Family Impact Statement

The proposed additions and/or changes to the rules of the board, Louisiana State Board of Nursing should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, there should be no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. a family's earnings and budget;
5. the behavior and personal responsibility of the children; or
6. the family's ability or that of the local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will not have an impact on child, individual, or family poverty in relation to individual or community asset development as described on R.S. 49:973.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will not have an impact on the staffing level requirements or qualifications required to provide the same level of service,

no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments on the proposed Rule to Karen C. Lyon, 17373 Perkins Road, Baton Rouge, LA 70810, or by facsimile to (225) 755-7585. All comments must be submitted by 5 p.m. on or before April 10, 2018.

Dr. Karen C. Lyon
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Denial or Delay of Licensure

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule changes will result in a one-time publication cost of \$500 for the Louisiana State Board of Nursing (LSBN) in FY 18. The proposed rule change revises crimes and misdemeanors for which a person may be denied licensure and/or have their licensure delayed by up to 5 years. For reference, LA R.S. 14:2(B) enumerates the crimes of violence by which LSBN has aligned the proposed rule changes for applicants that apply for licensure, licensure by endorsement, reinstatement, or the right to practice as a student nurse set forth in the administrative rules.

The proposed rule changes will not affect expenditures of local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will not affect revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes revise LSBN disciplinary action for certain crimes of violence. The proposed rule changes affect persons applying for licensure, licensure by endorsement, reinstatement, or the right to practice as a student nurse. The proposed rule changes will not result in costs to any person or non-governmental groups, however, the proposed rule changes may result in economic benefits to certain nurses who, prior to the changes proposed, would have been permanently restricted from obtaining a RN or APRN license and/or delayed from receiving such licenses. Because certain crimes and conditions have been moved from permanent delay/deny status to delay or deny for 5 years, RNs and APRNs who are disciplined for those crimes will have the opportunity to request reinstatement of their license, restoring their ability to work and be paid accordingly. For reference, the current average annual salary of RNs in Louisiana ranges between \$50,000 and \$75,000.

Furthermore, the proposed rule changes amend provisions for nurses with substance use disorders/dependencies, allowing such nurses to receive licensure after demonstrating continuous sobriety "to the [LSBN's] satisfaction," rather than for two years as outlined in current rule. This flexibility may benefit the aforementioned nurses, potentially allowing them to become licensed sooner than the current two-year sobriety requirement.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes may affect employment of RNs and APRNs whose licenses are denied or delayed with resultant suspension, probation, or other disciplinary stipulations that may influence employers' decisions to hire these nurses.

The proposed rule changes will not affect competition.

Karen C. Lyon
Executive Director
1803#019

Gregory V. Albrecht
Chief Economist
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Board of Optometry Examiners

Optometry
(LAC 46:LI.107, 109, 111, 112,
115, 301, 501, 503, 701, and 801)

Notice is hereby given, in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., that the Louisiana State Board of Optometry Examiners, pursuant to authority vested in the Louisiana State Board of Optometry Examiners by the Optometry Practice Act, R.S. 37:1041-1068, intends to amend Title 46, Part LI by adopting the following proposed amendments to the rules set forth below.

A preamble which explains the basis and rationale for the intended action, and summarizing the information and data supporting the intended action has not been prepared. A description of the subjects and issues involved is as follows:

Section 107(B)(3)(i) adds schedule II of the uniform controlled dangerous substances law to this list of schedules which may be prescribed by a licensed optometrist within the limitations provided therein.

Section 107(B)(3)(i) changes the length of time a licensed optometrist may prescribe a diagnostic and therapeutic pharmaceutical agent listed in schedule I, II, IV and V of the uniform controlled dangerous substances law from 48 hours to 7 days.

Section 107(B)(3)(ii) removes schedule II of the uniform controlled dangerous substances law provided in *Louisiana Revised Statute* 40:963 from the list of substances which shall be prohibited from use by a licensed optometrist.

Section 107(B)(3)(iii) allows a licensed optometrist to prescribe one additional seven day prescription if warranted by a follow-up exam, whereas the old Rule only allowed a licensed optometrist to prescribe one additional 48-hour prescription.

Section 109(A) subsections (4), (5), (6) and (7) allow an optometrist to accept employment from a licensed hospital or hospital affiliate, a licensed ambulatory surgical treatment center owned in full or in part by Louisiana-licensed physicians or optometrists, a government sponsored healthcare program or facility and an entity which is a combination or joint venture of any entity authorized under Rule 109(A).

Section 109(B) is deleted and replaced with new §112 dealing with Controlling Professional Judgment of Optometrists.

Section 109(C) is deleted.

Section 111(A) adds multiple exceptions to the prohibition against splitting fees with persons and entities which are not licensed to practice optometry in the state of Louisiana by allowing an optometrist to split fees with (a) a professional optometric corporation or professional medical corporation organized pursuant to title 12 of the *Louisiana Revised Statutes* and domiciled in the state of Louisiana; (b) a partnership or limited liability company domiciled in the state of Louisiana and for whom each partner or member is either an optometrist or physician duly licensed in the state of Louisiana or a professional optometric or medical corporation; (c) an optometrist or physician licensed in the State of Louisiana; (d) a licensed hospital or hospital affiliate; (e) a licensed ambulatory surgical center owned in full or in part by Louisiana-licensed physicians or optometrists; (f) a government sponsored healthcare program or facility; (g) an entity that is a combination or joint venture any and of the foregoing entities.

Section 111(B) allows an optometrist to (a) pay an employee in the regular course of employment and (b) pay a fair market value fee to a person or entity organized or operating for the primary purpose of providing billing services, collection services, administrative preparation, practice management, marketing materials, cooperative buying and/or group purchasing options for or on behalf of an entity listed in Section 111(A) based upon a percentage of professional service fees billed or collected, a flat fee or any other arrangement that directly or indirectly divides professional fees, so long as (a) the optometrist at all times controls the amount of the fees charged and collected for professional services; (b) the fee paid to the service provider is not for the solicitation or referral of a patient; and (c) no significant function of the service provider involves activities other than the provision of billing services, collection services, administrative preparation, practice management, marketing materials, cooperative buying and/or group purchasing options.

Section 111(C) makes it clear that the prohibitions in Rule 111 do not prohibit a licensed optometrist from participating in a government-approved shared savings or alternative payment model such as an accountable care organization, physician specialty model or Medicare Advantage Innovation model.

Section 111(D) makes any violation of Rule 111 a violation of *Louisiana Revised Statute* 37:1061.

Section 115(F) makes it a violation for an optometrist to falsely create or alter a medical record or destroy a medical record except as authorized by law.

Rule 301(A)(2)(c) removes certain organizations from the list of entities from which optometrists may use to obtain the required hours of continuing education relating to ocular and systematic pharmacology and/or current diagnosis and treatment of ocular disease.

Section 501 adds several new actions which constitute a failure to abide by the minimal standards of acceptable and prevailing optometry practice, including, (1) interdiction or commitment by due process of law; (2) sexual misconduct, including, but not limited to, any improper act of sexual intimacy, contact, exposure, gratification, abuse, exploitation or other sexual behavior with or in the presence of a patient or any other individual related to the practice of optometry;

(3) the practice of optometry while under the influence of a mood-altering substance that compromises or has the potential to compromise an optometrist's medical judgment or practice, irrespective of whether or not prescribed by an optometrist or authorized practitioner; (4) using the term "board certified" or "Board Certified" in connection with their title, name, business or practice except to reference certification by organizations approved by the Louisiana State Board of Optometry Examiners.

Section 503(F)(1) adds a requirement that if a doctor maintains a current certificate to treat ocular pathology, that doctor must complete 16 hours of continuing education on an annual basis.

Old §503(G) relating to Certification to Use Diagnostic and Therapeutic Drugs to Treat Ocular Pathology has been deleted.

New §503(G) makes certain changes to the list of course topics which may be taken in order to be credentialed to use and perform authorized ophthalmic surgery procedures. The changes are as follows: (1) "laser application on clinical optometry" has been changed to "laser application;" (2) "common complications: lids, lashes, lacrimal system" has been changed to "common complications;" (3) "medicolegal aspects of anterior segment procedures" has been changed to "medicolegal aspects of procedures;" (4) "surgery anatomy of the eyelids" has been changed to "relevant surgery anatomy;" and (5) "epilumeninescence microscopy" has been removed from the list.

New §503(K) has been added regarding the placement of a licensed optometrist on inactive status. This provision allows a licensed optometrist to make a request to the Louisiana State Board of Optometry Examiners for their license to be placed on inactive status. An optometrist may subsequently have his or her license placed on active status so long as the reinstatement fee is paid, any applicable license renewal fees are paid and 16 hours of board approved continuing education classes must be taken for each year the license was on inactive status. If an inactive license holder fails to practice optometry in any state for greater than five consecutive years from the date the license was granted, the applicant may be required to take an examination acceptable to the Louisiana State Board of Optometry Examiners.

Old §701 will be replaced by new Rule 701 in its entirety. New Rule 701 adds the following pre-examination requirements: (1) be of good moral character; (2) have graduated from an approved high school or school maintaining a similar standard; (3) have graduated from a school or college of optometry approved by the board and hold the graduate level Doctor of Optometry degree; (4) file with the secretary of the board upon the form furnished an application under oath stating that he fulfills each requirement of this section and include with the application the papers required by R.S. 37:1050; (5) have reached the required level of performance on those parts of the examination administered by the National Board of Examiners in Optometry required by the board and cause to be furnished to the secretary of the board a true written copy of the score report of such national board examination; (6) have demonstrated that they have reached the qualification level necessary to become certified to treat abnormal

conditions and pathology of the human eye and its adnexa as set forth in R.S. 37:1051, and the rules and regulations established, published and administered by the board; and (7) meet the credentialing requirements of the board to perform authorized ophthalmic surgery procedures.

New §701(B) gives discretion to the board to "allow an applicant to take the examination required by R.S. 37:1051 prior to having satisfied the requirements of Section 701.A for circumstances beyond the control of the applicant."

Section 801 changes some of the required fees. These new fees are as follows: (1) fee for application for examination changed from \$100 to \$500; (2) annual license renewal fee changed from \$100 to \$200; (3) license delinquency fee changed from \$150 to \$300; (4) license reinstatement fee changed from \$150 to \$300; and (5) a new inactive license annual renewal fee set at \$100.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part II. Optometrists

Chapter 1. General Provisions

§107. Organization of the Board

A. ...

B. Definitions

1. As used in this Part, the following terms have the meaning ascribed to them in this Section, unless the context clearly indicates otherwise.

2. Masculine terms shall include the feminine and, when the context requires, shall include partnership and/or professional corporations.

3. Where the context requires, singular shall include the plural or plural shall include the singular.

Act—the Optometry Practice Act, R.S. 37:1041 et seq.

Board—the Louisiana State Board of Optometry Examiners.

Diagnostic and Therapeutic Pharmaceutical Agent—any prescription or nonprescription drug delivered by any route of administration, used or prescribed for the diagnosis, prevention, treatment, or mitigation of abnormal conditions and pathology of the human eye and its adnexa, or those which may be used for such purposes, and certain approved narcotics, only when used in treatment of disorders or diseases of the eye and its adnexa. Licensed pharmacists of this state shall fill prescriptions for such pharmaceutical agents of licensed optometrists certified by the board to use such pharmaceutical agents.

i. Any *diagnostic and therapeutic pharmaceutical agent* as defined above listed in schedules II, III, IV and V of the uniform controlled dangerous substances law shall be limited to use or to be prescribed by a licensed optometrist for a maximum of seven days when used in treatment or disorders or diseases of the eye and its adnexa.

ii. Diagnostic and therapeutic pharmaceutical agent shall not include any drug or other substances listed in schedule I of the uniform controlled dangerous substances law provided in R.S. 40:963 and 964 which shall be prohibited from use by a licensed optometrist.

iii. A licensed optometrist may prescribe one additional seven-day prescription only if warranted by a follow-up exam.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:629 (April 2006), amended LR 34:872 (May 2008), LR 40:2249 (November 2014), repromulgated LR 40:2578 (December 2014), amended by the Department of Health, Board of Optometry Examiners, LR 44:

§109. Employment Restrictions

A. - A.3. ...

B. Notwithstanding the provisions of Paragraph A of Section 109, an optometrist, duly licensed under the provisions of the Louisiana Optometry Law as set forth in R.S. 37:1041 et seq., may accept employment from:

1. a licensed hospital or hospital affiliate;
2. a licensed ambulatory surgical treatment center owned in full or in part by Louisiana-licensed physicians or optometrists;
3. government sponsored healthcare programs or facilities; or
4. the entity is a combination or joint venture of the entities authorized under this §109.A.

C. Violation of the provisions of this §109 by an optometrist shall be considered a violation of provisions of R.S. 37:1061, and as such the board may refuse to renew the license of any such optometrist on its annual renewal date of March 1 of each year (R.S. 37:1056) and/or subject such optometrist to suspension or revocation of his or her license to practice optometry upon due notice and hearing as provided in R.S. 37:1062.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:630 (April 2006), amended LR 35:1111 (June 2009), amended by the Department of Health, Board of Optometry Examiners, LR 44:

§111. Prohibition of Fee Splitting

A. An optometrist, duly licensed under the provisions of the Louisiana optometry law as set forth in R.S. 37:1041 et seq., shall not divide, share, split, or allocate, either directly or indirectly, any fee for optometric services or materials with any person, corporation, partnership, or other entity, other than through an affiliation with:

1. a professional optometric corporation or professional medical corporation organized pursuant to title 12 of the *Louisiana Revised Statutes* and domiciled in the state of Louisiana;
2. a partnership or limited liability company domiciled in the state of Louisiana and for whom each partner or member, as the case may be, is:
 - a. an optometrist or physician duly licensed as an optometrist or physician in the state of Louisiana; or
 - b. a professional optometric corporation or professional medical corporation described above in Paragraph A.1 of this Section;
3. an optometrist or physician duly licensed as an optometrist or physician in the state of Louisiana;
4. a licensed hospital or hospital affiliate;
5. a licensed ambulatory surgical center owned in full or in part by Louisiana-licensed physicians or optometrists;
6. a government sponsored healthcare program or facility;
7. an entity that is a combination or joint venture of the entities authorized under this §111.A.

B. Nothing contained in this Section prohibits an optometrist from paying:

1. an employee in the regular course of employment; or
2. a fair market value fee to a person or entity organized and operated for the primary purpose of providing billing services, collection services, administrative preparation, practice management, marketing materials, cooperative buying and/or group purchasing options for or on behalf of an optometrist or entity described above in §111.A based upon a percentage of professional service fees billed or collected, a flat fee, or any other arrangement that directly or indirectly divides professional fees, so long as:
 - a. the optometrist at all times controls the amount of the fees charged and collected for professional services;
 - b. the fee paid to the service provider is not for the solicitation or referral of a patient; and
 - c. no significant function of the service provider involves activities other than the provision of billing services, collection services, administrative preparation, practice management, marketing materials, cooperative buying and/or group purchasing options.

C. Nothing in the Section shall be construed as to prohibit a licensed optometrist from participating in a government-approved shared savings or alternative payment model such as an accountable care organization, physician specialty model, or Medicare Advantage Innovation model.

D. Violation of the provisions of this §111 by an optometrist shall be considered a violation of provisions of R.S. 37:1061, and as such the board may refuse to renew the license of any such optometrist on its annual renewal date of March 1 of each year (R.S. 37:1056) and/or subject such optometrist to suspension or revocation of his or her license to practice optometry upon due notice and hearing as provided in R.S. 37:1062.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:630 (April 2006), amended by the Department of Health, Board of Optometry Examiners, LR 44:

§112. Controlling Professional Judgment of Optometrist

A. Notwithstanding §§109 or 111 of this Part, it shall be unlawful and constitute a violation of this Section for any optometrist to enter into any contract, agreement or other arrangement that allows any person, corporation, partnership, or other entity, to control or attempt to control the professional judgment, the manner of practice, or the practice of an optometrist. For purposes of this Section, "control or attempt to control the professional judgment, the manner of practice, or the practice of an optometrist" shall include, but not be limited to:

1. setting, dictating or attempting to influence the professional fees charged for patient care, other than through a contract, agreement or other arrangement with a person or entity described in §111.A;
2. exerting or attempting to influence independent professional judgment, patient care, or any matter affecting the health and well-being of a patient, or the ability of an optometrist to provide such care;
3. restricting or attempting to restrict an optometrist's freedom to see patients on an appointment basis;

4. terminating or threatening to terminate any lease, agreement, or other relationship in an effort to control the professional judgment and/or manner of practice of an optometrist;

5. making or guaranteeing a loan to an optometrist in excess of the value of the collateral securing the loan;

6. regulation of the optometrist's business hours, other than through a contract, agreement or other arrangement with a person or entity described in Section 111.A;

7. taking custody or control of the optometrist's business and patient records; or

8. the specification of particular treatments, drugs, products, services, procedures, or optical goods to be dispensed or prescribed for a patient.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Optometry Examiners, LR 44:

§115. Patient Records

A. - E. ...

F. An optometrist shall not falsely create or alter a medical record or destroy a medical record except as authorized by law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:630 (April 2006), amended by the Department of Health, Board of Optometry Examiners, LR 44:

Chapter 3. License

§301. Continuing Education

A. - A.2.b. ...

c. Great Western Council of Optometry, Mountain West Council of Optometrists, North Central States Optometric Council, and Southern Council of Optometrists.

2.d - 4.a.

b. On or before July 1 shall be cause for the temporary suspension of a Louisiana optometry license as provided below and shall require payment of ~~the~~ both the delinquency fee and reinstatement fee, in addition to the applicable annual renewal fee, as set forth in §801. Payment of the renewal fee, delinquency fee and reinstatement fee where the license has been suspended shall be accompanied by any costs or expenses, including attorney fees, which may be caused by the need for the institution of disciplinary or other proceedings, fines imposed in disciplinary or other proceedings, and all other applicable fees; and

4.c - 6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:630 (April 2006), amended LR 35:1111 (June 2009), LR 38:1590 (July 2012), amended by the Department of Health, Board of Optometry Examiners, LR 44:

Chapter 5. Practicing Optometry

§501. Professional Conduct

A. The following acts or omissions constitute a failure by the optometrist to abide by the minimal standards of acceptable and prevailing optometry practice, as set forth in R.S. 37:1061(10).

1. Failure to keep the visual welfare of the patient uppermost at all times, promote the best care of the visual needs of mankind, strive continuously to develop

educational, professional, clinical and technical proficiency and keep informed as to the new developments within his profession.

2. Failure to conduct his or her practice in a decorous, dignified and professional manner and in keeping with the rules, regulations and ethics as promulgated by this board.

3. Engaging in conduct which endangers the public health or renders the licensee unable to practice optometry with safety to the public, including inability to practice optometry with reasonable skill or safety to patients because of mental illness, interdiction or commitment by due process of law, or deficiency or physical illness, including but not limited to deterioration through the aging process or loss of motor skills, shall be grounds for suspension or revocation of any optometry license.

4. Sexual misconduct, including, but not limited to, any improper act of sexual intimacy, contact, exposure, gratification, abuse, exploitation or other sexual behavior with or in the presence of a patient or any other individual related to the practice of optometry.

5. Engaging in the practice of optometry while under the influence of a mood-altering substance that compromises or has the potential to compromise an optometrist's medical judgment or practice, irrespective of whether or not prescribed by an optometrist or authorized practitioner.

6. Using the term "board certified" or "Board Certified" in connection with their title, name, business or practice except to reference certification by organizations approved by the Louisiana State Board of Optometry Examiners.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:630 (April 2006), amended LR 35:1111 (June 2009), amended by the Department of Health, Board of Optometry Examiners, LR 44:

§503. License to Practice Optometry

A. - E. ...

F. Continuing Education. In order to qualify for the annual license renewal required by R.S. 37:1057, the following information shall be presented to the secretary of the board.

1. Written certification that the doctor requesting license renewal has completed 12 hours of continuing education, or 16 hours of continuing education if the doctor maintains a current certificate to treat ocular pathology, between January 1 and December 31 of each year immediately preceding the March 1 renewal date set forth in R.S. 37:1057; by attendance and completion of courses approved by the Louisiana State Board of Optometry Examiners

2 - 5. ...

G. Qualifications for a Louisiana Licensed Optometrist to be Credentialed to Utilize and Perform Authorized Ophthalmic Surgery Procedures

1. Louisiana licensed optometrists shall be credentialed to perform authorized ophthalmic surgery procedures if:

a. the applicant provides proof of holding a Louisiana license to practice therapeutic optometry and is in good standing, or in the case of a new applicant for licensure, has satisfied the requirements of R.S. 1049(1) - (8); and

b. the applicant provides proof of satisfactory completion of a course of instruction approved by the board that may include:

- i. the following didactic classroom instructions:
 - (a). laser physics, hazards, and safety;
 - (b). biophysics of lasers;
 - (c). laser application;
 - (d). laser tissue interactions;
 - (e). laser indications, contraindications, and potential complications;
 - (f). gonioscopy;
 - (g). laser therapy for open angle glaucoma;
 - (h). laser therapy for angle closure glaucoma;
 - (i). posterior capsulotomy;
 - (j). common complications, lids, lashes, lacrimal system;
 - (k). medicolegal aspects of procedures;
 - (l). peripheral iridotomy;
 - (m). laser trabeculoplasty;
 - (n). minor surgical procedures;
 - (o). overview of surgical instruments, asepsis, and O.S.H.A.;
 - (p). relevant surgical anatomy;
 - (q). emergency surgical procedures;
 - (r). chalazion management;
 - (s). local anesthesia: techniques and complications;
 - (t). anaphalaxis and other office emergencies;
 - (u). radiofrequency surgery;
 - (v). post-operative wound care; and

c. the applicant satisfactorily completes a written test approved by the board on aspects of the Louisiana Optometry Practice Act pertaining to authorized ophthalmic surgery procedures.

2. A board approved course of instruction shall be:

- a. provided by an accredited optometry, osteopathy or medical school;
- b. a minimum of 32 clock hours in length; and
- c. sponsored by an organization approved by the board.

3. Prohibitions and Referrals

a. Performing authorized ophthalmic surgery procedures without credentialing based upon the education requirements outlined in this administrative regulation shall be grounds for suspension or revocation of an optometry license and/or credentialing to perform authorized ophthalmic surgery procedures as per section 1061 of the Optometry Practice Act.

4. Outcomes Reporting

a. Every optometrist who has met the requirements for certification to perform authorized ophthalmic surgery procedures shall report to the board the outcome of authorized ophthalmic surgery procedures performed in such form as required or directed by the board.

5. Beginning with the graduating class of 2015 any optometrist who provides proof that he/she graduated from an optometry school whose program includes all of the training and testing requirements established by the board may be deemed to have met the requirements for certification to perform authorized ophthalmic surgery procedures.

6. Performance of authorized ophthalmic surgery procedures by any person without a valid and current certificate issued by the board to perform such procedures shall be considered a violation of section 1061(A)(1) of the Optometry Practice Act.

H. Prescriptions for Eyeglasses or Contact Lenses

1. Every written prescription shall contain an expiration date and the signature of the optometrist issuing the prescription. The expiration date may not exceed 18 months, unless the optometrist documents a valid medical reason in the chart for doing so.

2. Contact lenses may not be sold or dispensed without a written, signed, unexpired prescription. Every contact lens prescription shall contain information specifying the curvature, diameters, refractive power, pertinent measurement, and the number of lenses to be dispensed. An optometrist, when issuing a prescription for contact lenses, shall issue to the patient a notice that states the number of refills allowed and the expiration date of the prescription.

3. An optometrist, when filling a prescription for eyeglasses or contact lenses, shall be required to keep the original prescription. An optometrist may not refuse to release to a patient a copy of the patient's prescription if requested by the patient; provided, however, an optometrist shall not be required to release a prescription that has expired.

4. A spectacle prescription shall not be construed to be or substituted for a contact lens prescription nor shall a contact lens prescription be I.

J. Retirement of License. A duly licensed optometrist who is in good standing and no longer desires to practice in Louisiana may choose to retire their license rather have it revoked for failure to complete the renewal requirements. Notice of retirement of an optometrist shall be in writing and effective upon delivery to the board. In the event that a retired optometrist wishes to practice, the optometrist must apply for and complete the requirements for initial licensure in order to again become licensed to practice in Louisiana.

K. Inactive Status

1. Upon request by a duly licensed Optometrist whose license is in good standing, the board by rule may provide for a license holder's license to be placed on inactive status. The request to have a license be considered inactive must be in writing and delivered to the board. The request for inactive status will be placed on the board agenda for consideration at the next scheduled board meeting and the effective date of inactive status determined by the board will be set and may be retroactive. A person who holds an inactive license may not practice optometry in any manner in Louisiana until such time the license is reactivated and current. A person holding an inactive license is exempt from the continuing education requirements of Section 301. A violation of this section has the same effect as, and is subject to the penalties for, practicing optometry without holding a license. The holder of an inactive license must renew the inactive license annually and pay appropriate renewals fees to avoid revocation.

2. Re-Activation of Inactive License. For an inactive license to be re-activated, the license holder must pay the reinstatement fee set forth in §801.A.6 plus any and all

license renewal fee(s) and comply with all continuing education requirements. To re-activate an inactive license the license holder must show 16 hours of board approved continuing education for each year of inactive license status. The required continuing education may be obtained at any time during the inactive status period. If the inactive license holder fails to practice optometry in any state for greater than five consecutive years from the date the license was granted inactive status, an examination acceptable to the board may be required to re-activate the original license. For holders of an inactive license with authorized ophthalmic surgery procedures, if the inactive license holder fails to practice authorized ophthalmic surgery procedures in any state for greater than five consecutive years from the date the license was granted inactive status, a recertification of advanced procedure proficiency and examination acceptable to the board may be required to re-activate the original license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:632 (April 2006), amended LR 34:873 (May 2008), LR 38:1590 (July 2012), LR 40:2250 (November 2014), repromulgated LR 40:2580 (December 2014), amended by the Department of Health, Board of Optometry Examiners, LR 44:

Chapter 7. Examination

§701. Examination Requirements

A. In order to take the examination required by R.S. 37:1051, an applicant must satisfy the following licensing requirements set forth in R.S.37:1049:

1. be of good moral character;
2. have graduated from an approved high school or school maintaining a similar standard;
3. have graduated from a school or college of optometry approved by the board and hold the graduate level doctor of optometry degree;
4. file with the secretary of the board upon the form furnished an application under oath stating that he fulfills each requirement of this Section and include with the application the papers required by R.S. 37:1050;
5. have reached the required level of performance on those parts of the examination administered by the National Board of Examiners in Optometry required by the board and cause to be furnished to the secretary of the board a true written copy of the score report of such national board examination;
6. have demonstrated that they have reached the qualification level necessary to become certified to treat abnormal conditions and pathology of the human eye and its adnexa as set forth in R.S. 37:1051, and the rules and regulations established, published, and administered by the board; and
7. meet the credentialing requirements of the board to perform authorized ophthalmic surgery procedures.

B. The Louisiana State Board of Optometry Examiners shall have the discretion to allow an applicant to take the examination required by R.S. 37:1051 prior to having satisfied the requirements of §701.A for circumstances beyond the control of the applicant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:635 (April 2006), amended by the Department of Health, Board of Optometry Examiners, LR 44:

Chapter 8. Fees and Expenses

§801. Fees

A. The board shall charge and collect the following fees, consistent with R.S. 37:1058:

1. application for examination—\$500;
2. original license fee—\$300;
3. duplicate license fee—\$50;
4. annual license renewal fee—\$200;
5. license delinquency fee—\$300;
6. license reinstatement fee—\$300;
7. original authorized ophthalmic surgery procedure certificate—\$50;
8. inactive license annual renewal fee—\$100.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1048.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Optometry Examiners, LR 32:635 (April 2006), amended LR 40:2252 (November 2014), repromulgated LR 40:2580 (December 2014), amended by the Department of Health, Board of Optometry Examiners, LR 44:

Family Impact Statement

It is anticipated that the proposed Rule amendments will have no significant effect on the: stability of the family, authority and rights of parents regarding the education and supervision of their children, functioning of the family, family earnings and family budget, behavior and personal responsibility of children, ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

It is anticipated that the proposed Rule amendments will have no significant impact on poverty as described in R.S. 49:973.

Small Business Analysis

It is anticipated that the proposed Rule amendments have no significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting the proposed rule to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Provider Impact Statement

It is anticipated that the proposed Rule amendments have no significant provider impact as described in HCR 170 of 2014.

Public Comments

Interested persons may submit written data, views, arguments, information or comments on the proposed rules until 5 p.m., April 10, 2018, to Dr. James D. Sandefur, O.D., Louisiana State Board of Optometry Examiners, P.O. Box 555, 419 Hwy. 165 N., Oakdale, LA 71463. He is responsible for responding to inquiries regarding the proposed rules.

Dr. James Sandefur, O.D.
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

RULE TITLE: Optometry

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule changes will not result in any material costs or savings for state or local governments other than a marginal, one-time publication expense of \$600 for the LA State Board of Optometry Examiners. The proposed rule changes increase fees in the aggregate for optometry examiners in Louisiana, as well as amend various rules regarding administrative, clerical, practical, and continuing education duties.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change will increase revenues for the LA State Board of Optometry Examiners by an indeterminable amount due to the increase in examination application fees by \$400, from \$100 to \$500. For reference, the LSBOE had 16 examination applications filed in FY 17, which yields an additional \$6,400 in revenue (16 * \$500 – 16 * \$100) under the new fee.

Furthermore, the proposed rule change consolidates a number of separate fees that will not affect revenue collections in the aggregate. The proposed rule change consolidates fees associated with the now-defunct Therapeutic Pharmaceutical Agent (TPA) Certificate, which has not been required since 2014, into the new fee schedule for optometry licenses. While the TPA Certificate has not been required since 2014, the LSBOE has continued to collect the certificate's associated fees.

The new license renewal fee of \$200 is a consolidation of the current license renewal fee (\$100) and the Therapeutic Pharmaceutical Agent (TPA) Certificate renewal fee (\$100). The new delinquent license fee of \$300 is a consolidation of the current delinquent license fee (\$150) and the current TPA Certificate delinquent license fee (\$150). The new license reinstatement fee of \$300 is a consolidation of the current license reinstatement fee (\$150) and the current TPA Certificate reinstatement fee (\$150).

Lastly, the proposed rule change adds a new \$100 fee for the renewal of an inactive license. Revenues derived from the inactive license renewal fee are indeterminable and dependent upon the number of licensees that go to inactive status, and then choose to reactivate their license.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change increases the examination application fee by \$400, from \$100 to \$500, which increases costs for persons seeking licensure as optometry examiners in Louisiana. Because it is unknown how many people will seek licensure from the LSBOE, the aggregate impact of the fee increase is unknown.

Proposed rule changes 109(B), 111(A)-(D), and 112 may benefit optometry examiners because they outline the types of facilities they may accept employment from, provide exceptions to the prohibition on fee splitting for certain types of firms, allow optometry examiners to contract with firms organized to perform the administrative functions of operating a clinic, allow optometry examiners to participate in a government-approved shared savings or alternative payment model, and protect the professional judgment of an optometry examiner from interference by a business partner or contractor. Optometry examiners will likely benefit from the aforementioned rule changes because it provides them more flexibility in who they may choose to enter into business partnerships with when opening clinics, while also protecting

their professional judgment if a partner attempts to interfere. Furthermore, the proposed rules clearly enumerate the types of firms optometry examiners may be employed by.

Proposed rule change 503(F)(1) creates a continuing education requirement of 16 hours annually for doctors maintaining a certificate to treat ocular pathology. As a result, persons holding this certificate will incur undetermined costs for annual courses to maintain it. In addition, proposed changes to 503(G) amend topics that may qualify for an optometry examiner's continuing education requirement.

Furthermore, the proposed rule changes amend clinical practice rules regarding the prescription of Schedule II drugs, allowing optometrists to write 7-day prescriptions with a subsequent 7-day refill if needed, rather than the existing 48-hour dosages previously allowed; prohibit the creation of false medical records, and prohibit the destruction of medical records except as allowed by law; establish professional standards for optometrists, as well as pre-examination requirements for persons applying for optometry licenses in Louisiana. These changes do not carry explicit costs to optometry examiners and/or examination applicants, but likely represent a marginal workload increase for the affected parties.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes may affect competition and employment as a result of optometry examiners having greater flexibility with the types of business partners they may open clinics with, as well as allowing for the contracting of certain administrative clinical services with firms created for that purpose. However, the aggregate effect on competition and employment cannot be predicted because it is unknown if the proposed rule changes will lead to an increase or decrease in optometry firms statewide.

J. Graves Theus, Jr.
Attorney
1803#022

Gregory V. Albrecht
Chief Economist
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Bureau of Health Services Financing
and
Office of Behavioral Health**

Adult Behavioral Health Services
(LAC 50:XXXIII.6103 and Chapters 63-65)

The Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health propose to amend LAC 50:XXXIII.Chapters 61-65 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health propose to amend the provisions governing adult behavioral health services in order to: 1) clarify the medical necessity criteria and target population for mental health services; 2) allow for more frequent assessments and treatment plan updates based on individual needs; 3) clarify information required to ensure treatment records are comprehensive and include all necessary documents; and 4) update language and revise service authorization requirements.

Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part XXXIII. Behavioral Health Services
Subpart 7. Adult Mental Health Services

Chapter 61. General Provisions

§6103. Recipient Qualifications

A. Individuals, 21 years of age and older, who meet Medicaid eligibility, shall qualify to receive adult mental health services referenced in §6307 if medically necessary in accordance with LAC 50:I.1101, if the recipient presents with mental health symptoms that are consistent with a diagnosable mental disorder, and the services are therapeutically appropriate and most beneficial to the recipient.

B. Additional Recipient Eligibility Criteria for Community Psychiatric Support and Treatment (CPST) and Psychosocial Rehabilitation (PSR)

1. Members must meet the Substance Abuse and Mental Health Services Administration (SAMHSA) definition of, serious mental illness (SMI). In addition to having a diagnosable mental disorder, the condition must substantially interfere with, or limit, one or more major life activities, such as:

a. basic daily living (for example, eating or dressing);

b. instrumental living (for example, taking prescribed medications or getting around the community); and

c. participating in a family, school, or workplace.

2. A member must have a rating of three or greater on the functional status domain on the level of care utilization system (LOCUS).

a. - c. Repealed.

3. Recipients receiving CPST and/or PSR shall have at least a composite score of three on the LOCUS.

4. An adult with longstanding deficits who does not experience any acute changes in their status and has previously met the criteria stated in §6103.B.2-B.3, but who now meets a composite LOCUS score of two or lower, and needs subsequent medically necessary services for stabilization and maintenance at a lower intensity, may continue to receive CPST services and/or PSR, if deemed medically necessary.

C. An adult with a diagnosis of a substance use disorder or intellectual and developmental disability without an additional co-occurring qualifying mental health diagnosis shall not meet the criteria for adult mental health rehabilitation services.

D. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:358 (February 2012), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Behavioral Health, LR 41:378 (February 2015), LR 42:60 (January 2016), amended by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 44:

Chapter 63. Services

§6301. General Provisions

A. ...

B. All services must be authorized.

C. - E. ...

F. Services may be provided at a facility, in the community, or in the individual's place of residence as outlined in the treatment plan. Services may be furnished in a nursing facility only in accordance with policies and procedures issued by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:359 (February 2012), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Behavioral Health, LR 41:378 (February 2015), LR 42:60 (January 2016), amended by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 44:

§6303. Assessments

A. For mental health rehabilitation services, each enrollee shall be assessed and have a treatment plan developed for CPST and PSR.

B. ...

C. Assessments must be performed at least once every 365 days or any time there is a significant change to the enrollee's circumstances.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:359 (February 2012), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Behavioral Health, LR 41:378 (February 2015), LR 42:60 (January 2016), amended by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 44:

§6305. Treatment Plan

A. Each enrollee who receives CPST and PSR services shall have a treatment plan developed based upon the assessment.

B. The individualized treatment plan shall be developed according to the criteria established by the department and in accordance with the provisions of this Rule, the provider manual and other notices or directives issued by the department.

1. The treatment plan shall be reviewed at least once every 365 days or when there is a significant change in the individual's circumstances.

C. The treatment plan shall be developed by the LMHP or physician in collaboration with direct care staff, the recipient, family and natural supports.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:359 (February 2012), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Behavioral Health, LR 42:60 (January 2016), amended by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 44:

§6307. Covered Services

A. The following mental health services shall be reimbursed under the Medicaid Program:

1. therapeutic services, including diagnosis and treatment delivered by LMHPs and physicians; and
2. rehabilitation services, including community psychiatric support and treatment (CPST) and psychosocial rehabilitation and crisis intervention.
3. Repealed.

B. - B.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:359 (February 2012), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Behavioral Health, LR 42:61 (January 2016), amended by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 44:

Chapter 65. Provider Participation

§6501. Provider Responsibilities

A. - B. ...

C. Anyone providing adult mental health services must operate within their scope of practice license.

D. Providers shall maintain case records that include, at a minimum:

1. the name of the individual;
2. the dates and time of service;
3. assessments;
4. a copy of the treatment plans, which include at a minimum:
 - a. goals and objectives, which are specific, measureable, action oriented, realistic and time-limited;
 - b. specific interventions;
 - c. the service locations for each intervention;
 - d. the staff providing the intervention; and
 - e. the dates of service;
5. progress notes that include the content of each delivered service, including the reason for the contact describing the goals/objectives addressed during the service, specific intervention(s), progress made toward functional and clinical improvement;
6. units of services provided;
7. crisis plan;
8. discharge plan; and
9. advanced directive.

E. - E.6. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:360 (February 2012), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Behavioral Health, LR 41:378 (February 2015), LR 42:61 (January 2016), amended by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 44:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, but may result in direct or indirect cost to the provider to provide the same level of service due to the change in criteria for receipt of these services. The proposed Rule may also have a negative impact on the provider's ability to provide the same level of service as described in HCR 170 if the reduction in payments adversely impacts the provider's financial standing.

Public Comments

Interested persons may submit written comments to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele is responsible for responding to inquiries regarding this proposed Rule. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Public Hearing

A public hearing on this proposed Rule is scheduled for Thursday, April 26, 2018 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing.

Rebekah E. Gee MD, MPH
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Adult Behavioral Health Services

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 17-18. However, it is anticipated that the implementation of this proposed rule will result in estimated state general fund programmatic savings of \$1,560,524 for FY 18-19 and \$1,607,340 for FY 19-20. It is anticipated that \$1,080 (\$540 SGF and \$540 FED) will be

expended in FY 17-18 for the state’s administrative expense for promulgation of this proposed rule and the final rule. The numbers reflected above are based on a blended Federal Medical Assistance Percentage (FMAP) rate of 64.23 percent in FY 18-19 and FY 19-20.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that the implementation of this proposed rule will reduce federal revenue collections by \$2,802,138 for FY 18-19, \$2,886,202 for FY 19-20. It is anticipated that \$540 will be expended in FY 17-18 for the federal administrative expenses for promulgation of this proposed rule and the final rule. The numbers reflected above are based on a blended Federal Medical Assistance Percentage (FMAP) rate of 64.23 percent in FY 18-19 and FY 19-20.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

This proposed Rule amends the provisions governing adult behavioral health services in order to: 1) clarify the medical necessity criteria and target population for mental health services; 2) allow for more frequent assessments and treatment plan updates based on individual needs; 3) clarify information required to ensure treatment records are comprehensive and include all necessary documents; and 4) update language and revise service authorization requirements. Recipients may be impacted by implementation of this proposed Rule since fewer may be eligible to receive mental health services based on the revised criteria. Providers may also be impacted if the change in recipient eligibility results in reduction in payments. It is anticipated that implementation of this proposed rule will reduce programmatic expenditures for adult behavioral health services by approximately \$4,362,662 for FY 18-19 and \$4,493,542 for FY 19-20.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

It is anticipated that the implementation of this proposed rule will not have an effect on competition.

Jen Steele
Medicaid Director
1803#040

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT
Department of Health
Bureau of Health Services Financing

Healthcare Services Provider Fees (LAC 48:I.Chapter 40)

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 48:I.Chapter 40 in the Medical Assistance Program as authorized by R.S. 36:254 and R.S. 46:2625. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

In compliance with the requirements of House Concurrent Resolution 8 of the 2017 Regular Session of the Louisiana Legislature and R.S. 46:2626, the Department of Health, Bureau of Health Services Financing proposes to amend the provisions governing healthcare services provider fees in order to revise the assessment methodology for hospital and emergency ground ambulance services providers. This proposed Rule also amends the provisions governing the provider fees for nursing facility services, intermediate care facilities for individuals with developmental disabilities, and pharmacy services to more closely align these provisions

with current governing authorities and to ensure that they are promulgated in a clear and concise manner in the *Louisiana Administrative Code*.

Title 48
PUBLIC HEALTH—GENERAL
PART I. GENERAL Administration
Subpart 1. General

Chapter 40. Provider Fees

§4001. Specific Fees

A. Definitions

Emergency Ground Ambulance Service Provider—a non-public, non-federal provider of emergency ground ambulance services.

Net Operating Revenue—Repealed.

Quarter—for purposes of this Chapter, quarters shall be constituted as follows.

First Quarter	December, January, February
Second Quarter	March, April, May
Third Quarter	June, July, August
Fourth Quarter	September, October, November

a. Exception. For purposes of hospital and emergency ground ambulance services, quarters shall be constituted as follows.

First Quarter	July, August, September
Second Quarter	October, November, December
Third Quarter	January, February, March
Fourth Quarter	April, May, June

B. Nursing Facility Services

1. A fee shall be paid by each facility licensed as a nursing home in accordance with R.S. 40:2009.3 et seq., for each occupied bed on a per day basis. A bed shall be considered occupied, regardless of physical occupancy, based upon payment for nursing facility services available or provided to any individual or payer through formal or informal agreement. For example, a bed reserved and paid for during a temporary absence from a nursing facility shall be subject to the fee. Likewise, any bed or beds under contract to a Hospice shall be subject to the fee for each day payment is made by the Hospice. Contracts, agreements, or reservations, whether formal or informal, shall be subject to the fee only where payment is made for nursing services available or provided. Nursing facilities subject to the fee shall provide documentation quarterly, on a form provided by the department, of occupied beds in conjunction with payment of the fee.

2. The fee imposed for nursing facility services shall not exceed 6 percent of the net patient revenues received by providers of that class of services and shall not exceed \$12.08 per occupied bed per day. The fee amount shall be calculated annually in conjunction with updating provider reimbursement rates under the Medical Assistance Program. Notice to providers subject to fees shall be given in conjunction with the annual rate setting notification by the Bureau of Health Services Financing.

C. Intermediate Care Facility for Individuals with Developmental Disabilities (ICF/DD) Services

1. A fee shall be paid by each facility licensed as an intermediate care facility for individuals with developmental disabilities in accordance with R.S. 46:2625 et seq., for each

occupied bed per day. A bed shall be considered occupied, regardless of physical occupancy, based on payment for ICF/DD facility services available or provided to any individual or payer through formal or informal agreement. For example, a bed reserved and paid for during a temporary absence from a facility shall be subject to the fee. Likewise, any bed or beds under contract to a hospice shall be subject to the fee for each day payment is made by the hospice. Contracts, agreements, or reservations, whether formal or informal, shall be subject to the fee only where payment is made for ICF/DD facility services available or provided. ICF/DD facilities subject to fees shall provide documentation quarterly, on a form provided by the department, of occupied beds in conjunction with payment of the fee.

2. The fees imposed for ICF/DD facility services shall not exceed 6 percent of the net patient revenues received by providers of that class of service and shall not exceed \$30 per occupied bed per day. The fee amount shall be calculated annually in conjunction with updating provider reimbursement rates under the Medical Assistance Program. Notice to providers subject to fees shall be given in conjunction with the annual rate setting notification by the Bureau of Health Services Financing.

D. Pharmacy Services. A fee shall be paid by each pharmacy and dispensing physician for each out-patient prescription dispensed. The fee shall be \$0.10 per prescription dispensed by a pharmacist or dispensing physician. Where a prescription is filled outside of Louisiana and not shipped or delivered in any form or manner to a patient in the state, no fee shall be imposed. However, out-of-state pharmacies or dispensing physicians dispensing prescriptions which are shipped, mailed or delivered in any manner inside the state of Louisiana shall be subject to the \$0.10 fee per prescription. The fee only applies to prescriptions which are dispensed for human use. Pharmacies and dispensing physicians subject to the fees shall provide documentation quarterly, on a form provided by the department, in conjunction with payment of fees.

E. Emergency Ground Ambulance Services. Effective August 1, 2016, a fee shall be imposed on emergency ground ambulance service providers in accordance with R.S. 46:2626.

1. The total assessment for the initial state fiscal year in which the assessment is charged shall not exceed the lesser of the following:

a. the state portion of the cost, excluding any federal financial participation, of the reimbursement enhancements provided for in R.S. 46:2626 that are directly attributable to payments to emergency ground ambulance services providers; or

b. 1 1/2 percent of the net operating revenue of all emergency ground ambulance service providers assessed relating to the provision of emergency ground ambulance transportation.

c. - d. Repealed.

2. Except for the first year maximum fee of 1 1/2 percent of the net operating revenue, the department shall not impose any new fee or increase any fee on any emergency ground ambulance service provider on or after July 1, 2016, without first obtaining either of the following:

a. prior approval of the specific fee amount by record vote of two-thirds of the elected members of each house of the legislature while in regular session;

b. written agreement of those providers subject to the fee which provide a minimum of 65 percent of the emergency ground ambulance transports.

3. After the initial year of assessment, the assessment shall be a percentage fee, determined at the discretion of the secretary and subject to the provisions below in collaboration with the express and written mutual agreement of the emergency ground ambulance service providers subject to the assessment and which make up a minimum of 65 percent of all emergency ground ambulance transports in the state of Louisiana.

a. The maximum fee allowable in any year shall not exceed 3 1/2 percent of the annual net operating revenue of the emergency ground ambulance service provider and subject to audit for the previous fiscal year of the provider.

4. Prior to levying or collecting the assessment for the applicable assessment period, the department shall publish in the official state journal the total amount of the assessment and the corresponding applicable percentage of net operating revenue that will be applied to the assessed providers.

F. Hospital Services

1. Effective January 1, 2017, a hospital stabilization assessment fee shall be levied and collected in accordance with article VII, section 10.13 of the Constitution of Louisiana and any legislation setting forth the hospital stabilization formula.

a. The total assessment for each state fiscal year shall be equal to, but shall not exceed, the lesser of the following:

i. the state portion of the cost, excluding any federal financial participation and any costs associated with full Medicaid pricing, of payments for healthcare services through the implementation of a health coverage expansion of the Louisiana Medical Assistance Program that meets all the necessary requirements necessary for the state to maximize federal matching funds as set forth in 42 U.S.C. 1396(d)y of title XIX of the Social Security Act, which are directly attributable to payments to hospitals; or

1.a.ii. - 4. ...

AUTHORITY NOTE: Promulgated in accordance with Chapter 45 of Title 46 as enacted in 1992, 46:2601-2605, designated as Chapter 47 of Title 46, containing R.S. 46:2621 to 46:2625 and P.L. 102-234.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Management and Finance, LR 19:347 (March 1993), amended LR 20:51 (January 1994), LR 26:1478 (July 2000), amended by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 33:100 (January 2007), amended by the Department of Health, Bureau of Health Services Financing, LR 42:1887, 1888 (November 2016), LR 43:73 (January 2017), repromulgated LR 43:323 (February 2017), amended LR 44:

§4003. Due Date for Submission of Reports and Payment

A. Quarterly reports and fees shall be submitted to the department and shall be due on the twentieth calendar day of the month following the close of the quarter and shall be deemed delinquent on the thirtieth calendar day of that month. Even if no fee is due, submission of the report is still mandatory.

B. For hospital and emergency ground ambulance services, payment is due 30 days from the notification of the amount owed.

1. - 2. Repealed.

AUTHORITY NOTE: Promulgated in accordance with Chapter 45 of Title 46 as enacted in 1992, 46:2601-2605, redesignated as Chapter 47 of Title 46, containing R.S. 46:2621 to 46:2625 and PL 102-234.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Management and Finance, LR 19:347 (March 1993), amended LR 26:1479 (July 2000), amended by the Department of Health, Bureau of Health Services Financing, LR 42:1887 (November 2016), LR 44:

§4005. Delinquent and/or Unfiled Reports

A. Penalty Assessment. In the case a report has been determined delinquent, the specific penalty shall be 5 percent of the total fee due on the report for every 30 days that the report is not filed, not to exceed 180 days. When a report is not received within 180 days from the due date, the report shall be deemed not filed and there shall be cause for an audit, investigation or examination to be made by the department.

B. Estimation of Provider Fee Due. In those cases in which a health care provider fails to file the quarterly report, the department will estimate the provider fee due. The department will, by certified mail, notify the provider of the estimated fee due, the method used to calculate the estimated fee and the department's intent to collect the delinquent fee. The provider shall have 15 days from the date of the notice to file a provider fee report with the department. Any provider who fails to file the quarterly report within 15 days of the date of the department's estimated provider fee notice shall waive any and all rights to appeal the department's action and to contest payment of the estimated fee.

C. Incorrect Reporting. If a provider submits a quarterly report required by the provisions of this Chapter and the report made and filed does not correctly compute the amount of the fee owed, there shall be cause for an audit, investigation or examination to be made by the department.

D. False or Fraudulent Reporting. When a provider files a quarterly report that is false or fraudulent or grossly incorrect, there shall be imposed, in addition to any other sanctions allowed under rule or law, a specific penalty of 50 percent of the fee due.

E. ...

AUTHORITY NOTE: Promulgated in accordance with Chapter 45 of Title 46 as enacted in 1992, 46:2601-2605, redesignated as Chapter 47 of Title 46, containing R.S. 46:2621 to 46:2625 and PL 102-234.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Management and Finance, LR 19:347 (March 1993), amended LR 26:1479 (July 2000), amended by the Department of Health, Bureau of Health Services Financing, LR 44:

§4007. Delinquent and/or Unpaid Fees

A. When the provider fails to pay the fee due, or any portion thereof, on or before the date it becomes delinquent, interest at the rate of 1 1/2 percent per month compounded daily shall be assessed on the unpaid balance until paid.

B. Collection of Delinquent Fees

1. For those health care providers enrolled in the Louisiana Medical Assistance Program (Medicaid), collection of delinquent provider fees will be as follows.

a. The department will withhold from the provider's Medicaid reimbursement, an amount equal to 50 percent of the reimbursement or the actual amount of the delinquent provider fee, including interest and penalty, whichever is less.

B.1.b. - C. ...

D. - E.1.b. Repealed.

AUTHORITY NOTE: Promulgated in accordance with Chapter 45 of Title 46 as enacted in 1992, 46:2601-2605, redesignated as Chapter 47 of Title 46, containing R.S. 46:2621 to 46:2625 and PL 102-234.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Management and Finance, LR 19:347 (March 1993), amended LR 20:1114 (October 1994), LR 26:1479 (July 2000), amended by the Department of Health, Bureau of Health Services Financing, LR 42:1887 (November 2016), LR 44:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, and no direct or indirect cost to the provider to provide the same level of service. These provisions will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele is responsible for responding to inquiries regarding this proposed Rule. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Public Hearing

A public hearing on this proposed Rule is scheduled for Thursday, April 26, 2018 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing.

Rebekah E. Gee MD, MPH
Secretary

NOTICE OF INTENT

**Department of Health
Bureau of Health Services Financing
and
Office of Aging and Adult Services**

Nursing Facilities
Standards for Payment
(LAC 50:II.10101 and 10156)

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Healthcare Services Provider Fees**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 17-18. It is anticipated that \$1,512 (\$756 SGF and \$756 FED) will be expended in FY 17-18 for the state’s administrative expense for promulgation of this proposed rule and the final rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Article VII, Section 10.13 of the Constitution of Louisiana, requires that a House Concurrent Resolution be adopted in each legislative session setting forth the hospital stabilization formula for the subsequent fiscal years. It is anticipated that the implementation of this proposed rule will increase statutory dedicated revenue collections by approximately \$51,549,082 for FY 17-18. It is anticipated that \$1,512 will be expended in FY 17-18 for the federal administrative expenses for promulgation of this proposed rule and the final rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

In compliance with the requirements of House Concurrent Resolution 8 of the 2017 Regular Session of the Louisiana Legislature and R.S. 46:2626, this proposed Rule amends the provisions governing healthcare services provider fees in order to revise the assessment methodology for hospitals. The proposed Rule also amends the provisions governing provider fees for emergency ground ambulance services providers, nursing facility services, intermediate care facilities for individuals with developmental disabilities, and pharmacy services to make technical edits to more closely align these provisions with current governing authorities and to ensure that they are promulgated in a clear and concise manner in the Louisiana Administrative Code. It is anticipated that implementation of this proposed rule will result in an increase in statutory dedicated revenue collection of approximately \$51,549,082 for FY 17-18 as a result of the hospital stabilization assessment fee.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

It is anticipated that the implementation of this proposed rule will not have an effect on competition and employment.

Jen Steele
Medicaid Director
1803#041

Evan Brasseaux
Staff Director
Legislative Fiscal Office

The Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services propose to amend LAC 50:II. 10101 and §10156 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services propose to amend the provisions governing the standards for payments for nursing facilities in order to clarify the definitions of admission and continued stay, clarify the provisions governing the levels of care pathways and eliminate the behavior pathway for meeting nursing facility level of care.

**Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part II. Nursing Facilities
Subpart 3. Standards for Payment
Chapter 101. Standards for Payment for Nursing Facilities**

**Subchapter A. Abbreviations and Definitions
§10101. Definitions**

A. This glossary contains a comprehensive list of abbreviations and definitions used in the requirements for payment for nursing facilities.

* * *

Admission—the date a person enters the facility and is admitted as a resident.

* * *

Continued Stay—a request for medical certification beyond the date of the currently authorized period.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:153.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 22:34 (January 1996), amended LR 23:970 (August 1997), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:

**Subchapter G. Levels of Care
§10156. Level of Care Pathways**

A. ...

B. When specific eligibility criteria are met within a pathway, that pathway is said to have triggered. The Medicaid program defines nursing facility level of care for Medicaid eligible individuals as the care required by

individuals who meet or trigger any one of the established level of care pathways described in this Subchapter. The pathways of eligibility focus on information used to determine if an individual has met or triggered a level of care pathway. When a pathway is triggered, that individual may be approved for a limited stay/length of service as deemed appropriate by OAAS.

C. - F.4.c. ...

5. Repealed.

G. - G.3.b.iii. ...

4. Repealed.

H. - H.3.e. ...

4. Repealed.

I. Behavior Pathway

1. Effective upon promulgation of this Rule, the behavior pathway will be eliminated as a pathway for meeting nursing facility level of care.

2. Individuals receiving services who met the nursing facility level of care only by triggering the behavior pathway prior to promulgation of this Rule shall continue to remain eligible for services requiring nursing facility level of care until:

a. the individual is discharged from long term care services; or

b. the individual has been found eligible for services in another program or setting more appropriate to their needs.

2.c. - 3.c. Repealed.

J. - J.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 37:342 (January 2011), amended LR 39:1471 (June 2013), LR 41:1289 (July 2015), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 43:2187 (November 2017), LR 44:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability or autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or

qualifications required to provide the same level of service, but may increase direct or indirect cost to the provider to provide the same level of service due to the reduction of Medicaid payments. The proposed Rule may also have a negative impact on the provider's ability to provide the same level of service as described in HCR 170 if the reduction in payments adversely impacts the provider's financial standing.

Public Comments

Interested persons may submit written comments to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele is responsible for responding to inquiries regarding this proposed Rule. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Public Hearing

A public hearing on this proposed Rule is scheduled for Thursday, April 26, 2018 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing.

Rebekah E. Gee MD, MPH
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Nursing Facilities Standards for Payment

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed rule will result in a cost to the state of \$324 for FY 17-18, and programmatic savings of approximately \$45,798 for FY 18-19 and \$47,172 for FY 19-20 due to shifting costs from the Nursing Facility Program to the Behavioral Health Program under managed care as a result of the level of care pathway changes (approximately 10 recipients impacted). It is anticipated that \$648 (\$324 SGF and \$324 FED) will be expended in FY 17-18 for the state's administrative expense for promulgation of this proposed rule and the final rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that the implementation of this proposed Rule will increase federal revenue collections by \$324 for FY 17-18 and reduce collections by approximately \$82,236 for FY 19-20 and \$84,703 for FY 20-21. It is anticipated that \$324 will be collected in FY 17-18 for the federal share of the expense for promulgation of this proposed rule and the final rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

This proposed Rule amends the provisions governing the standards for payments for nursing facilities in order to clarify the definitions of admission and continued stay, clarify the provisions governing the levels of care pathways and eliminate the behavior pathway for meeting nursing facility level of care. The proposed rule will reduce Medicaid Program expenditures by shifting costs from the Nursing Facility Program (which has higher costs) to the Behavioral Health Program under managed care for approximately 10 recipients. It is anticipated that implementation of this proposed rule will reduce payments to nursing facilities by approximately \$128,034 for FY 18-19 and

\$131,875 for FY 19-20; however, providers will benefit from clearly identified criteria for provision of services.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Jen Steele
Medicaid Director
1803#042

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Bureau of Health Services Financing**

Pharmacy Benefits Management Program
Physician-Administered Drugs
Reimbursement Methodology (LAC 50:XXIX.949)

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 50:XXIX.949 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) mandated that the Department of Health, Bureau of Health Services Financing revise the reimbursement methodology for physician-administered drugs in a physician office setting in order to bring the rates current and to incorporate a mechanism for periodic updates to the rates. In compliance with CMS requirements, the department proposes to amend the provisions governing the Pharmacy Benefits Management Program to revise the reimbursement methodology for physician-administered drugs.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part XXIX. Pharmacy

Chapter 9. Methods of Payment

Subchapter D. Maximum Allowable Costs

§949. Fee for Service Cost Limits

A. - H. ...

I. Physician-Administered Drugs. Medicaid-covered physician-administered drugs shall be reimbursed according to the Louisiana professional services fee schedule. Reimbursement shall be determined utilizing the following methodology, and periodic updates to the rates shall be made in accordance with the approved Louisiana Medicaid State Plan provisions governing physician-administered drugs in a physician office setting.

1. Reimbursement for Medicaid-covered physician-administered drugs in a physician office setting shall be established at the current Louisiana Medicare rate, which is average sales price (ASP) plus 6 percent, for drugs appearing on the Medicare file.

2. Reimbursement rates for physician-administered drugs in a physician office setting that do not appear on the Medicare file shall be determined utilizing the following alternative methods:

a. the wholesale acquisition cost (WAC) of the drug, if available;

b. If the drug has no WAC available, one of the following methods shall be used:

i. the provider's actual cost of the drug as documented by invoice or other acceptable documentation as deemed appropriate by the department;

ii. Medicaid rate of other states;

iii. commercial payer rate; or

iv. medical consultant recommendation.

J. - K. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 32:1065 (June 2006), amended LR 34:88 (January 2008), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 36:1561 (July 2010), amended by the Department of Health, Bureau of Health Services Financing, LR 43:1185 (June 2017), LR 43:1554 (August 2017), LR 44:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, but may impact payments to providers due to the adjustment to current pricing for some physician-administered drugs. It is anticipated that this proposed Rule will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele is responsible for responding to inquiries regarding this proposed Rule. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Public Hearing

A public hearing on this proposed Rule is scheduled for Thursday, April 26, 2018 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing.

Rebekah E. Gee MD, MPH
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: **Pharmacy Benefits Management Program—Physician-Administered Drugs Reimbursement Methodology**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed rule will result in no programmatic fiscal impact to the state in FY 17-18 other than the cost of promulgation. This proposed rule is anticipated to result in estimated state general fund programmatic costs of approximately \$62,000 for FY 18-19 and \$95,827 for FY 19-20. It is anticipated that \$540 (\$270 SGF and \$270 FED) will be expended in FY 17-18 for the state's administrative expense for promulgation of this proposed rule and the final rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that implementation of this proposed rule will not affect revenue collections in FY 17-18 other than the federal share of the promulgation costs. This proposed rule is anticipated to result in increased federal revenue collections of approximately \$204,154 for FY 18-19 and \$296,400 for FY 19-20. It is anticipated that \$270 will be collected in FY 17-18 for the federal share of the administrative expense for promulgation of this proposed rule and the final rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

In compliance with U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services mandates, this proposed rule amends the provisions governing the Pharmacy Benefits Management Program to revise the reimbursement methodology for physician-administered drugs in a physician office setting in order to bring the rates into alignment with the 2018 Louisiana Medicare rate, and to incorporate a mechanism for periodic updates to the rates. This proposed Rule will impact payments to providers due to the adjustment to current pricing for some physician-administered drugs. It is anticipated that implementation of this proposed rule will increase programmatic expenditures in the Pharmacy Benefits Management Program by approximately \$266,154 for FY 18-19 and \$392,227 for FY 19-20.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Jen Steele
Medicaid Director
1803#043

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Department of Insurance Office of the Commissioner

Regulation 78—Policy Form Filing Requirements (LAC 37:XIII.Chapter 101)

The Department of Insurance, pursuant to the authority of the *Louisiana Insurance Code*, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby gives notice of its intent to amend Regulation 78—Policy Form Filing Requirements.

The proposed regulation is being amended to provide uniform and consistent procedures regarding the withdrawal of a previously approved policy form filing and the filing fee associated with the change of a company's name, logo, address or officers.

Title 37 INSURANCE

Part XIII. Regulations

Chapter 101. Regulation 78—Policy Form Filing Requirements

§10109. Filing and Review of Life and Annuity Insurance Policy Forms and Related Matters

A. - I.1 ...

a. Prior to withdrawing approval of a filing previously granted, the department will notify the affected insurer in writing of the alleged violation or irregularity. That insurer will then have 15 days to show that the disputed forms are in compliance with the *Louisiana Insurance Code*. If the affected insurer is unable to show compliance, the department will then proceed with issuing the notice of withdrawal of approval.

b. The affected insurer may request a hearing on the withdrawal of approval, in accordance with the provisions of Subsection J of this Chapter. The request for hearing must be made to the Division of Administrative Law and to the Department of Insurance, pursuant to R.S. 22:2191.

c. Upon receipt by the department of a timely request for a hearing, the 30-day notice period precedent to withdrawal of approval being effective shall be suspended for the duration of the hearing process, and shall recommence upon the date of a ruling adverse to the insurer requesting the hearing, unless injunctive relief has been requested and granted to the department by a court of competent jurisdiction. Such suspension of the notice of withdrawal of approval shall be applicable to Paragraphs I.2, 3, 4 and 5 hereof.

I.2. - K.2 ...

3. A change of company name or logo, a change of address, and changes in listed officers do not require a new filing of forms when the department is otherwise properly notified of such change, and a copy of such notification is maintained on file by the insurer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, Directive 169, R.S.22:861 and R.S. 22:862.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 28:2544 (December 2002), amended LR 33:105 (January 2007), LR 42:1947 (November 2016), amended LR 44:

§10113. Filing and Review of Property and Casualty Insurance Policy Forms and Related Matters

A. - I.1. ...

a. Prior to withdrawing approval of a filing previously granted, the department will notify the affected insurer in writing of the alleged violation or irregularity. That insurer will then have 15 days to show that the disputed forms are in compliance with the *Louisiana Insurance Code*. If the affected insurer is unable to show compliance, the department will then proceed with issuing the notice of withdrawal of approval.

b. The affected insurer may request a hearing on the withdrawal of approval, in accordance with the provisions of Subsection J of this Chapter. The request for hearing must be made to the Division of Administrative Law and to the Department of Insurance, pursuant to R.S. 22:2191.

c. Upon receipt by the department of a timely request for a hearing, the 30-day notice period precedent to withdrawal of approval being effective shall be suspended for the duration of the hearing process, and shall recommence upon the date of a ruling adverse to the insurer requesting the hearing, unless injunctive relief has been requested and granted to the department by a court of competent jurisdiction. Such suspension of the notice of withdrawal of approval shall be applicable to Paragraphs I.2, 3, 4, and 5 hereof.

I.2. - K.3 ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, Directive 169, R.S. 22:861 and R.S. 22:862.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 28:2548 (December 2002), amended LR 33:108 (January 2007), LR 42:1952 (November 2016), amended LR 44:

§10119. Effective Date

[Formerly §10117]

A. This regulation became effective January 1, 2003; however, the amendments to this regulation will become effective upon final publication in the *Louisiana Register*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, Directive 169, R.S. 22:861, R.S. 22:862 and R.S. 22:974.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 28:2552 (December 2002), amended LR 33:111 (January 2007), LR 42:1957 (November 2016), repromulgated LR 44:

Family Impact Statement

1. Describe the Effect of the Proposed Regulation on the Stability of the Family. The proposed amended regulation should have no measurable impact upon the stability of the family.

2. Describe the Effect of the Proposed Regulation on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed amended regulation should have no impact upon the rights and authority of children regarding the education and supervision of their children.

3. Describe the Effect of the Proposed Regulation on the Functioning of the Family. The proposed amended regulation should have no direct impact upon the functioning of the family.

4. Describe the Effect of the Proposed Regulation on Family Earnings and Budget. The proposed amended regulation should have no direct impact upon family earnings and budget.

5. Describe the Effect of the Proposed Regulation on the Behavior and Personal Responsibility of Children. The proposed amended regulation should have no impact upon the behavior and personal responsibility of children.

6. Describe the Effect of the Proposed Regulation on the Ability of the Family or a Local Government to Perform the Function as Contained in the Rule. The proposed amended regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the Rule.

Poverty Impact Statement

1. Describe the Effect on Household Income, Assets, and Financial Security. The proposed amended regulation should have no effect on household income assets and financial security.

2. Describe the Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed amended regulation should have no effect on early childhood development and preschool through postsecondary education development.

3. Describe the Effect on Employment and Workforce Development. The proposed amended regulation should have no effect on employment and workforce development.

4. Describe the Effect on Taxes and Tax Credits. The proposed amended regulation should have no effect on taxes and tax credits.

5. Describe the Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation and Utilities Assistance. The proposed amended regulation should have no effect on child and dependent care, housing, health care, nutrition, transportation and utilities assistance.

Small Business Analysis

The impact of the proposed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and Estimate of the Number of the Small Businesses Subject to the Proposed Rule. The proposed amended regulation should have no measurable impact upon small businesses.

2. The Projected Reporting, Record Keeping, and other Administrative Costs Required for Compliance with the Proposed Rule, Including the Type of Professional Skills Necessary for Preparation of the Report or Record. The proposed amended regulation should have no measurable impact upon small businesses.

3. A Statement of the Probable Effect on Impacted Small Businesses. The proposed amended regulation should have no measurable impact upon small businesses.

4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed amended regulation should have no measurable impact on small businesses; therefore, will have no less intrusive or less cost alternative methods.

Provider Impact Statement

1. Describe the Effect on the Staffing Level Requirements or Qualifications Required to Provide the Same Level of Service. The proposed amended regulation will have no effect.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed amended regulation will have no effect.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of Service. The proposed amended regulation will have no effect.

Public Comments

Interested persons may submit written comments on the proposed promulgation of Regulation 78. Such comments must be received no later than April 19, 2018 by close of business, 4:30 p.m., and addressed to Carol Fowler-Guidry, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214 or faxed to (225) 342-1632.

James J. Donelon
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Regulation 78 Policy Form Filing Requirements

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule changes are not anticipated to result in any additional costs for the LA Dept. of Insurance. Provisions within the proposed rule changes require LDI to notify insurers of its intent to withdraw approval of a previously approved filing 15 days prior to withdrawing approval. According to LDI staff, withdrawal of approval for a previously approved filing is a rare occurrence (approximately 3 times in the last decade), and any increase in mailings to notify insurers of LDI's intent to withdraw approval of a previously approved filing will be absorbed utilizing existing resources and budget authority.

The proposed rule changes will not affect expenditures of local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will result in a marginal reduction of self-generated revenues for LDI. The proposed rule changes remove the filing fee of \$100 associated with the endorsement or rider noting a change of a company's name, logo, address or officers. The revenue loss associated with removal of this fee is dependent upon the number of companies changing names, logos, addresses, and/or officers, and is therefore indeterminable. However, based upon historical revenues derived from this fee, the impact is likely marginal. For reference, LDI received \$4,200 from the aforementioned fee in FY 17.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes may benefit life and annuity insurance companies by removing the \$100 filing fee associated with the change of a company's name, logo, address or officers.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes will not affect competition or employment.

Mary E. Butler
Chief of Staff
1803#029

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Department of Insurance Office of the Commissioner

Regulation 99—Certificates of Insurance
(LAC 37:XIII.Chapter 139)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby gives notice of its intent to repeal Regulation 99—Certificates of Insurance. The Louisiana Department of Insurance is repealing Regulation 99 to comply with Acts 2016, No. 278 of the Regular Session of the Louisiana Legislature that removed the commissioner of insurance from the approval process for certificates of insurance.

The purpose of Regulation 99 was to implement the provisions of Acts 2010, No. 1017 of the Regular Session of the Louisiana Legislature, concerning the issuance, effect and approval of certificates of insurance.

Title 37

INSURANCE

Part XIII. Regulations

Chapter 139. Regulation 99—Certificates of Insurance Subchapter A. General Provisions

§13901. Authority

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:881.1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 36:2869 (December 2010), repealed LR 44:

§13903. Purpose

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:881.1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 36:2869 (December 2010), repealed LR 44:

§13905. Scope and Applicability

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:881.1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner LR 36:2869 (December 2010), repealed LR 44:

§13907. Exemptions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:881.1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 36:2869 (December 2010), repealed LR 44:

§13909. Definitions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:881.1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 36:2869 (December 2010), repealed LR 44:

§13911. Effect and Use of Certificates of Insurance

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:881.1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 36:2870 (December 2010), repealed LR 44:

§13913. Filing Requirements

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:881.1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 36:2870 (December 2010), repealed LR 44:

§13915. Certificates of Insurance Approved Prior to Promulgation of Regulation 99

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:881.1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 36:2871 (December 2010), repealed LR 44:

§13917. Use of ACORD, AAIS and ISO Forms

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:881.1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 36:2871 (December 2010), repealed LR 44:

§13919. Notice of Cancellation

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:881.1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 36:2871 (December 2010), repealed LR 44:

§13921. Investigations and Examinations of Complaints and Violations

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:881.1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 36:2871 (December 2010), repealed LR 44:

§13923. Severability

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:881.1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 36:2871 (December 2010), repealed LR 44:

§13925. Effective Date

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:881.1.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 36:2871 (December 2010), repealed LR 44:

Family Impact Statement

1. Describe the Effect of the Proposed Regulation on the Stability of the Family. The proposed amended regulation should have no measurable impact upon the stability of the family.

2. Describe the Effect of the Proposed Regulation on the Authority and Rights of Parents Regarding the Education and Supervision of their Children The proposed amended regulation should have no impact upon the rights and authority of children regarding the education and supervision of their children.

3. Describe the Effect of the Proposed Regulation on the Functioning of the Family. The proposed amended regulation should have no direct impact upon the functioning of the family.

4. Describe the Effect of the Proposed Regulation on Family Earnings and Budget. The proposed amended regulation should have no direct impact upon family earnings and budget.

5. Describe the Effect of the Proposed Regulation on the Behavior and Personal Responsibility of Children. The proposed amended regulation should have no impact upon the behavior and personal responsibility of children.

6. Describe the Effect of the Proposed Regulation on the Ability of the Family or a Local Government to Perform the Function as Contained in the Rule. The proposed amended regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the rule.

Poverty Impact Statement

1. Describe the Effect on Household Income, Assets, and Financial Security. The proposed amended regulation should have no effect on household income assets and financial security.

2. Describe the Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed amended regulation should have no effect on early childhood development and preschool through postsecondary education development.

3. Describe the Effect on Employment and Workforce Development. The proposed amended regulation should have no effect on employment and workforce development.

4. Describe the Effect on Taxes and Tax Credits. The proposed amended regulation should have no effect on taxes and tax credits.

5. Describe the Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation and Utilities Assistance. The proposed amended regulation should have no effect on child and dependent care, housing, health care, nutrition, transportation and utilities assistance.

Small Business Analysis

The impact of the proposed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not

expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and Estimate of the Number of the Small Businesses Subject to the Proposed Rule. The proposed amended regulation should have no measurable impact upon small businesses.

2. The Projected Reporting, Record Keeping, and other Administrative Costs Required for Compliance with the Proposed Rule, Including the Type of Professional Skills Necessary for Preparation of the Report or Record. The proposed amended regulation should have no measurable impact upon small businesses.

3. A Statement of the Probable Effect on Impacted Small Businesses. The proposed amended regulation should have no measurable impact upon small businesses.

4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed amended regulation should have no measurable impact on small businesses; therefore, will have no less intrusive or less cost alternative methods.

Provider Impact Statement

1. Describe the Effect on the Staffing Level Requirements or Qualifications Required to Provide the Same Level of Service. The proposed amended regulation will have no effect.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed amended regulation will have no effect.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of Service. The proposed amended regulation will have no effect.

Public Comments

Interested persons who wish to make comments may do so by writing to Lance C. Joseph, Staff Attorney, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214. Comments will be accepted through the close of business, 4:30 p.m., April 19, 2018. No preamble concerning the proposed regulation is available.

James J. Donelon
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Regulation 99—Certificates of Insurance

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will not result in any additional expenditures or savings for state or local governmental units. The proposed rule change aligns the administrative rules with Act 278 of the 2016 Regular Session, which became law in May 2016 and removed the Commissioner of Insurance from the approval process for Certificates of Insurance. To align the administrative rules with current statute, the proposed rule

change repeals provisions associated with the Commissioner being a part of the approval process for certificates of insurance. Because of the effective date in Act 278, repealing the aforementioned rules will not have any fiscal impact for the LA Dept. of Insurance, as the Commissioner has not been part of the certificate approval since 2016, and repealing the associated rules aligns with present practice.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change will not affect revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change will not result in any costs or economic benefits for directly affected persons or non-governmental groups. While the proposed rule change removes the Commissioner of Insurance from the Certificate of Insurance approval process, it also aligns the administrative rules with current statute, which has been enacted since May 2016. For reference, under present statute insurers may issue Certificates of Insurance on self-promulgated forms, or forms provided by the the Association for Cooperative Operations Research and Development (ACORD), the American Association of Insurance Services (AAIS), or the Insurance Services Office (ISO).

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will not affect competition or employment.

Mary Elizabeth Butler
Chief of Staff
1803#052

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Department of Revenue Policy Services Division

Income Tax Withholding Tables (LAC 61:I.1501)

Under the authority of R.S. 47:32, R.S. 47:112, R.S. 47:295, and R.S. 47:1511, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division proposes to amend LAC 61:I.1501 relative to individual income tax withholding tables and formulas.

The primary purpose of this proposed amendment is to amend the individual income tax withholding tables and formulas, which is necessary as a result of the passage of the Tax Cuts and Jobs Act, so as to allow the secretary to administer the updated withholding tables for the 2018 and succeeding tax years.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 15 Income: Withholding Tax §1501. Income Tax Withholding Tables

A. - C.2.c. ...

3. Withholding Tables

a. Effective after July 1, 2009, but before February 16, 2018

Daily Louisiana Income Tax Withholding Table																						
Exemptions:		0								1							2					
Dependents:		0								1							2					
Salary Range:		0								1							2					
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6						
0.00	10.00	2.1%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
10.01	12.00	0.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
12.01	14.00	0.27	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
14.01	16.00	0.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
16.01	18.00	0.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
18.01	20.00	0.40	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
20.01	22.00	0.44	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
22.01	24.00	0.48	0.12	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
24.01	26.00	0.53	0.16	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
26.01	28.00	0.57	0.20	0.12	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
28.01	30.00	0.61	0.25	0.17	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
30.01	32.00	0.65	0.29	0.21	0.13	0.05	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
32.01	34.00	0.69	0.33	0.25	0.17	0.09	0.01	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
34.01	36.00	0.74	0.37	0.29	0.21	0.13	0.05	0.00	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.00						
36.01	38.00	0.78	0.41	0.33	0.25	0.17	0.09	0.01	0.00	0.05	0.00	0.00	0.00	0.00	0.00	0.00						
38.01	40.00	0.82	0.46	0.38	0.29	0.21	0.13	0.05	0.00	0.09	0.01	0.00	0.00	0.00	0.00	0.00						
40.01	42.00	0.86	0.50	0.42	0.34	0.26	0.17	0.09	0.01	0.13	0.05	0.00	0.00	0.00	0.00	0.00						
42.01	44.00	0.90	0.54	0.46	0.38	0.30	0.22	0.14	0.06	0.18	0.10	0.02	0.00	0.00	0.00	0.00						
44.01	46.00	0.95	0.58	0.50	0.42	0.34	0.26	0.18	0.10	0.22	0.14	0.06	0.00	0.00	0.00	0.00						
46.01	48.00	0.99	0.62	0.54	0.46	0.38	0.30	0.22	0.14	0.26	0.18	0.10	0.02	0.00	0.00	0.00						
48.01	50.00	1.04	0.68	0.60	0.52	0.44	0.36	0.28	0.20	0.30	0.22	0.14	0.06	0.00	0.00	0.00						
50.01	52.00	1.12	0.75	0.67	0.59	0.51	0.43	0.35	0.27	0.34	0.26	0.18	0.10	0.02	0.00	0.00						
52.01	54.00	1.19	0.83	0.75	0.67	0.59	0.50	0.42	0.34	0.39	0.31	0.23	0.14	0.06	0.00	0.00						
54.01	56.00	1.27	0.90	0.82	0.74	0.66	0.58	0.50	0.42	0.43	0.35	0.27	0.19	0.11	0.02	0.00						
56.01	58.00	1.34	0.98	0.90	0.81	0.73	0.65	0.57	0.49	0.47	0.39	0.31	0.23	0.15	0.07	0.00						
58.01	60.00	1.41	1.05	0.97	0.89	0.81	0.73	0.65	0.57	0.51	0.43	0.35	0.27	0.19	0.11	0.03						
60.01	62.00	1.49	1.12	1.04	0.96	0.88	0.80	0.72	0.64	0.55	0.47	0.39	0.31	0.23	0.15	0.07						
62.01	64.00	1.56	1.20	1.12	1.04	0.96	0.87	0.79	0.71	0.60	0.52	0.44	0.35	0.27	0.19	0.11						
64.01	66.00	1.64	1.27	1.19	1.11	1.03	0.95	0.87	0.79	0.64	0.56	0.48	0.40	0.32	0.23	0.15						
66.01	68.00	1.71	1.35	1.27	1.18	1.10	1.02	0.94	0.86	0.68	0.60	0.52	0.44	0.36	0.28	0.20						
68.01	70.00	1.78	1.42	1.34	1.26	1.18	1.10	1.02	0.94	0.72	0.64	0.56	0.48	0.40	0.32	0.24						
70.01	72.00	1.86	1.49	1.41	1.33	1.25	1.17	1.09	1.01	0.76	0.68	0.60	0.52	0.44	0.36	0.28						
72.01	74.00	1.93	1.57	1.49	1.41	1.33	1.24	1.16	1.08	0.81	0.73	0.65	0.56	0.48	0.40	0.32						
74.01	76.00	2.01	1.64	1.56	1.48	1.40	1.32	1.24	1.16	0.85	0.77	0.69	0.61	0.53	0.44	0.36						
76.01	78.00	2.08	1.72	1.64	1.55	1.47	1.39	1.31	1.23	0.89	0.81	0.73	0.65	0.57	0.49	0.41						
78.01	80.00	2.15	1.79	1.71	1.63	1.55	1.47	1.39	1.31	0.93	0.85	0.77	0.69	0.61	0.53	0.45						
80.01	82.00	2.23	1.86	1.78	1.70	1.62	1.54	1.46	1.38	0.97	0.89	0.81	0.73	0.65	0.57	0.49						
82.01	84.00	2.30	1.94	1.86	1.78	1.70	1.61	1.53	1.45	1.02	0.94	0.86	0.77	0.69	0.61	0.53						
84.01	86.00	2.38	2.01	1.93	1.85	1.77	1.69	1.61	1.53	1.06	0.98	0.90	0.82	0.74	0.65	0.57						
86.01	88.00	2.45	2.09	2.01	1.92	1.84	1.76	1.68	1.60	1.10	1.02	0.94	0.86	0.78	0.70	0.62						
88.01	90.00	2.52	2.16	2.08	2.00	1.92	1.84	1.76	1.68	1.14	1.06	0.98	0.90	0.82	0.74	0.66						
90.01	92.00	2.60	2.23	2.15	2.07	1.99	1.91	1.83	1.75	1.18	1.10	1.02	0.94	0.86	0.78	0.70						
92.01	94.00	2.67	2.31	2.23	2.15	2.07	1.98	1.90	1.82	1.23	1.15	1.07	0.98	0.90	0.82	0.74						
94.01	96.00	2.75	2.38	2.30	2.22	2.14	2.06	1.98	1.90	1.27	1.19	1.11	1.03	0.95	0.86	0.78						
96.01	98.00	2.82	2.46	2.38	2.29	2.21	2.13	2.05	1.97	1.32	1.24	1.16	1.08	1.00	0.92	0.84						
98.01	100.00	2.89	2.53	2.45	2.37	2.29	2.21	2.13	2.05	1.40	1.32	1.24	1.16	1.08	0.99	0.91						
100.01	102.00	2.97	2.60	2.52	2.44	2.36	2.28	2.20	2.12	1.47	1.39	1.31	1.23	1.15	1.07	0.99						
102.01	104.00	3.04	2.68	2.60	2.52	2.44	2.35	2.27	2.19	1.55	1.47	1.39	1.31	1.23	1.14	1.06						
104.01	106.00	3.12	2.75	2.67	2.59	2.51	2.43	2.35	2.27	1.62	1.54	1.46	1.38	1.30	1.22	1.14						
106.01	108.00	3.19	2.83	2.75	2.66	2.58	2.50	2.42	2.34	1.70	1.62	1.54	1.46	1.38	1.29	1.21						
108.01	110.00	3.26	2.90	2.82	2.74	2.66	2.58	2.50	2.42	1.77	1.69	1.61	1.53	1.45	1.37	1.29						
110.01	112.00	3.34	2.97	2.89	2.81	2.73	2.65	2.57	2.49	1.85	1.77	1.69	1.61	1.53	1.44	1.36						
112.01	114.00	3.41	3.05	2.97	2.89	2.81	2.72	2.64	2.56	1.92	1.84	1.76	1.68	1.60	1.52	1.44						
114.01	116.00	3.49	3.12	3.04	2.96	2.88	2.80	2.72	2.64	2.00	1.92	1.84	1.76	1.68	1.59	1.51						
116.01	118.00	3.56	3.20	3.12	3.03	2.95	2.87	2.79	2.71	2.07	1.99	1.91	1.83	1.75	1.67	1.59						
118.01	120.00	3.63	3.27	3.19	3.11	3.03	2.95	2.87	2.79	2.15	2.07	1.99	1.91	1.83	1.74	1.66						
120.01	122.00	3.71	3.34	3.26	3.18	3.10	3.02	2.94	2.86	2.22	2.14	2.06	1.98	1.90	1.82	1.74						
122.01	124.00	3.78	3.42	3.34	3.26	3.18	3.09	3.01	2.93	2.30	2.22	2.14	2.06	1.98	1.89	1.81						
124.01	126.00	3.86	3.49	3.41	3.33	3.25	3.17	3.09	3.01	2.37	2.29	2.21	2.13	2.05	1.97	1.89						
126.01	128.00	3.93	3.57	3.49	3.40	3.32	3.24	3.16	3.08	2.45	2.37	2.29	2.21	2.13	2.04	1.96						
128.01	130.00	4.00	3.64	3.56	3.48	3.40	3.32	3.24	3.16	2.52	2.44	2.36	2.28	2.20	2.12	2.04						
130.01	132.00	4.08	3.71	3.63	3.55	3.47	3.39	3.31	3.23	2.60	2.52	2.44	2.36	2.28	2.19	2.11						
132.01	134.00	4.15	3.79	3.71	3.63	3.55	3.46	3.38	3.30	2.67	2.59	2.51	2.43	2.35	2.27	2.19						
134.01	136.00	4.23	3.86	3.78	3.70	3.62	3.54	3.46	3.38	2.75	2.67	2.59	2.51	2.43	2.34	2.26						
136.01	138.00	4.30	3.94	3.86	3.77	3.69	3.61	3.53	3.45	2.82	2.74	2.66	2.58	2.50	2.42	2.34						

Daily Louisiana Income Tax Withholding Table

Exemptions:		0		1						2						
Dependents:																
Salary Range:																
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
138.01	140.00	4.37	4.01	3.93	3.85	3.77	3.69	3.61	3.53	2.90	2.82	2.74	2.66	2.58	2.49	2.41
140.01	142.00	4.45	4.08	4.00	3.92	3.84	3.76	3.68	3.60	2.97	2.89	2.81	2.73	2.65	2.57	2.49
142.01	144.00	4.52	4.16	4.08	4.00	3.92	3.83	3.75	3.67	3.05	2.97	2.89	2.81	2.73	2.64	2.56
144.01	146.00	4.60	4.23	4.15	4.07	3.99	3.91	3.83	3.75	3.12	3.04	2.96	2.88	2.80	2.72	2.64
146.01	148.00	4.67	4.31	4.23	4.14	4.06	3.98	3.90	3.82	3.20	3.12	3.04	2.96	2.88	2.79	2.71
148.01	150.00	4.74	4.38	4.30	4.22	4.14	4.06	3.98	3.90	3.27	3.19	3.11	3.03	2.95	2.87	2.79
150.01	152.00	4.82	4.45	4.37	4.29	4.21	4.13	4.05	3.97	3.35	3.27	3.19	3.11	3.03	2.94	2.86
152.01	154.00	4.89	4.53	4.45	4.37	4.29	4.20	4.12	4.04	3.42	3.34	3.26	3.18	3.10	3.02	2.94
154.01	156.00	4.97	4.60	4.52	4.44	4.36	4.28	4.20	4.12	3.50	3.42	3.34	3.26	3.18	3.09	3.01
156.01	158.00	5.04	4.68	4.60	4.51	4.43	4.35	4.27	4.19	3.57	3.49	3.41	3.33	3.25	3.17	3.09
158.01	160.00	5.11	4.75	4.67	4.59	4.51	4.43	4.35	4.27	3.65	3.57	3.49	3.41	3.33	3.24	3.16
160.01	162.00	5.19	4.82	4.74	4.66	4.58	4.50	4.42	4.34	3.72	3.64	3.56	3.48	3.40	3.32	3.24
162.01	164.00	5.26	4.90	4.82	4.74	4.66	4.57	4.49	4.41	3.80	3.72	3.64	3.56	3.48	3.39	3.31
164.01	166.00	5.34	4.97	4.89	4.81	4.73	4.65	4.57	4.49	3.87	3.79	3.71	3.63	3.55	3.47	3.39
166.01	168.00	5.41	5.05	4.97	4.88	4.80	4.72	4.64	4.56	3.95	3.87	3.79	3.71	3.63	3.54	3.46
168.01	170.00	5.48	5.12	5.04	4.96	4.88	4.80	4.72	4.64	4.02	3.94	3.86	3.78	3.70	3.62	3.54
170.01	172.00	5.56	5.19	5.11	5.03	4.95	4.87	4.79	4.71	4.10	4.02	3.94	3.86	3.78	3.69	3.61
172.01	174.00	5.63	5.27	5.19	5.11	5.03	4.94	4.86	4.78	4.17	4.09	4.01	3.93	3.85	3.77	3.69
174.01	176.00	5.71	5.34	5.26	5.18	5.10	5.02	4.94	4.86	4.25	4.17	4.09	4.01	3.93	3.84	3.76
176.01	178.00	5.78	5.42	5.34	5.25	5.17	5.09	5.01	4.93	4.32	4.24	4.16	4.08	4.00	3.92	3.84
178.01	180.00	5.85	5.49	5.41	5.33	5.25	5.17	5.09	5.01	4.40	4.32	4.24	4.16	4.08	3.99	3.91
180.01	182.00	5.93	5.56	5.48	5.40	5.32	5.24	5.16	5.08	4.47	4.39	4.31	4.23	4.15	4.07	3.99
182.01	184.00	6.00	5.64	5.56	5.48	5.40	5.31	5.23	5.15	4.55	4.47	4.39	4.31	4.23	4.14	4.06
184.01	186.00	6.08	5.71	5.63	5.55	5.47	5.39	5.31	5.23	4.62	4.54	4.46	4.38	4.30	4.22	4.14
186.01	188.00	6.15	5.79	5.71	5.62	5.54	5.46	5.38	5.30	4.70	4.62	4.54	4.46	4.38	4.29	4.21
188.01	190.00	6.22	5.86	5.78	5.70	5.62	5.54	5.46	5.38	4.77	4.69	4.61	4.53	4.45	4.37	4.29
190.01	192.00	6.30	5.93	5.85	5.77	5.69	5.61	5.53	5.45	4.85	4.77	4.69	4.61	4.53	4.44	4.36
192.01	194.00	6.38	6.02	5.94	5.86	5.78	5.69	5.61	5.53	4.92	4.84	4.76	4.68	4.60	4.52	4.44
194.01	196.00	6.48	6.12	6.04	5.96	5.88	5.80	5.72	5.63	5.00	4.92	4.84	4.76	4.68	4.59	4.51
196.01	198.00	6.58	6.22	6.14	6.06	5.98	5.90	5.82	5.74	5.07	4.99	4.91	4.83	4.75	4.67	4.59
198.01	200.00	6.68	6.32	6.24	6.16	6.08	6.00	5.92	5.84	5.15	5.07	4.99	4.91	4.83	4.74	4.66
200.01	202.00	6.79	6.42	6.34	6.26	6.18	6.10	6.02	5.94	5.22	5.14	5.06	4.98	4.90	4.82	4.74
202.01	204.00	6.89	6.52	6.44	6.36	6.28	6.20	6.12	6.04	5.30	5.22	5.14	5.06	4.98	4.89	4.81
204.01	206.00	6.99	6.62	6.54	6.46	6.38	6.30	6.22	6.14	5.37	5.29	5.21	5.13	5.05	4.97	4.89
206.01	208.00	7.09	6.73	6.64	6.56	6.48	6.40	6.32	6.24	5.45	5.37	5.29	5.21	5.13	5.04	4.96
208.01	210.00	7.19	6.83	6.75	6.66	6.58	6.50	6.42	6.34	5.52	5.44	5.36	5.28	5.20	5.12	5.04
210.01	212.00	7.29	6.93	6.85	6.77	6.68	6.60	6.52	6.44	5.60	5.52	5.44	5.36	5.28	5.19	5.11
212.01	214.00	7.39	7.03	6.95	6.87	6.79	6.70	6.62	6.54	5.67	5.59	5.51	5.43	5.35	5.27	5.19
214.01	216.00	7.49	7.13	7.05	6.97	6.89	6.81	6.73	6.64	5.75	5.67	5.59	5.51	5.43	5.34	5.26
216.01	218.00	7.59	7.23	7.15	7.07	6.99	6.91	6.83	6.75	5.82	5.74	5.66	5.58	5.50	5.42	5.34
218.01	220.00	7.69	7.33	7.25	7.17	7.09	7.01	6.93	6.85	5.90	5.82	5.74	5.66	5.58	5.49	5.41
220.01	222.00	7.80	7.43	7.35	7.27	7.19	7.11	7.03	6.95	5.97	5.89	5.81	5.73	5.65	5.57	5.49
222.01	224.00	7.90	7.53	7.45	7.37	7.29	7.21	7.13	7.05	6.05	5.97	5.89	5.81	5.73	5.64	5.56
224.01	226.00	8.00	7.63	7.55	7.47	7.39	7.31	7.23	7.15	6.12	6.04	5.96	5.88	5.80	5.72	5.64
226.01	228.00	8.10	7.74	7.65	7.57	7.49	7.41	7.33	7.25	6.20	6.12	6.04	5.96	5.88	5.79	5.71
228.01	230.00	8.20	7.84	7.76	7.67	7.59	7.51	7.43	7.35	6.27	6.19	6.11	6.03	5.95	5.87	5.79
230.01	232.00	8.30	7.94	7.86	7.78	7.69	7.61	7.53	7.45	6.35	6.27	6.19	6.11	6.03	5.94	5.86
232.01	234.00	8.40	8.04	7.96	7.88	7.80	7.71	7.63	7.55	6.42	6.34	6.26	6.18	6.10	6.02	5.94
234.01	236.00	8.50	8.14	8.06	7.98	7.90	7.82	7.74	7.65	6.50	6.42	6.34	6.26	6.18	6.09	6.01
236.01	238.00	8.60	8.24	8.16	8.08	8.00	7.92	7.84	7.76	6.57	6.49	6.41	6.33	6.25	6.17	6.09
238.01	240.00	8.70	8.34	8.26	8.18	8.10	8.02	7.94	7.86	6.65	6.57	6.49	6.41	6.33	6.24	6.16
240.01	242.00	8.81	8.44	8.36	8.28	8.20	8.12	8.04	7.96	6.72	6.64	6.56	6.48	6.40	6.32	6.24
242.01	244.00	8.91	8.54	8.46	8.38	8.30	8.22	8.14	8.06	6.80	6.72	6.64	6.56	6.48	6.39	6.31
244.01	246.00	9.01	8.64	8.56	8.48	8.40	8.32	8.24	8.16	6.87	6.79	6.71	6.63	6.55	6.47	6.39
246.01	248.00	9.11	8.75	8.66	8.58	8.50	8.42	8.34	8.26	6.95	6.87	6.79	6.71	6.63	6.54	6.46
248.01	250.00	9.21	8.85	8.77	8.68	8.60	8.52	8.44	8.36	7.02	6.94	6.86	6.78	6.70	6.62	6.54
250.01	252.00	9.31	8.95	8.87	8.79	8.70	8.62	8.54	8.46	7.10	7.02	6.94	6.86	6.78	6.69	6.61
252.01	254.00	9.41	9.05	8.97	8.89	8.81	8.72	8.64	8.56	7.17	7.09	7.01	6.93	6.85	6.77	6.69
254.01	256.00	9.51	9.15	9.07	8.99	8.91	8.83	8.75	8.66	7.25	7.17	7.09	7.01	6.93	6.84	6.76
256.01	258.00	9.61	9.25	9.17	9.09	9.01	8.93	8.85	8.77	7.32	7.24	7.16	7.08	7.00	6.92	6.84
258.01	260.00	9.71	9.35	9.27	9.19	9.11	9.03	8.95	8.87	7.40	7.32	7.24	7.16	7.08	6.99	6.91
260.01	262.00	9.82	9.45	9.37	9.29	9.21	9.13	9.05	8.97	7.47	7.39	7.31	7.23	7.15	7.07	6.99
262.01	264.00	9.92	9.55	9.47	9.39	9.31	9.23	9.15	9.07	7.55	7.47	7.39	7.31	7.23	7.14	7.06
264.01	266.00	10.02	9.65	9.57	9.49	9.41	9.33	9.25	9.17	7.62	7.54	7.46	7.38	7.30	7.22	7.14
266.01	268.00	10.12	9.76	9.67	9.59	9.51	9.43	9.35	9.27	7.70	7.62	7.54	7.46	7.38	7.29	7.21
268.01	270.00	10.22	9.86	9.78	9.69	9.61	9.53	9.45	9.37	7.77	7.69	7.61	7.53	7.45	7.37	7.29
270.01	272.00	10.32	9.96	9.88	9.80	9.71	9.63	9.55	9.47	7.85	7.77	7.69	7.61	7.53	7.44	7.36

Daily Louisiana Income Tax Withholding Table																
Exemptions:		0		1						2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
272.01	274.00	10.42	10.06	9.98	9.90	9.82	9.73	9.65	9.57	7.92	7.84	7.76	7.68	7.60	7.52	7.44
274.01	276.00	10.52	10.16	10.08	10.00	9.92	9.84	9.76	9.67	8.00	7.92	7.84	7.76	7.68	7.59	7.51
276.01	278.00	10.62	10.26	10.18	10.10	10.02	9.94	9.86	9.78	8.07	7.99	7.91	7.83	7.75	7.67	7.59
278.01	280.00	10.72	10.36	10.28	10.20	10.12	10.04	9.96	9.88	8.15	8.07	7.99	7.91	7.83	7.74	7.66
280.01	282.00	10.83	10.46	10.38	10.30	10.22	10.14	10.06	9.98	8.22	8.14	8.06	7.98	7.90	7.82	7.74
282.01	284.00	10.93	10.56	10.48	10.40	10.32	10.24	10.16	10.08	8.30	8.22	8.14	8.06	7.98	7.89	7.81
284.01	286.00	11.03	10.66	10.58	10.50	10.42	10.34	10.26	10.18	8.37	8.29	8.21	8.13	8.05	7.97	7.89
286.01	288.00	11.13	10.77	10.68	10.60	10.52	10.44	10.36	10.28	8.45	8.37	8.29	8.21	8.13	8.04	7.96
288.01	290.00	11.23	10.87	10.79	10.70	10.62	10.54	10.46	10.38	8.52	8.44	8.36	8.28	8.20	8.12	8.04
290.01	292.00	11.33	10.97	10.89	10.81	10.72	10.64	10.56	10.48	8.60	8.52	8.44	8.36	8.28	8.19	8.11
292.01	294.00	11.43	11.07	10.99	10.91	10.83	10.74	10.66	10.58	8.67	8.59	8.51	8.43	8.35	8.27	8.19
294.01	296.00	11.53	11.17	11.09	11.01	10.93	10.85	10.77	10.68	8.75	8.67	8.59	8.51	8.43	8.34	8.26
296.01	298.00	11.63	11.27	11.19	11.11	11.03	10.95	10.87	10.79	8.82	8.74	8.66	8.58	8.50	8.42	8.34
298.01	300.00	11.73	11.37	11.29	11.21	11.13	11.05	10.97	10.89	8.90	8.82	8.74	8.66	8.58	8.49	8.41
300.01	302.00	11.84	11.47	11.39	11.31	11.23	11.15	11.07	10.99	8.97	8.89	8.81	8.73	8.65	8.57	8.49
302.01	304.00	11.94	11.57	11.49	11.41	11.33	11.25	11.17	11.09	9.05	8.97	8.89	8.81	8.73	8.64	8.56
304.01	306.00	12.04	11.67	11.59	11.51	11.43	11.35	11.27	11.19	9.12	9.04	8.96	8.88	8.80	8.72	8.64
306.01	308.00	12.14	11.78	11.69	11.61	11.53	11.45	11.37	11.29	9.20	9.12	9.04	8.96	8.88	8.79	8.71
308.01	310.00	12.24	11.88	11.80	11.71	11.63	11.55	11.47	11.39	9.27	9.19	9.11	9.03	8.95	8.87	8.79
310.01	312.00	12.34	11.98	11.90	11.82	11.73	11.65	11.57	11.49	9.35	9.27	9.19	9.11	9.03	8.94	8.86
312.01	314.00	12.44	12.08	12.00	11.92	11.84	11.75	11.67	11.59	9.42	9.34	9.26	9.18	9.10	9.02	8.94
314.01	316.00	12.54	12.18	12.10	12.02	11.94	11.86	11.78	11.69	9.50	9.42	9.34	9.26	9.18	9.09	9.01
316.01	318.00	12.64	12.28	12.20	12.12	12.04	11.96	11.88	11.80	9.57	9.49	9.41	9.33	9.25	9.17	9.09
318.01	320.00	12.74	12.38	12.30	12.22	12.14	12.06	11.98	11.90	9.65	9.57	9.49	9.41	9.33	9.24	9.16
320.01	322.00	12.85	12.48	12.40	12.32	12.24	12.16	12.08	12.00	9.72	9.64	9.56	9.48	9.40	9.32	9.24
322.01	324.00	12.95	12.58	12.50	12.42	12.34	12.26	12.18	12.10	9.80	9.72	9.64	9.56	9.48	9.39	9.31
324.01	326.00	13.05	12.68	12.60	12.52	12.44	12.36	12.28	12.20	9.87	9.79	9.71	9.63	9.55	9.47	9.39
326.01	328.00	13.15	12.79	12.70	12.62	12.54	12.46	12.38	12.30	9.95	9.87	9.79	9.71	9.63	9.54	9.46
328.01	330.00	13.25	12.89	12.81	12.72	12.64	12.56	12.48	12.40	10.02	9.94	9.86	9.78	9.70	9.62	9.54
330.01	332.00	13.35	12.99	12.91	12.83	12.74	12.66	12.58	12.50	10.10	10.02	9.94	9.86	9.78	9.69	9.61
332.01	334.00	13.45	13.09	13.01	12.93	12.85	12.76	12.68	12.60	10.17	10.09	10.01	9.93	9.85	9.77	9.69
334.01	336.00	13.55	13.19	13.11	13.03	12.95	12.87	12.79	12.70	10.25	10.17	10.09	10.01	9.93	9.84	9.76
336.01	338.00	13.65	13.29	13.21	13.13	13.05	12.97	12.89	12.81	10.32	10.24	10.16	10.08	10.00	9.92	9.84
338.01	340.00	13.75	13.39	13.31	13.23	13.15	13.07	12.99	12.91	10.40	10.32	10.24	10.16	10.08	9.99	9.91
340.01	342.00	13.86	13.49	13.41	13.33	13.25	13.17	13.09	13.01	10.47	10.39	10.31	10.23	10.15	10.07	9.99
342.01	344.00	13.96	13.59	13.51	13.43	13.35	13.27	13.19	13.11	10.55	10.47	10.39	10.31	10.23	10.14	10.06
344.01	346.00	14.06	13.69	13.61	13.53	13.45	13.37	13.29	13.21	10.62	10.54	10.46	10.38	10.30	10.22	10.14
346.01	348.00	14.16	13.80	13.71	13.63	13.55	13.47	13.39	13.31	10.70	10.62	10.54	10.46	10.38	10.29	10.21
348.01	350.00	14.26	13.90	13.82	13.73	13.65	13.57	13.49	13.41	10.77	10.69	10.61	10.53	10.45	10.37	10.29
350.01	352.00	14.36	14.00	13.92	13.84	13.75	13.67	13.59	13.51	10.85	10.77	10.69	10.61	10.53	10.44	10.36
352.01	354.00	14.46	14.10	14.02	13.94	13.86	13.77	13.69	13.61	10.92	10.84	10.76	10.68	10.60	10.52	10.44
354.01	356.00	14.56	14.20	14.12	14.04	13.96	13.88	13.80	13.71	11.00	10.92	10.84	10.76	10.68	10.59	10.51
356.01	358.00	14.66	14.30	14.22	14.14	14.06	13.98	13.90	13.82	11.07	10.99	10.91	10.83	10.75	10.67	10.59
358.01	360.00	14.76	14.40	14.32	14.24	14.16	14.08	14.00	13.92	11.15	11.07	10.99	10.91	10.83	10.74	10.66
360.01	362.00	14.87	14.50	14.42	14.34	14.26	14.18	14.10	14.02	11.22	11.14	11.06	10.98	10.90	10.82	10.74
362.01	364.00	14.97	14.60	14.52	14.44	14.36	14.28	14.20	14.12	11.30	11.22	11.14	11.06	10.98	10.89	10.81
364.01	366.00	15.07	14.70	14.62	14.54	14.46	14.38	14.30	14.22	11.37	11.29	11.21	11.13	11.05	10.97	10.89
366.01	368.00	15.17	14.81	14.72	14.64	14.56	14.48	14.40	14.32	11.45	11.37	11.29	11.21	11.13	11.04	10.96
368.01	370.00	15.27	14.91	14.83	14.74	14.66	14.58	14.50	14.42	11.52	11.44	11.36	11.28	11.20	11.12	11.04
370.01	372.00	15.37	15.01	14.93	14.85	14.76	14.68	14.60	14.52	11.60	11.52	11.44	11.36	11.28	11.19	11.11
372.01	374.00	15.47	15.11	15.03	14.95	14.87	14.78	14.70	14.62	11.67	11.59	11.51	11.43	11.35	11.27	11.19
374.01	376.00	15.57	15.21	15.13	15.05	14.97	14.89	14.81	14.72	11.75	11.67	11.59	11.51	11.43	11.34	11.26
376.01	378.00	15.67	15.31	15.23	15.15	15.07	14.99	14.91	14.83	11.82	11.74	11.66	11.58	11.50	11.42	11.34
378.01	380.00	15.77	15.41	15.33	15.25	15.17	15.09	15.01	14.93	11.90	11.82	11.74	11.66	11.58	11.49	11.41
380.01	382.00	15.88	15.51	15.43	15.35	15.27	15.19	15.11	15.03	11.97	11.89	11.81	11.73	11.65	11.57	11.49
382.01	384.00	15.98	15.61	15.53	15.45	15.37	15.29	15.21	15.13	12.05	11.97	11.89	11.81	11.73	11.64	11.56
384.01	386.00	16.08	15.71	15.63	15.55	15.47	15.39	15.31	15.23	12.13	12.05	11.97	11.89	11.81	11.73	11.64
(Add 5.05% for amounts in excess of \$386)										(Add 5.10% for amounts in excess of \$386)						

Weekly Louisiana Income Tax Withholding Table																
Exemptions:		0		1						2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
0.00	50.00	2.1%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
50.01	70.00	1.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Weekly Louisiana Income Tax Withholding Table																
Exemptions:		0		1						2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
70.01	90.00	1.68	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
90.01	110.00	2.10	0.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
110.01	130.00	2.52	0.70	0.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
130.01	150.00	2.94	1.12	0.72	0.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
150.01	170.00	3.36	1.54	1.14	0.74	0.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
170.01	190.00	3.78	1.96	1.56	1.16	0.75	0.35	0.00	0.00	0.15	0.00	0.00	0.00	0.00	0.00	0.00
190.01	210.00	4.20	2.38	1.98	1.58	1.17	0.77	0.36	0.00	0.57	0.16	0.00	0.00	0.00	0.00	0.00
210.01	230.00	4.62	2.80	2.40	2.00	1.59	1.19	0.78	0.38	0.99	0.58	0.18	0.00	0.00	0.00	0.00
230.01	250.00	5.04	3.22	2.82	2.42	2.01	1.61	1.20	0.80	1.41	1.00	0.60	0.19	0.00	0.00	0.00
250.01	270.00	5.77	3.96	3.55	3.15	2.74	2.34	1.94	1.53	1.83	1.42	1.02	0.61	0.21	0.00	0.00
270.01	290.00	6.51	4.70	4.29	3.89	3.48	3.08	2.68	2.27	2.25	1.84	1.44	1.03	0.63	0.23	0.00
290.01	310.00	7.25	5.44	5.03	4.63	4.22	3.82	3.42	3.01	2.67	2.26	1.86	1.45	1.05	0.65	0.24
310.01	330.00	7.99	6.18	5.77	5.37	4.96	4.56	4.16	3.75	3.09	2.68	2.28	1.87	1.47	1.07	0.66
330.01	350.00	8.73	6.92	6.51	6.11	5.70	5.30	4.90	4.49	3.51	3.10	2.70	2.29	1.89	1.49	1.08
350.01	370.00	9.47	7.66	7.25	6.85	6.44	6.04	5.64	5.23	3.93	3.52	3.12	2.71	2.31	1.91	1.50
370.01	390.00	10.21	8.40	7.99	7.59	7.18	6.78	6.38	5.97	4.35	3.94	3.54	3.13	2.73	2.33	1.92
390.01	410.00	10.95	9.14	8.73	8.33	7.92	7.52	7.12	6.71	4.77	4.36	3.96	3.55	3.15	2.75	2.34
410.01	430.00	11.69	9.88	9.47	9.07	8.66	8.26	7.86	7.45	5.19	4.78	4.38	3.97	3.57	3.17	2.76
430.01	450.00	12.43	10.62	10.21	9.81	9.40	9.00	8.60	8.19	5.61	5.20	4.80	4.39	3.99	3.59	3.18
450.01	470.00	13.17	11.36	10.95	10.55	10.14	9.74	9.34	8.93	6.03	5.62	5.22	4.81	4.41	4.01	3.60
470.01	490.00	13.91	12.10	11.69	11.29	10.88	10.48	10.08	9.67	6.45	6.04	5.64	5.23	4.83	4.43	4.02
490.01	510.00	14.65	12.84	12.43	12.03	11.62	11.22	10.82	10.41	7.18	6.78	6.38	5.97	5.57	5.16	4.76
510.01	530.00	15.39	13.58	13.17	12.77	12.36	11.96	11.56	11.15	7.93	7.53	7.13	6.72	6.32	5.91	5.51
530.01	550.00	16.13	14.32	13.91	13.51	13.10	12.70	12.30	11.89	8.68	8.28	7.88	7.47	7.07	6.66	6.26
550.01	570.00	16.87	15.06	14.65	14.25	13.84	13.44	13.04	12.63	9.43	9.03	8.63	8.22	7.82	7.41	7.01
570.01	590.00	17.61	15.80	15.39	14.99	14.58	14.18	13.78	13.37	10.18	9.78	9.38	8.97	8.57	8.16	7.76
590.01	610.00	18.35	16.54	16.13	15.73	15.32	14.92	14.52	14.11	10.93	10.53	10.13	9.72	9.32	8.91	8.51
610.01	630.00	19.09	17.28	16.87	16.47	16.06	15.66	15.26	14.85	11.68	11.28	10.88	10.47	10.07	9.66	9.26
630.01	650.00	19.83	18.02	17.61	17.21	16.80	16.40	16.00	15.59	12.43	12.03	11.63	11.22	10.82	10.41	10.01
650.01	670.00	20.57	18.76	18.35	17.95	17.54	17.14	16.74	16.33	13.18	12.78	12.38	11.97	11.57	11.16	10.76
670.01	690.00	21.31	19.50	19.09	18.69	18.28	17.88	17.48	17.07	13.93	13.53	13.13	12.72	12.32	11.91	11.51
690.01	710.00	22.05	20.24	19.83	19.43	19.02	18.62	18.22	17.81	14.68	14.28	13.88	13.47	13.07	12.66	12.26
710.01	730.00	22.79	20.98	20.57	20.17	19.76	19.36	18.96	18.55	15.43	15.03	14.63	14.22	13.82	13.41	13.01
730.01	750.00	23.53	21.72	21.31	20.91	20.50	20.10	19.70	19.29	16.18	15.78	15.38	14.97	14.57	14.16	13.76
750.01	770.00	24.27	22.46	22.05	21.65	21.24	20.84	20.44	20.03	16.93	16.53	16.13	15.72	15.32	14.91	14.51
770.01	790.00	25.01	23.20	22.79	22.39	21.98	21.58	21.18	20.77	17.68	17.28	16.88	16.47	16.07	15.66	15.26
790.01	810.00	25.75	23.94	23.53	23.13	22.72	22.32	21.92	21.51	18.43	18.03	17.63	17.22	16.82	16.41	16.01
810.01	830.00	26.49	24.68	24.27	23.87	23.46	23.06	22.66	22.25	19.18	18.78	18.38	17.97	17.57	17.16	16.76
830.01	850.00	27.23	25.42	25.01	24.61	24.20	23.80	23.40	22.99	19.93	19.53	19.13	18.72	18.32	17.91	17.51
850.01	870.00	27.97	26.16	25.75	25.35	24.94	24.54	24.14	23.73	20.68	20.28	19.88	19.47	19.07	18.66	18.26
870.01	890.00	28.71	26.90	26.49	26.09	25.68	25.28	24.88	24.47	21.43	21.03	20.63	20.22	19.82	19.41	19.01
890.01	910.00	29.45	27.64	27.23	26.83	26.42	26.02	25.62	25.21	22.18	21.78	21.38	20.97	20.57	20.16	19.76
910.01	930.00	30.19	28.38	27.97	27.57	27.16	26.76	26.36	25.95	22.93	22.53	22.13	21.72	21.32	20.91	20.51
930.01	950.00	30.93	29.12	28.71	28.31	27.90	27.50	27.10	26.69	23.68	23.28	22.88	22.47	22.07	21.66	21.26
950.01	970.00	31.67	29.86	29.45	29.05	28.64	28.24	27.84	27.43	24.43	24.03	23.63	23.22	22.82	22.41	22.01
970.01	990.00	32.66	30.85	30.44	30.04	29.63	29.23	28.83	28.42	25.18	24.78	24.38	23.97	23.57	23.16	22.76
990.01	1,010.00	33.67	31.86	31.45	31.05	30.64	30.24	29.84	29.43	25.93	25.53	25.13	24.72	24.32	23.91	23.51
1,010.01	1,030.00	34.68	32.87	32.46	32.06	31.65	31.25	30.85	30.44	26.68	26.28	25.88	25.47	25.07	24.66	24.26
1,030.01	1,050.00	35.69	33.88	33.47	33.07	32.66	32.26	31.86	31.45	27.43	27.03	26.63	26.22	25.82	25.41	25.01
1,050.01	1,070.00	36.70	34.89	34.48	34.08	33.67	33.27	32.87	32.46	28.18	27.78	27.38	26.97	26.57	26.16	25.76
1,070.01	1,090.00	37.71	35.90	35.49	35.09	34.68	34.28	33.88	33.47	28.93	28.53	28.13	27.72	27.32	26.91	26.51
1,090.01	1,110.00	38.72	36.91	36.50	36.10	35.69	35.29	34.89	34.48	29.68	29.28	28.88	28.47	28.07	27.66	27.26
1,110.01	1,130.00	39.73	37.92	37.51	37.11	36.70	36.30	35.90	35.49	30.43	30.03	29.63	29.22	28.82	28.41	28.01
1,130.01	1,150.00	40.74	38.93	38.52	38.12	37.71	37.31	36.91	36.50	31.18	30.78	30.38	29.97	29.57	29.16	28.76
1,150.01	1,170.00	41.75	39.94	39.53	39.13	38.72	38.32	37.92	37.51	31.93	31.53	31.13	30.72	30.32	29.91	29.51
1,170.01	1,190.00	42.76	40.95	40.54	40.14	39.73	39.33	38.93	38.52	32.68	32.28	31.88	31.47	31.07	30.66	30.26
1,190.01	1,210.00	43.77	41.96	41.55	41.15	40.74	40.34	39.94	39.53	33.43	33.03	32.63	32.22	31.82	31.41	31.01
1,210.01	1,230.00	44.78	42.97	42.56	42.16	41.75	41.35	40.95	40.54	34.18	33.78	33.38	32.97	32.57	32.16	31.76
1,230.01	1,250.00	45.79	43.98	43.57	43.17	42.76	42.36	41.96	41.55	34.93	34.53	34.13	33.72	33.32	32.91	32.51
1,250.01	1,270.00	46.80	44.99	44.58	44.18	43.77	43.37	42.97	42.56	35.68	35.28	34.88	34.47	34.07	33.66	33.26
1,270.01	1,290.00	47.81	46.00	45.59	45.19	44.78	44.38	43.98	43.57	36.43	36.03	35.63	35.22	34.82	34.41	34.01
1,290.01	1,310.00	48.82	47.01	46.60	46.20	45.79	45.39	44.99	44.58	37.18	36.78	36.38	35.97	35.57	35.16	34.76
1,310.01	1,330.00	49.83	48.02	47.61	47.21	46.80	46.40	46.00	45.59	37.93	37.53	37.13	36.72	36.32	35.91	35.51
1,330.01	1,350.00	50.84	49.03	48.62	48.22	47.81	47.41	47.01	46.60	38.68	38.28	37.88	37.47	37.07	36.66	36.26
1,350.01	1,370.00	51.85	50.04	49.63	49.23	48.82	48.42	48.02	47.61	39.43	39.03	38.63	38.22	37.82	37.41	37.01
1,370.01	1,390.00	52.86	51.05	50.64	50.24	49.83	49.43	49.03	48.62	40.18	39.78	39.38	38.97	38.57	38.16	37.76
1,390.01	1,410.00	53.87	52.06	51.65	51.25	50.84	50.44	50.04	49.63	40.93	40.53	40.13	39.72	39.32	38.91	38.51

Weekly Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:																	
Salary Range:																	
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
1,410.01	1,430.00	54.88	53.07	52.66	52.26	51.85	51.45	51.05	50.64	41.68	41.28	40.88	40.47	40.07	39.66	39.26	
1,430.01	1,450.00	55.89	54.08	53.67	53.27	52.86	52.46	52.06	51.65	42.43	42.03	41.63	41.22	40.82	40.41	40.01	
1,450.01	1,470.00	56.90	55.09	54.68	54.28	53.87	53.47	53.07	52.66	43.18	42.78	42.38	41.97	41.57	41.16	40.76	
1,470.01	1,490.00	57.91	56.10	55.69	55.29	54.88	54.48	54.08	53.67	43.93	43.53	43.13	42.72	42.32	41.91	41.51	
1,490.01	1,510.00	58.92	57.11	56.70	56.30	55.89	55.49	55.09	54.68	44.68	44.28	43.88	43.47	43.07	42.66	42.26	
1,510.01	1,530.00	59.93	58.12	57.71	57.31	56.90	56.50	56.10	55.69	45.43	45.03	44.63	44.22	43.82	43.41	43.01	
1,530.01	1,550.00	60.94	59.13	58.72	58.32	57.91	57.51	57.11	56.70	46.18	45.78	45.38	44.97	44.57	44.16	43.76	
1,550.01	1,570.00	61.95	60.14	59.73	59.33	58.92	58.52	58.12	57.71	46.93	46.53	46.13	45.72	45.32	44.91	44.51	
1,570.01	1,590.00	62.96	61.15	60.74	60.34	59.93	59.53	59.13	58.72	47.68	47.28	46.88	46.47	46.07	45.66	45.26	
1,590.01	1,610.00	63.97	62.16	61.75	61.35	60.94	60.54	60.14	59.73	48.43	48.03	47.63	47.22	46.82	46.41	46.01	
1,610.01	1,630.00	64.98	63.17	62.76	62.36	61.95	61.55	61.15	60.74	49.18	48.78	48.38	47.97	47.57	47.16	46.76	
1,630.01	1,650.00	65.99	64.18	63.77	63.37	62.96	62.56	62.16	61.75	49.93	49.53	49.13	48.72	48.32	47.91	47.51	
1,650.01	1,670.00	67.00	65.19	64.78	64.38	63.97	63.57	63.17	62.76	50.68	50.28	49.88	49.47	49.07	48.66	48.26	
1,670.01	1,690.00	68.01	66.20	65.79	65.39	64.98	64.58	64.18	63.77	51.43	51.03	50.63	50.22	49.82	49.41	49.01	
1,690.01	1,710.00	69.02	67.21	66.80	66.40	65.99	65.59	65.19	64.78	52.18	51.78	51.38	50.97	50.57	50.16	49.76	
1,710.01	1,730.00	70.03	68.22	67.81	67.41	67.00	66.60	66.20	65.79	52.93	52.53	52.13	51.72	51.32	50.91	50.51	
1,730.01	1,750.00	71.04	69.23	68.82	68.42	68.01	67.61	67.21	66.80	53.68	53.28	52.88	52.47	52.07	51.66	51.26	
1,750.01	1,770.00	72.05	70.24	69.83	69.43	69.02	68.62	68.22	67.81	54.43	54.03	53.63	53.22	52.82	52.41	52.01	
1,770.01	1,790.00	73.06	71.25	70.84	70.44	70.03	69.63	69.23	68.82	55.18	54.78	54.38	53.97	53.57	53.16	52.76	
1,790.01	1,810.00	74.07	72.26	71.85	71.45	71.04	70.64	70.24	69.83	55.93	55.53	55.13	54.72	54.32	53.91	53.51	
1,810.01	1,830.00	75.08	73.27	72.86	72.46	72.05	71.65	71.25	70.84	56.68	56.28	55.88	55.47	55.07	54.66	54.26	
1,830.01	1,850.00	76.09	74.28	73.87	73.47	73.06	72.66	72.26	71.85	57.43	57.03	56.63	56.22	55.82	55.41	55.01	
1,850.01	1,870.00	77.10	75.29	74.88	74.48	74.07	73.67	73.27	72.86	58.18	57.78	57.38	56.97	56.57	56.16	55.76	
1,870.01	1,890.00	78.11	76.30	75.89	75.49	75.08	74.68	74.28	73.87	58.93	58.53	58.13	57.72	57.32	56.91	56.51	
1,890.01	1,910.00	79.12	77.31	76.90	76.50	76.09	75.69	75.29	74.88	59.68	59.28	58.88	58.47	58.07	57.66	57.26	
1,910.01	1,930.00	80.13	78.32	77.91	77.51	77.10	76.70	76.30	75.89	60.43	60.03	59.63	59.22	58.82	58.41	58.01	
1,930.01	1,950.00	81.14	79.33	78.92	78.52	78.11	77.71	77.31	76.90	61.18	60.78	60.38	59.97	59.57	59.16	58.76	
1,850.01	1,870.00	77.10	75.29	74.88	74.48	74.07	73.67	73.27	72.86	58.18	57.78	57.38	56.97	56.57	56.16	55.76	
1,870.01	1,890.00	78.11	76.30	75.89	75.49	75.08	74.68	74.28	73.87	58.93	58.53	58.13	57.72	57.32	56.91	56.51	
1,890.01	1,910.00	79.12	77.31	76.90	76.50	76.09	75.69	75.29	74.88	59.68	59.28	58.88	58.47	58.07	57.66	57.26	
1,910.01	1,930.00	80.13	78.32	77.91	77.51	77.10	76.70	76.30	75.89	60.43	60.03	59.63	59.22	58.82	58.41	58.01	
1,930.01	1,950.00	81.14	79.33	78.92	78.52	78.11	77.71	77.31	76.90	61.18	60.78	60.38	59.97	59.57	59.16	58.76	
(Add 5.05% for amounts in excess of \$1,950)										(Add 5.10% for amounts in excess of \$1,950)							

Biweekly Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:																	
Salary Range:																	
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
0.00	100.00	2.1%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
100.01	140.00	2.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
140.01	180.00	3.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
180.01	220.00	4.20	0.57	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
220.01	260.00	5.04	1.41	0.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
260.01	300.00	5.88	2.25	1.44	0.63	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
300.01	340.00	6.72	3.09	2.28	1.47	0.66	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
340.01	380.00	7.56	3.93	3.12	2.31	1.50	0.69	0.00	0.00	0.29	0.00	0.00	0.00	0.00	0.00	0.00	
380.01	420.00	8.40	4.77	3.96	3.15	2.34	1.54	0.73	0.00	1.13	0.32	0.00	0.00	0.00	0.00	0.00	
420.01	460.00	9.24	5.61	4.80	3.99	3.18	2.38	1.57	0.76	1.97	1.16	0.36	0.00	0.00	0.00	0.00	
460.01	500.00	10.08	6.45	5.64	4.83	4.02	3.22	2.41	1.60	2.81	2.00	1.20	0.39	0.00	0.00	0.00	
500.01	540.00	11.55	7.91	7.11	6.30	5.49	4.68	3.87	3.07	3.65	2.84	2.04	1.23	0.42	0.00	0.00	
540.01	580.00	13.03	9.39	8.59	7.78	6.97	6.16	5.35	4.55	4.49	3.68	2.88	2.07	1.26	0.45	0.00	
580.01	620.00	14.51	10.87	10.07	9.26	8.45	7.64	6.83	6.03	5.33	4.52	3.72	2.91	2.10	1.29	0.48	
620.01	660.00	15.99	12.35	11.55	10.74	9.93	9.12	8.31	7.51	6.17	5.36	4.56	3.75	2.94	2.13	1.33	
660.01	700.00	17.47	13.83	13.03	12.22	11.41	10.60	9.79	8.99	7.01	6.20	5.40	4.59	3.78	2.97	2.17	
700.01	740.00	18.95	15.31	14.51	13.70	12.89	12.08	11.27	10.47	7.85	7.04	6.24	5.43	4.62	3.81	3.01	
740.01	780.00	20.43	16.79	15.99	15.18	14.37	13.56	12.75	11.95	8.69	7.88	7.08	6.27	5.46	4.65	3.85	
780.01	820.00	21.91	18.27	17.47	16.66	15.85	15.04	14.23	13.43	9.53	8.72	7.92	7.11	6.30	5.49	4.69	
820.01	860.00	23.39	19.75	18.95	18.14	17.33	16.52	15.71	14.91	10.37	9.56	8.76	7.95	7.14	6.33	5.53	
860.01	900.00	24.87	21.23	20.43	19.62	18.81	18.00	17.19	16.39	11.21	10.40	9.60	8.79	7.98	7.17	6.37	
900.01	940.00	26.35	22.71	21.91	21.10	20.29	19.48	18.67	17.87	12.05	11.24	10.44	9.63	8.82	8.01	7.21	
940.01	980.00	27.83	24.19	23.39	22.58	21.77	20.96	20.15	19.35	12.89	12.08	11.28	10.47	9.66	8.85	8.05	
980.01	1,020.00	29.31	25.67	24.87	24.06	23.25	22.44	21.63	20.83	14.37	13.56	12.75	11.94	11.13	10.33	9.52	
1,020.01	1,060.00	30.79	27.15	26.35	25.54	24.73	23.92	23.11	22.31	15.87	15.06	14.25	13.44	12.63	11.83	11.02	
1,060.01	1,100.00	32.27	28.63	27.83	27.02	26.21	25.40	24.59	23.79	17.37	16.56	15.75	14.94	14.13	13.33	12.52	
1,100.01	1,140.00	33.75	30.11	29.31	28.50	27.69	26.88	26.07	25.27	18.87	18.06	17.25	16.44	15.63	14.83	14.02	

Biweekly Louisiana Income Tax Withholding Table

Exemptions:		0		1						2						
Dependents:																
Salary Range:																
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
1,140.01	1,180.00	35.23	31.59	30.79	29.98	29.17	28.36	27.55	26.75	20.37	19.56	18.75	17.94	17.13	16.33	15.52
1,180.01	1,220.00	36.71	33.07	32.27	31.46	30.65	29.84	29.03	28.23	21.87	21.06	20.25	19.44	18.63	17.83	17.02
1,220.01	1,260.00	38.19	34.55	33.75	32.94	32.13	31.32	30.51	29.71	23.37	22.56	21.75	20.94	20.13	19.33	18.52
1,260.01	1,300.00	39.67	36.03	35.23	34.42	33.61	32.80	31.99	31.19	24.87	24.06	23.25	22.44	21.63	20.83	20.02
1,300.01	1,340.00	41.15	37.51	36.71	35.90	35.09	34.28	33.47	32.67	26.37	25.56	24.75	23.94	23.13	22.33	21.52
1,340.01	1,380.00	42.63	38.99	38.19	37.38	36.57	35.76	34.95	34.15	27.87	27.06	26.25	25.44	24.63	23.83	23.02
1,380.01	1,420.00	44.11	40.47	39.67	38.86	38.05	37.24	36.43	35.63	29.37	28.56	27.75	26.94	26.13	25.33	24.52
1,420.01	1,460.00	45.59	41.95	41.15	40.34	39.53	38.72	37.91	37.11	30.87	30.06	29.25	28.44	27.63	26.83	26.02
1,460.01	1,500.00	47.07	43.43	42.63	41.82	41.01	40.20	39.39	38.59	32.37	31.56	30.75	29.94	29.13	28.33	27.52
1,500.01	1,540.00	48.55	44.91	44.11	43.30	42.49	41.68	40.87	40.07	33.87	33.06	32.25	31.44	30.63	29.83	29.02
1,540.01	1,580.00	50.03	46.39	45.59	44.78	43.97	43.16	42.35	41.55	35.37	34.56	33.75	32.94	32.13	31.33	30.52
1,580.01	1,620.00	51.51	47.87	47.07	46.26	45.45	44.64	43.83	43.03	36.87	36.06	35.25	34.44	33.63	32.83	32.02
1,620.01	1,660.00	52.99	49.35	48.55	47.74	46.93	46.12	45.31	44.51	38.37	37.56	36.75	35.94	35.13	34.33	33.52
1,660.01	1,700.00	54.47	50.83	50.03	49.22	48.41	47.60	46.79	45.99	39.87	39.06	38.25	37.44	36.63	35.83	35.02
1,700.01	1,740.00	55.95	52.31	51.51	50.70	49.89	49.08	48.27	47.47	41.37	40.56	39.75	38.94	38.13	37.33	36.52
1,740.01	1,780.00	57.43	53.79	52.99	52.18	51.37	50.56	49.75	48.95	42.87	42.06	41.25	40.44	39.63	38.83	38.02
1,780.01	1,820.00	58.91	55.27	54.47	53.66	52.85	52.04	51.23	50.43	44.37	43.56	42.75	41.94	41.13	40.33	39.52
1,820.01	1,860.00	60.39	56.75	55.95	55.14	54.33	53.52	52.71	51.91	45.87	45.06	44.25	43.44	42.63	41.83	41.02
1,860.01	1,900.00	61.87	58.23	57.43	56.62	55.81	55.00	54.19	53.39	47.37	46.56	45.75	44.94	44.13	43.33	42.52
1,900.01	1,940.00	63.35	59.71	58.91	58.10	57.29	56.48	55.67	54.87	48.87	48.06	47.25	46.44	45.63	44.83	44.02
1,940.01	1,980.00	64.83	61.19	60.39	59.58	58.77	57.96	57.15	56.35	50.37	49.56	48.75	47.94	47.13	46.33	45.52
1,980.01	2,020.00	66.31	62.67	61.87	61.06	60.25	59.44	58.63	57.83	51.87	51.06	50.25	49.44	48.63	47.83	47.02
2,020.01	2,060.00	67.79	64.15	63.35	62.54	61.73	60.92	60.11	59.31	53.37	52.56	51.75	50.94	50.13	49.33	48.52
2,060.01	2,100.00	69.27	65.63	64.83	64.02	63.21	62.40	61.59	60.79	54.87	54.06	53.25	52.44	51.63	50.83	50.02
2,100.01	2,140.00	70.75	67.11	66.31	65.50	64.69	63.88	63.07	62.27	56.37	55.56	54.75	53.94	53.13	52.33	51.52
2,140.01	2,180.00	72.23	68.59	67.79	66.98	66.17	65.36	64.55	63.75	57.87	57.06	56.25	55.44	54.63	53.83	53.02
2,180.01	2,220.00	73.71	70.07	69.27	68.46	67.65	66.84	66.03	65.23	59.37	58.56	57.75	56.94	56.13	55.33	54.52
2,220.01	2,260.00	75.19	71.55	70.75	69.94	69.13	68.32	67.51	66.71	60.87	60.06	59.25	58.44	57.63	56.83	56.02
2,260.01	2,300.00	76.67	73.03	72.23	71.42	70.61	69.80	69.00	68.19	62.37	61.56	60.75	59.94	59.13	58.33	57.52
2,300.01	2,340.00	78.15	74.51	73.71	72.90	72.09	71.28	70.47	69.67	63.87	63.06	62.25	61.44	60.63	59.83	59.02
2,340.01	2,380.00	79.63	75.99	75.19	74.38	73.57	72.76	71.95	71.15	65.37	64.56	63.75	62.94	62.13	61.33	60.52
2,380.01	2,420.00	81.11	77.47	76.67	75.86	75.05	74.24	73.43	72.63	66.87	66.06	65.25	64.44	63.63	62.83	62.02
2,420.01	2,460.00	82.59	78.95	78.15	77.34	76.53	75.72	74.91	74.11	68.37	67.56	66.75	65.94	65.13	64.33	63.52
2,460.01	2,500.00	84.07	80.43	79.63	78.82	78.01	77.20	76.39	75.59	69.87	69.06	68.25	67.44	66.63	65.83	65.02
2,500.01	2,540.00	85.55	81.91	81.11	80.30	79.49	78.68	77.87	77.07	71.37	70.56	69.75	68.94	68.13	67.33	66.52
2,540.01	2,580.00	87.03	83.39	82.59	81.78	80.97	80.16	79.35	78.55	72.87	72.06	71.25	70.44	69.63	68.83	68.02
2,580.01	2,620.00	88.51	84.87	84.07	83.26	82.45	81.64	80.83	80.03	74.37	73.56	72.75	71.94	71.13	70.33	69.52
2,620.01	2,660.00	89.99	86.35	85.55	84.74	83.93	83.12	82.31	81.51	75.87	75.06	74.25	73.44	72.63	71.83	71.02
2,660.01	2,700.00	91.47	87.83	87.03	86.22	85.41	84.60	83.79	82.99	77.37	76.56	75.75	74.94	74.13	73.33	72.52
2,700.01	2,740.00	92.95	89.31	88.51	87.70	86.89	86.08	85.27	84.47	78.87	78.06	77.25	76.44	75.63	74.83	74.02
2,740.01	2,780.00	94.43	90.79	90.00	89.19	88.38	87.57	86.76	85.96	80.37	79.56	78.75	77.94	77.13	76.33	75.52
2,780.01	2,820.00	95.91	92.27	91.47	90.66	89.85	89.04	88.23	87.43	81.87	81.06	80.25	79.44	78.63	77.83	77.02
2,820.01	2,860.00	97.39	93.75	92.95	92.14	91.33	90.52	89.71	88.91	83.37	82.56	81.75	80.94	80.13	79.33	78.52
2,860.01	2,900.00	98.87	95.23	94.43	93.62	92.81	92.00	91.19	90.39	84.87	84.06	83.25	82.44	81.63	80.83	80.02
2,900.01	2,940.00	100.35	96.71	95.91	95.10	94.29	93.48	92.67	91.87	86.37	85.56	84.75	83.94	83.13	82.33	81.52
2,940.01	2,980.00	101.83	98.19	97.39	96.58	95.77	94.96	94.15	93.35	87.87	87.06	86.25	85.44	84.63	83.83	83.02
2,980.01	3,020.00	103.31	99.67	98.87	98.06	97.25	96.44	95.63	94.83	89.37	88.56	87.75	86.94	86.13	85.33	84.52
3,020.01	3,060.00	104.79	101.15	100.35	99.54	98.73	97.92	97.11	96.31	90.87	90.06	89.25	88.44	87.63	86.83	86.02
3,060.01	3,100.00	106.27	102.63	101.83	101.02	100.21	99.40	98.59	97.79	92.37	91.56	90.75	89.94	89.13	88.33	87.52
3,100.01	3,140.00	107.75	104.11	103.31	102.50	101.69	100.88	100.07	99.27	93.87	93.06	92.25	91.44	90.63	89.83	89.02
3,140.01	3,180.00	109.23	105.59	104.79	103.98	103.17	102.36	101.55	100.75	95.37	94.56	93.75	92.94	92.13	91.33	90.52
3,180.01	3,220.00	110.71	107.07	106.27	105.46	104.65	103.84	103.03	102.23	96.87	96.06	95.25	94.44	93.63	92.83	92.02
3,220.01	3,260.00	112.19	108.55	107.75	106.94	106.13	105.32	104.51	103.71	98.37	97.56	96.75	95.94	95.13	94.33	93.52
3,260.01	3,300.00	113.67	110.03	109.23	108.42	107.61	106.80	105.99	105.19	99.87	99.06	98.25	97.44	96.63	95.83	95.02
3,300.01	3,340.00	115.15	111.51	110.71	109.90	109.09	108.28	107.47	106.67	101.37	100.56	99.75	98.94	98.13	97.33	96.52
3,340.01	3,380.00	116.63	112.99	112.19	111.38	110.57	109.76	108.95	108.15	102.87	102.06	101.25	100.44	99.63	98.83	98.02
3,380.01	3,420.00	118.11	114.47	113.67	112.86	112.05	111.24	110.43	109.63	104.37	103.56	102.75	101.94	101.13	100.33	99.52
3,420.01	3,460.00	119.59	115.95	115.15	114.34	113.53	112.72	111.91	111.11	105.87	105.06	104.25	103.44	102.63	101.83	101.02
3,460.01	3,500.00	121.07	117.43	116.63	115.82	115.01	114.20	113.39	112.59	107.37	106.56	105.75	104.94	104.13	103.33	102.52
3,500.01	3,540.00	122.55	118.91	118.11	117.30	116.49	115.68	114.87	114.07	108.87	108.06	107.25	106.44	105.63	104.83	104.02
3,540.01	3,580.00	124.03	120.39	119.59	118.78	117.97	117.16	116.35	115.55	110.37	109.56	108.75	107.94	107.13	106.33	105.52
3,580.01	3,620.00	125.51	121.87	121.07	120.26	119.45	118.64	117.83	117.03	111.87	111.06	110.25	109.44	108.63	107.83	107.02
3,620.01	3,660.00	126.99	123.35	122.55	121.74	120.93	120.12	119.31	118.51	113.37	112.56	111.75	110.94	110.13	109.33	108.52
3,660.01	3,700.00	128.47	124.83	124.03	123.22	122.41	121.60	120.79	120.00	114.87	114.06	113.25	112.44	111.63	110.83	110.02
3,700.01	3,740.00	130.00	126.31	125.51	124.70	123.89	123.08	122.27	121.47	116.37	115.56	114.75	113.94	113.13	112.33	111.

Biweekly Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:																	
Salary Range:																	
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
3,820.01	3,860.00	160.27	156.63	155.82	155.02	154.21	153.40	152.59	151.79	120.87	120.06	119.25	118.44	117.63	116.83	116.02	
3,860.01	3,900.00	162.29	158.65	157.84	157.04	156.23	155.42	154.61	153.81	122.82	122.01	121.21	120.40	119.59	118.78	117.98	
Add 5.05% for amounts in excess of \$3,900										Add 5.10% for amounts in excess of \$3,900							

Semimonthly Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:																	
Salary Range:																	
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
-	100.00	2.1%															
100.01	140.00	2.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
140.01	180.00	3.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
180.01	220.00	4.20	0.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
220.01	260.00	5.04	1.10	0.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
260.01	300.00	5.88	1.94	1.07	0.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
300.01	340.00	6.72	2.78	1.91	1.03	0.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
340.01	380.00	7.56	3.62	2.75	1.87	1.00	0.12	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
380.01	420.00	8.40	4.46	3.59	2.71	1.84	0.96	0.09	0.00	0.53	0.00	0.00	0.00	0.00	0.00	0.00	
420.01	460.00	9.24	5.30	4.43	3.55	2.68	1.80	0.93	0.05	1.37	0.49	0.00	0.00	0.00	0.00	0.00	
460.01	500.00	10.08	6.14	5.27	4.39	3.52	2.64	1.77	0.89	2.21	1.33	0.46	0.00	0.00	0.00	0.00	
500.01	540.00	10.92	6.98	6.11	5.23	4.36	3.48	2.61	1.73	3.05	2.17	1.30	0.42	0.00	0.00	0.00	
540.01	580.00	12.39	8.45	7.57	6.70	5.82	4.95	4.07	3.20	3.89	3.01	2.14	1.26	0.39	0.00	0.00	
580.01	620.00	13.87	9.93	9.05	8.18	7.30	6.43	5.55	4.68	4.73	3.85	2.98	2.10	1.23	0.35	0.00	
620.01	660.00	15.35	11.41	10.53	9.66	8.78	7.91	7.03	6.16	5.57	4.69	3.82	2.94	2.07	1.19	0.32	
660.01	700.00	16.83	12.89	12.01	11.14	10.26	9.39	8.51	7.64	6.41	5.53	4.66	3.78	2.91	2.03	1.16	
700.01	740.00	18.31	14.37	13.49	12.62	11.74	10.87	9.99	9.12	7.25	6.37	5.50	4.62	3.75	2.87	2.00	
740.01	780.00	19.79	15.85	14.97	14.10	13.22	12.35	11.47	10.60	8.09	7.21	6.34	5.46	4.59	3.71	2.84	
780.01	820.00	21.27	17.33	16.45	15.58	14.70	13.83	12.95	12.08	8.93	8.05	7.18	6.30	5.43	4.55	3.68	
820.01	860.00	22.75	18.81	17.93	17.06	16.18	15.31	14.43	13.56	9.77	8.89	8.02	7.14	6.27	5.39	4.52	
860.01	900.00	24.23	20.29	19.41	18.54	17.66	16.79	15.91	15.04	10.61	9.73	8.86	7.98	7.11	6.23	5.36	
900.01	940.00	25.71	21.77	20.89	20.02	19.14	18.27	17.39	16.52	11.45	10.57	9.70	8.82	7.95	7.07	6.20	
940.01	980.00	27.19	23.25	22.37	21.50	20.62	19.75	18.87	18.00	12.29	11.41	10.54	9.66	8.79	7.91	7.04	
980.01	1,020.00	28.67	24.73	23.85	22.98	22.10	21.23	20.35	19.48	13.13	12.25	11.38	10.50	9.63	8.75	7.88	
1,020.01	1,060.00	30.15	26.21	25.33	24.46	23.58	22.71	21.83	20.96	13.97	13.09	12.22	11.34	10.47	9.59	8.72	
1,060.01	1,100.00	31.63	27.69	26.81	25.94	25.06	24.19	23.31	22.44	15.44	14.56	13.69	12.81	11.94	11.06	10.19	
1,100.01	1,140.00	33.11	29.17	28.29	27.42	26.54	25.67	24.79	23.92	16.94	16.06	15.19	14.31	13.44	12.56	11.69	
1,140.01	1,180.00	34.59	30.65	29.77	28.90	28.02	27.15	26.27	25.40	18.44	17.56	16.69	15.81	14.94	14.06	13.19	
1,180.01	1,220.00	36.07	32.13	31.25	30.38	29.50	28.63	27.75	26.88	19.94	19.06	18.19	17.31	16.44	15.56	14.69	
1,220.01	1,260.00	37.55	33.61	32.73	31.86	30.98	30.11	29.23	28.36	21.44	20.56	19.69	18.81	17.94	17.06	16.19	
1,260.01	1,300.00	39.03	35.09	34.21	33.34	32.46	31.59	30.71	29.84	22.94	22.06	21.19	20.31	19.44	18.56	17.69	
1,300.01	1,340.00	40.51	36.57	35.69	34.82	33.94	33.07	32.19	31.32	24.44	23.56	22.69	21.81	20.94	20.06	19.19	
1,340.01	1,380.00	41.99	38.05	37.17	36.30	35.42	34.55	33.67	32.80	25.94	25.06	24.19	23.31	22.44	21.56	20.69	
1,380.01	1,420.00	43.47	39.53	38.65	37.78	36.90	36.03	35.15	34.28	27.44	26.56	25.69	24.81	23.94	23.06	22.19	
1,420.01	1,460.00	44.95	41.01	40.13	39.26	38.38	37.51	36.63	35.76	28.94	28.06	27.19	26.31	25.44	24.56	23.69	
1,460.01	1,500.00	46.43	42.49	41.61	40.74	39.86	38.99	38.11	37.24	30.44	29.56	28.69	27.81	26.94	26.06	25.19	
1,500.01	1,540.00	47.91	43.97	43.09	42.22	41.34	40.47	39.59	38.72	31.94	31.06	30.19	29.31	28.44	27.56	26.69	
1,540.01	1,580.00	49.39	45.45	44.57	43.70	42.82	41.95	41.07	40.20	33.44	32.56	31.69	30.81	29.94	29.06	28.19	
1,580.01	1,620.00	50.87	46.93	46.05	45.18	44.30	43.43	42.55	41.68	34.94	34.06	33.19	32.31	31.44	30.56	29.69	
1,620.01	1,660.00	52.35	48.41	47.53	46.66	45.78	44.91	44.03	43.16	36.44	35.56	34.69	33.81	32.94	32.06	31.19	
1,660.01	1,700.00	53.83	49.89	49.01	48.14	47.26	46.39	45.51	44.64	37.94	37.06	36.19	35.31	34.44	33.56	32.69	
1,700.01	1,740.00	55.31	51.37	50.49	49.62	48.74	47.87	46.99	46.12	39.44	38.56	37.69	36.81	35.94	35.06	34.19	
1,740.01	1,780.00	56.79	52.85	51.97	51.10	50.22	49.35	48.47	47.60	40.94	40.06	39.19	38.31	37.44	36.56	35.69	
1,780.01	1,820.00	58.27	54.33	53.45	52.58	51.70	50.83	49.95	49.08	42.44	41.56	40.69	39.81	38.94	38.06	37.19	
1,820.01	1,860.00	59.75	55.81	54.93	54.06	53.18	52.31	51.43	50.56	43.94	43.06	42.19	41.31	40.44	39.56	38.69	
1,860.01	1,900.00	61.23	57.29	56.41	55.54	54.66	53.79	52.91	52.04	45.44	44.56	43.69	42.81	41.94	41.06	40.19	
1,900.01	1,940.00	62.71	58.77	57.89	57.02	56.14	55.27	54.39	53.52	46.94	46.06	45.19	44.31	43.44	42.56	41.69	
1,940.01	1,980.00	64.19	60.25	59.37	58.50	57.62	56.75	55.87	55.00	48.44	47.56	46.69	45.81	44.94	44.06	43.19	
1,980.01	2,020.00	65.67	61.73	60.85	59.98	59.10	58.23	57.35	56.48	49.94	49.06	48.19	47.31	46.44	45.56	44.69	
2,020.01	2,060.00	67.15	63.21	62.33	61.46	60.58	59.71	58.83	57.96	51.44	50.56	49.69	48.81	47.94	47.06	46.19	
2,060.01	2,100.00	68.63	64.69	63.81	62.94	62.06	61.19	60.31	59.44	52.94	52.06	51.19	50.31	49.44	48.56	47.69	
2,100.01	2,140.00	70.60	66.66	65.79	64.91	64.04	63.16	62.29	61.41	54.44	53.56	52.69	51.81	50.94	50.06	49.19	
2,140.01	2,180.00	72.62	68.68	67.81	66.93	66.06	65.18	64.31	63.43	55.94	55.06	54.19	53.31	52.44	51.56	50.69	
2,180.01	2,220.00	74.64	70.70	69.83	68.95	68.08	67.20	66.33	65.45	57.44	56.56	55.69	54.81	53.94	53.06	52.19	
2,220.01	2,260.00	76.66	72.72	71.85	70.97	70.10	69.22	68.35	67.47	58.94	58.06	57.19	56.31	55.44	54.56	53.69	
2,260.01	2,300.00	78.68	74.74	73.87	72.99	72.12	71.24	70.37	69.49	60.44	59.56	58.69	57.81	56.94	56.06	55.19	
2,300.01	2,340.00	80.70	76.76	75.89	75.01	74.14	73.26	72.39	71.51	61.94	61.06	60.19	59.31	58.44	57.56	56.69	

Semimonthly Louisiana Income Tax Withholding Table																	
Exemptions:		0			1						2						
Dependents:																	
Salary Range:																	
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
2,340.01	2,380.00	82.72	78.78	77.91	77.03	76.16	75.28	74.41	73.53	63.44	62.56	61.69	60.81	59.94	59.06	58.19	
2,380.01	2,420.00	84.74	80.80	79.93	79.05	78.18	77.30	76.43	75.55	64.94	64.06	63.19	62.31	61.44	60.56	59.69	
2,420.01	2,460.00	86.76	82.82	81.95	81.07	80.20	79.32	78.45	77.57	66.44	65.56	64.69	63.81	62.94	62.06	61.19	
2,460.01	2,500.00	88.78	84.84	83.97	83.09	82.22	81.34	80.47	79.59	67.94	67.06	66.19	65.31	64.44	63.56	62.69	
2,500.01	2,540.00	90.80	86.86	85.99	85.11	84.24	83.36	82.49	81.61	69.44	68.56	67.69	66.81	65.94	65.06	64.19	
2,540.01	2,580.00	92.82	88.88	88.01	87.13	86.26	85.38	84.51	83.63	70.94	70.06	69.19	68.31	67.44	66.56	65.69	
2,580.01	2,620.00	94.84	90.90	90.03	89.15	88.28	87.40	86.53	85.65	72.44	71.56	70.69	69.81	68.94	68.06	67.19	
2,620.01	2,660.00	96.86	92.92	92.05	91.17	90.30	89.42	88.55	87.67	73.94	73.06	72.19	71.31	70.44	69.56	68.69	
2,660.01	2,700.00	98.88	94.94	94.07	93.19	92.32	91.44	90.57	89.69	75.44	74.56	73.69	72.81	71.94	71.06	70.19	
2,700.01	2,740.00	100.90	96.96	96.09	95.21	94.34	93.46	92.59	91.71	76.94	76.06	75.19	74.31	73.44	72.56	71.69	
2,740.01	2,780.00	102.92	98.98	98.11	97.23	96.36	95.48	94.61	93.73	78.44	77.56	76.69	75.81	74.94	74.06	73.19	
2,780.01	2,820.00	104.94	101.00	100.13	99.25	98.38	97.50	96.63	95.75	79.94	79.06	78.19	77.31	76.44	75.56	74.69	
2,820.01	2,860.00	106.96	103.02	102.15	101.27	100.40	99.52	98.65	97.77	81.44	80.56	79.69	78.81	77.94	77.06	76.19	
2,860.01	2,900.00	108.98	105.04	104.17	103.29	102.42	101.54	100.67	99.79	82.94	82.06	81.19	80.31	79.44	78.56	77.69	
2,900.01	2,940.00	111.00	107.06	106.19	105.31	104.44	103.56	102.69	101.81	84.44	83.56	82.69	81.81	80.94	80.06	79.19	
2,940.01	2,980.00	113.02	109.08	108.21	107.33	106.46	105.58	104.71	103.83	85.94	85.06	84.19	83.31	82.44	81.56	80.69	
2,980.01	3,020.00	115.04	111.10	110.23	109.35	108.48	107.60	106.73	105.85	87.44	86.56	85.69	84.81	83.94	83.06	82.19	
3,020.01	3,060.00	117.06	113.12	112.25	111.37	110.50	109.62	108.75	107.87	88.94	88.06	87.19	86.31	85.44	84.56	83.69	
3,060.01	3,100.00	119.08	115.14	114.27	113.39	112.52	111.64	110.77	109.89	90.44	89.56	88.69	87.81	86.94	86.06	85.19	
3,100.01	3,140.00	121.10	117.16	116.29	115.41	114.54	113.66	112.79	111.91	91.94	91.06	90.19	89.31	88.44	87.56	86.69	
3,140.01	3,180.00	123.12	119.18	118.31	117.43	116.56	115.68	114.81	113.93	93.44	92.56	91.69	90.81	89.94	89.06	88.19	
3,180.01	3,220.00	125.14	121.20	120.33	119.45	118.58	117.70	116.83	115.95	94.94	94.06	93.19	92.31	91.44	90.56	89.69	
3,220.01	3,260.00	127.16	123.22	122.35	121.47	120.60	119.72	118.85	117.97	96.44	95.56	94.69	93.81	92.94	92.06	91.19	
3,260.01	3,300.00	129.18	125.24	124.37	123.49	122.62	121.74	120.87	119.99	97.94	97.06	96.19	95.31	94.44	93.56	92.69	
3,300.01	3,340.00	131.20	127.26	126.39	125.51	124.64	123.76	122.89	122.01	99.44	98.56	97.69	96.81	95.94	95.06	94.19	
3,340.01	3,380.00	133.22	129.28	128.41	127.53	126.66	125.78	124.91	124.03	100.94	100.06	99.19	98.31	97.44	96.56	95.69	
3,380.01	3,420.00	135.24	131.30	130.43	129.55	128.68	127.80	126.93	126.05	102.44	101.56	100.69	99.81	98.94	98.06	97.19	
3,420.01	3,460.00	137.26	133.32	132.45	131.57	130.70	129.82	128.95	128.07	103.94	103.06	102.19	101.31	100.44	99.56	98.69	
3,460.01	3,500.00	139.28	135.34	134.47	133.59	132.72	131.84	130.97	130.09	105.44	104.56	103.69	102.81	101.94	101.06	100.19	
3,500.01	3,540.00	141.30	137.36	136.49	135.61	134.74	133.86	132.99	132.11	106.94	106.06	105.19	104.31	103.44	102.56	101.69	
3,540.01	3,580.00	143.32	139.38	138.51	137.63	136.76	135.88	135.01	134.13	108.44	107.56	106.69	105.81	104.94	104.06	103.19	
3,580.01	3,620.00	145.34	141.40	140.53	139.65	138.78	137.90	137.03	136.15	109.94	109.06	108.19	107.31	106.44	105.56	104.69	
3,620.01	3,660.00	147.36	143.42	142.55	141.67	140.80	139.92	139.05	138.17	111.44	110.56	109.69	108.81	107.94	107.06	106.19	
3,660.01	3,700.00	149.38	145.44	144.57	143.69	142.82	141.94	141.07	140.19	112.94	112.06	111.19	110.31	109.44	108.56	107.69	
3,700.01	3,740.00	151.40	147.46	146.59	145.71	144.84	143.96	143.09	142.21	114.44	113.56	112.69	111.81	110.94	110.06	109.19	
3,740.01	3,780.00	153.42	149.48	148.61	147.73	146.86	145.98	145.11	144.23	115.94	115.06	114.19	113.31	112.44	111.56	110.69	
3,780.01	3,820.00	155.44	151.50	150.63	149.75	148.88	148.00	147.13	146.25	117.44	116.56	115.69	114.81	113.94	113.06	112.19	
3,820.01	3,860.00	157.46	153.52	152.65	151.77	150.90	150.02	149.15	148.27	118.94	118.06	117.19	116.31	115.44	114.56	113.69	
3,860.01	3,900.00	159.48	155.54	154.67	153.79	152.92	152.04	151.17	150.29	120.44	119.56	118.69	117.81	116.94	116.06	115.19	
3,900.01	3,940.00	161.50	157.56	156.69	155.81	154.94	154.06	153.19	152.31	121.94	121.06	120.19	119.31	118.44	117.56	116.69	
3,940.01	3,980.00	163.52	159.58	158.71	157.83	156.96	156.08	155.21	154.33	123.44	122.56	121.69	120.81	119.94	119.06	118.19	
3,980.01	4,020.00	165.54	161.60	160.73	159.85	158.98	158.10	157.23	156.35	124.94	124.06	123.19	122.31	121.44	120.56	119.69	
4,020.01	4,060.00	167.56	163.62	162.75	161.87	161.00	160.12	159.25	158.37	126.44	125.56	124.69	123.81	122.94	122.06	121.19	
4,060.01	4,100.00	169.58	165.64	164.77	163.89	163.02	162.14	161.27	160.39	127.94	127.06	126.19	125.31	124.44	123.56	122.69	
4,100.01	4,140.00	171.60	167.66	166.79	165.91	165.04	164.16	163.29	162.41	129.44	128.56	127.69	126.81	125.94	125.06	124.19	
4,140.01	4,180.00	173.62	169.68	168.81	167.93	167.06	166.18	165.31	164.43	130.94	130.06	129.19	128.31	127.44	126.56	125.69	
4,180.01	4,220.00	175.64	171.70	170.83	169.95	169.08	168.20	167.33	166.45	132.44	131.56	130.69	129.81	128.94	128.06	127.19	
(Add 5.05% for amounts in excess of \$4,220)										(Add 5.10% for amounts in excess of \$4,220)							

Monthly Louisiana Income Tax Withholding Table																	
Exemptions:		0			1						2						
Dependents:																	
Salary Range:																	
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
-	200.00	2.1%															
200.01	280.00	5.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
280.01	360.00	6.72	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
360.01	440.00	8.40	0.53	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
440.01	520.00	10.08	2.21	0.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
520.01	600.00	11.76	3.89	2.14	0.39	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
600.01	680.00	13.44	5.57	3.82	2.07	0.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
680.01	760.00	15.12	7.25	5.50	3.75	2.00	0.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
760.01	840.00	16.80	8.93	7.18	5.43	3.68	1.93	0.18	0.00	1.05	0.00	0.00	0.00	0.00	0.00	0.00	
840.01	920.00	18.48	10.61	8.86	7.11	5.36	3.61	1.86	0.11	2.73	0.98	0.00	0.00	0.00	0.00	0.00	
920.01	1,000.00	20.16	12.29	10.54	8.79	7.04	5.29	3.54	1.79	4.41	2.66	0.91	0.00	0.00	0.00	0.00	
1,000.01	1,080.00	21.84	13.97	12.22	10.47	8.72	6.97	5.22	3.47	6.09	4.34	2.59	0.84	0.00	0.00	0.00	

Monthly Louisiana Income Tax Withholding Table

Exemptions:		0								1								2												
Dependents:		0		1		2		3		4		5		6		0		1		2		3		4		5		6		
Salary Range:		0		1		2		3		4		5		6		0		1		2		3		4		5		6		
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	0	1	2	3	4	5	6	0	1	2	3	4	5	6
1,080.01	1,160.00	24.77	16.90	15.15	13.40	11.65	9.90	8.15	6.40	7.77	6.02	4.27	2.52	0.77	0.00	0.00														
1,160.01	1,240.00	27.73	19.86	18.11	16.36	14.61	12.86	11.11	9.36	9.45	7.70	5.95	4.20	2.45	0.70	0.00														
1,240.01	1,320.00	30.69	22.82	21.07	19.32	17.57	15.82	14.07	12.32	11.13	9.38	7.63	5.88	4.13	2.38	0.63														
1,320.01	1,400.00	33.65	25.78	24.03	22.28	20.53	18.78	17.03	15.28	12.81	11.06	9.31	7.56	5.81	4.06	2.31														
1,400.01	1,480.00	36.61	28.74	26.99	25.24	23.49	21.74	19.99	18.24	14.49	12.74	10.99	9.24	7.49	5.74	3.99														
1,480.01	1,560.00	39.57	31.70	29.95	28.20	26.45	24.70	22.95	21.20	16.17	14.42	12.67	10.92	9.17	7.42	5.67														
1,560.01	1,640.00	42.53	34.66	32.91	31.16	29.41	27.66	25.91	24.16	17.85	16.10	14.35	12.60	10.85	9.10	7.35														
1,640.01	1,720.00	45.49	37.62	35.87	34.12	32.37	30.62	28.87	27.12	19.53	17.78	16.03	14.28	12.53	10.78	9.03														
1,720.01	1,800.00	48.45	40.58	38.83	37.08	35.33	33.58	31.83	30.08	21.21	19.46	17.71	15.96	14.21	12.46	10.71														
1,800.01	1,880.00	51.41	43.54	41.79	40.04	38.29	36.54	34.79	33.04	22.89	21.14	19.39	17.64	15.89	14.14	12.39														
1,880.01	1,960.00	54.37	46.50	44.75	43.00	41.25	39.50	37.75	36.00	24.57	22.82	21.07	19.32	17.57	15.82	14.07														
1,960.01	2,040.00	57.33	49.46	47.71	45.96	44.21	42.46	40.71	38.96	26.25	24.50	22.75	21.00	19.25	17.50	15.75														
2,040.01	2,120.00	60.29	52.42	50.67	48.92	47.17	45.42	43.67	41.92	27.93	26.18	24.43	22.68	20.93	19.18	17.43														
2,120.01	2,200.00	63.25	55.38	53.63	51.88	50.13	48.38	46.63	44.88	30.88	29.13	27.38	25.63	23.88	22.13	20.38														
2,200.01	2,280.00	66.21	58.34	56.59	54.84	53.09	51.34	49.59	47.84	33.88	32.13	30.38	28.63	26.88	25.13	23.38														
2,280.01	2,360.00	69.17	61.30	59.55	57.80	56.05	54.30	52.55	50.80	36.88	35.13	33.38	31.63	29.88	28.13	26.38														
2,360.01	2,440.00	72.13	64.26	62.51	60.76	59.01	57.26	55.51	53.76	39.88	38.13	36.38	34.63	32.88	31.13	29.38														
2,440.01	2,520.00	75.09	67.22	65.47	63.72	61.97	60.22	58.47	56.72	42.88	41.13	39.38	37.63	35.88	34.13	32.38														
2,520.01	2,600.00	78.05	70.18	68.43	66.68	64.93	63.18	61.43	59.68	45.88	44.13	42.38	40.63	38.88	37.13	35.38														
2,600.01	2,680.00	81.01	73.14	71.39	69.64	67.89	66.14	64.39	62.64	48.88	47.13	45.38	43.63	41.88	40.13	38.38														
2,680.01	2,760.00	83.97	76.10	74.35	72.60	70.85	69.10	67.35	65.60	51.88	50.13	48.38	46.63	44.88	43.13	41.38														
2,760.01	2,840.00	86.93	79.06	77.31	75.56	73.81	72.06	70.31	68.56	54.88	53.13	51.38	49.63	47.88	46.13	44.38														
2,840.01	2,920.00	89.89	82.02	80.27	78.52	76.77	75.02	73.27	71.52	57.88	56.13	54.38	52.63	50.88	49.13	47.38														
2,920.01	3,000.00	92.85	84.98	83.23	81.48	79.73	77.98	76.23	74.48	60.88	59.13	57.38	55.63	53.88	52.13	50.38														
3,000.01	3,080.00	95.81	87.94	86.19	84.44	82.69	80.94	79.19	77.44	63.88	62.13	60.38	58.63	56.88	55.13	53.38														
3,080.01	3,160.00	98.77	90.90	89.15	87.40	85.65	83.90	82.15	80.40	66.88	65.13	63.38	61.63	59.88	58.13	56.38														
3,160.01	3,240.00	101.73	93.86	92.11	90.36	88.61	86.86	85.11	83.36	69.88	68.13	66.38	64.63	62.88	61.13	59.38														
3,240.01	3,320.00	104.69	96.82	95.07	93.32	91.57	89.82	88.07	86.32	72.88	71.13	69.38	67.63	65.88	64.13	62.38														
3,320.01	3,400.00	107.65	99.78	98.03	96.28	94.53	92.78	91.03	89.28	75.88	74.13	72.38	70.63	68.88	67.13	65.38														
3,400.01	3,480.00	110.61	102.74	100.99	99.24	97.49	95.74	93.99	92.24	78.88	77.13	75.38	73.63	71.88	70.13	68.38														
3,480.01	3,560.00	113.57	105.70	103.95	102.20	100.45	98.70	96.95	95.20	81.88	80.13	78.38	76.63	74.88	73.13	71.38														
3,560.01	3,640.00	116.53	108.66	106.91	105.16	103.41	101.66	99.91	98.16	84.88	83.13	81.38	79.63	77.88	76.13	74.38														
3,640.01	3,720.00	119.49	111.62	109.87	108.12	106.37	104.62	102.87	101.12	87.88	86.13	84.38	82.63	80.88	79.13	77.38														
3,720.01	3,800.00	122.45	114.58	112.83	111.08	109.33	107.58	105.83	104.08	90.88	89.13	87.38	85.63	83.88	82.13	80.38														
3,800.01	3,880.00	125.41	117.54	115.79	114.04	112.29	110.54	108.79	107.04	93.88	92.13	90.38	88.63	86.88	85.13	83.38														
3,880.01	3,960.00	128.37	120.50	118.75	117.00	115.25	113.50	111.75	110.00	96.88	95.13	93.38	91.63	89.88	88.13	86.38														
3,960.01	4,040.00	131.33	123.46	121.71	119.96	118.21	116.46	114.71	112.96	99.88	98.13	96.38	94.63	92.88	91.13	89.38														
4,040.01	4,120.00	134.29	126.42	124.67	122.92	121.17	119.42	117.67	115.92	102.88	101.13	99.38	97.63	95.88	94.13	92.38														
4,120.01	4,200.00	137.25	129.38	127.63	125.88	124.13	122.38	120.63	118.88	105.88	104.13	102.38	100.63	98.88	97.13	95.38														
4,200.01	4,280.00	141.20	133.33	131.58	129.83	128.08	126.33	124.58	122.83	108.88	107.13	105.38	103.63	101.88	100.13	98.38														
4,280.01	4,360.00	145.24	137.37	135.62	133.87	132.12	130.37	128.62	126.87	111.88	110.13	108.38	106.63	104.88	103.13	101.38														
4,360.01	4,440.00	149.28	141.41	139.66	137.91	136.16	134.41	132.66	130.91	114.88	113.13	111.38	109.63	107.88	106.13	104.38														
4,440.01	4,520.00	153.32	145.45	143.70	141.95	140.20	138.45	136.70	134.95	117.88	116.13	114.38	112.63	110.88	109.13	107.38														
4,520.01	4,600.00	157.36	149.49	147.74	145.99	144.24	142.49	140.74	138.99	120.88	119.13	117.38	115.63	113.88	112.13	110.38														
4,600.01	4,680.00	161.40	153.53	151.78	150.03	148.28	146.53	144.78	143.03	123.88	122.13	120.38	118.63	116.88	115.13	113.38														
4,680.01	4,760.00	165.44	157.57	155.82	154.07	152.32	150.57	148.82	147.07	126.88	125.13	123.38	121.63	119.88	118.13	116.38														
4,760.01	4,840.00	169.48	161.61	159.86	158.11	156.36	154.61	152.86	151.11	129.88	128.13	126.38	124.63	122.88	121.13	119.38														
4,840.01	4,920.00	173.52	165.65	163.90	162.15	160.40	158.65	156.90	155.15	132.88	131.13	129.38	127.63	125.88	124.13	122.38														
4,920.01	5,000.00	177.56	169.69	167.94	166.19	164.44	162.69	160.94	159.19	135.88	134.13	132.38	130.63	128.88	127.13	125.38														
5,000.01	5,080.00	181.60	173.73	171.98	170.23	168.48	166.73</																							

Monthly Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:																	
Salary Range:																	
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
6,440.01	6,520.00	254.32	246.45	244.70	242.95	241.20	239.45	237.70	235.95	192.88	191.13	189.38	187.63	185.88	184.13	182.38	
6,520.01	6,600.00	258.36	250.49	248.74	246.99	245.24	243.49	241.74	239.99	195.88	194.13	192.38	190.63	188.88	187.13	185.38	
6,600.01	6,680.00	262.40	254.53	252.78	251.03	249.28	247.53	245.78	244.03	198.88	197.13	195.38	193.63	191.88	190.13	188.38	
6,680.01	6,760.00	266.44	258.57	256.82	255.07	253.32	251.57	249.82	248.07	201.88	200.13	198.38	196.63	194.88	193.13	191.38	
6,760.01	6,840.00	270.48	262.61	260.86	259.11	257.36	255.61	253.86	252.11	204.88	203.13	201.38	199.63	197.88	196.13	194.38	
6,840.01	6,920.00	274.52	266.65	264.90	263.15	261.40	259.65	257.90	256.15	207.88	206.13	204.38	202.63	200.88	199.13	197.38	
6,920.01	7,000.00	278.56	270.69	268.94	267.19	265.44	263.69	261.94	260.19	210.88	209.13	207.38	205.63	203.88	202.13	200.38	
7,000.01	7,080.00	282.60	274.73	272.98	271.23	269.48	267.73	265.98	264.23	213.88	212.13	210.38	208.63	206.88	205.13	203.38	
7,080.01	7,160.00	286.64	278.77	277.02	275.27	273.52	271.77	270.02	268.27	216.88	215.13	213.38	211.63	209.88	208.13	206.38	
7,160.01	7,240.00	290.68	282.81	281.06	279.31	277.56	275.81	274.06	272.31	219.88	218.13	216.38	214.63	212.88	211.13	209.38	
7,240.01	7,320.00	294.72	286.85	285.10	283.35	281.60	279.85	278.10	276.35	222.88	221.13	219.38	217.63	215.88	214.13	212.38	
7,320.01	7,400.00	298.76	290.89	289.14	287.39	285.64	283.89	282.14	280.39	225.88	224.13	222.38	220.63	218.88	217.13	215.38	
7,400.01	7,480.00	302.80	294.93	293.18	291.43	289.68	287.93	286.18	284.43	228.88	227.13	225.38	223.63	221.88	220.13	218.38	
7,480.01	7,560.00	306.84	298.97	297.22	295.47	293.72	291.97	290.22	288.47	231.88	230.13	228.38	226.63	224.88	223.13	221.38	
7,560.01	7,640.00	310.88	303.01	301.26	299.51	297.76	296.01	294.26	292.51	234.88	233.13	231.38	229.63	227.88	226.13	224.38	
7,640.01	7,720.00	314.92	307.05	305.30	303.55	301.80	300.05	298.30	296.55	237.88	236.13	234.38	232.63	230.88	229.13	227.38	
7,720.01	7,800.00	318.96	311.09	309.34	307.59	305.84	304.09	302.34	300.59	240.88	239.13	237.38	235.63	233.88	232.13	230.38	
7,800.01	7,880.00	323.00	315.13	313.38	311.63	309.88	308.13	306.38	304.63	243.88	242.13	240.38	238.63	236.88	235.13	233.38	
7,880.01	7,960.00	327.04	319.17	317.42	315.67	313.92	312.17	310.42	308.67	246.88	245.13	243.38	241.63	239.88	238.13	236.38	
7,960.01	8,040.00	331.08	323.21	321.46	319.71	317.96	316.21	314.46	312.71	249.88	248.13	246.38	244.63	242.88	241.13	239.38	
8,040.01	8,120.00	335.12	327.25	325.50	323.75	322.00	320.25	318.50	316.75	252.88	251.13	249.38	247.63	245.88	244.13	242.38	
8,120.01	8,200.00	339.16	331.29	329.54	327.79	326.04	324.29	322.54	320.79	255.88	254.13	252.38	250.63	248.88	247.13	245.38	
8,200.01	8,280.00	343.20	335.33	333.58	331.83	330.08	328.33	326.58	324.83	258.88	257.13	255.38	253.63	251.88	250.13	248.38	
8,280.01	8,360.00	347.24	339.37	337.62	335.87	334.12	332.37	330.62	328.87	261.88	260.13	258.38	256.63	254.88	253.13	251.38	
8,360.01	8,440.00	351.28	343.41	341.66	339.91	338.16	336.41	334.66	332.91	265.78	264.03	262.28	260.53	258.78	257.03	255.28	
(Add 5.05% for amounts in excess of \$8,360)										(Add 5.10% for amounts in excess of \$8,360)							

Annual Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:																	
Salary Range:																	
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
0.00	2,500.00	2.1%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2,501.00	2,900.00	56.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
2,901.00	3,300.00	65.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
3,301.00	3,700.00	73.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
3,701.00	4,100.00	81.90	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
4,101.00	4,500.00	90.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
4,501.00	4,900.00	98.70	4.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
4,901.00	5,300.00	107.10	12.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
5,301.00	5,700.00	115.50	21.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
5,701.00	6,100.00	123.90	29.40	8.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
6,101.00	6,500.00	132.30	37.80	16.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
6,501.00	6,900.00	140.70	46.20	25.20	4.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
6,901.00	7,300.00	149.10	54.60	33.60	12.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
7,301.00	7,700.00	157.50	63.00	42.00	21.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
7,701.00	8,100.00	165.90	71.40	50.40	29.40	8.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
8,101.00	8,500.00	174.30	79.80	58.80	37.80	16.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
8,501.00	8,900.00	182.70	88.20	67.20	46.20	25.20	4.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
8,901.00	9,300.00	191.10	96.60	75.60	54.60	33.60	12.60	0.00	0.00	2.10	0.00	0.00	0.00	0.00	0.00	0.00	
9,301.00	9,700.00	199.50	105.00	84.00	63.00	42.00	21.00	0.00	0.00	10.50	0.00	0.00	0.00	0.00	0.00	0.00	
9,701.00	10,100.00	207.90	113.40	92.40	71.40	50.40	29.40	8.40	0.00	18.90	0.00	0.00	0.00	0.00	0.00	0.00	
10,101.00	10,500.00	216.30	121.80	100.80	79.80	58.80	37.80	16.80	0.00	27.30	6.30	0.00	0.00	0.00	0.00	0.00	
10,501.00	10,900.00	224.70	130.20	109.20	88.20	67.20	46.20	25.20	4.20	35.70	14.70	0.00	0.00	0.00	0.00	0.00	
10,901.00	11,300.00	233.10	138.60	117.60	96.60	75.60	54.60	33.60	12.60	44.10	23.10	2.10	0.00	0.00	0.00	0.00	
11,301.00	11,700.00	241.50	147.00	126.00	105.00	84.00	63.00	42.00	21.00	52.50	31.50	10.50	0.00	0.00	0.00	0.00	
11,701.00	12,100.00	249.90	155.40	134.40	113.40	92.40	71.40	50.40	29.40	60.90	39.90	18.90	0.00	0.00	0.00	0.00	
12,101.00	12,500.00	258.30	163.80	142.80	121.80	100.80	79.80	58.80	37.80	69.30	48.30	27.30	6.30	0.00	0.00	0.00	
12,501.00	12,900.00	266.70	172.20	151.20	130.20	109.20	88.20	67.20	46.20	77.70	56.70	35.70	14.70	0.00	0.00	0.00	
12,901.00	13,300.00	275.10	179.60	159.60	138.60	117.60	96.60	75.60	54.60	86.10	65.10	44.10	23.10	2.10	0.00	0.00	
13,301.00	13,700.00	283.50	188.00	168.00	147.00	126.00	105.00	84.00	63.00	94.50	73.50	52.50	31.50	10.50	0.00	0.00	
13,701.00	14,100.00	291.90	196.40	176.40	155.40	134.40	113.40	92.40	71.40	102.90	81.90	60.90	39.90	18.90	0.00	0.00	
14,101.00	14,500.00	300.30	204.80	184.80	163.80	142.80	121.80	100.80	79.80	111.30	90.30	69.30	48.30	27.30	6.30	0.00	
14,501.00	14,900.00	308.70	213.20	193.20	172.20	151.20	130.20	109.20	88.20	119.70	98.70	77.70	56.70	35.70	14.70	0.00	
14,901.00	15,300.00	317.10	221.60	201.60	180.60	160.20	139.20	118.20	97.20	128.10	107.10	86.10	65.10	44.10	23.10	2.10	
15,301.00	15,700.00	325.50	230.00	210.00	189.00	168.00	147.00	126.00	105.00	136.50	115.50	94.50	73.50	52.50	31.50	10.50	

Annual Louisiana Income Tax Withholding Table

Exemptions:		0		1						2						
Dependents:																
Salary Range:																
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
15,701.00	16,100.00	388.30	293.80	272.80	251.80	230.80	209.80	188.80	167.80	144.90	123.90	102.90	81.90	60.90	39.90	18.90
16,101.00	16,500.00	403.10	308.60	287.60	266.60	245.60	224.60	203.60	182.60	153.30	132.30	111.30	90.30	69.30	48.30	27.30
16,501.00	16,900.00	417.90	323.40	302.40	281.40	260.40	239.40	218.40	197.40	161.70	140.70	119.70	98.70	77.70	56.70	35.70
16,901.00	17,300.00	432.70	338.20	317.20	296.20	275.20	254.20	233.20	212.20	170.10	149.10	128.10	107.10	86.10	65.10	44.10
17,301.00	17,700.00	447.50	353.00	332.00	311.00	290.00	269.00	248.00	227.00	178.50	157.50	136.50	115.50	94.50	73.50	52.50
17,701.00	18,100.00	462.30	367.80	346.80	325.80	304.80	283.80	262.80	241.80	186.90	165.90	144.90	123.90	102.90	81.90	60.90
18,101.00	18,500.00	477.10	382.60	361.60	340.60	319.60	298.60	277.60	256.60	195.30	174.30	153.30	132.30	111.30	90.30	69.30
18,501.00	18,900.00	491.90	397.40	376.40	355.40	334.40	313.40	292.40	271.40	203.70	182.70	161.70	140.70	119.70	98.70	77.70
18,901.00	19,300.00	506.70	412.20	391.20	370.20	349.20	328.20	307.20	286.20	212.10	191.10	170.10	149.10	128.10	107.10	86.10
19,301.00	19,700.00	521.50	427.00	406.00	385.00	364.00	343.00	322.00	301.00	220.50	199.50	178.50	157.50	136.50	115.50	94.50
19,701.00	20,100.00	536.30	441.80	420.80	399.80	378.80	357.80	336.80	315.80	228.90	207.90	186.90	165.90	144.90	123.90	102.90
20,101.00	20,500.00	551.10	456.60	435.60	414.60	393.60	372.60	351.60	330.60	237.30	216.30	195.30	174.30	153.30	132.30	111.30
20,501.00	20,900.00	565.90	471.40	450.40	429.40	408.40	387.40	366.40	345.40	245.70	224.70	203.70	182.70	161.70	140.70	119.70
20,901.00	21,300.00	580.70	486.20	465.20	444.20	423.20	402.20	381.20	360.20	254.10	233.10	212.10	191.10	170.10	149.10	128.10
21,301.00	21,700.00	595.50	501.00	480.00	459.00	438.00	417.00	396.00	375.00	262.50	241.50	220.50	199.50	178.50	157.50	136.50
21,701.00	22,100.00	610.30	515.80	494.80	473.80	452.80	431.80	410.80	389.80	270.90	249.90	228.90	207.90	186.90	165.90	144.90
22,101.00	22,500.00	625.10	530.60	509.60	488.60	467.60	446.60	425.60	404.60	279.30	258.30	237.30	216.30	195.30	174.30	153.30
22,501.00	22,900.00	639.90	545.40	524.40	503.40	482.40	461.40	440.40	419.40	287.70	266.70	245.70	224.70	203.70	182.70	161.70
22,901.00	23,300.00	654.70	560.20	539.20	518.20	497.20	476.20	455.20	434.20	296.10	275.10	254.10	233.10	212.10	191.10	170.10
23,301.00	23,700.00	669.50	575.00	554.00	533.00	512.00	491.00	470.00	449.00	304.50	283.50	262.50	241.50	220.50	199.50	178.50
23,701.00	24,100.00	684.30	589.80	568.80	547.80	526.80	505.80	484.80	463.80	312.90	291.90	270.90	249.90	228.90	207.90	186.90
24,101.00	24,500.00	699.10	604.60	583.60	562.60	541.60	520.60	499.60	478.60	321.30	300.30	279.30	258.30	237.30	216.30	195.30
24,501.00	24,900.00	713.90	619.40	598.40	577.40	556.40	535.40	514.40	493.40	329.70	308.70	287.70	266.70	245.70	224.70	203.70
24,901.00	25,300.00	728.70	634.20	613.20	592.20	571.20	550.20	529.20	508.20	339.75	318.75	297.75	276.75	255.75	234.75	213.75
25,301.00	25,700.00	743.50	649.00	628.00	607.00	586.00	565.00	544.00	523.00	354.75	333.75	312.75	291.75	270.75	249.75	228.75
25,701.00	26,100.00	758.30	663.80	642.80	621.80	600.80	579.80	558.80	537.80	369.75	348.75	327.75	306.75	285.75	264.75	243.75
26,101.00	26,500.00	773.10	678.60	657.60	636.60	615.60	594.60	573.60	552.60	384.75	363.75	342.75	321.75	300.75	279.75	258.75
26,501.00	26,900.00	787.90	693.40	672.40	651.40	630.40	609.40	588.40	567.40	399.75	378.75	357.75	336.75	315.75	294.75	273.75
26,901.00	27,300.00	802.70	708.20	687.20	666.20	645.20	624.20	603.20	582.20	414.75	393.75	372.75	351.75	330.75	309.75	288.75
27,301.00	27,700.00	817.50	723.00	702.00	681.00	660.00	639.00	618.00	597.00	429.75	408.75	387.75	366.75	345.75	324.75	303.75
27,701.00	28,100.00	832.30	737.80	716.80	695.80	674.80	653.80	632.80	611.80	444.75	423.75	402.75	381.75	360.75	339.75	318.75
28,101.00	28,500.00	847.10	752.60	731.60	710.60	689.60	668.60	647.60	626.60	459.75	438.75	417.75	396.75	375.75	354.75	333.75
28,501.00	28,900.00	861.90	767.40	746.40	725.40	704.40	683.40	662.40	641.40	474.75	453.75	432.75	411.75	390.75	369.75	348.75
28,901.00	29,300.00	876.70	782.20	761.20	740.20	719.20	698.20	677.20	656.20	489.75	468.75	447.75	426.75	405.75	384.75	363.75
29,301.00	29,700.00	891.50	797.00	776.00	755.00	734.00	713.00	692.00	671.00	504.75	483.75	462.75	441.75	420.75	399.75	378.75
29,701.00	30,100.00	906.30	811.80	790.80	769.80	748.80	727.80	706.80	685.80	519.75	498.75	477.75	456.75	435.75	414.75	393.75
30,101.00	30,500.00	921.10	826.60	805.60	784.60	763.60	742.60	721.60	700.60	534.75	513.75	492.75	471.75	450.75	429.75	408.75
30,501.00	30,900.00	935.90	841.40	820.40	799.40	778.40	757.40	736.40	715.40	549.75	528.75	507.75	486.75	465.75	444.75	423.75
30,901.00	31,300.00	950.70	856.20	835.20	814.20	793.20	772.20	751.20	730.20	564.75	543.75	522.75	501.75	480.75	459.75	438.75
31,301.00	31,700.00	965.50	871.00	850.00	829.00	808.00	787.00	766.00	745.00	579.75	558.75	537.75	516.75	495.75	474.75	453.75
31,701.00	32,100.00	980.30	885.80	864.80	843.80	822.80	801.80	780.80	759.80	594.75	573.75	552.75	531.75	510.75	489.75	468.75
32,101.00	32,500.00	995.10	900.60	879.60	858.60	837.60	816.60	795.60	774.60	609.75	588.75	567.75	546.75	525.75	504.75	483.75
32,501.00	32,900.00	1,009.90	915.40	894.40	873.40	852.40	831.40	810.40	789.40	624.75	603.75	582.75	561.75	540.75	519.75	498.75
32,901.00	33,300.00	1,024.70	930.20	909.20	888.20	867.20	846.20	825.20	804.20	639.75	618.75	597.75	576.75	555.75	534.75	513.75
33,301.00	33,700.00	1,039.50	945.00	924.00	903.00	882.00	861.00	840.00	819.00	654.75	633.75	612.75	591.75	570.75	549.75	528.75
33,701.00	34,100.00	1,054.30	959.80	938.80	917.80	896.80	875.80	854.80	833.80	669.75	648.75	627.75	606.75	585.75	564.75	543.75
34,101.00	34,500.00	1,069.10	974.60	953.60	932.60	911.60	890.60	869.60	848.60	684.75	663.75	642.75	621.75	600.75	579.75	558.75
34,501.00	34,900.00	1,083.90	989.40	968.40	947.40	926.40	905.40	884.40	863.40	699.75	678.75	657.75	636.75	615.75	594.75	573.75
34,901.00	35,300.00	1,098.70	1,004.20	983.20	962.20	941.20	920.20	899.20	878.20	714.75	693.75	672.75	651.75	630.75	609.75	588.75
35,301.00	35,700.00	1,113.50	1,019.00	998.00	977.00	956.00	935.00	914.00	893.00	729.75	708.75	687.75	666.75	645.75	624.75	603.75
35,701.00	36,100.00	1,128.30	1,033.80	1,012.80	991.80	970.80	949.80	928.80	907.80	744.75	723.75	702.75	681.75	660.75	639.75	618.75
36,101.00	36,500.00	1,143.10	1,048.60	1,027.60	1,006.60	985.60	964.60	943.60	922.60	759.75	738.75	717.75	696.75	675.75	654.75	633.75
36,501.00	36,900.00	1,157.90	1,063.40	1,042.40	1,021.40	1,000.40	979.40	958.40	937.40	774.75	753.75	732.75	711.75	690.75	669.75	648.75
36,901.00	37,300.00	1,172.70	1,078.20	1,057.20	1,036.20	1,015.20	994.20	973.20	952.20	789.75	768.75	747.75	726.75	705.75	684.75	663.75
37,301.00	37,700.00	1,187.50	1,093.00	1,072.00	1,051.00	1,030.00	1,009.00	988.00	967.00	804.75	783.75	762.75	741.75	720.75	699.75	678.75
37,701.00	38,100.00	1,202.30	1,107.80	1,086.80	1,065.80	1,044.80	1,023.80	1,002.80	981.80	819.75	798.75	777.75	756.75	735.75	714.75	693.75
38,101.00	38,500.00	1,217.10	1,122.60	1,101.60	1,080.60	1,059.60	1,038.60	1,017.60	996.60	834.75	813.75	792.75	771.75	750.75	729.75	708.75
38,501.00	38,900.00	1,231.90	1,137.40	1,116.40	1,095.40	1,074.40	1,053.40	1,032.40	1,011.40	849.75	828.75	807.75	786.75	765.75	744.75	723.75
38,901.00	39,300.00	1,246.70	1,152.20	1,131.20	1,110.20	1,089.20	1,068.20	1,047.20	1,026.20	864.75	843.75	822.75	801.75	780.75	759.75	738.75
39,301.00	39,700.00	1,261.50	1,167.00	1,146.00	1,125.00	1,104.00	1,083.00	1,062.00	1,041.00	879.75	858.75	837.75	816.75	79		

Annual Louisiana Income Tax Withholding Table

Exemptions:		0		1						2						
Dependents:																
Salary Range:																
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
42,501.00	42,900.00	1,379.90	1,285.40	1,264.40	1,243.40	1,222.40	1,201.40	1,180.40	1,159.40	999.75	978.75	957.75	936.75	915.75	894.75	873.75
42,901.00	43,300.00	1,394.70	1,300.20	1,279.20	1,258.20	1,237.20	1,216.20	1,195.20	1,174.20	1,014.75	993.75	972.75	951.75	930.75	909.75	888.75
43,301.00	43,700.00	1,409.50	1,315.00	1,294.00	1,273.00	1,252.00	1,231.00	1,210.00	1,189.00	1,029.75	1,008.75	987.75	966.75	945.75	924.75	903.75
43,701.00	44,100.00	1,424.30	1,329.80	1,308.80	1,287.80	1,266.80	1,245.80	1,224.80	1,203.80	1,044.75	1,023.75	1,002.75	981.75	960.75	939.75	918.75
44,101.00	44,500.00	1,439.10	1,344.60	1,323.60	1,302.60	1,281.60	1,260.60	1,239.60	1,218.60	1,059.75	1,038.75	1,017.75	996.75	975.75	954.75	933.75
44,501.00	44,900.00	1,453.90	1,359.40	1,338.40	1,317.40	1,296.40	1,275.40	1,254.40	1,233.40	1,074.75	1,053.75	1,032.75	1,011.75	990.75	969.75	948.75
44,901.00	45,300.00	1,468.70	1,374.20	1,353.20	1,332.20	1,311.20	1,290.20	1,269.20	1,248.20	1,089.75	1,068.75	1,047.75	1,026.75	1,005.75	984.75	963.75
45,301.00	45,700.00	1,483.50	1,389.00	1,368.00	1,347.00	1,326.00	1,305.00	1,284.00	1,263.00	1,104.75	1,083.75	1,062.75	1,041.75	1,020.75	999.75	978.75
45,701.00	46,100.00	1,498.30	1,403.80	1,382.80	1,361.80	1,340.80	1,319.80	1,298.80	1,277.80	1,119.75	1,098.75	1,077.75	1,056.75	1,035.75	1,014.75	993.75
46,101.00	46,500.00	1,513.10	1,418.60	1,397.60	1,376.60	1,355.60	1,334.60	1,313.60	1,292.60	1,134.75	1,113.75	1,092.75	1,071.75	1,050.75	1,029.75	1,008.75
46,501.00	46,900.00	1,527.90	1,433.40	1,412.40	1,391.40	1,370.40	1,349.40	1,328.40	1,307.40	1,149.75	1,128.75	1,107.75	1,086.75	1,065.75	1,044.75	1,023.75
46,901.00	47,300.00	1,542.70	1,448.20	1,427.20	1,406.20	1,385.20	1,364.20	1,343.20	1,322.20	1,164.75	1,143.75	1,122.75	1,101.75	1,080.75	1,059.75	1,038.75
47,301.00	47,700.00	1,557.50	1,463.00	1,442.00	1,421.00	1,400.00	1,379.00	1,358.00	1,337.00	1,179.75	1,158.75	1,137.75	1,116.75	1,095.75	1,074.75	1,053.75
47,701.00	48,100.00	1,572.30	1,477.80	1,456.80	1,435.80	1,414.80	1,393.80	1,372.80	1,351.80	1,194.75	1,173.75	1,152.75	1,131.75	1,110.75	1,089.75	1,068.75
48,101.00	48,500.00	1,587.10	1,492.60	1,471.60	1,450.60	1,429.60	1,408.60	1,387.60	1,366.60	1,209.75	1,188.75	1,167.75	1,146.75	1,125.75	1,104.75	1,083.75
48,501.00	48,900.00	1,601.90	1,507.40	1,486.40	1,465.40	1,444.40	1,423.40	1,402.40	1,381.40	1,224.75	1,203.75	1,182.75	1,161.75	1,140.75	1,119.75	1,098.75
48,901.00	49,300.00	1,616.70	1,522.20	1,501.20	1,480.20	1,459.20	1,438.20	1,417.20	1,396.20	1,239.75	1,218.75	1,197.75	1,176.75	1,155.75	1,134.75	1,113.75
49,301.00	49,700.00	1,631.50	1,537.00	1,516.00	1,495.00	1,474.00	1,453.00	1,432.00	1,411.00	1,254.75	1,233.75	1,212.75	1,191.75	1,170.75	1,149.75	1,128.75
49,701.00	50,100.00	1,646.30	1,551.80	1,530.80	1,509.80	1,488.80	1,467.80	1,446.80	1,425.80	1,269.75	1,248.75	1,227.75	1,206.75	1,185.75	1,164.75	1,143.75
50,101.00	50,500.00	1,661.15	1,570.65	1,549.65	1,528.65	1,507.65	1,486.65	1,465.65	1,444.65	1,284.75	1,263.75	1,242.75	1,221.75	1,200.75	1,179.75	1,158.75
50,501.00	50,900.00	1,685.35	1,590.85	1,569.85	1,548.85	1,527.85	1,506.85	1,485.85	1,464.85	1,299.75	1,278.75	1,257.75	1,236.75	1,215.75	1,194.75	1,173.75
50,901.00	51,300.00	1,705.55	1,611.05	1,590.05	1,569.05	1,548.05	1,527.05	1,506.05	1,485.05	1,314.75	1,293.75	1,272.75	1,251.75	1,230.75	1,209.75	1,188.75
51,301.00	51,700.00	1,725.75	1,631.25	1,610.25	1,589.25	1,568.25	1,547.25	1,526.25	1,505.25	1,329.75	1,308.75	1,287.75	1,266.75	1,245.75	1,224.75	1,203.75
51,701.00	52,100.00	1,745.95	1,651.45	1,630.45	1,609.45	1,588.45	1,567.45	1,546.45	1,525.45	1,344.75	1,323.75	1,302.75	1,281.75	1,260.75	1,239.75	1,218.75
52,101.00	52,500.00	1,766.15	1,671.65	1,650.65	1,629.65	1,608.65	1,587.65	1,566.65	1,545.65	1,359.75	1,338.75	1,317.75	1,296.75	1,275.75	1,254.75	1,233.75
52,501.00	52,900.00	1,786.35	1,691.85	1,670.85	1,649.85	1,628.85	1,607.85	1,586.85	1,565.85	1,374.75	1,353.75	1,332.75	1,311.75	1,290.75	1,269.75	1,248.75
52,901.00	53,300.00	1,806.55	1,712.05	1,691.05	1,670.05	1,649.05	1,628.05	1,607.05	1,586.05	1,389.75	1,368.75	1,347.75	1,326.75	1,305.75	1,284.75	1,263.75
53,301.00	53,700.00	1,826.75	1,732.25	1,711.25	1,690.25	1,669.25	1,648.25	1,627.25	1,606.25	1,404.75	1,383.75	1,362.75	1,341.75	1,320.75	1,299.75	1,278.75
53,701.00	54,100.00	1,846.95	1,752.45	1,731.45	1,710.45	1,689.45	1,668.45	1,647.45	1,626.45	1,419.75	1,398.75	1,377.75	1,356.75	1,335.75	1,314.75	1,293.75
54,101.00	54,500.00	1,867.15	1,772.65	1,751.65	1,730.65	1,709.65	1,688.65	1,667.65	1,646.65	1,434.75	1,413.75	1,392.75	1,371.75	1,350.75	1,329.75	1,308.75
54,501.00	54,900.00	1,887.35	1,792.85	1,771.85	1,750.85	1,729.85	1,708.85	1,687.85	1,666.85	1,449.75	1,428.75	1,407.75	1,386.75	1,365.75	1,344.75	1,323.75
54,901.00	55,300.00	1,907.55	1,813.05	1,792.05	1,771.05	1,750.05	1,729.05	1,708.05	1,687.05	1,464.75	1,443.75	1,422.75	1,401.75	1,380.75	1,359.75	1,338.75
55,301.00	55,700.00	1,927.75	1,833.25	1,812.25	1,791.25	1,770.25	1,749.25	1,728.25	1,707.25	1,479.75	1,458.75	1,437.75	1,416.75	1,395.75	1,374.75	1,353.75
55,701.00	56,100.00	1,947.95	1,853.45	1,832.45	1,811.45	1,790.45	1,769.45	1,748.45	1,727.45	1,494.75	1,473.75	1,452.75	1,431.75	1,410.75	1,389.75	1,368.75
56,101.00	56,500.00	1,968.15	1,873.65	1,852.65	1,831.65	1,810.65	1,789.65	1,768.65	1,747.65	1,509.75	1,488.75	1,467.75	1,446.75	1,425.75	1,404.75	1,383.75
56,501.00	56,900.00	1,988.35	1,893.85	1,872.85	1,851.85	1,830.85	1,809.85	1,788.85	1,767.85	1,524.75	1,503.75	1,482.75	1,461.75	1,440.75	1,419.75	1,398.75
56,901.00	57,300.00	2,008.55	1,914.05	1,893.05	1,872.05	1,851.05	1,830.05	1,809.05	1,788.05	1,539.75	1,518.75	1,497.75	1,476.75	1,455.75	1,434.75	1,413.75
57,301.00	57,700.00	2,028.75	1,934.25	1,913.25	1,892.25	1,871.25	1,850.25	1,829.25	1,808.25	1,554.75	1,533.75	1,512.75	1,491.75	1,470.75	1,449.75	1,428.75
57,701.00	58,100.00	2,048.95	1,954.45	1,933.45	1,912.45	1,891.45	1,870.45	1,849.45	1,828.45	1,569.75	1,548.75	1,527.75	1,506.75	1,485.75	1,464.75	1,443.75
58,101.00	58,500.00	2,069.15	1,974.65	1,953.65	1,932.65	1,911.65	1,890.65	1,869.65	1,848.65	1,584.75	1,563.75	1,542.75	1,521.75	1,500.75	1,479.75	1,458.75
58,501.00	58,900.00	2,089.35	1,994.85	1,973.85	1,952.85	1,931.85	1,910.85	1,889.85	1,868.85	1,599.75	1,578.75	1,557.75	1,536.75	1,515.75	1,494.75	1,473.75
58,901.00	59,300.00	2,109.55	2,015.05	1,994.05	1,973.05	1,952.05	1,931.05	1,910.05	1,889.05	1,614.75	1,593.75	1,572.75	1,551.75	1,530.75	1,509.75	1,488.75
59,301.00	59,700.00	2,129.75	2,035.25	2,014.25	1,993.25	1,972.25	1,951.25	1,930.25	1,909.25	1,629.75	1,608.75	1,587.75	1,566.75	1,545.75	1,524.75	1,503.75
59,701.00	60,100.00	2,149.95	2,055.45	2,034.45	2,013.45	1,992.45	1,971.45	1,950.45	1,929.45	1,644.75	1,623.75	1,602.75	1,581.75	1,560.75	1,539.75	1,518.75
60,101.00	60,500.00	2,170.15	2,075.65	2,054.65	2,033.65	2,012.65	1,991.65	1,970.65	1,949.65	1,659.75	1,638.75	1,617.75	1,596.75	1,575.75	1,554.75	1,533.75
60,501.00	60,900.00	2,190.35	2,095.85	2,074.85	2,053.85	2,032.85	2,011.85	1,990.85	1,969.85	1,674.75	1,653.75	1,632.75	1,611.75	1,590.75	1,569.75	1,548.75
60,901.00	61,300.00	2,210.55	2,116.05	2,095.05	2,074.05	2,053.05	2,032.05	2,011.05	1,990.05	1,689.75	1,668.75	1,647.75	1,626.75	1,605.75	1,584.75	1,563.75
61,301.00	61,700.00	2,230.75	2,136.25	2,115.25	2,094.25	2,073.25	2,052.25	2,031.25	2,010.25	1,704.75	1,683.75	1,662.75	1,641.75	1,620.75	1,599.75	1,578.75
61,701.00	62,100.00	2,250.95	2,156.45	2,135.45	2,114.45	2,093.45	2,072.45	2,051.45	2,030.45	1,719.75	1,698.75	1,677.75	1,656.75	1,635.75	1,614.75	1,593.75
62,101.00	62,500.00	2,271.15	2,176.65	2,155.65	2,134.65	2,113.65	2,092.65	2,071.65	2,050.65	1,734.75	1,713.75	1,692.75	1,671.75	1,650.75	1,629.75	1,608.75
62,501.00	62,900.00	2,291.35	2,196.85	2,175.85	2,154.85	2,133.85	2,112.85	2,091.85	2,070.85	1,749.75	1,728.75	1,707.75	1,686.75	1,665.75	1,644.75	1,623.75
62,901.00	63,300.00	2,311.55	2,217.05	2,196.05	2,175.05	2,154.05	2,133.05	2,112.05	2,091.05	1,764.75	1,743.75	1,722.75	1,701.75	1,680.75	1,659.75	1,638.75
63,301.00	63,700.00	2,331.75	2,237.25	2,216.25	2,195.25	2,174.25	2,153.25	2,132.25	2,111.25	1,779.75	1,758.75	1,737.75	1			

Annual Louisiana Income Tax Withholding Table

Exemptions:		0		1						2						
Dependents:																
Salary Range:																
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
69,301.00	69,700.00	2,634.75	2,540.25	2,519.25	2,498.25	2,477.25	2,456.25	2,435.25	2,414.25	2,004.75	1,983.75	1,962.75	1,941.75	1,920.75	1,899.75	1,878.75
69,701.00	70,100.00	2,654.95	2,560.45	2,539.45	2,518.45	2,497.45	2,476.45	2,455.45	2,434.45	2,019.75	1,998.75	1,977.75	1,956.75	1,935.75	1,914.75	1,893.75
70,101.00	70,500.00	2,675.15	2,580.65	2,559.65	2,538.65	2,517.65	2,496.65	2,475.65	2,454.65	2,034.75	2,013.75	1,992.75	1,971.75	1,950.75	1,929.75	1,908.75
70,501.00	70,900.00	2,695.35	2,600.85	2,579.85	2,558.85	2,537.85	2,516.85	2,495.85	2,474.85	2,049.75	2,028.75	2,007.75	1,986.75	1,965.75	1,944.75	1,923.75
70,901.00	71,300.00	2,715.55	2,621.05	2,600.05	2,579.05	2,558.05	2,537.05	2,516.05	2,495.05	2,064.75	2,043.75	2,022.75	2,001.75	1,980.75	1,959.75	1,938.75
71,301.00	71,700.00	2,735.75	2,641.25	2,620.25	2,599.25	2,578.25	2,557.25	2,536.25	2,515.25	2,079.75	2,058.75	2,037.75	2,016.75	1,995.75	1,974.75	1,953.75
71,701.00	72,100.00	2,755.95	2,661.45	2,640.45	2,619.45	2,598.45	2,577.45	2,556.45	2,535.45	2,094.75	2,073.75	2,052.75	2,031.75	2,010.75	1,989.75	1,968.75
72,101.00	72,500.00	2,776.15	2,681.65	2,660.65	2,639.65	2,618.65	2,597.65	2,576.65	2,555.65	2,109.75	2,088.75	2,067.75	2,046.75	2,025.75	2,004.75	1,983.75
72,501.00	72,900.00	2,796.35	2,701.85	2,680.85	2,659.85	2,638.85	2,617.85	2,596.85	2,575.85	2,124.75	2,103.75	2,082.75	2,061.75	2,040.75	2,019.75	1,998.75
72,901.00	73,300.00	2,816.55	2,722.05	2,701.05	2,680.05	2,659.05	2,638.05	2,617.05	2,596.05	2,139.75	2,118.75	2,097.75	2,076.75	2,055.75	2,034.75	2,013.75
73,301.00	73,700.00	2,836.75	2,742.25	2,721.25	2,700.25	2,679.25	2,658.25	2,637.25	2,616.25	2,154.75	2,133.75	2,112.75	2,091.75	2,070.75	2,049.75	2,028.75
73,701.00	74,100.00	2,856.95	2,762.45	2,741.45	2,720.45	2,699.45	2,678.45	2,657.45	2,636.45	2,169.75	2,148.75	2,127.75	2,106.75	2,085.75	2,064.75	2,043.75
74,101.00	74,500.00	2,877.15	2,782.65	2,761.65	2,740.65	2,719.65	2,698.65	2,677.65	2,656.65	2,184.75	2,163.75	2,142.75	2,121.75	2,100.75	2,079.75	2,058.75
74,501.00	74,900.00	2,897.35	2,802.85	2,781.85	2,760.85	2,739.85	2,718.85	2,697.85	2,676.85	2,199.75	2,178.75	2,157.75	2,136.75	2,115.75	2,094.75	2,073.75
74,901.00	75,300.00	2,917.55	2,823.05	2,802.05	2,781.05	2,760.05	2,739.05	2,718.05	2,697.05	2,214.75	2,193.75	2,172.75	2,151.75	2,130.75	2,109.75	2,088.75
75,301.00	75,700.00	2,937.75	2,843.25	2,822.25	2,801.25	2,780.25	2,759.25	2,738.25	2,717.25	2,229.75	2,208.75	2,187.75	2,166.75	2,145.75	2,124.75	2,103.75
75,701.00	76,100.00	2,957.95	2,863.45	2,842.45	2,821.45	2,800.45	2,779.45	2,758.45	2,737.45	2,247.75	2,226.75	2,205.75	2,184.75	2,163.75	2,142.75	2,121.75
76,101.00	76,500.00	2,978.15	2,883.65	2,862.65	2,841.65	2,820.65	2,799.65	2,778.65	2,757.65	2,259.75	2,238.75	2,217.75	2,196.75	2,175.75	2,154.75	2,133.75
76,501.00	76,900.00	2,998.35	2,903.85	2,882.85	2,861.85	2,840.85	2,819.85	2,798.85	2,777.85	2,274.75	2,253.75	2,232.75	2,211.75	2,190.75	2,169.75	2,148.75
76,901.00	77,300.00	3,018.55	2,924.05	2,903.05	2,882.05	2,861.05	2,840.05	2,819.05	2,798.05	2,289.75	2,268.75	2,247.75	2,226.75	2,205.75	2,184.75	2,163.75
77,301.00	77,700.00	3,038.75	2,944.25	2,923.25	2,902.25	2,881.25	2,860.25	2,839.25	2,818.25	2,304.75	2,283.75	2,262.75	2,241.75	2,220.75	2,199.75	2,178.75
77,701.00	78,100.00	3,058.95	2,964.45	2,943.45	2,922.45	2,901.45	2,880.45	2,859.45	2,838.45	2,319.75	2,298.75	2,277.75	2,256.75	2,235.75	2,214.75	2,193.75
78,101.00	78,500.00	3,079.15	2,984.65	2,963.65	2,942.65	2,921.65	2,900.65	2,879.65	2,858.65	2,334.75	2,313.75	2,292.75	2,271.75	2,250.75	2,229.75	2,208.75
78,501.00	78,900.00	3,099.35	3,004.85	2,983.85	2,962.85	2,941.85	2,920.85	2,899.85	2,878.85	2,349.75	2,328.75	2,307.75	2,286.75	2,265.75	2,244.75	2,223.75
78,901.00	79,300.00	3,119.55	3,025.05	3,004.05	2,983.05	2,962.05	2,941.05	2,920.05	2,899.05	2,364.75	2,343.75	2,322.75	2,301.75	2,280.75	2,259.75	2,238.75
79,301.00	79,700.00	3,139.75	3,045.25	3,024.25	3,003.25	2,982.25	2,961.25	2,940.25	2,919.25	2,379.75	2,358.75	2,337.75	2,316.75	2,295.75	2,274.75	2,253.75
79,701.00	80,100.00	3,159.95	3,065.45	3,044.45	3,023.45	3,002.45	2,981.45	2,960.45	2,939.45	2,394.75	2,373.75	2,352.75	2,331.75	2,310.75	2,289.75	2,268.75
80,101.00	80,500.00	3,180.15	3,085.65	3,064.65	3,043.65	3,022.65	3,001.65	2,980.65	2,959.65	2,409.75	2,388.75	2,367.75	2,346.75	2,325.75	2,304.75	2,283.75
80,501.00	80,900.00	3,200.35	3,105.85	3,084.85	3,063.85	3,042.85	3,021.85	3,000.85	2,979.85	2,424.75	2,403.75	2,382.75	2,361.75	2,340.75	2,319.75	2,298.75
80,901.00	81,300.00	3,220.55	3,126.05	3,105.05	3,084.05	3,063.05	3,042.05	3,021.05	3,000.05	2,439.75	2,418.75	2,397.75	2,376.75	2,355.75	2,334.75	2,313.75
81,301.00	81,700.00	3,240.75	3,146.25	3,125.25	3,104.25	3,083.25	3,062.25	3,041.25	3,020.25	2,454.75	2,433.75	2,412.75	2,391.75	2,370.75	2,349.75	2,328.75
81,701.00	82,100.00	3,260.95	3,166.45	3,145.45	3,124.45	3,103.45	3,082.45	3,061.45	3,040.45	2,469.75	2,448.75	2,427.75	2,406.75	2,385.75	2,364.75	2,343.75
82,101.00	82,500.00	3,281.15	3,186.65	3,165.65	3,144.65	3,123.65	3,102.65	3,081.65	3,060.65	2,484.75	2,463.75	2,442.75	2,421.75	2,400.75	2,379.75	2,358.75
82,501.00	82,900.00	3,301.35	3,206.85	3,185.85	3,164.85	3,143.85	3,122.85	3,101.85	3,080.85	2,499.75	2,478.75	2,457.75	2,436.75	2,415.75	2,394.75	2,373.75
82,901.00	83,300.00	3,321.55	3,227.05	3,206.05	3,185.05	3,164.05	3,143.05	3,122.05	3,101.05	2,514.75	2,493.75	2,472.75	2,451.75	2,430.75	2,409.75	2,388.75
83,301.00	83,700.00	3,341.75	3,247.25	3,226.25	3,205.25	3,184.25	3,163.25	3,142.25	3,121.25	2,529.75	2,508.75	2,487.75	2,466.75	2,445.75	2,424.75	2,403.75
83,701.00	84,100.00	3,361.95	3,267.45	3,246.45	3,225.45	3,204.45	3,183.45	3,162.45	3,141.45	2,544.75	2,523.75	2,502.75	2,481.75	2,460.75	2,439.75	2,418.75
84,101.00	84,500.00	3,382.15	3,287.65	3,266.65	3,245.65	3,224.65	3,203.65	3,182.65	3,161.65	2,559.75	2,538.75	2,517.75	2,496.75	2,475.75	2,454.75	2,433.75
84,501.00	84,900.00	3,402.35	3,307.85	3,286.85	3,265.85	3,244.85	3,223.85	3,202.85	3,181.85	2,574.75	2,553.75	2,532.75	2,511.75	2,490.75	2,469.75	2,448.75
84,901.00	85,300.00	3,422.55	3,328.05	3,307.05	3,286.05	3,265.05	3,244.05	3,223.05	3,202.05	2,589.75	2,568.75	2,547.75	2,526.75	2,505.75	2,484.75	2,463.75
85,301.00	85,700.00	3,442.75	3,348.25	3,327.25	3,306.25	3,285.25	3,264.25	3,243.25	3,222.25	2,604.75	2,583.75	2,562.75	2,541.75	2,520.75	2,499.75	2,478.75
85,701.00	86,100.00	3,462.95	3,368.45	3,347.45	3,326.45	3,305.45	3,284.45	3,263.45	3,242.45	2,619.75	2,598.75	2,577.75	2,556.75	2,535.75	2,514.75	2,493.75
86,101.00	86,500.00	3,483.15	3,388.65	3,367.65	3,346.65	3,325.65	3,304.65	3,283.65	3,262.65	2,634.75	2,613.75	2,592.75	2,571.75	2,550.75	2,529.75	2,508.75
86,501.00	86,900.00	3,503.35	3,408.85	3,387.85	3,366.85	3,345.85	3,324.85	3,303.85	3,282.85	2,649.75	2,628.75	2,607.75	2,586.75	2,565.75	2,544.75	2,523.75
86,901.00	87,300.00	3,523.55	3,429.05	3,408.05	3,387.05	3,366.05	3,345.05	3,324.05	3,303.05	2,664.75	2,643.75	2,622.75	2,601.75	2,580.75	2,559.75	2,538.75
87,301.00	87,700.00	3,543.75	3,449.25	3,428.25	3,407.25	3,386.25	3,365.25	3,344.25	3,323.25	2,679.75	2,658.75	2,637.75	2,616.75	2,595.75	2,574.75	2,553.75
87,701.00	88,100.00	3,563.95	3,469.45	3,448.45	3,427.45	3,406.45	3,385.45	3,364.45	3,343.45	2,694.75	2,673.75	2,652.75	2,631.75	2,610.75	2,589.75	2,568.75
88,101.00	88,500.00	3,584.15	3,489.65	3,468.65	3,447.65	3,426.65	3,405.65	3,384.65	3,363.65	2,709.75	2,688.75	2,667.75	2,646.75	2,625.75	2,604.75	2,583.75
88,501.00	88,900.00	3,604.35	3,509.85	3,488.85	3,467.85	3,446.85	3,425.85	3,404.85	3,383.85	2,724.75	2,703.75	2,682.75	2,661.75	2,640.75	2,619.75	2,598.75
88,901.00	89,300.00	3,624.55	3,530.05	3,509.05	3,488.05	3,467.05	3,446.05	3,425.05	3,404.05	2,739.75	2,718.75	2,697.75	2,676.75	2,655.75	2,634.75	2,613.75
89,301.00	89,700.00	3,644.75	3,550.25	3,529.25	3,508.25	3,487.25	3,466.25	3,445.25	3,424.25	2,754.75	2,733.75	2,712.75	2,691.75	2,670.75	2,649.75	2,628.75
89,701.00	90,100.00	3,664.95	3,570.45	3,549.45	3,528.45	3,507.45	3,486.45	3,465.45	3,444.45	2,769.75	2,748.75	2,727.75	2,706.75	2,685.75	2,664.75	2,643.75
90,101.00	90,500.00	3,685.15	3,590.65	3,569.65	3,548.65	3,527.65	3,506.65									

Annual Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:		0		0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:		0		0	1	2	3	4	5	6	0	1	2	3	4	5	6
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
96,101.00	96,500.00	3,988.15	3,893.65	3,872.65	3,851.65	3,830.65	3,809.65	3,788.65	3,767.65	3,009.75	2,988.75	2,967.75	2,946.75	2,925.75	2,904.75	2,883.75	
96,501.00	96,900.00	4,008.35	3,913.85	3,892.85	3,871.85	3,850.85	3,829.85	3,808.85	3,787.85	3,024.75	3,003.75	2,982.75	2,961.75	2,940.75	2,919.75	2,898.75	
96,901.00	97,300.00	4,028.55	3,934.05	3,913.05	3,892.05	3,871.05	3,850.05	3,829.05	3,808.05	3,039.75	3,018.75	2,997.75	2,976.75	2,955.75	2,934.75	2,913.75	
97,301.00	97,700.00	4,048.75	3,954.25	3,933.25	3,912.25	3,891.25	3,870.25	3,849.25	3,828.25	3,054.75	3,033.75	3,012.75	2,991.75	2,970.75	2,949.75	2,928.75	
97,701.00	98,100.00	4,068.95	3,974.45	3,953.45	3,932.45	3,911.45	3,890.45	3,869.45	3,848.45	3,069.75	3,048.75	3,027.75	3,006.75	2,985.75	2,964.75	2,943.75	
98,101.00	98,500.00	4,089.15	3,994.65	3,973.65	3,952.65	3,931.65	3,910.65	3,889.65	3,868.65	3,084.75	3,063.75	3,042.75	3,021.75	3,000.75	2,979.75	2,958.75	
98,501.00	98,900.00	4,109.35	4,014.85	3,993.85	3,972.85	3,951.85	3,930.85	3,909.85	3,888.85	3,099.75	3,078.75	3,057.75	3,036.75	3,015.75	2,994.75	2,973.75	
98,901.00	99,300.00	4,129.55	4,035.05	4,014.05	3,993.05	3,972.05	3,951.05	3,930.05	3,909.05	3,114.75	3,093.75	3,072.75	3,051.75	3,030.75	3,009.75	2,988.75	
99,301.00	99,700.00	4,149.75	4,055.25	4,034.25	4,013.25	3,992.25	3,971.25	3,950.25	3,929.25	3,129.75	3,108.75	3,087.75	3,066.75	3,045.75	3,024.75	3,003.75	
99,701.00	100,100.00	4,169.95	4,075.45	4,054.45	4,033.45	4,012.45	3,991.45	3,970.45	3,949.45	3,144.75	3,123.75	3,102.75	3,081.75	3,060.75	3,039.75	3,018.75	
100,101.00	100,500.00	4,190.15	4,095.65	4,074.65	4,053.65	4,032.65	4,011.65	3,990.65	3,969.65	3,163.80	3,142.80	3,121.80	3,100.80	3,079.80	3,058.80	3,037.80	
		(Add 5.05% for amounts in excess of \$100,500)								(Add 5.10% for amounts in excess of \$100,500)							

b. Effective on or after February 16, 2018

Daily Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:		0		0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:		0		0	1	2	3	4	5	6	0	1	2	3	4	5	6
Min	Max	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
-	10.00	2.1%								2.2%							
10.01	12.00	0.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
12.01	14.00	0.27	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
14.01	16.00	0.32	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
16.01	18.00	0.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
18.01	20.00	0.40	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
20.01	22.00	0.44	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
22.01	24.00	0.48	0.12	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
24.01	26.00	0.53	0.17	0.09	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
26.01	28.00	0.57	0.21	0.13	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
28.01	30.00	0.61	0.25	0.17	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
30.01	32.00	0.65	0.29	0.21	0.12	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
32.01	34.00	0.69	0.33	0.25	0.16	0.08	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
34.01	36.00	0.74	0.38	0.30	0.21	0.13	0.05	0.00	0.00	0.04	0.00	0.00	0.00	0.00	0.00	0.00	
36.01	38.00	0.78	0.42	0.34	0.25	0.17	0.09	0.01	0.00	0.08	0.00	0.00	0.00	0.00	0.00	0.00	
38.01	40.00	0.82	0.46	0.38	0.29	0.21	0.13	0.05	0.00	0.13	0.05	0.00	0.00	0.00	0.00	0.00	
40.01	42.00	0.86	0.50	0.42	0.33	0.25	0.17	0.09	0.01	0.17	0.09	0.01	0.00	0.00	0.00	0.00	
42.01	44.00	0.90	0.54	0.46	0.37	0.29	0.21	0.13	0.05	0.22	0.14	0.06	0.00	0.00	0.00	0.00	
44.01	46.00	0.95	0.59	0.51	0.42	0.34	0.26	0.18	0.10	0.26	0.18	0.10	0.02	0.00	0.00	0.00	
46.01	48.00	0.99	0.63	0.55	0.46	0.38	0.30	0.22	0.14	0.30	0.22	0.14	0.06	0.00	0.00	0.00	
48.01	50.00	1.05	0.69	0.61	0.52	0.44	0.36	0.28	0.20	0.35	0.27	0.19	0.11	0.03	0.00	0.00	
50.01	52.00	1.12	0.76	0.68	0.59	0.51	0.43	0.35	0.27	0.39	0.31	0.23	0.15	0.07	0.00	0.00	
52.01	54.00	1.20	0.84	0.76	0.67	0.59	0.51	0.43	0.35	0.44	0.36	0.28	0.20	0.12	0.04	0.00	
54.01	56.00	1.28	0.92	0.84	0.75	0.67	0.59	0.51	0.43	0.48	0.40	0.32	0.24	0.16	0.08	0.00	
56.01	58.00	1.36	1.00	0.92	0.83	0.75	0.67	0.59	0.51	0.52	0.44	0.36	0.28	0.20	0.12	0.04	
58.01	60.00	1.44	1.08	1.00	0.91	0.83	0.75	0.67	0.59	0.57	0.49	0.41	0.33	0.25	0.17	0.09	
60.01	62.00	1.51	1.15	1.07	0.98	0.90	0.82	0.74	0.66	0.61	0.53	0.45	0.37	0.29	0.21	0.13	
62.01	64.00	1.59	1.23	1.15	1.06	0.98	0.90	0.82	0.74	0.66	0.58	0.50	0.42	0.34	0.26	0.18	
64.01	66.00	1.67	1.31	1.23	1.14	1.06	0.98	0.90	0.82	0.70	0.62	0.54	0.46	0.38	0.30	0.22	
66.01	68.00	1.75	1.39	1.31	1.22	1.14	1.06	0.98	0.90	0.74	0.66	0.58	0.50	0.42	0.34	0.26	
68.01	70.00	1.83	1.47	1.39	1.30	1.22	1.14	1.06	0.98	0.79	0.71	0.63	0.55	0.47	0.39	0.31	
70.01	72.00	1.90	1.54	1.46	1.37	1.29	1.21	1.13	1.05	0.83	0.75	0.67	0.59	0.51	0.43	0.35	
72.01	74.00	1.98	1.62	1.54	1.45	1.37	1.29	1.21	1.13	0.88	0.80	0.72	0.64	0.56	0.48	0.40	
74.01	76.00	2.06	1.70	1.62	1.53	1.45	1.37	1.29	1.21	0.92	0.84	0.76	0.68	0.60	0.52	0.44	
76.01	78.00	2.14	1.78	1.70	1.61	1.53	1.45	1.37	1.29	0.96	0.88	0.80	0.72	0.64	0.56	0.48	
78.01	80.00	2.22	1.86	1.78	1.69	1.61	1.53	1.45	1.37	1.01	0.93	0.85	0.77	0.69	0.61	0.53	
80.01	82.00	2.29	1.93	1.85	1.76	1.68	1.60	1.52	1.44	1.05	0.97	0.89	0.81	0.73	0.65	0.57	
82.01	84.00	2.37	2.01	1.93	1.84	1.76	1.68	1.60	1.52	1.10	1.02	0.94	0.86	0.78	0.70	0.62	
84.01	86.00	2.45	2.09	2.01	1.92	1.84	1.76	1.68	1.60	1.14	1.06	0.98	0.90	0.82	0.74	0.66	
86.01	88.00	2.53	2.17	2.09	2.00	1.92	1.84	1.76	1.68	1.18	1.10	1.02	0.94	0.86	0.78	0.70	
88.01	90.00	2.61	2.25	2.17	2.08	2.00	1.92	1.84	1.76	1.23	1.15	1.07	0.99	0.91	0.83	0.75	
90.01	92.00	2.68	2.32	2.24	2.15	2.07	1.99	1.91	1.83	1.27	1.19	1.11	1.03	0.95	0.87	0.79	
92.01	94.00	2.76	2.40	2.32	2.23	2.15	2.07	1.99	1.91	1.32	1.24	1.16	1.08	1.00	0.92	0.84	
94.01	96.00	2.84	2.48	2.40	2.31	2.23	2.15	2.07	1.99	1.36	1.28	1.20	1.12	1.04	0.96	0.88	

Daily Louisiana Income Tax Withholding Table

Exemptions:		0		1						2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
224.01	226.00	8.45	8.09	8.01	7.92	7.84	7.76	7.68	7.60	6.47	6.39	6.31	6.23	6.15	6.07	5.99
226.01	228.00	8.56	8.20	8.12	8.03	7.95	7.87	7.79	7.71	6.55	6.47	6.39	6.31	6.23	6.15	6.07
228.01	230.00	8.68	8.32	8.24	8.15	8.07	7.99	7.91	7.83	6.63	6.55	6.47	6.39	6.31	6.23	6.15
230.01	232.00	8.78	8.42	8.34	8.25	8.17	8.09	8.01	7.93	6.71	6.63	6.55	6.47	6.39	6.31	6.23
232.01	234.00	8.89	8.53	8.45	8.36	8.28	8.20	8.12	8.04	6.79	6.71	6.63	6.55	6.47	6.39	6.31
234.01	236.00	9.00	8.64	8.56	8.47	8.39	8.31	8.23	8.15	6.87	6.79	6.71	6.63	6.55	6.47	6.39
236.01	238.00	9.12	8.76	8.68	8.59	8.51	8.43	8.35	8.27	6.94	6.86	6.78	6.70	6.62	6.54	6.46
238.01	240.00	9.23	8.87	8.79	8.70	8.62	8.54	8.46	8.38	7.03	6.95	6.87	6.79	6.71	6.63	6.55
240.01	242.00	9.33	8.97	8.89	8.80	8.72	8.64	8.56	8.48	7.10	7.02	6.94	6.86	6.78	6.70	6.62
242.01	244.00	9.45	9.09	9.01	8.92	8.84	8.76	8.68	8.60	7.19	7.11	7.03	6.95	6.87	6.79	6.71
244.01	246.00	9.56	9.20	9.12	9.03	8.95	8.87	8.79	8.71	7.26	7.18	7.10	7.02	6.94	6.86	6.78
246.01	248.00	9.67	9.31	9.23	9.14	9.06	8.98	8.90	8.82	7.34	7.26	7.18	7.10	7.02	6.94	6.86
248.01	250.00	9.79	9.43	9.35	9.26	9.18	9.10	9.02	8.94	7.42	7.34	7.26	7.18	7.10	7.02	6.94
250.01	252.00	9.89	9.53	9.45	9.36	9.28	9.20	9.12	9.04	7.50	7.42	7.34	7.26	7.18	7.10	7.02
252.01	254.00	10.00	9.64	9.56	9.47	9.39	9.31	9.23	9.15	7.58	7.50	7.42	7.34	7.26	7.18	7.10
254.01	256.00	10.11	9.75	9.67	9.58	9.50	9.42	9.34	9.26	7.66	7.58	7.50	7.42	7.34	7.26	7.18
256.01	258.00	10.23	9.87	9.79	9.70	9.62	9.54	9.46	9.38	7.73	7.65	7.57	7.49	7.41	7.33	7.25
258.01	260.00	10.34	9.98	9.90	9.81	9.73	9.65	9.57	9.49	7.82	7.74	7.66	7.58	7.50	7.42	7.34
260.01	262.00	10.44	10.08	10.00	9.91	9.83	9.75	9.67	9.59	7.89	7.81	7.73	7.65	7.57	7.49	7.41
262.01	264.00	10.56	10.20	10.12	10.03	9.95	9.87	9.79	9.71	7.98	7.90	7.82	7.74	7.66	7.58	7.50
264.01	266.00	10.67	10.31	10.23	10.14	10.06	9.98	9.90	9.82	8.05	7.97	7.89	7.81	7.73	7.65	7.57
266.01	268.00	10.78	10.42	10.34	10.25	10.17	10.09	10.01	9.93	8.13	8.05	7.97	7.89	7.81	7.73	7.65
268.01	270.00	10.90	10.54	10.46	10.37	10.29	10.21	10.13	10.05	8.21	8.13	8.05	7.97	7.89	7.81	7.73
270.01	272.00	11.00	10.64	10.56	10.47	10.39	10.31	10.23	10.15	8.29	8.21	8.13	8.05	7.97	7.89	7.81
272.01	274.00	11.11	10.75	10.67	10.58	10.50	10.42	10.34	10.26	8.37	8.29	8.21	8.13	8.05	7.97	7.89
274.01	276.00	11.22	10.86	10.78	10.69	10.61	10.53	10.45	10.37	8.45	8.37	8.29	8.21	8.13	8.05	7.97
276.01	278.00	11.34	10.98	10.90	10.81	10.73	10.65	10.57	10.49	8.52	8.44	8.36	8.28	8.20	8.12	8.04
278.01	280.00	11.45	11.09	11.01	10.92	10.84	10.76	10.68	10.60	8.61	8.53	8.45	8.37	8.29	8.21	8.13
280.01	282.00	11.55	11.19	11.11	11.02	10.94	10.86	10.78	10.70	8.68	8.60	8.52	8.44	8.36	8.28	8.20
282.01	284.00	11.67	11.31	11.23	11.14	11.06	10.98	10.90	10.82	8.77	8.69	8.61	8.53	8.45	8.37	8.29
284.01	286.00	11.78	11.42	11.34	11.25	11.17	11.09	11.01	10.93	8.84	8.76	8.68	8.60	8.52	8.44	8.36
286.01	288.00	11.89	11.53	11.45	11.36	11.28	11.20	11.12	11.04	8.92	8.84	8.76	8.68	8.60	8.52	8.44
288.01	290.00	12.01	11.65	11.57	11.48	11.40	11.32	11.24	11.16	9.00	8.92	8.84	8.76	8.68	8.60	8.52
290.01	292.00	12.11	11.75	11.67	11.58	11.50	11.42	11.34	11.26	9.08	9.00	8.92	8.84	8.76	8.68	8.60
292.01	294.00	12.22	11.86	11.78	11.69	11.61	11.53	11.45	11.37	9.16	9.08	9.00	8.92	8.84	8.76	8.68
294.01	296.00	12.33	11.97	11.89	11.80	11.72	11.64	11.56	11.48	9.24	9.16	9.08	9.00	8.92	8.84	8.76
296.01	298.00	12.45	12.09	12.01	11.92	11.84	11.76	11.68	11.60	9.31	9.23	9.15	9.07	8.99	8.91	8.83
298.01	300.00	12.56	12.20	12.12	12.03	11.95	11.87	11.79	11.71	9.40	9.32	9.24	9.16	9.08	9.00	8.92
300.01	302.00	12.66	12.30	12.22	12.13	12.05	11.97	11.89	11.81	9.47	9.39	9.31	9.23	9.15	9.07	8.99
302.01	304.00	12.78	12.42	12.34	12.25	12.17	12.09	12.01	11.93	9.56	9.48	9.40	9.32	9.24	9.16	9.08
304.01	306.00	12.89	12.53	12.45	12.36	12.28	12.20	12.12	12.04	9.63	9.55	9.47	9.39	9.31	9.23	9.15
306.01	308.00	13.00	12.64	12.56	12.47	12.39	12.31	12.23	12.15	9.71	9.63	9.55	9.47	9.39	9.31	9.23
308.01	310.00	13.12	12.76	12.68	12.59	12.51	12.43	12.35	12.27	9.79	9.71	9.63	9.55	9.47	9.39	9.31
310.01	312.00	13.22	12.86	12.78	12.69	12.61	12.53	12.45	12.37	9.87	9.79	9.71	9.63	9.55	9.47	9.39
312.01	314.00	13.33	12.97	12.89	12.80	12.72	12.64	12.56	12.48	9.95	9.87	9.79	9.71	9.63	9.55	9.47
314.01	316.00	13.44	13.08	13.00	12.91	12.83	12.75	12.67	12.59	10.03	9.95	9.87	9.79	9.71	9.63	9.55
316.01	318.00	13.56	13.20	13.12	13.03	12.95	12.87	12.79	12.71	10.10	10.02	9.94	9.86	9.78	9.70	9.62
318.01	320.00	13.67	13.31	13.23	13.14	13.06	12.98	12.90	12.82	10.19	10.11	10.03	9.95	9.87	9.79	9.71
320.01	322.00	13.77	13.41	13.33	13.24	13.16	13.08	13.00	12.92	10.26	10.18	10.10	10.02	9.94	9.86	9.78
322.01	324.00	13.89	13.53	13.45	13.36	13.28	13.20	13.12	13.04	10.35	10.27	10.19	10.11	10.03	9.95	9.87
324.01	326.00	14.00	13.64	13.56	13.47	13.39	13.31	13.23	13.15	10.42	10.34	10.26	10.18	10.10	10.02	9.94
326.01	328.00	14.11	13.75	13.67	13.58	13.50	13.42	13.34	13.26	10.50	10.42	10.34	10.26	10.18	10.10	10.02
328.01	330.00	14.23	13.87	13.79	13.70	13.62	13.54	13.46	13.38	10.58	10.50	10.42	10.34	10.26	10.18	10.10
330.01	332.00	14.33	13.97	13.89	13.80	13.72	13.64	13.56	13.48	10.66	10.58	10.50	10.42	10.34	10.26	10.18
332.01	334.00	14.44	14.08	14.00	13.91	13.83	13.75	13.67	13.59	10.74	10.66	10.58	10.50	10.42	10.34	10.26
334.01	336.00	14.55	14.19	14.11	14.02	13.94	13.86	13.78	13.70	10.82	10.74	10.66	10.58	10.50	10.42	10.34
336.01	338.00	14.67	14.31	14.23	14.14	14.06	13.98	13.90	13.82	10.89	10.81	10.73	10.65	10.57	10.49	10.41
338.01	340.00	14.78	14.42	14.34	14.25	14.17	14.09	14.01	13.93	10.98	10.90	10.82	10.74	10.66	10.58	10.50
340.01	342.00	14.88	14.52	14.44	14.35	14.27	14.19	14.11	14.03	11.05	10.97	10.89	10.81	10.73	10.65	10.57
342.01	344.00	15.00	14.64	14.56	14.47	14.39	14.31	14.23	14.15	11.14	11.06	10.98	10.90	10.82	10.74	10.66
344.01	346.00	15.11	14.75	14.67	14.58	14.50	14.42	14.34	14.26	11.21	11.13	11.05	10.97	10.89	10.81	10.73
346.01	348.00	15.22	14.86	14.78	14.69	14.61	14.53	14.45	14.37	11.29	11.21	11.13	11.05	10.97	10.89	10.81
348.01	350.00	15.34	14.98	14.90	14.81	14.73	14.65	14.57	14.49	11.37	11.29	11.21	11.13	11.05	10.97	10.89
350.01	352.00	15.44	15.08	15.00	14.91	14.83	14.75	14.67	14.59	11.45	11.37	11.29	11.21	11.13	11.05	10.97

Daily Louisiana Income Tax Withholding Table																					
Exemptions:	0		1						2												
Dependents:	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6						
Salary Range:																					
Min	Max																				
352.01	354.00	15.55	15.19	15.11	15.02	14.94	14.86	14.78	14.70	11.53	11.45	11.37	11.29	11.21	11.13	11.05					
354.01	356.00	15.66	15.30	15.22	15.13	15.05	14.97	14.89	14.81	11.61	11.53	11.45	11.37	11.29	11.21	11.13					
356.01	358.00	15.78	15.42	15.34	15.25	15.17	15.09	15.01	14.93	11.68	11.60	11.52	11.44	11.36	11.28	11.20					
358.01	360.00	15.89	15.53	15.45	15.36	15.28	15.20	15.12	15.04	11.77	11.69	11.61	11.53	11.45	11.37	11.29					
360.01	362.00	15.99	15.63	15.55	15.46	15.38	15.30	15.22	15.14	11.84	11.76	11.68	11.60	11.52	11.44	11.36					
362.01	364.00	16.11	15.75	15.67	15.58	15.50	15.42	15.34	15.26	11.93	11.85	11.77	11.69	11.61	11.53	11.45					
364.01	366.00	16.22	15.86	15.78	15.69	15.61	15.53	15.45	15.37	12.00	11.92	11.84	11.76	11.68	11.60	11.52					
366.01	368.00	16.33	15.97	15.89	15.80	15.72	15.64	15.56	15.48	12.08	12.00	11.92	11.84	11.76	11.68	11.60					
368.01	370.00	16.45	16.09	16.01	15.92	15.84	15.76	15.68	15.60	12.16	12.08	12.00	11.92	11.84	11.76	11.68					
370.01	372.00	16.55	16.19	16.11	16.02	15.94	15.86	15.78	15.70	12.24	12.16	12.08	12.00	11.92	11.84	11.76					
372.01	374.00	16.66	16.30	16.22	16.13	16.05	15.97	15.89	15.81	12.32	12.24	12.16	12.08	12.00	11.92	11.84					
374.01	376.00	16.77	16.41	16.33	16.24	16.16	16.08	16.00	15.92	12.40	12.32	12.24	12.16	12.08	12.00	11.92					
376.01	378.00	16.89	16.53	16.45	16.36	16.28	16.20	16.12	16.04	12.47	12.39	12.31	12.23	12.15	12.07	11.99					
378.01	380.00	17.00	16.64	16.56	16.47	16.39	16.31	16.23	16.15	12.56	12.48	12.40	12.32	12.24	12.16	12.08					
380.01	382.00	17.10	16.74	16.66	16.57	16.49	16.41	16.33	16.25	12.63	12.55	12.47	12.39	12.31	12.23	12.15					
382.01	384.00	17.22	16.86	16.78	16.69	16.61	16.53	16.45	16.37	12.72	12.64	12.56	12.48	12.40	12.32	12.24					
384.01	386.00	17.33	16.97	16.89	16.80	16.72	16.64	16.56	16.48	12.80	12.72	12.64	12.56	12.48	12.40	12.32					
										(Add 5.55% for amounts in excess of \$386)						(Add 5.64% for amounts in excess of \$386)					

Weekly Louisiana Income Tax Withholding Table																
Exemptions:	0		1						2							
Dependents:	0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																
Min	Max															
-	50.00	2.1%								2.2%						
50.01	70.00	1.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
70.01	90.00	1.68	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
90.01	110.00	2.10	0.28	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
110.01	130.00	2.52	0.70	0.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
130.01	150.00	2.94	1.12	0.72	0.31	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
150.01	170.00	3.36	1.54	1.14	0.73	0.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
170.01	190.00	3.78	1.96	1.56	1.15	0.75	0.35	0.00	0.00	0.33	0.00	0.00	0.00	0.00	0.00	0.00
190.01	210.00	4.20	2.38	1.98	1.57	1.17	0.77	0.36	0.00	0.77	0.36	0.00	0.00	0.00	0.00	0.00
210.01	230.00	4.62	2.80	2.40	1.99	1.59	1.19	0.78	0.38	1.21	0.80	0.40	0.00	0.00	0.00	0.00
230.01	250.00	5.04	3.22	2.82	2.41	2.01	1.61	1.20	0.80	1.65	1.24	0.84	0.43	0.03	0.00	0.00
250.01	270.00	5.81	3.99	3.59	3.18	2.78	2.38	1.97	1.57	2.09	1.68	1.28	0.87	0.47	0.07	0.00
270.01	290.00	6.59	4.77	4.37	3.96	3.56	3.16	2.75	2.35	2.53	2.12	1.72	1.31	0.91	0.51	0.10
290.01	310.00	7.37	5.55	5.15	4.74	4.34	3.94	3.53	3.13	2.97	2.56	2.16	1.75	1.35	0.95	0.54
310.01	330.00	8.15	6.33	5.93	5.52	5.12	4.72	4.31	3.91	3.41	3.00	2.60	2.19	1.79	1.39	0.98
330.01	350.00	8.93	7.11	6.71	6.30	5.90	5.50	5.09	4.69	3.85	3.44	3.04	2.63	2.23	1.83	1.42
350.01	370.00	9.71	7.89	7.49	7.08	6.68	6.28	5.87	5.47	4.29	3.88	3.48	3.07	2.67	2.27	1.86
370.01	390.00	10.49	8.67	8.27	7.86	7.46	7.06	6.65	6.25	4.73	4.32	3.92	3.51	3.11	2.71	2.30
390.01	410.00	11.27	9.45	9.05	8.64	8.24	7.84	7.43	7.03	5.17	4.76	4.36	3.95	3.55	3.15	2.74
410.01	430.00	12.05	10.23	9.83	9.42	9.02	8.62	8.21	7.81	5.61	5.20	4.80	4.39	3.99	3.59	3.18
430.01	450.00	12.83	11.01	10.61	10.20	9.80	9.40	8.99	8.59	6.05	5.64	5.24	4.83	4.43	4.03	3.62
450.01	470.00	13.61	11.79	11.39	10.98	10.58	10.18	9.77	9.37	6.49	6.08	5.68	5.27	4.87	4.47	4.06
470.01	490.00	14.39	12.57	12.17	11.76	11.36	10.96	10.55	10.15	6.93	6.52	6.12	5.71	5.31	4.91	4.50
490.01	510.00	15.17	13.35	12.95	12.54	12.14	11.74	11.33	10.93	7.71	7.30	6.90	6.49	6.09	5.69	5.28
510.01	530.00	15.95	14.13	13.73	13.32	12.92	12.52	12.11	11.71	8.50	8.09	7.69	7.28	6.88	6.48	6.07
530.01	550.00	16.73	14.91	14.51	14.10	13.70	13.30	12.89	12.49	9.29	8.88	8.48	8.07	7.67	7.27	6.86
550.01	570.00	17.51	15.69	15.29	14.88	14.48	14.08	13.67	13.27	10.08	9.67	9.27	8.86	8.46	8.06	7.65
570.01	590.00	18.29	16.47	16.07	15.66	15.26	14.86	14.45	14.05	10.87	10.46	10.06	9.65	9.25	8.85	8.44
590.01	610.00	19.07	17.25	16.85	16.44	16.04	15.64	15.23	14.83	11.66	11.25	10.85	10.44	10.04	9.64	9.23
610.01	630.00	19.85	18.03	17.63	17.22	16.82	16.42	16.01	15.61	12.45	12.04	11.64	11.23	10.83	10.43	10.02
630.01	650.00	20.63	18.81	18.41	18.00	17.60	17.20	16.79	16.39	13.24	12.83	12.43	12.02	11.62	11.22	10.81
650.01	670.00	21.41	19.59	19.19	18.78	18.38	17.98	17.57	17.17	14.03	13.62	13.22	12.81	12.41	12.01	11.60
670.01	690.00	22.19	20.37	19.97	19.56	19.16	18.76	18.35	17.95	14.82	14.41	14.01	13.60	13.20	12.80	12.39
690.01	710.00	22.97	21.15	20.75	20.34	19.94	19.54	19.13	18.73	15.61	15.20	14.80	14.39	13.99	13.59	13.18
710.01	730.00	23.75	21.93	21.53	21.12	20.72	20.32	19.91	19.51	16.40	15.99	15.59	15.18	14.78	14.38	13.97
730.01	750.00	24.53	22.71	22.31	21.90	21.50	21.10	20.69	20.29	17.19	16.78	16.38	15.97	15.57	15.17	14.76
750.01	770.00	25.31	23.49	23.09	22.68	22.28	21.88	21.47	21.07	17.98	17.57	17.17	16.76	16.36	15.96	15.55
770.01	790.00	26.09	24.27	23.87	23.46	23.06	22.66	22.25	21.85	18.77	18.36	17.96	17.55	17.15	16.75	16.34
790.01	810.00	26.87	25.05	24.65	24.24	23.84	23.44	23.03	22.63	19.56	19.15	18.75	18.34	17.94	17.54	17.13
810.01	830.00	27.65	25.83	25.43	25.02	24.62	24.22	23.81	23.41	20.35	19.94	19.54	19.13	18.73	18.33	17.92

Weekly Louisiana Income Tax Withholding Table																					
Exemptions:		0		1						2											
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6					
Salary Range:																					
Min	Max																				
830.01	850.00	28.43	26.61	26.21	25.80	25.40	25.00	24.59	24.19	21.14	20.73	20.33	19.92	19.52	19.12	18.71					
850.01	870.00	29.21	27.39	26.99	26.58	26.18	25.78	25.37	24.97	21.93	21.52	21.12	20.71	20.31	19.91	19.50					
870.01	890.00	29.99	28.17	27.77	27.36	26.96	26.56	26.15	25.75	22.72	22.31	21.91	21.50	21.10	20.70	20.29					
890.01	910.00	30.77	28.95	28.55	28.14	27.74	27.34	26.93	26.53	23.51	23.10	22.70	22.29	21.89	21.49	21.08					
910.01	930.00	31.55	29.73	29.33	28.92	28.52	28.12	27.71	27.31	24.30	23.89	23.49	23.08	22.68	22.28	21.87					
930.01	950.00	32.33	30.51	30.11	29.70	29.30	28.90	28.49	28.09	25.09	24.68	24.28	23.87	23.47	23.07	22.66					
950.01	970.00	33.11	31.29	30.89	30.48	30.08	29.68	29.27	28.87	25.88	25.47	25.07	24.66	24.26	23.86	23.45					
970.01	990.00	34.19	32.37	31.97	31.56	31.16	30.76	30.35	29.95	26.67	26.26	25.86	25.45	25.05	24.65	24.24					
990.01	1,010.00	35.30	33.48	33.08	32.67	32.27	31.87	31.46	31.06	27.46	27.05	26.65	26.24	25.84	25.44	25.03					
1,010.01	1,030.00	36.41	34.59	34.19	33.78	33.38	32.98	32.57	32.17	28.25	27.84	27.44	27.03	26.63	26.23	25.82					
1,030.01	1,050.00	37.52	35.70	35.30	34.89	34.49	34.09	33.68	33.28	29.04	28.63	28.23	27.82	27.42	27.02	26.61					
1,050.01	1,070.00	38.63	36.81	36.41	36.00	35.60	35.20	34.79	34.39	29.83	29.42	29.02	28.61	28.21	27.81	27.40					
1,070.01	1,090.00	39.74	37.92	37.52	37.11	36.71	36.31	35.90	35.50	30.62	30.21	29.81	29.40	29.00	28.60	28.19					
1,090.01	1,110.00	40.85	39.03	38.63	38.22	37.82	37.42	37.01	36.61	31.41	31.00	30.60	30.19	29.79	29.39	28.98					
1,110.01	1,130.00	41.96	40.14	39.74	39.33	38.93	38.53	38.12	37.72	32.20	31.79	31.39	30.98	30.58	30.18	29.77					
1,130.01	1,150.00	43.07	41.25	40.85	40.44	40.04	39.64	39.23	38.83	32.99	32.58	32.18	31.77	31.37	30.97	30.56					
1,150.01	1,170.00	44.18	42.36	41.96	41.55	41.15	40.75	40.34	39.94	33.78	33.37	32.97	32.56	32.16	31.76	31.35					
1,170.01	1,190.00	45.29	43.47	43.07	42.66	42.26	41.86	41.45	41.05	34.57	34.16	33.76	33.35	32.95	32.55	32.14					
1,190.01	1,210.00	46.40	44.58	44.18	43.77	43.37	42.97	42.56	42.16	35.36	34.95	34.55	34.14	33.74	33.34	32.93					
1,210.01	1,230.00	47.51	45.69	45.29	44.88	44.48	44.08	43.67	43.27	36.15	35.74	35.34	34.93	34.53	34.13	33.72					
1,230.01	1,250.00	48.62	46.80	46.40	45.99	45.59	45.19	44.78	44.38	36.94	36.53	36.13	35.72	35.32	34.92	34.51					
1,250.01	1,270.00	49.73	47.91	47.51	47.10	46.70	46.30	45.89	45.49	37.73	37.32	36.92	36.51	36.11	35.71	35.30					
1,270.01	1,290.00	50.84	49.02	48.62	48.21	47.81	47.41	47.00	46.60	38.52	38.11	37.71	37.30	36.90	36.50	36.09					
1,290.01	1,310.00	51.95	50.13	49.73	49.32	48.92	48.52	48.11	47.71	39.31	38.90	38.50	38.09	37.69	37.29	36.88					
1,310.01	1,330.00	53.06	51.24	50.84	50.43	50.03	49.63	49.22	48.82	40.10	39.69	39.29	38.88	38.48	38.08	37.67					
1,330.01	1,350.00	54.17	52.35	51.95	51.54	51.14	50.74	50.33	49.93	40.89	40.48	40.08	39.67	39.27	38.87	38.46					
1,350.01	1,370.00	55.28	53.46	53.06	52.65	52.25	51.85	51.44	51.04	41.68	41.27	40.87	40.46	40.06	39.66	39.25					
1,370.01	1,390.00	56.39	54.57	54.17	53.76	53.36	52.96	52.55	52.15	42.47	42.06	41.66	41.25	40.85	40.45	40.04					
1,390.01	1,410.00	57.50	55.68	55.28	54.87	54.47	54.07	53.66	53.26	43.26	42.85	42.45	42.04	41.64	41.24	40.83					
1,410.01	1,430.00	58.61	56.79	56.39	55.98	55.58	55.18	54.77	54.37	44.05	43.64	43.24	42.83	42.43	42.03	41.62					
1,430.01	1,450.00	59.72	57.90	57.50	57.09	56.69	56.29	55.88	55.48	44.84	44.43	44.03	43.62	43.22	42.82	42.41					
1,450.01	1,470.00	60.83	59.01	58.61	58.20	57.80	57.40	56.99	56.59	45.63	45.22	44.82	44.41	44.01	43.61	43.20					
1,470.01	1,490.00	61.94	60.12	59.72	59.31	58.91	58.51	58.10	57.70	46.42	46.01	45.61	45.20	44.80	44.40	43.99					
1,490.01	1,510.00	63.05	61.23	60.83	60.42	60.02	59.62	59.21	58.81	47.21	46.80	46.40	45.99	45.59	45.19	44.78					
1,510.01	1,530.00	64.16	62.34	61.94	61.53	61.13	60.73	60.32	59.92	48.00	47.59	47.19	46.78	46.38	45.98	45.57					
1,530.01	1,550.00	65.27	63.45	63.05	62.64	62.24	61.84	61.43	61.03	48.79	48.38	47.98	47.57	47.17	46.77	46.36					
1,550.01	1,570.00	66.38	64.56	64.16	63.75	63.35	62.95	62.54	62.14	49.58	49.17	48.77	48.36	47.96	47.56	47.15					
1,570.01	1,590.00	67.49	65.67	65.27	64.86	64.46	64.06	63.65	63.25	50.37	49.96	49.56	49.15	48.75	48.35	47.94					
1,590.01	1,610.00	68.60	66.78	66.38	65.97	65.57	65.17	64.76	64.36	51.16	50.75	50.35	49.94	49.54	49.14	48.73					
1,610.01	1,630.00	69.71	67.89	67.49	67.08	66.68	66.28	65.87	65.47	51.95	51.54	51.14	50.73	50.33	49.93	49.52					
1,630.01	1,650.00	70.82	69.00	68.60	68.19	67.79	67.39	66.98	66.58	52.74	52.33	51.93	51.52	51.12	50.72	50.31					
1,650.01	1,670.00	71.93	70.11	69.71	69.30	68.90	68.50	68.09	67.69	53.53	53.12	52.72	52.31	51.91	51.51	51.10					
1,670.01	1,690.00	73.04	71.22	70.82	70.41	70.01	69.61	69.20	68.80	54.32	53.91	53.51	53.10	52.70	52.30	51.89					
1,690.01	1,710.00	74.15	72.33	71.93	71.52	71.12	70.72	70.31	69.91	55.11	54.70	54.30	53.89	53.49	53.09	52.68					
1,710.01	1,730.00	75.26	73.44	73.04	72.63	72.23	71.83	71.42	71.02	55.90	55.49	55.09	54.68	54.28	53.88	53.47					
1,730.01	1,750.00	76.37	74.55	74.15	73.74	73.34	72.94	72.53	72.13	56.69	56.28	55.88	55.47	55.07	54.67	54.26					
1,750.01	1,770.00	77.48	75.66	75.26	74.85	74.45	74.05	73.64	73.24	57.48	57.07	56.67	56.26	55.86	55.46	55.05					
1,770.01	1,790.00	78.59	76.77	76.37	75.96	75.56	75.16	74.75	74.35	58.27	57.86	57.46	57.05	56.65	56.25	55.84					
1,790.01	1,810.00	79.70	77.88	77.48	77.07	76.67	76.27	75.86	75.46	59.06	58.65	58.25	57.84	57.44	57.04	56.63					
1,810.01	1,830.00	80.81	78.99	78.59	78.18	77.78	77.38	76.97	76.57	59.85	59.44	59.04	58.63	58.23	57.83	57.42					
1,830.01	1,850.00	81.92	80.10	79.70	79.29	78.89	78.49	78.08	77.68	60.64	60.23	59.83	59.42	59.02	58.62	58.21					
1,850.01	1,870.00	83.03	81.21	80.81	80.40	80.00	79.60	79.19	78.79	61.43	61.02	60.62	60.21	59.81	59.41	59.00					
1,870.01	1,890.00	84.14	82.32	81.92	81.51	81.11	80.71	80.30	79.90	62.22	61.81	61.41	61.00	60.60	60.20	59.79					
1,890.01	1,910.00	85.25	83.43	83.03	82.62	82.22	81.82	81.41	81.01	63.01	62.60	62.20	61.79	61.39	60.99	60.58					
1,910.01	1,930.00	86.36	84.54	84.14	83.73	83.33	82.93	82.52	82.12	63.80	63.39	62.99	62.58	62.18	61.78	61.37					
1,930.01	1,950.00	87.47	85.65	85.25	84.84	84.44	84.04	83.63	83.23	64.88	64.47	64.07	63.66	63.26	62.86	62.45					
										(Add 5.55% for amounts in excess of \$1,950)						(Add 5.64% for amounts in excess of \$1,950)					

Biweekly Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																	
Min	Max																
-	100.00	2.1%								2.2%							

Biweekly Louisiana Income Tax Withholding Table

Exemptions:		1								2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
100.01	140.00	2.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
140.01	180.00	3.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
180.01	220.00	4.20	0.57	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
220.01	260.00	5.04	1.41	0.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
260.01	300.00	5.88	2.25	1.44	0.63	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300.01	340.00	6.72	3.09	2.28	1.47	0.66	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
340.01	380.00	7.56	3.93	3.12	2.31	1.50	0.69	0.00	0.00	0.65	0.00	0.00	0.00	0.00	0.00	0.00
380.01	420.00	8.40	4.77	3.96	3.15	2.34	1.53	0.73	0.00	1.53	0.72	0.00	0.00	0.00	0.00	0.00
420.01	460.00	9.24	5.61	4.80	3.99	3.18	2.37	1.57	0.76	2.41	1.60	0.80	0.00	0.00	0.00	0.00
460.01	500.00	10.08	6.45	5.64	4.83	4.02	3.21	2.41	1.60	3.29	2.48	1.68	0.87	0.06	0.00	0.00
500.01	540.00	11.63	8.00	7.19	6.38	5.57	4.76	3.96	3.15	4.17	3.36	2.56	1.75	0.94	0.13	0.00
540.01	580.00	13.19	9.56	8.75	7.94	7.13	6.32	5.52	4.71	5.05	4.24	3.44	2.63	1.82	1.01	0.20
580.01	620.00	14.75	11.12	10.31	9.50	8.69	7.88	7.08	6.27	5.93	5.12	4.32	3.51	2.70	1.89	1.08
620.01	660.00	16.31	12.68	11.87	11.06	10.25	9.44	8.64	7.83	6.81	6.00	5.20	4.39	3.58	2.77	1.96
660.01	700.00	17.87	14.24	13.43	12.62	11.81	11.00	10.20	9.39	7.69	6.88	6.08	5.27	4.46	3.65	2.84
700.01	740.00	19.43	15.80	14.99	14.18	13.37	12.56	11.76	10.95	8.57	7.76	6.96	6.15	5.34	4.53	3.72
740.01	780.00	20.99	17.36	16.55	15.74	14.93	14.12	13.32	12.51	9.45	8.64	7.84	7.03	6.22	5.41	4.60
780.01	820.00	22.55	18.92	18.11	17.30	16.49	15.68	14.88	14.07	10.33	9.52	8.72	7.91	7.10	6.29	5.48
820.01	860.00	24.11	20.48	19.67	18.86	18.05	17.24	16.44	15.63	11.21	10.40	9.60	8.79	7.98	7.17	6.36
860.01	900.00	25.67	22.04	21.23	20.42	19.61	18.80	18.00	17.19	12.09	11.28	10.48	9.67	8.86	8.05	7.24
900.01	940.00	27.23	23.60	22.79	21.98	21.17	20.36	19.56	18.75	12.97	12.16	11.36	10.55	9.74	8.93	8.12
940.01	980.00	28.79	25.16	24.35	23.54	22.73	21.92	21.12	20.31	13.85	13.04	12.24	11.43	10.62	9.81	9.00
980.01	1,020.00	30.35	26.72	25.91	25.10	24.29	23.48	22.68	21.87	15.40	14.59	13.79	12.98	12.17	11.36	10.55
1,020.01	1,060.00	31.91	28.28	27.47	26.66	25.85	25.04	24.24	23.43	16.98	16.17	15.37	14.56	13.75	12.94	12.13
1,060.01	1,100.00	33.47	29.84	29.03	28.22	27.41	26.60	25.80	24.99	18.56	17.75	16.95	16.14	15.33	14.52	13.71
1,100.01	1,140.00	35.03	31.40	30.59	29.78	28.97	28.16	27.36	26.55	20.14	19.33	18.53	17.72	16.91	16.10	15.29
1,140.01	1,180.00	36.59	32.96	32.15	31.34	30.53	29.72	28.92	28.11	21.72	20.91	20.11	19.30	18.49	17.68	16.87
1,180.01	1,220.00	38.15	34.52	33.71	32.90	32.09	31.28	30.48	29.67	23.30	22.49	21.69	20.88	20.07	19.26	18.45
1,220.01	1,260.00	39.71	36.08	35.27	34.46	33.65	32.84	32.04	31.23	24.88	24.07	23.27	22.46	21.65	20.84	20.03
1,260.01	1,300.00	41.27	37.64	36.83	36.02	35.21	34.40	33.60	32.79	26.46	25.65	24.85	24.04	23.23	22.42	21.61
1,300.01	1,340.00	42.83	39.20	38.39	37.58	36.77	35.96	35.16	34.35	28.04	27.23	26.43	25.62	24.81	24.00	23.19
1,340.01	1,380.00	44.39	40.76	39.95	39.14	38.33	37.52	36.72	35.91	29.62	28.81	28.01	27.20	26.39	25.58	24.77
1,380.01	1,420.00	45.95	42.32	41.51	40.70	39.89	39.08	38.28	37.47	31.20	30.39	29.59	28.78	27.97	27.16	26.35
1,420.01	1,460.00	47.51	43.88	43.07	42.26	41.45	40.64	39.84	39.03	32.78	31.97	31.17	30.36	29.55	28.74	27.93
1,460.01	1,500.00	49.07	45.44	44.63	43.82	43.01	42.20	41.40	40.59	34.36	33.55	32.75	31.94	31.13	30.32	29.51
1,500.01	1,540.00	50.63	47.00	46.19	45.38	44.57	43.76	42.96	42.15	35.94	35.13	34.33	33.52	32.71	31.90	31.09
1,540.01	1,580.00	52.19	48.56	47.75	46.94	46.13	45.32	44.52	43.71	37.52	36.71	35.91	35.10	34.29	33.48	32.67
1,580.01	1,620.00	53.75	50.12	49.31	48.50	47.69	46.88	46.08	45.27	39.10	38.29	37.49	36.68	35.87	35.06	34.25
1,620.01	1,660.00	55.31	51.68	50.87	50.06	49.25	48.44	47.64	46.83	40.68	39.87	39.07	38.26	37.45	36.64	35.83
1,660.01	1,700.00	56.87	53.24	52.43	51.62	50.81	50.00	49.20	48.39	42.26	41.45	40.65	39.84	39.03	38.22	37.41
1,700.01	1,740.00	58.43	54.80	53.99	53.18	52.37	51.56	50.76	49.95	43.84	43.03	42.23	41.42	40.61	39.80	38.99
1,740.01	1,780.00	59.99	56.36	55.55	54.74	53.93	53.12	52.32	51.51	45.42	44.61	43.81	43.00	42.19	41.38	40.57
1,780.01	1,820.00	61.55	57.92	57.11	56.30	55.49	54.68	53.88	53.07	47.00	46.19	45.39	44.58	43.77	42.96	42.15
1,820.01	1,860.00	63.11	59.48	58.67	57.86	57.05	56.24	55.44	54.63	48.58	47.77	46.97	46.16	45.35	44.54	43.73
1,860.01	1,900.00	64.67	61.04	60.23	59.42	58.61	57.80	57.00	56.19	50.16	49.35	48.55	47.74	46.93	46.12	45.31
1,900.01	1,940.00	66.23	62.60	61.79	60.98	60.17	59.36	58.56	57.75	51.74	50.93	50.13	49.32	48.51	47.70	46.89
1,940.01	1,980.00	68.40	64.77	63.96	63.15	62.34	61.53	60.73	59.92	53.32	52.51	51.71	50.90	50.09	49.28	48.47
1,980.01	2,020.00	70.62	66.99	66.18	65.37	64.56	63.75	62.95	62.14	54.90	54.09	53.29	52.48	51.67	50.86	50.05
2,020.01	2,060.00	72.84	69.21	68.40	67.59	66.78	65.97	65.17	64.36	56.48	55.67	54.87	54.06	53.25	52.44	51.63
2,060.01	2,100.00	75.06	71.43	70.62	69.81	69.00	68.19	67.39	66.58	58.06	57.25	56.45	55.64	54.83	54.02	53.21
2,100.01	2,140.00	77.28	73.65	72.84	72.03	71.22	70.41	69.61	68.80	59.64	58.83	58.03	57.22	56.41	55.60	54.79
2,140.01	2,180.00	79.50	75.87	75.06	74.25	73.44	72.63	71.83	71.02	61.22	60.41	59.61	58.80	57.99	57.18	56.37
2,180.01	2,220.00	81.72	78.09	77.28	76.47	75.66	74.85	74.05	73.24	62.80	61.99	61.19	60.38	59.57	58.76	57.95
2,220.01	2,260.00	83.94	80.31	79.50	78.69	77.88	77.07	76.27	75.46	64.38	63.57	62.77	61.96	61.15	60.34	59.53
2,260.01	2,300.00	86.16	82.53	81.72	80.91	80.10	79.29	78.49	77.68	65.96	65.15	64.35	63.54	62.73	61.92	61.11
2,300.01	2,340.00	88.38	84.75	83.94	83.13	82.32	81.51	80.71	79.90	67.54	66.73	65.93	65.12	64.31	63.50	62.69
2,340.01	2,380.00	90.60	86.97	86.16	85.35	84.54	83.73	82.93	82.12	69.12	68.31	67.51	66.70	65.89	65.08	64.27
2,380.01	2,420.00	92.82	89.19	88.38	87.57	86.76	85.95	85.15	84.34	70.70	69.89	69.09	68.28	67.47	66.66	65.85
2,420.01	2,460.00	95.04	91.41	90.60	89.79	88.98	88.17	87.37	86.56	72.28	71.47	70.67	69.86	69.05	68.24	67.43
2,460.01	2,500.00	97.26	93.63	92.82	92.01	91.20	90.39	89.59	88.78	73.86	73.05	72.25	71.44	70.63	69.82	69.01
2,500.01	2,540.00	99.48	95.85	95.04	94.23	93.42	92.61	91.81	91.00	75.44	74.63	73.83	73.02	72.21	71.40	70.59
2,540.01	2,580.00	101.70	98.07	97.26	96.45	95.64	94.83	94.03	93.22	77.02	76.21	75.41	74.60	73.79	72.98	72.17
2,580.01	2,620.00	103.92	100.29	99.48	98.67	97.86	97.05	96.25	95.44	78.60	77.79	76.99	76.18	75.37	74.56	73.75

Biweekly Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																	
Min	Max																
2,620.01	2,660.00	106.14	102.51	101.70	100.89	100.08	99.27	98.47	97.66	80.18	79.37	78.57	77.76	76.95	76.14	75.33	
2,660.01	2,700.00	108.36	104.73	103.92	103.11	102.30	101.49	100.69	99.88	81.76	80.95	80.15	79.34	78.53	77.72	76.91	
2,700.01	2,740.00	110.58	106.95	106.14	105.33	104.52	103.71	102.91	102.10	83.34	82.53	81.73	80.92	80.11	79.30	78.49	
2,740.01	2,780.00	112.80	109.17	108.36	107.55	106.74	105.93	105.13	104.32	84.92	84.11	83.31	82.50	81.69	80.88	80.07	
2,780.01	2,820.00	115.02	111.39	110.58	109.77	108.96	108.15	107.35	106.54	86.50	85.69	84.89	84.08	83.27	82.46	81.65	
2,820.01	2,860.00	117.24	113.61	112.80	111.99	111.18	110.37	109.57	108.76	88.08	87.27	86.47	85.66	84.85	84.04	83.23	
2,860.01	2,900.00	119.46	115.83	115.02	114.21	113.40	112.59	111.79	110.98	89.66	88.85	88.05	87.24	86.43	85.62	84.81	
2,900.01	2,940.00	121.68	118.05	117.24	116.43	115.62	114.81	114.01	113.20	91.24	90.43	89.63	88.82	88.01	87.20	86.39	
2,940.01	2,980.00	123.90	120.27	119.46	118.65	117.84	117.03	116.23	115.42	92.82	92.01	91.21	90.40	89.59	88.78	87.97	
2,980.01	3,020.00	126.12	122.49	121.68	120.87	120.06	119.25	118.45	117.64	94.40	93.59	92.79	91.98	91.17	90.36	89.55	
3,020.01	3,060.00	128.34	124.71	123.90	123.09	122.28	121.47	120.67	119.86	95.98	95.17	94.37	93.56	92.75	91.94	91.13	
3,060.01	3,100.00	130.56	126.93	126.12	125.31	124.50	123.69	122.89	122.08	97.56	96.75	95.95	95.14	94.33	93.52	92.71	
3,100.01	3,140.00	132.78	129.15	128.34	127.53	126.72	125.91	125.11	124.30	99.14	98.33	97.53	96.72	95.91	95.10	94.29	
3,140.01	3,180.00	135.00	131.37	130.56	129.75	128.94	128.13	127.33	126.52	100.72	99.91	99.11	98.30	97.49	96.68	95.87	
3,180.01	3,220.00	137.22	133.59	132.78	131.97	131.16	130.35	129.55	128.74	102.30	101.49	100.69	99.88	99.07	98.26	97.45	
3,220.01	3,260.00	139.44	135.81	135.00	134.19	133.38	132.57	131.77	130.96	103.88	103.07	102.27	101.46	100.65	99.84	99.03	
3,260.01	3,300.00	141.66	138.03	137.22	136.41	135.60	134.79	133.99	133.18	105.46	104.65	103.85	103.04	102.23	101.42	100.61	
3,300.01	3,340.00	143.88	140.25	139.44	138.63	137.82	137.01	136.21	135.40	107.04	106.23	105.43	104.62	103.81	103.00	102.19	
3,340.01	3,380.00	146.10	142.47	141.66	140.85	140.04	139.23	138.43	137.62	108.62	107.81	107.01	106.20	105.39	104.58	103.77	
3,380.01	3,420.00	148.32	144.69	143.88	143.07	142.26	141.45	140.65	139.84	110.20	109.39	108.59	107.78	106.97	106.16	105.35	
3,420.01	3,460.00	150.54	146.91	146.10	145.29	144.48	143.67	142.87	142.06	111.78	110.97	110.17	109.36	108.55	107.74	106.93	
3,460.01	3,500.00	152.76	149.13	148.32	147.51	146.70	145.89	145.09	144.28	113.36	112.55	111.75	110.94	110.13	109.32	108.51	
3,500.01	3,540.00	154.98	151.35	150.54	149.73	148.92	148.11	147.31	146.50	114.94	114.13	113.33	112.52	111.71	110.90	110.09	
3,540.01	3,580.00	157.20	153.57	152.76	151.95	151.14	150.33	149.53	148.72	116.52	115.71	114.91	114.10	113.29	112.48	111.67	
3,580.01	3,620.00	159.42	155.79	154.98	154.17	153.36	152.55	151.75	150.94	118.10	117.29	116.49	115.68	114.87	114.06	113.25	
3,620.01	3,660.00	161.64	158.01	157.20	156.39	155.58	154.77	153.97	153.16	119.68	118.87	118.07	117.26	116.45	115.64	114.83	
3,660.01	3,700.00	163.86	160.23	159.42	158.61	157.80	156.99	156.19	155.38	121.26	120.45	119.65	118.84	118.03	117.22	116.41	
3,700.01	3,740.00	166.08	162.45	161.64	160.83	160.02	159.21	158.41	157.60	122.84	122.03	121.23	120.42	119.61	118.80	117.99	
3,740.01	3,780.00	168.30	164.67	163.86	163.05	162.24	161.43	160.63	159.82	124.42	123.61	122.81	122.00	121.19	120.38	119.57	
3,780.01	3,820.00	170.52	166.89	166.08	165.27	164.46	163.65	162.85	162.04	126.00	125.19	124.39	123.58	122.77	121.96	121.15	
3,820.01	3,860.00	172.74	169.11	168.30	167.49	166.68	165.87	165.07	164.26	127.58	126.77	125.97	125.16	124.35	123.54	122.73	
3,860.01	3,900.00	174.96	171.33	170.52	169.71	168.90	168.09	167.29	166.48	129.17	128.36	127.55	126.74	125.93	125.12	124.31	
(Add 5.55% for amounts in excess of \$3,900)									(Add 5.64% for amounts in excess of \$3,900)								

Semimonthly Louisiana Income Tax Withholding Table																	
Exemptions		0		1						2							
Dependents		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																	
Min	Max																
-	100.00	2.1%								2.2%							
100.01	140.00	2.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
140.01	180.00	3.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
180.01	220.00	4.20	0.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
220.01	260.00	5.04	1.10	0.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
260.01	300.00	5.88	1.94	1.07	0.19	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
300.01	340.00	6.72	2.78	1.91	1.03	0.16	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
340.01	380.00	7.56	3.62	2.75	1.87	1.00	0.12	0.00	0.00	0.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00
380.01	420.00	8.40	4.46	3.59	2.71	1.84	0.96	0.09	0.00	0.92	0.05	0.00	0.00	0.00	0.00	0.00	0.00
420.01	460.00	9.24	5.30	4.43	3.55	2.68	1.80	0.93	0.05	1.80	0.93	0.05	0.00	0.00	0.00	0.00	0.00
460.01	500.00	10.08	6.14	5.27	4.39	3.52	2.64	1.77	0.89	2.68	1.81	0.93	0.06	0.00	0.00	0.00	0.00
500.01	540.00	10.92	6.98	6.11	5.23	4.36	3.48	2.61	1.73	3.56	2.69	1.81	0.94	0.06	0.00	0.00	0.00
540.01	580.00	12.46	8.52	7.65	6.77	5.90	5.02	4.15	3.27	4.44	3.57	2.69	1.82	0.94	0.07	0.00	0.00
580.01	620.00	14.03	10.09	9.22	8.34	7.47	6.59	5.72	4.84	5.32	4.45	3.57	2.70	1.82	0.95	0.07	0.00
620.01	660.00	15.59	11.65	10.78	9.90	9.03	8.15	7.28	6.40	6.20	5.33	4.45	3.58	2.70	1.83	0.95	0.00
660.01	700.00	17.15	13.21	12.34	11.46	10.59	9.71	8.84	7.96	7.08	6.21	5.33	4.46	3.58	2.71	1.83	0.00
700.01	740.00	18.71	14.77	13.90	13.02	12.15	11.27	10.40	9.52	7.96	7.09	6.21	5.34	4.46	3.59	2.71	0.00
740.01	780.00	20.27	16.33	15.46	14.58	13.71	12.83	11.96	11.08	8.84	7.97	7.09	6.22	5.34	4.47	3.59	0.00
780.01	820.00	21.83	17.89	17.02	16.14	15.27	14.39	13.52	12.64	9.72	8.85	7.97	7.10	6.22	5.35	4.47	0.00
820.01	860.00	23.39	19.45	18.58	17.70	16.83	15.95	15.08	14.20	10.60	9.73	8.85	7.98	7.10	6.23	5.35	0.00
860.01	900.00	24.95	21.01	20.14	19.26	18.39	17.51	16.64	15.76	11.48	10.61	9.73	8.86	7.98	7.11	6.23	0.00
900.01	940.00	26.51	22.57	21.70	20.82	19.95	19.07	18.20	17.32	12.36	11.49	10.61	9.74	8.86	7.99	7.11	0.00
940.01	980.00	28.07	24.13	23.26	22.38	21.51	20.63	19.76	18.88	13.24	12.37	11.49	10.62	9.74	8.87	7.99	0.00
980.01	1,020.00	29.63	25.69	24.82	23.94	23.07	22.19	21.32	20.44	14.12	13.25	12.37	11.50	10.62	9.75	8.87	0.00

Semimonthly Louisiana Income Tax Withholding Table

Exemptions		0							1							2						
Dependents		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6						
Salary Range:																						
Min	Max																					
1,020.01	1,060.00	31.19	27.25	26.38	25.50	24.63	23.75	22.88	22.00	15.00	14.13	13.25	12.38	11.50	10.63	9.75						
1,060.01	1,100.00	32.75	28.81	27.94	27.06	26.19	25.31	24.44	23.56	16.55	15.68	14.80	13.93	13.05	12.18	11.30						
1,100.01	1,140.00	34.31	30.37	29.50	28.62	27.75	26.87	26.00	25.12	18.13	17.26	16.38	15.51	14.63	13.76	12.88						
1,140.01	1,180.00	35.87	31.93	31.06	30.18	29.31	28.43	27.56	26.68	19.71	18.84	17.96	17.09	16.21	15.34	14.46						
1,180.01	1,220.00	37.43	33.49	32.62	31.74	30.87	29.99	29.12	28.24	21.29	20.42	19.54	18.67	17.79	16.92	16.04						
1,220.01	1,260.00	38.99	35.05	34.18	33.30	32.43	31.55	30.68	29.80	22.87	22.00	21.12	20.25	19.37	18.50	17.62						
1,260.01	1,300.00	40.55	36.61	35.74	34.86	33.99	33.11	32.24	31.36	24.45	23.58	22.70	21.83	20.95	20.08	19.20						
1,300.01	1,340.00	42.11	38.17	37.30	36.42	35.55	34.67	33.80	32.92	26.03	25.16	24.28	23.41	22.53	21.66	20.78						
1,340.01	1,380.00	43.67	39.73	38.86	37.98	37.11	36.23	35.36	34.48	27.61	26.74	25.86	24.99	24.11	23.24	22.36						
1,380.01	1,420.00	45.23	41.29	40.42	39.54	38.67	37.79	36.92	36.04	29.19	28.32	27.44	26.57	25.69	24.82	23.94						
1,420.01	1,460.00	46.79	42.85	41.98	41.10	40.23	39.35	38.48	37.60	30.77	29.90	29.02	28.15	27.27	26.40	25.52						
1,460.01	1,500.00	48.35	44.41	43.54	42.66	41.79	40.91	40.04	39.16	32.35	31.48	30.60	29.73	28.85	27.98	27.10						
1,500.01	1,540.00	49.91	45.97	45.10	44.22	43.35	42.47	41.60	40.72	33.93	33.06	32.18	31.31	30.43	29.56	28.68						
1,540.01	1,580.00	51.47	47.53	46.66	45.78	44.91	44.03	43.16	42.28	35.51	34.64	33.76	32.89	32.01	31.14	30.26						
1,580.01	1,620.00	53.03	49.09	48.22	47.34	46.47	45.59	44.72	43.84	37.09	36.22	35.34	34.47	33.59	32.72	31.84						
1,620.01	1,660.00	54.59	50.65	49.78	48.90	48.03	47.15	46.28	45.40	38.67	37.80	36.92	36.05	35.17	34.30	33.42						
1,660.01	1,700.00	56.15	52.21	51.34	50.46	49.59	48.71	47.84	46.96	40.25	39.38	38.50	37.63	36.75	35.88	35.00						
1,700.01	1,740.00	57.71	53.77	52.90	52.02	51.15	50.27	49.40	48.52	41.83	40.96	40.08	39.21	38.33	37.46	36.58						
1,740.01	1,780.00	59.27	55.33	54.46	53.58	52.71	51.83	50.96	50.08	43.41	42.54	41.66	40.79	39.91	39.04	38.16						
1,780.01	1,820.00	60.83	56.89	56.02	55.14	54.27	53.39	52.52	51.64	44.99	44.12	43.24	42.37	41.49	40.62	39.74						
1,820.01	1,860.00	62.39	58.45	57.58	56.70	55.83	54.95	54.08	53.20	46.57	45.70	44.82	43.95	43.07	42.20	41.32						
1,860.01	1,900.00	63.95	60.01	59.14	58.26	57.39	56.51	55.64	54.76	48.15	47.28	46.40	45.53	44.65	43.78	42.90						
1,900.01	1,940.00	65.51	61.57	60.70	59.82	58.95	58.07	57.20	56.32	49.73	48.86	47.98	47.11	46.23	45.36	44.48						
1,940.01	1,980.00	67.07	63.13	62.26	61.38	60.51	59.63	58.76	57.88	51.31	50.44	49.56	48.69	47.81	46.94	46.06						
1,980.01	2,020.00	68.63	64.69	63.82	62.94	62.07	61.19	60.32	59.44	52.89	52.02	51.14	50.27	49.39	48.52	47.64						
2,020.01	2,060.00	70.19	66.25	65.38	64.50	63.63	62.75	61.88	61.00	54.47	53.60	52.72	51.85	50.97	50.10	49.22						
2,060.01	2,100.00	71.75	67.81	66.94	66.06	65.19	64.31	63.44	62.56	56.05	55.18	54.30	53.43	52.55	51.68	50.80						
2,100.01	2,140.00	73.31	69.37	69.10	68.22	67.35	66.47	65.60	64.72	57.63	56.76	55.88	55.01	54.13	53.26	52.38						
2,140.01	2,180.00	74.87	70.93	71.33	70.45	69.58	68.70	67.83	66.95	59.21	58.34	57.46	56.59	55.71	54.84	53.96						
2,180.01	2,220.00	76.43	72.49	73.55	72.67	71.80	70.92	70.05	69.17	60.79	59.92	59.04	58.17	57.29	56.42	55.54						
2,220.01	2,260.00	77.99	74.05	75.77	74.89	74.02	73.14	72.27	71.39	62.37	61.50	60.62	59.75	58.87	58.00	57.12						
2,260.01	2,300.00	79.55	75.61	77.99	77.11	76.24	75.36	74.49	73.61	63.95	63.08	62.20	61.33	60.45	59.58	58.70						
2,300.01	2,340.00	81.11	77.17	80.21	79.33	78.46	77.58	76.71	75.83	65.53	64.66	63.78	62.91	62.03	61.16	60.28						
2,340.01	2,380.00	82.67	78.73	82.43	81.55	80.68	79.80	78.93	78.05	67.11	66.24	65.36	64.49	63.61	62.74	61.86						
2,380.01	2,420.00	84.23	80.29	84.65	83.77	82.90	82.02	81.15	80.27	68.69	67.82	66.94	66.07	65.19	64.32	63.44						
2,420.01	2,460.00	85.79	81.85	86.87	85.99	85.12	84.24	83.37	82.49	70.27	69.40	68.52	67.65	66.77	65.90	65.02						
2,460.01	2,500.00	87.35	83.41	89.09	88.21	87.34	86.46	85.59	84.71	71.85	70.98	70.10	69.23	68.35	67.48	66.60						
2,500.01	2,540.00	88.91	84.97	91.31	90.43	89.56	88.68	87.81	86.93	73.43	72.56	71.68	70.81	69.93	69.06	68.18						
2,540.01	2,580.00	90.47	86.53	93.53	92.65	91.78	90.90	90.03	89.15	75.01	74.14	73.26	72.39	71.51	70.64	69.76						
2,580.01	2,620.00	92.03	88.09	96.62	95.75	94.87	94.00	93.12	92.25	76.59	75.72	74.84	73.97	73.09	72.22	71.34						
2,620.01	2,660.00	93.59	89.65	98.84	97.97	97.09	96.22	95.34	94.47	78.17	77.30	76.42	75.55	74.67	73.80	72.92						
2,660.01	2,700.00	95.15	91.21	100.06	99.19	98.31	97.44	96.56	95.69	79.75	78.88	78.00	77.13	76.25	75.38	74.50						
2,700.01	2,740.00	96.71	92.77	102.41	101.53	100.66	99.78	98.91	98.03	81.33	80.46	79.58	78.71	77.83	76.96	76.08						
2,740.01	2,780.00	98.27	94.33	104.63	103.75	102.88	102.00	101.13	100.25	82.91	82.04	81.16	80.29	79.41	78.54	77.66						
2,780.01	2,820.00	99.83	95.89	106.85	105.97	105.10	104.22	103.35	102.47	84.49	83.62	82.74	81.87	80.99	80.12	79.24						
2,820.01	2,860.00	101.39	97.45	109.07	108.19	107.32	106.44	105.57	104.69	86.07	85.20	84.32	83.45	82.57	81.70	80.82						
2,860.01	2,900.00	102.95	99.01	111.29	110.41	109.54	108.66	107.79	106.91	87.65	86.78	85.90	85.03	84.15	83.28	82.40						
2,900.01	2,940.00	104.51	100.57	113.51	112.63	111.76	110.88	110.01	109.13	89.23	88.36	87.48	86.61	85.73	84.86	83.98						
2,940.01	2,980.00	106.07	102.13	115.73	114.85	113.98	113.10	112.23	111.35	90.81	89.94	89.06	88.19	87.31	86.44	85.56						
2,980.01	3,020.00	107.63	103.69	117.95	117.07	116.20	115.32	114.45	113.57	92.39	91.52	90.64	89.77	88.89	88.02	87.14						
3,020.01	3,060.00	109.19	105.25	120.17	119.29	118.42	117.54	116.67	115.79	93.97	93.10	92.22	91.35	90.47	89.60	88.72						
3,060.01	3,100.00	110.75	106.81	122.39	121.51	120.64	119.76	118.89	118.01	95.55	94.68	93.80	92.93	92.05	91.18	90.30						
3,100.01	3,140.00	112.31	108.37	124.61	123.73	122.86	121.98	121.11	120.23	97.13	96.26	95.38	94.51	93.63	92.76	91.88						
3,140.01	3,180.00	113.87	109.93	126.83	125.95	125.08	124.20	123.33	122.45	98.71	97.84	96.96	96.09	95.21	94.34	93.46						
3,180.01	3,220.00	115.43	111.49	129.05	128.17	127.30	126.42	125.55	124.67	100.29	99.42	98.54	97.67	96.79	95.92	95.04						
3,220.01	3,260.00	116.99	113.05	131.27	130.39	129.52	128.64	127.77	126.89	101.87	101.00	100.12	99.25	98.37	97.50	96.62						
3,260.01	3,300.00	118.55	114.61	133.49	132.61	131.74	130.86	129.99	129.11	103.45	102.58	101.70	100.83	99.95	99.08	98.20						
3,300.01	3,340.00	120.11	116.17	135.71	134.83	133.96	133.08	132.21	131.33	105.03	104.16	103.28	102.41	101.53	100.66	99.78						
3,340.01	3,380.00	121.67	117.73	137.93	137.05	136.18	135.30	134.43	133.55	106.61	105.74	104.86	103.99	103.11	102.24	101.36						
3,380.01	3,420.00	123.23	119.29	140.15	139.27	138.40	137.52	136.65	135.77	108.19	107.32	106.44	105.57	104.69	103.82	102.94						
3,420.01	3,460.00	124.79	120.85	142.37	141.49	140.62	139.74	138.87	137.99	109.77	108.90	108.02	107.15	106.27	105.40	104.52						
3,460.01	3,500.00	126.35	122.41	144.59	143.71	142.84	141.96	141.09	140.21	111.35	110.48	109.60	108.73	107.85	106.98	106.10						
3,500.01	3,540.00	127.91	123.97	146.81	145.93	145.06	144.18	143.31	142.43	112.93	112.06	111.18	110.31	109.43	108.56	107.68						

Semimonthly Louisiana Income Tax Withholding Table

Exemptions		0							1							2							
Dependents		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6							
Salary Range:																							
Min	Max																						
3,540.01	3,580.00	153.84	149.90	149.03	148.15	147.28	146.40	145.53	144.65	114.51	113.64	112.76	111.89	111.01	110.14	109.26							
3,580.01	3,620.00	156.06	152.12	151.25	150.37	149.50	148.62	147.75	146.87	116.09	115.22	114.34	113.47	112.59	111.72	110.84							
3,620.01	3,660.00	158.28	154.34	153.47	152.59	151.72	150.84	149.97	149.09	117.67	116.80	115.92	115.05	114.17	113.30	112.42							
3,660.01	3,700.00	160.50	156.56	155.69	154.81	153.94	153.06	152.19	151.31	119.25	118.38	117.50	116.63	115.75	114.88	114.00							
3,700.01	3,740.00	162.72	158.78	157.91	157.03	156.16	155.28	154.41	153.53	120.83	119.96	119.08	118.21	117.33	116.46	115.58							
3,740.01	3,780.00	164.94	161.00	160.13	159.25	158.38	157.50	156.63	155.75	122.41	121.54	120.66	119.79	118.91	118.04	117.16							
3,780.01	3,820.00	167.16	163.22	162.35	161.47	160.60	159.72	158.85	157.97	123.99	123.12	122.24	121.37	120.49	119.62	118.74							
3,820.01	3,860.00	169.38	165.44	164.57	163.69	162.82	161.94	161.07	160.19	125.57	124.70	123.82	122.95	122.07	121.20	120.32							
3,860.01	3,900.00	171.60	167.66	166.79	165.91	165.04	164.16	163.29	162.41	127.15	126.28	125.40	124.53	123.65	122.78	121.90							
3,900.01	3,940.00	173.82	169.88	169.01	168.13	167.26	166.38	165.51	164.63	128.73	127.86	126.98	126.11	125.23	124.36	123.48							
3,940.01	3,980.00	176.04	172.10	171.23	170.35	169.48	168.60	167.73	166.85	130.31	129.44	128.56	127.69	126.81	125.94	125.06							
3,980.01	4,020.00	178.26	174.32	173.45	172.57	171.70	170.82	169.95	169.07	131.89	131.02	130.14	129.27	128.39	127.52	126.64							
4,020.01	4,060.00	180.48	176.54	175.67	174.79	173.92	173.04	172.17	171.29	133.47	132.60	131.72	130.85	129.97	129.10	128.22							
4,060.01	4,100.00	182.70	178.76	177.89	177.01	176.14	175.26	174.39	173.51	135.05	134.18	133.30	132.43	131.55	130.68	129.80							
4,100.01	4,140.00	184.92	180.98	180.11	179.23	178.36	177.48	176.61	175.73	136.63	135.76	134.88	134.01	133.13	132.26	131.38							
4,140.01	4,180.00	187.14	183.20	182.33	181.45	180.58	179.70	178.83	177.95	138.21	137.34	136.46	135.59	134.71	133.84	132.96							
4,180.01	4,220.00	189.36	185.42	184.55	183.67	182.80	181.92	181.05	180.17	140.35	139.48	138.60	137.73	136.85	135.98	135.10							
										(Add 5.55% for amounts in excess of \$4,220)							(Add 5.64% for amounts in excess of \$4,220)						

Monthly Louisiana Income Tax Withholding Table

Exemptions:		0							1							2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6						
Salary Range:																						
Min	Max																					
-	200.00	2.1%								2.2%												
200.01	280.00	5.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
280.01	360.00	6.72	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
360.01	440.00	8.40	0.52	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
440.01	520.00	10.08	2.20	0.45	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
520.01	600.00	11.76	3.88	2.13	0.38	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
600.01	680.00	13.44	5.56	3.81	2.06	0.31	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00						
680.01	760.00	15.12	7.24	5.49	3.74	1.99	0.24	0.00	0.00	0.09	0.00	0.00	0.00	0.00	0.00	0.00						
760.01	840.00	16.80	8.92	7.17	5.42	3.67	1.92	0.17	0.00	1.85	0.10	0.00	0.00	0.00	0.00	0.00						
840.01	920.00	18.48	10.60	8.85	7.10	5.35	3.60	1.85	0.10	3.61	1.86	0.11	0.00	0.00	0.00	0.00						
920.01	1,000.00	20.16	12.28	10.53	8.78	7.03	5.28	3.53	1.78	5.37	3.62	1.87	0.12	0.00	0.00	0.00						
1,000.01	1,080.00	21.84	13.96	12.21	10.46	8.71	6.96	5.21	3.46	7.13	5.38	3.63	1.88	0.13	0.00	0.00						
1,080.01	1,160.00	24.93	17.05	15.30	13.55	11.80	10.05	8.30	6.55	8.89	7.14	5.39	3.64	1.89	0.14	0.00						
1,160.01	1,240.00	28.05	20.17	18.42	16.67	14.92	13.17	11.42	9.67	10.65	8.90	7.15	5.40	3.65	1.90	0.15						
1,240.01	1,320.00	31.17	23.29	21.54	19.79	18.04	16.29	14.54	12.79	12.41	10.66	8.91	7.16	5.41	3.66	1.91						
1,320.01	1,400.00	34.29	26.41	24.66	22.91	21.16	19.41	17.66	15.91	14.17	12.42	10.67	8.92	7.17	5.42	3.67						
1,400.01	1,480.00	37.41	29.53	27.78	26.03	24.28	22.53	20.78	19.03	15.93	14.18	12.43	10.68	8.93	7.18	5.43						
1,480.01	1,560.00	40.53	32.65	30.90	29.15	27.40	25.65	23.90	22.15	17.69	15.94	14.19	12.44	10.69	8.94	7.19						
1,560.01	1,640.00	43.65	35.77	34.02	32.27	30.52	28.77	27.02	25.27	19.45	17.70	15.95	14.20	12.45	10.70	8.95						
1,640.01	1,720.00	46.77	38.89	37.14	35.39	33.64	31.89	30.14	28.39	21.21	19.46	17.71	15.96	14.21	12.46	10.71						
1,720.01	1,800.00	49.89	42.01	40.26	38.51	36.76	35.01	33.26	31.51	22.97	21.22	19.47	17.72	15.97	14.22	12.47						
1,800.01	1,880.00	53.01	45.13	43.38	41.63	39.88	38.13	36.38	34.63	24.73	22.98	21.23	19.48	17.73	15.98	14.23						
1,880.01	1,960.00	56.13	48.25	46.50	44.75	43.00	41.25	39.50	37.75	26.49	24.74	22.99	21.24	19.49	17.74	15.99						
1,960.01	2,040.00	59.25	51.37	49.62	47.87	46.12	44.37	42.62	40.87	28.25	26.50	24.75	23.00	21.25	19.50	17.75						
2,040.01	2,120.00	62.37	54.49	52.74	50.99	49.24	47.49	45.74	43.99	30.01	28.26	26.51	24.76	23.01	21.26	19.51						
2,120.01	2,200.00	65.49	57.61	55.86	54.11	52.36	50.61	48.86	47.11	33.11	31.36	29.61	27.86	26.11	24.36	22.61						
2,200.01	2,280.00	68.61	60.73	58.98	57.23	55.48	53.73	51.98	50.23	36.27	34.52	32.77	31.02	29.27	27.52	25.77						
2,280.01	2,360.00	71.73	63.85	62.10	60.35	58.60	56.85	55.10	53.35	39.43	37.68	35.93	34.18	32.43	30.68	28.93						
2,360.01	2,440.00	74.85	66.97	65.22	63.47	61.72	59.97	58.22	56.47	42.59	40.84	39.09	37.34	35.59	33.84	32.09						
2,440.01	2,520.00	77.97	70.09	68.34	66.59	64.84	63.09	61.34	59.59	45.75	44.00	42.25	40.50	38.75	37.00	35.25						
2,520.01	2,600.00	81.09	73.21	71.46	69.71	67.96	66.21	64.46	62.71	48.91	47.16	45.41	43.66	41.91	40.16	38.41						
2,600.01	2,680.00	84.21	76.33	74.58	72.83	71.08	69.33	67.58	65.83	52.07	50.32	48.57	46.82	45.07	43.32	41.57						
2,680.01	2,760.00	87.33	79.45	77.70	75.95	74.20	72.45	70.70	68.95	55.23	53.48	51.73	49.98	48.23	46.48	44.73						
2,760.01	2,840.00	90.45	82.57	80.82	79.07	77.32	75.57	73.82	72.07	58.39	56.64	54.89	53.14	51.39	49.64	47.89						
2,840.01	2,920.00	93.57	85.69	83.94	82.19	80.44	78.69	76.94	75.19	61.55	59.80	58.05	56.30	54.55	52.80	51.05						
2,920.01	3,000.00	96.69	88.81	87.06	85.31	83.56	81.81	80.06	78.31	64.71	62.96	61.21	59.46	57.71	55.96	54.21						
3,000.01	3,080.00	99.81	91.93	90.18	88.43	86.68	84.93	83.18	81.43	67.87	66.12	64.37	62.62	60.87	59.12	57.37						
3,080.01	3,160.00	102.93	95.05	93.30	91.55	89.80	88.05	86.30	84.55	71.03	69.28	67.53	65.78	64.03	62.28	60.53						
3,160.01	3,240.00	106.05	98.17	96.42	94.67	92.92	91.17	89.42	87.67	74.19	72.44	70.69	68.94	67.19	65.44	63.69						

Monthly Louisiana Income Tax Withholding Table

Exemptions:		0							1							2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6						
Salary Range:																						
Min	Max																					
3,240.01	3,320.00	109.17	101.29	99.54	97.79	96.04	94.29	92.54	90.79	77.35	75.60	73.85	72.10	70.35	68.60	66.85						
3,320.01	3,400.00	112.29	104.41	102.66	100.91	99.16	97.41	95.66	93.91	80.51	78.76	77.01	75.26	73.51	71.76	70.01						
3,400.01	3,480.00	115.41	107.53	105.78	104.03	102.28	100.53	98.78	97.03	83.67	81.92	80.17	78.42	76.67	74.92	73.17						
3,480.01	3,560.00	118.53	110.65	108.90	107.15	105.40	103.65	101.90	100.15	86.83	85.08	83.33	81.58	79.83	78.08	76.33						
3,560.01	3,640.00	121.65	113.77	112.02	110.27	108.52	106.77	105.02	103.27	89.99	88.24	86.49	84.74	82.99	81.24	79.49						
3,640.01	3,720.00	124.77	116.89	115.14	113.39	111.64	109.89	108.14	106.39	93.15	91.40	89.65	87.90	86.15	84.40	82.65						
3,720.01	3,800.00	127.89	120.01	118.26	116.51	114.76	113.01	111.26	109.51	96.31	94.56	92.81	91.06	89.31	87.56	85.81						
3,800.01	3,880.00	131.01	123.13	121.38	119.63	117.88	116.13	114.38	112.63	99.47	97.72	95.97	94.22	92.47	90.72	88.97						
3,880.01	3,960.00	134.13	126.25	124.50	122.75	121.00	119.25	117.50	115.75	102.63	100.88	99.13	97.38	95.63	93.88	92.13						
3,960.01	4,040.00	137.25	129.37	127.62	125.87	124.12	122.37	120.62	118.87	105.79	104.04	102.29	100.54	98.79	97.04	95.29						
4,040.01	4,120.00	140.37	132.49	130.74	128.99	127.24	125.49	123.74	121.99	108.95	107.20	105.45	103.70	101.95	100.20	98.45						
4,120.01	4,200.00	143.49	135.61	133.86	132.11	130.36	128.61	126.86	125.11	112.11	110.36	108.61	106.86	105.11	103.36	101.61						
4,200.01	4,280.00	147.82	139.94	138.19	136.44	134.69	132.94	131.19	129.44	115.27	113.52	111.77	110.02	108.27	106.52	104.77						
4,280.01	4,360.00	152.26	144.38	142.63	140.88	139.13	137.38	135.63	133.88	118.43	116.68	114.93	113.18	111.43	109.68	107.93						
4,360.01	4,440.00	156.70	148.82	147.07	145.32	143.57	141.82	140.07	138.32	121.59	119.84	118.09	116.34	114.59	112.84	111.09						
4,440.01	4,520.00	161.14	153.26	151.51	149.76	148.01	146.26	144.51	142.76	124.75	123.00	121.25	119.50	117.75	116.00	114.25						
4,520.01	4,600.00	165.58	157.70	155.95	154.20	152.45	150.70	148.95	147.20	127.91	126.16	124.41	122.66	120.91	119.16	117.41						
4,600.01	4,680.00	170.02	162.14	160.39	158.64	156.89	155.14	153.39	151.64	131.07	129.32	127.57	125.82	124.07	122.32	120.57						
4,680.01	4,760.00	174.46	166.58	164.83	163.08	161.33	159.58	157.83	156.08	134.23	132.48	130.73	128.98	127.23	125.48	123.73						
4,760.01	4,840.00	178.90	171.02	169.27	167.52	165.77	164.02	162.27	160.52	137.39	135.64	133.89	132.14	130.39	128.64	126.89						
4,840.01	4,920.00	183.34	175.46	173.71	171.96	170.21	168.46	166.71	164.96	140.55	138.80	137.05	135.30	133.55	131.80	130.05						
4,920.01	5,000.00	187.78	179.90	178.15	176.40	174.65	172.90	171.15	169.40	143.71	141.96	140.21	138.46	136.71	134.96	133.21						
5,000.01	5,080.00	192.22	184.34	182.59	180.84	179.09	177.34	175.59	173.84	146.87	145.12	143.37	141.62	139.87	138.12	136.37						
5,080.01	5,160.00	196.66	188.78	187.03	185.28	183.53	181.78	180.03	178.28	150.03	148.28	146.53	144.78	143.03	141.28	139.53						
5,160.01	5,240.00	201.10	193.22	191.47	189.72	187.97	186.22	184.47	182.72	153.19	151.44	149.69	147.94	146.19	144.44	142.69						
5,240.01	5,320.00	205.54	197.66	195.91	194.16	192.41	190.66	188.91	187.16	156.35	154.60	152.85	151.10	149.35	147.60	145.85						
5,320.01	5,400.00	209.98	202.10	200.35	198.60	196.85	195.10	193.35	191.60	159.51	157.76	156.01	154.26	152.51	150.76	149.01						
5,400.01	5,480.00	214.42	206.54	204.79	203.04	201.29	199.54	197.79	196.04	162.67	160.92	159.17	157.42	155.67	153.92	152.17						
5,480.01	5,560.00	218.86	210.98	209.23	207.48	205.73	203.98	202.23	200.48	165.83	164.08	162.33	160.58	158.83	157.08	155.33						
5,560.01	5,640.00	223.30	215.42	213.67	211.92	210.17	208.42	206.67	204.92	168.99	167.24	165.49	163.74	161.99	160.24	158.49						
5,640.01	5,720.00	227.74	219.86	218.11	216.36	214.61	212.86	211.11	209.36	172.15	170.40	168.65	166.90	165.15	163.40	161.65						
5,720.01	5,800.00	232.18	224.30	222.55	220.80	219.05	217.30	215.55	213.80	175.31	173.56	171.81	170.06	168.31	166.56	164.81						
5,800.01	5,880.00	236.62	228.74	226.99	225.24	223.49	221.74	219.99	218.24	178.47	176.72	174.97	173.22	171.47	169.72	167.97						
5,880.01	5,960.00	241.06	233.18	231.43	229.68	227.93	226.18	224.43	222.68	181.63	179.88	178.13	176.38	174.63	172.88	171.13						
5,960.01	6,040.00	245.50	237.62	235.87	234.12	232.37	230.62	228.87	227.12	184.79	183.04	181.29	179.54	177.79	176.04	174.29						
6,040.01	6,120.00	249.94	242.06	240.31	238.56	236.81	235.06	233.31	231.56	187.95	186.20	184.45	182.70	180.95	179.20	177.45						
6,120.01	6,200.00	254.38	246.50	244.75	243.00	241.25	239.50	237.75	236.00	191.11	189.36	187.61	185.86	184.11	182.36	180.61						
6,200.01	6,280.00	258.82	250.94	249.19	247.44	245.69	243.94	242.19	240.44	194.27	192.52	190.77	189.02	187.27	185.52	183.77						
6,280.01	6,360.00	263.26	255.38	253.63	251.88	250.13	248.38	246.63	244.88	197.43	195.68	193.93	192.18	190.43	188.68	186.93						
6,360.01	6,440.00	267.70	259.82	258.07	256.32	254.57	252.82	251.07	249.32	200.59	198.84	197.09	195.34	193.59	191.84	190.09						
6,440.01	6,520.00	272.14	264.26	262.51	260.76	259.01	257.26	255.51	253.76	203.75	202.00	200.25	198.50	196.75	195.00	193.25						
6,520.01	6,600.00	276.58	268.70	266.95	265.20	263.45	261.70	259.95	258.20	206.91	205.16	203.41	201.66	199.91	198.16	196.41						
6,600.01	6,680.00	281.02	273.14	271.39	269.64	267.89	266.14	264.39	262.64	210.07	208.32	206.57	204.82	203.07	201.32	199.57						
6,680.01	6,760.00	285.46	277.58	275.83	274.08	272.33	270.58	268.83	267.08	213.23	211.48	209.73	207.98	206.23	204.48	202.73						
6,760.01	6,840.00	289.90	282.02	280.27	278.52	276.77	275.02	273.27	271.52	216.39	214.64	212.89	211.14	209.39	207.64	205.89						
6,840.01	6,920.00	294.34	286.46	284.71	282.96	281.21	279.46	277.71	275.96	219.55	217.80	216.05	214.30	212.55	210.80	209.05						
6,920.01	7,000.00	298.78	290.90	289.15	287.40	285.65	283.90	282.15	280.40	222.71	220.96	219.21	217.46	215.71	213.96	212.21						
7,000.01	7,080.00	303.22	295.34	293.59	291.84	290.09	288.34	286.59	284.84	225.87	224.12	222.37	220.62	218.87	217.12	215.37						
7,080.01	7,160.00	307.66	299.78	298.03	296.28	294.53	292.78	291.03	289.28	229.03	227.28	225.53	223.78	222.03	220.28	218.53						
7,160.01	7,240.00	312.10	304.22	302.47	300.72	298.97	297.22	295.47	293.72	232.19	230.44	228.69	226.94	225.19	223.44	221.69						
7,240.01	7,320.00	316.54	308.66	306.91	305.16	303.41	301.66	299.91	298.16	235.35	233.60	231.85	230.10	228.35	226.60	224.85						
7,320.01	7,400.00	320.98	313.10	311.35	309.60	307.85	306.10	304.35	302.60	238.51	236.76	235.01	233.26	231.51	229.76	228.01						
7,400.01	7,480.00	325.42	317.54	315.79	314.04	312.29	310.54	308.79	307.04	241.67	239.92	238.17	236.42	234.67	232.92	231.17						
7,480.01	7,560.00	329.86	321.98	320.23	318.48	316.73	314.98	313.23	311.48	244.83	243.08	241.33	239.58	237.83	236.08	234.33						
7,560.01	7,640.00	334.30	326.42	324.67	322.92	321.17	319.42	317.67	315.92	247.99	246.24	244.49	242.74	240.99	239.24	237.49						
7,640.01	7,720.00	338.74	330.86	329.11	327.36	325.61	323.86	322.11	320.36	251.15	249.40	247.65	245.90	244.15	242.40	240.65						
7,720.01	7,800.00	343.18	335.30	333.55	331.80	330.05	328.30	326.55	324.80	254.31	252.56	250.81	249.06	247.31	245.56	243.81						
7,800.01	7,880.00	347.62	339.74	337.99	336.24	334.49	332.74	330.99	329.24	257.47	255.72	253.97	252.22	250.47	248.72	246.97						
7,880.01	7,960.00	352.06	344.18	342.43	340.68	338.93	337.18	335.43	333.68	260.63	258.88	257.13	255.38	253.63	251.88	250.13						
7,960.01	8,040.00	356.50	348.62	346.87	345.12	343.37	341.62	339.87	338.12	263.79	262.04	260.29	258.54	256.79	255.04	253.29						
8,040.01	8,120.00	360.94	353.06	351.31	349.56	347.81	346.06	344.31	342.56	266.95	265.20	263.45	261.70	259.95	258.20	256.45						
8,120.01	8,200.00	365.38	357.50	355.75	354.00	352.25	350.50	348.75	347.00	270.11	268.36	266.61	264.86	263.11	261.36	259.61						

Monthly Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																	
Min	Max																
8,280.01	8,360.00	374.26	366.38	364.63	362.88	361.13	359.38	357.63	355.88	276.43	274.68	272.93	271.18	269.43	267.68	265.93	
8,360.01	8,440.00	378.70	370.82	369.07	367.32	365.57	363.82	362.07	360.32	280.72	278.97	277.22	275.47	273.72	271.97	270.22	
(Add 5.55% for amounts in excess of \$8,440)										(Add 5.64% for amounts in excess of \$8,440)							

Annual Louisiana Income Tax Withholding Table																	
Exemptions:		0		1						2							
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6	
Salary Range:																	
Min	Max																
-	2,500.00	26.25	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2,501.00	2,900.00	56.70	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2,901.00	3,300.00	65.10	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3,301.00	3,700.00	73.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3,701.00	4,100.00	81.90	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4,101.00	4,500.00	90.30	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4,501.00	4,900.00	98.70	4.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4,901.00	5,300.00	107.10	12.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5,301.00	5,700.00	115.50	21.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5,701.00	6,100.00	123.90	29.40	8.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6,101.00	6,500.00	132.30	37.80	16.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6,501.00	6,900.00	140.70	46.20	25.20	4.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
6,901.00	7,300.00	149.10	54.60	33.60	12.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7,301.00	7,700.00	157.50	63.00	42.00	21.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7,701.00	8,100.00	165.90	71.40	50.40	29.40	8.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8,101.00	8,500.00	174.30	79.80	58.80	37.80	16.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8,501.00	8,900.00	182.70	88.20	67.20	46.20	25.20	4.20	0.00	0.00	2.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00
8,901.00	9,300.00	191.10	96.60	75.60	54.60	33.60	12.60	0.00	0.00	11.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9,301.00	9,700.00	199.50	105.00	84.00	63.00	42.00	21.00	0.00	0.00	20.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9,701.00	10,100.00	207.90	113.40	92.40	71.40	50.40	29.40	8.40	0.00	28.80	7.80	0.00	0.00	0.00	0.00	0.00	0.00
10,101.00	10,500.00	216.30	121.80	100.80	79.80	58.80	37.80	16.80	0.00	37.60	16.60	0.00	0.00	0.00	0.00	0.00	0.00
10,501.00	10,900.00	224.70	130.20	109.20	88.20	67.20	46.20	25.20	4.20	46.40	25.40	4.40	0.00	0.00	0.00	0.00	0.00
10,901.00	11,300.00	233.10	138.60	117.60	96.60	75.60	54.60	33.60	12.60	55.20	34.20	13.20	0.00	0.00	0.00	0.00	0.00
11,301.00	11,700.00	241.50	147.00	126.00	105.00	84.00	63.00	42.00	21.00	64.00	43.00	22.00	1.00	0.00	0.00	0.00	0.00
11,701.00	12,100.00	249.90	155.40	134.40	113.40	92.40	71.40	50.40	29.40	72.80	51.80	30.80	9.80	0.00	0.00	0.00	0.00
12,101.00	12,500.00	258.30	163.80	142.80	121.80	100.80	79.80	58.80	37.80	81.60	60.60	39.60	18.60	0.00	0.00	0.00	0.00
12,501.00	12,900.00	270.30	175.80	154.80	133.80	112.80	91.80	70.80	49.80	90.40	69.40	48.40	27.40	6.40	0.00	0.00	0.00
12,901.00	13,300.00	285.90	191.40	170.40	149.40	128.40	107.40	86.40	65.40	99.20	78.20	57.20	36.20	15.20	0.00	0.00	0.00
13,301.00	13,700.00	301.50	207.00	186.00	165.00	144.00	123.00	102.00	81.00	108.00	87.00	66.00	45.00	24.00	3.00	0.00	0.00
13,701.00	14,100.00	317.10	222.60	201.60	180.60	159.60	138.60	117.60	96.60	116.80	95.80	74.80	53.80	32.80	11.80	0.00	0.00
14,101.00	14,500.00	332.70	238.20	217.20	196.20	175.20	154.20	133.20	112.20	125.60	104.60	83.60	62.60	41.60	20.60	0.00	0.00
14,501.00	14,900.00	348.30	253.80	232.80	211.80	190.80	169.80	148.80	127.80	134.40	113.40	92.40	71.40	50.40	29.40	8.40	0.00
14,901.00	15,300.00	363.90	269.40	248.40	227.40	206.40	185.40	164.40	143.40	143.20	122.20	101.20	80.20	59.20	38.20	17.20	0.00
15,301.00	15,700.00	379.50	285.00	264.00	243.00	222.00	201.00	180.00	159.00	152.00	131.00	110.00	89.00	68.00	47.00	26.00	0.00
15,701.00	16,100.00	395.10	300.60	279.60	258.60	237.60	216.60	195.60	174.60	160.80	139.80	118.80	97.80	76.80	55.80	34.80	0.00
16,101.00	16,500.00	410.70	316.20	295.20	274.20	253.20	232.20	211.20	190.20	169.60	148.60	127.60	106.60	85.60	64.60	43.60	0.00
16,501.00	16,900.00	426.30	331.80	310.80	289.80	268.80	247.80	226.80	205.80	178.40	157.40	136.40	115.40	94.40	73.40	52.40	0.00
16,901.00	17,300.00	441.90	347.40	326.40	305.40	284.40	263.40	242.40	221.40	187.20	166.20	145.20	124.20	103.20	82.20	61.20	0.00
17,301.00	17,700.00	457.50	363.00	342.00	321.00	300.00	279.00	258.00	237.00	196.00	175.00	154.00	133.00	112.00	91.00	70.00	0.00
17,701.00	18,100.00	473.10	378.60	357.60	336.60	315.60	294.60	273.60	252.60	204.80	183.80	162.80	141.80	120.80	99.80	78.80	0.00
18,101.00	18,500.00	488.70	394.20	373.20	352.20	331.20	310.20	289.20	268.20	213.60	192.60	171.60	150.60	129.60	108.60	87.60	0.00
18,501.00	18,900.00	504.30	409.80	388.80	367.80	346.80	325.80	304.80	283.80	222.40	201.40	180.40	159.40	138.40	117.40	96.40	0.00
18,901.00	19,300.00	519.90	425.40	404.40	383.40	362.40	341.40	320.40	299.40	231.20	210.20	189.20	168.20	147.20	126.20	105.20	0.00
19,301.00	19,700.00	535.50	441.00	420.00	399.00	378.00	357.00	336.00	315.00	240.00	219.00	198.00	177.00	156.00	135.00	114.00	0.00
19,701.00	20,100.00	551.10	456.60	435.60	414.60	393.60	372.60	351.60	330.60	248.80	227.80	206.80	185.80	164.80	143.80	122.80	0.00
20,101.00	20,500.00	566.70	472.20	451.20	430.20	409.20	388.20	367.20	346.20	257.60	236.60	215.60	194.60	173.60	152.60	131.60	0.00
20,501.00	20,900.00	582.30	487.80	466.80	445.80	424.80	403.80	382.80	361.80	266.40	245.40	224.40	203.40	182.40	161.40	140.40	0.00
20,901.00	21,300.00	597.90	503.40	482.40	461.40	440.40	419.40	398.40	377.40	275.20	254.20	233.20	212.20	191.20	170.20	149.20	0.00
21,301.00	21,700.00	613.50	519.00	498.00	477.00	456.00	435.00	414.00	393.00	284.00	263.00	242.00	221.00	200.00	179.00	158.00	0.00
21,701.00	22,100.00	629.10	534.60	513.60	492.60	471.60	450.60	429.60	408.60	292.80	271.80	250.80	229.80	208.80	187.80	166.80	0.00
22,101.00	22,500.00	644.70	550.20	529.20	508.20	487.20	466.20	445.20	424.20	301.60	280.60	259.60	238.60	217.60	196.60	175.60	0.00
22,501.00	22,900.00	660.30	565.80	544.80	523.80	502.80	481.80	460.80	439.80	310.40	289.40	268.40	247.40	226.40	205.40	184.40	0.00
22,901.00	23,300.00	675.90	581.40	560.40	539.40	518.40	497.40	476.40	455.40	319.20	298.20	277.20	256.20	235.20	214.20	193.20	0.00
23,301.00	23,700.00	691.50	597.00	576.00	555.00	534.00	513.00	492.00	471.00	328.00	307.00	286.00	265.00	244.00	223.00	202.00	0.00

Annual Louisiana Income Tax Withholding Table

Exemptions:		0							1							2					
Dependents:		0		0	1	2	3	4	5	6	0	1	2	3	4	5	6				
Salary Range:																					
Min	Max																				
23,701.00	24,100.00	707.10	612.60	591.60	570.60	549.60	528.60	507.60	486.60	336.80	315.80	294.80	273.80	252.80	231.80	210.80					
24,101.00	24,500.00	722.70	628.20	607.20	586.20	565.20	544.20	523.20	502.20	345.60	324.60	303.60	282.60	261.60	240.60	219.60					
24,501.00	24,900.00	738.30	643.80	622.80	601.80	580.80	559.80	538.80	517.80	354.40	333.40	312.40	291.40	270.40	249.40	228.40					
24,901.00	25,300.00	753.90	659.40	638.40	617.40	596.40	575.40	554.40	533.40	364.95	343.95	322.95	301.95	280.95	259.95	238.95					
25,301.00	25,700.00	769.50	675.00	654.00	633.00	612.00	591.00	570.00	549.00	380.75	359.75	338.75	317.75	296.75	275.75	254.75					
25,701.00	26,100.00	785.10	690.60	669.60	648.60	627.60	606.60	585.60	564.60	396.55	375.55	354.55	333.55	312.55	291.55	270.55					
26,101.00	26,500.00	800.70	706.20	685.20	664.20	643.20	622.20	601.20	580.20	412.35	391.35	370.35	349.35	328.35	307.35	286.35					
26,501.00	26,900.00	816.30	721.80	700.80	679.80	658.80	637.80	616.80	595.80	428.15	407.15	386.15	365.15	344.15	323.15	302.15					
26,901.00	27,300.00	831.90	737.40	716.40	695.40	674.40	653.40	632.40	611.40	443.95	422.95	401.95	380.95	359.95	338.95	317.95					
27,301.00	27,700.00	847.50	753.00	732.00	711.00	690.00	669.00	648.00	627.00	459.75	438.75	417.75	396.75	375.75	354.75	333.75					
27,701.00	28,100.00	863.10	768.60	747.60	726.60	705.60	684.60	663.60	642.60	475.55	454.55	433.55	412.55	391.55	370.55	349.55					
28,101.00	28,500.00	878.70	784.20	763.20	742.20	721.20	700.20	679.20	658.20	491.35	470.35	449.35	428.35	407.35	386.35	365.35					
28,501.00	28,900.00	894.30	799.80	778.80	757.80	736.80	715.80	694.80	673.80	507.15	486.15	465.15	444.15	423.15	402.15	381.15					
28,901.00	29,300.00	909.90	815.40	794.40	773.40	752.40	731.40	710.40	689.40	522.95	501.95	480.95	459.95	438.95	417.95	396.95					
29,301.00	29,700.00	925.50	831.00	810.00	789.00	768.00	747.00	726.00	705.00	538.75	517.75	496.75	475.75	454.75	433.75	412.75					
29,701.00	30,100.00	941.10	846.60	825.60	804.60	783.60	762.60	741.60	720.60	554.55	533.55	512.55	491.55	470.55	449.55	428.55					
30,101.00	30,500.00	956.70	862.20	841.20	820.20	799.20	778.20	757.20	736.20	570.35	549.35	528.35	507.35	486.35	465.35	444.35					
30,501.00	30,900.00	972.30	877.80	856.80	835.80	814.80	793.80	772.80	751.80	586.15	565.15	544.15	523.15	502.15	481.15	460.15					
30,901.00	31,300.00	987.90	893.40	872.40	851.40	830.40	809.40	788.40	767.40	601.95	580.95	559.95	538.95	517.95	496.95	475.95					
31,301.00	31,700.00	1,003.50	909.00	888.00	867.00	846.00	825.00	804.00	783.00	617.75	596.75	575.75	554.75	533.75	512.75	491.75					
31,701.00	32,100.00	1,019.10	924.60	903.60	882.60	861.60	840.60	819.60	798.60	633.55	612.55	591.55	570.55	549.55	528.55	507.55					
32,101.00	32,500.00	1,034.70	940.20	919.20	898.20	877.20	856.20	835.20	814.20	649.35	628.35	607.35	586.35	565.35	544.35	523.35					
32,501.00	32,900.00	1,050.30	955.80	934.80	913.80	892.80	871.80	850.80	829.80	665.15	644.15	623.15	602.15	581.15	560.15	539.15					
32,901.00	33,300.00	1,065.90	971.40	950.40	929.40	908.40	887.40	866.40	845.40	680.95	659.95	638.95	617.95	596.95	575.95	554.95					
33,301.00	33,700.00	1,081.50	987.00	966.00	945.00	924.00	903.00	882.00	861.00	696.75	675.75	654.75	633.75	612.75	591.75	570.75					
33,701.00	34,100.00	1,097.10	1,002.60	981.60	960.60	939.60	918.60	897.60	876.60	712.55	691.55	670.55	649.55	628.55	607.55	586.55					
34,101.00	34,500.00	1,112.70	1,018.20	997.20	976.20	955.20	934.20	913.20	892.20	728.35	707.35	686.35	665.35	644.35	623.35	602.35					
34,501.00	34,900.00	1,128.30	1,033.80	1,012.80	991.80	970.80	949.80	928.80	907.80	744.15	723.15	702.15	681.15	660.15	639.15	618.15					
34,901.00	35,300.00	1,143.90	1,049.40	1,028.40	1,007.40	986.40	965.40	944.40	923.40	759.95	738.95	717.95	696.95	675.95	654.95	633.95					
35,301.00	35,700.00	1,159.50	1,065.00	1,044.00	1,023.00	1,002.00	981.00	960.00	939.00	775.75	754.75	733.75	712.75	691.75	670.75	649.75					
35,701.00	36,100.00	1,175.10	1,080.60	1,059.60	1,038.60	1,017.60	996.60	975.60	954.60	791.55	770.55	749.55	728.55	707.55	686.55	665.55					
36,101.00	36,500.00	1,190.70	1,096.20	1,075.20	1,054.20	1,033.20	1,012.20	991.20	970.20	807.35	786.35	765.35	744.35	723.35	702.35	681.35					
36,501.00	36,900.00	1,206.30	1,111.80	1,090.80	1,069.80	1,048.80	1,027.80	1,006.80	985.80	823.15	802.15	781.15	760.15	739.15	718.15	697.15					
36,901.00	37,300.00	1,221.90	1,127.40	1,106.40	1,085.40	1,064.40	1,043.40	1,022.40	1,001.40	838.95	817.95	796.95	775.95	754.95	733.95	712.95					
37,301.00	37,700.00	1,237.50	1,143.00	1,122.00	1,101.00	1,080.00	1,059.00	1,038.00	1,017.00	854.75	833.75	812.75	791.75	770.75	749.75	728.75					
37,701.00	38,100.00	1,253.10	1,158.60	1,137.60	1,116.60	1,095.60	1,074.60	1,053.60	1,032.60	870.55	849.55	828.55	807.55	786.55	765.55	744.55					
38,101.00	38,500.00	1,268.70	1,174.20	1,153.20	1,132.20	1,111.20	1,090.20	1,069.20	1,048.20	886.35	865.35	844.35	823.35	802.35	781.35	760.35					
38,501.00	38,900.00	1,284.30	1,189.80	1,168.80	1,147.80	1,126.80	1,105.80	1,084.80	1,063.80	902.15	881.15	860.15	839.15	818.15	797.15	776.15					
38,901.00	39,300.00	1,299.90	1,205.40	1,184.40	1,163.40	1,142.40	1,121.40	1,100.40	1,079.40	917.95	896.95	875.95	854.95	833.95	812.95	791.95					
39,301.00	39,700.00	1,315.50	1,221.00	1,200.00	1,179.00	1,158.00	1,137.00	1,116.00	1,095.00	933.75	912.75	891.75	870.75	849.75	828.75	807.75					
39,701.00	40,100.00	1,331.10	1,236.60	1,215.60	1,194.60	1,173.60	1,152.60	1,131.60	1,110.60	949.55	928.55	907.55	886.55	865.55	844.55	823.55					
40,101.00	40,500.00	1,346.70	1,252.20	1,231.20	1,210.20	1,189.20	1,168.20	1,147.20	1,126.20	965.35	944.35	923.35	902.35	881.35	860.35	839.35					
40,501.00	40,900.00	1,362.30	1,267.80	1,246.80	1,225.80	1,204.80	1,183.80	1,162.80	1,141.80	981.15	960.15	939.15	918.15	897.15	876.15	855.15					
40,901.00	41,300.00	1,377.90	1,283.40	1,262.40	1,241.40	1,220.40	1,199.40	1,178.40	1,157.40	996.95	975.95	954.95	933.95	912.95	891.95	870.95					
41,301.00	41,700.00	1,393.50	1,299.00	1,278.00	1,257.00	1,236.00	1,215.00	1,194.00	1,173.00	1,012.75	991.75	970.75	949.75	928.75	907.75	886.75					
41,701.00	42,100.00	1,409.10	1,314.60	1,293.60	1,272.60	1,251.60	1,230.60	1,209.60	1,188.60	1,028.55	1,007.55	986.55	965.55	944.55	923.55	902.55					
42,101.00	42,500.00	1,424.70	1,330.20	1,309.20	1,288.20	1,267.20	1,246.20	1,225.20	1,204.20	1,044.35	1,023.35	1,002.35	981.35	960.35	939.35	918.35					
42,501.00	42,900.00	1,440.30	1,345.80	1,324.80	1,303.80	1,282.80	1,261.80	1,240.80	1,219.80	1,060.15	1,039.15	1,018.15	997.15	976.15	955.15	934.15					
42,901.00	43,300.00	1,455.90	1,361.40	1,340.40	1,319.40	1,298.40	1,277.40	1,256.40	1,235.40	1,075.95	1,054.95	1,033.95	1,012.95	991.95	970.95	949.95					
43,301.00	43,700.00	1,471.50	1,377.00	1,356.00	1,335.00	1,314.00	1,293.00	1,272.00	1,251.00	1,091.75	1,070.75	1,049.75	1,028.75	1,007.75	986.75	965.75					
43,701.00	44,100.00	1,487.10	1,392.60	1,371.60	1,350.60	1,329.60	1,308.60	1,287.60	1,266.60	1,107.55	1,086.55	1,065.55	1,044.55	1,023.55	1,002.55	981.55					
44,101.00	44,500.00	1,502.70	1,408.20	1,387.20	1,366.20	1,345.20	1,324.20	1,303.20	1,282.20	1,123.35	1,102.35	1,081.35	1,060.35	1,039.35	1,018.35	997.35					
44,501.00	44,900.00	1,518.30	1,423.80	1,402.80	1,381.80	1,360.80	1,339.80	1,318.80	1,297.80	1,139.15	1,118.15	1,097.15	1,076.15	1,055.15	1,034.15	1,013.15					
44,901.00	45,300.00	1,533.90	1,439.40	1,418.40	1,397.40	1,376.40	1,355.40	1,334.40	1,313.40	1,154.95	1,133.95	1,112.95	1,091.95	1,070.95	1,049.95	1,028.95					
45,301.00	45,700.00	1,549.50	1,455.00	1,434.00	1,413.00	1,392.00	1,371.00	1,350.00	1,329.00	1,170.75	1,149.75	1,128.75	1,107.75	1,086.75	1,065.75	1,044.75					
45,701.00	46,100.00	1,565.10	1,470.60	1,449.60	1,428.60	1,407.60	1,386.60	1,365.60	1,344.60	1,186.55	1,165.55	1,144.55	1,123.55	1,102.55	1,081.55	1,060.55					
46,101.00	46,500.00	1,580.70	1,486.20	1,465.20	1,444.20	1,423.20	1,402.20	1,381.20	1,360.20	1											

Annual Louisiana Income Tax Withholding Table

Exemptions:		1								2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
74,101.00	74,500.00	3,073.65	2,979.15	2,958.15	2,937.15	2,916.15	2,895.15	2,874.1	2,853.15	2,308.35	2,287.35	2,266.35	2,245.35	2,224.35	2,203.35	2,182.35
74,501.00	74,900.00	3,095.85	3,001.35	2,980.35	2,959.35	2,938.35	2,917.35	2,896.3	2,875.35	2,324.15	2,303.15	2,282.15	2,261.15	2,240.15	2,219.15	2,198.15
74,901.00	75,300.00	3,118.05	3,023.55	3,002.55	2,981.55	2,960.55	2,939.55	2,918.5	2,897.55	2,339.95	2,318.95	2,297.95	2,276.95	2,255.95	2,234.95	2,213.95
75,301.00	75,700.00	3,140.25	3,045.75	3,024.75	3,003.75	2,982.75	2,961.75	2,940.7	2,919.75	2,355.75	2,334.75	2,313.75	2,292.75	2,271.75	2,250.75	2,229.75
75,701.00	76,100.00	3,162.45	3,067.95	3,046.95	3,025.95	3,004.95	2,983.95	2,962.9	2,941.95	2,371.55	2,350.55	2,329.55	2,308.55	2,287.55	2,266.55	2,245.55
76,101.00	76,500.00	3,184.65	3,090.15	3,069.15	3,048.15	3,027.15	3,006.15	2,985.1	2,964.15	2,387.35	2,366.35	2,345.35	2,324.35	2,303.35	2,282.35	2,261.35
76,501.00	76,900.00	3,206.85	3,112.35	3,091.35	3,070.35	3,049.35	3,028.35	3,007.3	2,986.35	2,403.15	2,382.15	2,361.15	2,340.15	2,319.15	2,298.15	2,277.15
76,901.00	77,300.00	3,229.05	3,134.55	3,113.55	3,092.55	3,071.55	3,050.55	3,029.5	3,008.55	2,418.95	2,397.95	2,376.95	2,355.95	2,334.95	2,313.95	2,292.95
77,301.00	77,700.00	3,251.25	3,156.75	3,135.75	3,114.75	3,093.75	3,072.75	3,051.7	3,030.75	2,434.75	2,413.75	2,392.75	2,371.75	2,350.75	2,329.75	2,308.75
77,701.00	78,100.00	3,273.45	3,178.95	3,157.95	3,136.95	3,115.95	3,094.95	3,073.9	3,052.95	2,450.55	2,429.55	2,408.55	2,387.55	2,366.55	2,345.55	2,324.55
78,101.00	78,500.00	3,295.65	3,201.15	3,180.15	3,159.15	3,138.15	3,117.15	3,096.1	3,075.15	2,466.35	2,445.35	2,424.35	2,403.35	2,382.35	2,361.35	2,340.35
78,501.00	78,900.00	3,317.85	3,223.35	3,202.35	3,181.35	3,160.35	3,139.35	3,118.3	3,097.35	2,482.15	2,461.15	2,440.15	2,419.15	2,398.15	2,377.15	2,356.15
78,901.00	79,300.00	3,340.05	3,245.55	3,224.55	3,203.55	3,182.55	3,161.55	3,140.5	3,119.55	2,497.95	2,476.95	2,455.95	2,434.95	2,413.95	2,392.95	2,371.95
79,301.00	79,700.00	3,362.25	3,267.75	3,246.75	3,225.75	3,204.75	3,183.75	3,162.7	3,141.75	2,513.75	2,492.75	2,471.75	2,450.75	2,429.75	2,408.75	2,387.75
79,701.00	80,100.00	3,384.45	3,289.95	3,268.95	3,247.95	3,226.95	3,205.95	3,184.9	3,163.95	2,529.55	2,508.55	2,487.55	2,466.55	2,445.55	2,424.55	2,403.55
80,101.00	80,500.00	3,406.65	3,312.15	3,291.15	3,270.15	3,249.15	3,228.15	3,207.1	3,186.15	2,545.35	2,524.35	2,503.35	2,482.35	2,461.35	2,440.35	2,419.35
80,501.00	80,900.00	3,428.85	3,334.35	3,313.35	3,292.35	3,271.35	3,250.35	3,229.3	3,208.35	2,561.15	2,540.15	2,519.15	2,498.15	2,477.15	2,456.15	2,435.15
80,901.00	81,300.00	3,451.05	3,356.55	3,335.55	3,314.55	3,293.55	3,272.55	3,251.5	3,230.55	2,576.95	2,555.95	2,534.95	2,513.95	2,492.95	2,471.95	2,450.95
81,301.00	81,700.00	3,473.25	3,378.75	3,357.75	3,336.75	3,315.75	3,294.75	3,273.7	3,252.75	2,592.75	2,571.75	2,550.75	2,529.75	2,508.75	2,487.75	2,466.75
81,701.00	82,100.00	3,495.45	3,400.95	3,379.95	3,358.95	3,337.95	3,316.95	3,295.9	3,274.95	2,608.55	2,587.55	2,566.55	2,545.55	2,524.55	2,503.55	2,482.55
82,101.00	82,500.00	3,517.65	3,423.15	3,402.15	3,381.15	3,360.15	3,339.15	3,318.1	3,297.15	2,624.35	2,603.35	2,582.35	2,561.35	2,540.35	2,519.35	2,498.35
82,501.00	82,900.00	3,539.85	3,445.35	3,424.35	3,403.35	3,382.35	3,361.35	3,340.3	3,319.35	2,640.15	2,619.15	2,598.15	2,577.15	2,556.15	2,535.15	2,514.15
82,901.00	83,300.00	3,562.05	3,467.55	3,446.55	3,425.55	3,404.55	3,383.55	3,362.5	3,341.55	2,655.95	2,634.95	2,613.95	2,592.95	2,571.95	2,550.95	2,529.95
83,301.00	83,700.00	3,584.25	3,489.75	3,468.75	3,447.75	3,426.75	3,405.75	3,384.7	3,363.75	2,671.75	2,650.75	2,629.75	2,608.75	2,587.75	2,566.75	2,545.75
83,701.00	84,100.00	3,606.45	3,511.95	3,490.95	3,469.95	3,448.95	3,427.95	3,406.9	3,385.95	2,687.55	2,666.55	2,645.55	2,624.55	2,603.55	2,582.55	2,561.55
84,101.00	84,500.00	3,628.65	3,534.15	3,513.15	3,492.15	3,471.15	3,450.15	3,429.1	3,408.15	2,703.35	2,682.35	2,661.35	2,640.35	2,619.35	2,598.35	2,577.35
84,501.00	84,900.00	3,650.85	3,556.35	3,535.35	3,514.35	3,493.35	3,472.35	3,451.3	3,430.35	2,719.15	2,698.15	2,677.15	2,656.15	2,635.15	2,614.15	2,593.15
84,901.00	85,300.00	3,673.05	3,578.55	3,557.55	3,536.55	3,515.55	3,494.55	3,473.5	3,452.55	2,734.95	2,713.95	2,692.95	2,671.95	2,650.95	2,629.95	2,608.95
85,301.00	85,700.00	3,695.25	3,600.75	3,579.75	3,558.75	3,537.75	3,516.75	3,495.7	3,474.75	2,750.75	2,729.75	2,708.75	2,687.75	2,666.75	2,645.75	2,624.75
85,701.00	86,100.00	3,717.45	3,622.95	3,601.95	3,580.95	3,559.95	3,538.95	3,517.9	3,496.95	2,766.55	2,745.55	2,724.55	2,703.55	2,682.55	2,661.55	2,640.55
86,101.00	86,500.00	3,739.65	3,645.15	3,624.15	3,603.15	3,582.15	3,561.15	3,540.1	3,519.15	2,782.35	2,761.35	2,740.35	2,719.35	2,698.35	2,677.35	2,656.35
86,501.00	86,900.00	3,761.85	3,667.35	3,646.35	3,625.35	3,604.35	3,583.35	3,562.3	3,541.35	2,798.15	2,777.15	2,756.15	2,735.15	2,714.15	2,693.15	2,672.15
86,901.00	87,300.00	3,784.05	3,689.55	3,668.55	3,647.55	3,626.55	3,605.55	3,584.5	3,563.55	2,813.95	2,792.95	2,771.95	2,750.95	2,729.95	2,708.95	2,687.95
87,301.00	87,700.00	3,806.25	3,711.75	3,690.75	3,669.75	3,648.75	3,627.75	3,606.7	3,585.75	2,829.75	2,808.75	2,787.75	2,766.75	2,745.75	2,724.75	2,703.75
87,701.00	88,100.00	3,828.45	3,733.95	3,712.95	3,691.95	3,670.95	3,649.95	3,628.9	3,607.95	2,845.55	2,824.55	2,803.55	2,782.55	2,761.55	2,740.55	2,719.55
88,101.00	88,500.00	3,850.65	3,756.15	3,735.15	3,714.15	3,693.15	3,672.15	3,651.1	3,630.15	2,861.35	2,840.35	2,819.35	2,798.35	2,777.35	2,756.35	2,735.35
88,501.00	88,900.00	3,872.85	3,778.35	3,757.35	3,736.35	3,715.35	3,694.35	3,673.3	3,652.35	2,877.15	2,856.15	2,835.15	2,814.15	2,793.15	2,772.15	2,751.15
88,901.00	89,300.00	3,895.05	3,800.55	3,779.55	3,758.55	3,737.55	3,716.55	3,695.5	3,674.55	2,892.95	2,871.95	2,850.95	2,829.95	2,808.95	2,787.95	2,766.95
89,301.00	89,700.00	3,917.25	3,822.75	3,801.75	3,780.75	3,759.75	3,738.75	3,717.7	3,696.75	2,908.75	2,887.75	2,866.75	2,845.75	2,824.75	2,803.75	2,782.75
89,701.00	90,100.00	3,939.45	3,844.95	3,823.95	3,802.95	3,781.95	3,760.95	3,739.9	3,718.95	2,924.55	2,903.55	2,882.55	2,861.55	2,840.55	2,819.55	2,798.55
90,101.00	90,500.00	3,961.65	3,867.15	3,846.15	3,825.15	3,804.15	3,783.15	3,762.1	3,741.15	2,940.35	2,919.35	2,898.35	2,877.35	2,856.35	2,835.35	2,814.35
90,501.00	90,900.00	3,983.85	3,889.35	3,868.35	3,847.35	3,826.35	3,805.35	3,784.3	3,763.35	2,956.15	2,935.15	2,914.15	2,893.15	2,872.15	2,851.15	2,830.15
90,901.00	91,300.00	4,006.05	3,911.55	3,890.55	3,869.55	3,848.55	3,827.55	3,806.5	3,785.55	2,971.95	2,950.95	2,929.95	2,908.95	2,887.95	2,866.95	2,845.95
91,301.00	91,700.00	4,028.25	3,933.75	3,912.75	3,891.75	3,870.75	3,849.75	3,828.7	3,807.75	2,987.75	2,966.75	2,945.75	2,924.75	2,903.75	2,882.75	2,861.75
91,701.00	92,100.00	4,050.45	3,955.95	3,934.95	3,913.95	3,892.95	3,871.95	3,850.9	3,829.95	3,003.55	2,982.55	2,961.55	2,940.55	2,919.55	2,898.55	2,877.55
92,101.00	92,500.00	4,072.65	3,978.15	3,957.15	3,936.15	3,915.15	3,894.15	3,873.1	3,852.15	3,019.35	2,998.35	2,977.35	2,956.35	2,935.35	2,914.35	2,893.35
92,501.00	92,900.00	4,094.85	4,000.35	3,979.35	3,958.35	3,937.35	3,916.35	3,895.3	3,874.35	3,035.15	3,014.15	2,993.15	2,972.15	2,951.15	2,930.15	2,909.15
92,901.00	93,300.00	4,117.05	4,022.55	4,001.55	3,980.55	3,959.55	3,938.55	3,917.5	3,896.55	3,050.95	3,029.95	3,008.95	2,987.95	2,966.95	2,945.95	2,924.95
93,301.00	93,700.00	4,139.25	4,044.75	4,023.75	4,002.75	3,981.75	3,960.75	3,939.7	3,918.75	3,066.75	3,045.75	3,024.75	3,003.75	2,982.75	2,961.75	2,940.75
93,701.00	94,100.00	4,161.45	4,066.95	4,045.95	4,024.95	4,003.95	3,982.95	3,961.9	3,940.95	3,082.55	3,061.55	3,040.55	3,019.55	2,998.55	2,977.55	2,956.55
94,101.00	94,500.00	4,183.65	4,089.15	4,068.15	4,047.15	4,026.15	4,005.15	3,984.1	3,963.15	3,098.35	3,077.35	3,056.35	3,035.35	3,014.35	2,993.35	2,972.35
94,501.00	94,900.00	4,205.85	4,111.35	4,090.35	4,069.35	4,048.35	4,027.35	4,006.3	3,985.35	3,114.15	3,093.15	3,072.15	3,051.15	3,030.15	3,009.15	2,988.15
94,901.00	95,300.00	4,228.05	4,133.55	4,112.55	4,091.55	4,070.55	4,049.55	4,028.5	4,007.55	3,129.95	3,108.95	3,087.95	3,066.95	3,045.95	3,024.95	3,003.95
95,301.00	95,700.00	4,250														

Annual Louisiana Income Tax Withholding Table																
Exemptions:		1								2						
Dependents:		0	0	1	2	3	4	5	6	0	1	2	3	4	5	6
Salary Range:																
Min	Max															
99,301.00	99,700.00	4,472.25	4,377.75	4,356.75	4,335.75	4,314.75	4,293.75	4,272.7	4,251.75	3,303.75	3,282.75	3,261.75	3,240.75	3,219.75	3,198.75	3,177.75
99,701.00	100,100.00	4,494.45	4,399.95	4,378.95	4,357.95	4,336.95	4,315.95	4,294.9	4,273.95	3,319.55	3,298.55	3,277.55	3,256.55	3,235.55	3,214.55	3,193.55
100,101.00	100,500.00	4,516.65	4,422.15	4,401.15	4,380.15	4,359.15	4,338.15	4,317.1	4,296.15	3,340.42	3,319.42	3,298.42	3,277.42	3,256.42	3,235.42	3,214.42
										(Add 5.55% for amounts in excess of \$100,500)						
										(Add 5.64% for amounts in excess of \$100,500)						

4. ...

D. Income Tax Withholding Formulas. The overall structure of the formulas used to compute the withholding tax is to calculate the tax on the total wage amount and then subtract the amount of tax calculated on the personal exemptions and dependency credits the taxpayer claims for withholding purposes. The correct withholding formula depends upon the number of personal exemptions claimed and annual wages.

1. Withholding Formulas for Single or Married Taxpayers Claiming 0 or 1 Personal Exemption

a. Effective prior to February 16, 2018:

W is the withholding tax per pay period.
 S is employee's salary per pay period for each bracket.
 X is the number of personal exemptions; X must be 0 or 1.
 Y is the number of dependency credits; Y must be a whole number that is 0 or greater.
 N is the number of pay periods.
 A is the effect of the personal exemptions and dependency credits equal to or less than \$12,500;
 $A = .021(((X * 4500) + (Y * 1000)) \div N)$.
 B is the effect of the personal exemptions and dependency credits in excess of \$12,500
 $B = .0165(((X * 4500) + (Y * 1000)) - 12,500) \div N)$.
 If annual wages are less than or equal to \$12,500, then
 $W = .021(S) - (A + B)$.
 If annual wages are greater \$12,500 but less than or equal to \$50,000, then
 $W = .021(S) + .0160(S - (12,500 \div N)) - (A + B)$.
 If annual wages are greater than \$50,000, then
 $W = .021(S) + .0160(S - (12,500 \div N)) + .0135(S - (50,000 \div N)) - (A + B)$.

b. Effective on or after February 16, 2018:

W is the withholding tax per pay period.
 S is employee's salary per pay period for each bracket.
 X is the number of personal exemptions; X must be 0 or 1.
 Y is the number of dependency credits; Y must be a whole number that is 0 or greater. N is the number of pay periods.
 A is the effect of the personal exemptions and dependency credits equal to or less than \$12,500; $A = .021(((X * 4500) + (Y * 1000)) \div N)$.
 B is the effect of the personal exemptions and dependency credits in excess of \$12,500; $B = .018(((X * 4500) + (Y * 1000)) - 12,500) \div N)$.
 If annual wages are less than or equal to \$12,500, Then
 $W = .021(S) - (A + B)$.
 If annual wages are greater than \$12,500, but less than or equal to \$50,000, Then
 $W = .021(S) + .018(S - (12,500 \div N)) - (A + B)$.
 If annual wages are greater than \$50,000, Then
 $W = .021(S) + .018(S - (12,500 \div N)) + .0165(S - (50,000 \div N)) - (A + B)$.

2. Withholding Formulas for Married Taxpayers Claiming 2 Personal Exemptions

a. Effective prior to February 16, 2018: Claiming 2 Personal Exemptions

W is the withholding tax per pay period.
 S is the employee's salary per pay period for each bracket.
 X is the number of personal exemptions. X must be 2.
 Y is the number of dependency credits. Y must be 0 or greater.
 N is the number of pay periods.

A is the effect of the personal exemptions and dependency credits equal to or less than \$25,000;

$$A = .021(((X * 4500) + (Y * 1000)) \div N)$$

B is the effect of the personal exemptions and dependency credits in excess of \$25,000;

$$B = .0165(((X * 4500) + (Y * 1000)) - 25,000) \div N)$$

If annual wages are less than or equal to \$25,000, then

$$W = .021(S) - (A + B)$$

If annual wages are greater \$25,000 but less than or equal to \$100,000, then

$$W = .021(S) + .0165(S - (25,000 \div N)) - (A + B)$$

If annual wages are greater than \$100,000, then

$$W = .021(S) + .0165(S - (25,000 \div N)) + .0135(S - (100,000 \div N)) - (A + B)$$

b. Effective on or after February 16, 2018:

W is the withholding tax per pay period.

S is the employee's salary per pay period for each bracket. X is the number of personal exemptions. X must be 2.

Y is the number of dependency credits. Y must be 0 or greater.

N is the number of pay periods.

A is the effect of the personal exemptions and dependency credits equal to or less than \$25,000; $A = .021(((X * 4500) + (Y * 1000)) \div N)$

B is the effect of the personal exemptions and dependency credits in excess of \$25,000; $B = .0175(((X * 4500) + (Y * 1000)) - 25,000) \div N)$

If annual wages are less than or equal to \$25,000, Then

$$W = .022(S) - (A + B)$$

If annual wages are greater than \$25,000, but less than or equal to \$100,000, Then

$$W = .022(S) + .0175(S - (25,000 \div N)) - (A + B)$$

If annual wages are greater than \$100,000, Then

$$W = .022(S) + .0175(S - (25,000 \div N)) + .0169(S - (100,000 \div N)) - (A + B)$$

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:32, R.S. 47:112, R.S. 47:295 and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Revenue, Policy Services Division, LR 28:2557 (December 2002), amended LR 35:255 (February 2009), LR 35:1543 (August 2009), LR 44:

Family Impact Statement

The proposed amendment of LAC 61:I.1501, regarding the amendment of the individual income tax withholding tables and formulas, should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of this proposed Rule will have no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform this function.

Poverty Impact Statement

The proposed regulation will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

It is anticipated that the proposed Rule should not have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting the proposed Rule to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Provider Impact Statement

The proposed regulation will have no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the provider to provide the same level of service;
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Any interested person may submit written data, views, arguments or comments regarding this proposed regulation to Brad Blanchard, Attorney, Policy Services Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be received no later than 4 p.m., April 25, 2018.

Public Hearing

A public hearing will be held on April 26, 2018, at 2 p.m. in the La Belle Room, on the first floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

Kimberly Lewis Robinson
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Income Tax Withholding Tables

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

This proposal amends the rule that provides individual income tax withholding tables and formulas. The proposed rule amendment generally increases individual income tax withholding.

Implementation of this proposed amendment by Louisiana Department of Revenue (LDR) will result in minimal additional costs associated with educating taxpayers. These costs will be absorbed in LDR's current budget allocation. Other than changes to employee withholding, this proposed amendment will not affect state governmental units and local governmental units. LDR does not have the information necessary to determine the additional costs, if any, to comply with this change, but these costs are expected to be minimal.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule amendment is expected to increase revenues by approximately \$177 million annually. The federal "Tax Cuts and Jobs Act" significantly decreased federal income tax for most individual taxpayers. Because Louisiana allows a deduction for federal income tax, this amendment adjusts withholdings for a portion of the resulting increase in Louisiana income tax.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Employers and employees will be affected by the proposed action. For employers, LDR does not have the information necessary to determine the additional costs, if any, to comply with this change, but these costs are expected to be minimal. Employees will be affected by generally higher Louisiana income tax withholdings. It is estimated that annually the additional withholding from affected employees will be approximately \$177 million.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed amendment is not expected to have any significant effect on competition or employment.

Kimberly Robinson
Secretary
1803#033

Gregory V. Albrecht
Chief Economist
Legislative Fiscal Office

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Defining Inside and Outside Waters (LAC 76:VII.370)

Notice is hereby given in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 56:495(E) that the Wildlife and Fisheries Commission, on March 1, 2018, promulgates a Rule to amend the line of demarcation defining inside and outside waters previously established in R.S. 56:495. Act 294 of the 2014 Regular Legislative Session authorizes the commission to amend the line through the Administrative Procedure Act. The proposed changes will address the current state of the inside/outside shrimp line due to land loss from storm surge, erosion, and other environmental factors.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishery §370. Defining Inside and Outside Waters

A. The line of demarcation listed in Subsection B, separating inside and outside state waters, shall become effective September 1, 2018.

B. Solely for the purpose of this Subsection, the shrimping waters of the state are divided into two classes, inside and outside waters. The line of demarcation of the classes of water shall commence at the coastal boundary between Texas and Louisiana and terminate at the coastal boundary between Mississippi and Louisiana and is more particularly described as follows, to wit:

1. (1) beginning at a point on the state line between Texas and Louisiana from "Texas Point", approximately located at latitude 29 degrees 41 minutes 04.95120 seconds north, longitude 93 degrees 50 minutes 09.44039 seconds west;

2. (2) thence northeasterly approx. 2,344 feet to the southeast point of land of the Sabine Pass known as "Louisiana Point", latitude 29 degrees 41 minutes 27.25554 seconds north, longitude 93 degrees 50 minutes 02.11628 seconds west;

3. (3) thence in an easterly direction along the shoreline to the west point of land of Calcasieu Pass, latitude 29 degrees 45 minutes 41.45070 seconds north, longitude 93 degrees 20 minutes 44.39036 seconds west;

4. (4) thence in a northerly direction along the west bank of the Calcasieu Ship Channel to a northwest point of land, latitude 29 degrees 48 minutes 06.32085 seconds north, longitude 93 degrees 20 minutes 55.34353 seconds west;

5. (5) thence southeasterly approximately 1,193 feet to a northeast point of land on the east side of Calcasieu Ship Channel, latitude 29 degrees 48 minutes 05.18206 seconds north, longitude 93 degrees 20 minutes 41.86770 seconds west;

6. (6) thence in a southerly direction along the east bank of the Calcasieu River to the east point of land of Calcasieu Pass, latitude 29 degrees 45 minutes 43.19858 seconds north, longitude 93 degrees 20 minutes 32.62863 seconds west;

7. (7) thence in an easterly direction along the shore to the west point of land at the mouth of the Mermentau Ship Channel, latitude 29 degrees 43 minutes 46.30700 seconds north, longitude 93 degrees 00 minutes 41.06756 seconds west;

8. (8) thence easterly approximately 832 feet to the east point of land at the mouth of the Mermentau Ship Channel, latitude 29 degrees 43 minutes 46.29737 seconds north, longitude 93 degrees 00 minutes 31.63360 seconds west;

9. (9) thence in an southerly direction along the shore to the south point of land at the mouth of the Mermentau Ship Channel, latitude 29 degrees 43 minutes 25.60948 seconds north, longitude 93 degrees 00 minutes 30.26638 seconds west;

10. (10) thence in an easterly direction along the shore to a point of land on the west side of Joseph Harbor Bayou, latitude 29 degrees 38 minutes 08.37189 seconds north, longitude 92 degrees 46 minutes 03.00163 seconds west;

11. (11) thence northeasterly approximately 706 feet to a point of land on the east side of Joseph Harbor Bayou, latitude 29 degrees 38 minutes 10.47916 seconds north, longitude 92 degrees 45 minutes 55.37332 seconds west;

12. (12) thence in an easterly direction along the shore to the west point of land on Big Constance Lake, latitude 29 degrees 35 minutes 36.72869 seconds north, longitude 92 degrees 38 minutes 30.82610 seconds west;

13. (13) thence southeasterly approximately 6,026 feet to a point of land on the east side of Big Constance Lake, latitude 29 degrees 35 minutes 17.67924 seconds north, longitude 92 degrees 37 minutes 26.14821 seconds west;

14. (14) thence in an easterly direction along the shore to the west point of land on Flat Lake, latitude 29 degrees 34 minutes 49.57153 seconds north, longitude 92 degrees 34 minutes 25.11975 seconds west;

15. (15) thence southeasterly approximately 1,322 feet to the west point of land on the Island in Flat Lake, latitude 29 degrees 34 minutes 42.88204 seconds north, longitude 92 degrees 34 minutes 12.25707 seconds west;

16. (16) thence in an easterly direction along the shore to the east point of land on the Island in Flat Lake, latitude 29 degrees 34 minutes 41.14071 seconds north, longitude 92 degrees 34 minutes 06.44475 seconds west;

17. (17) thence in an easterly direction approximately 3,729 feet to the east point of land on Flat Lake, latitude 29 degrees 34 minutes 35.11035 seconds north, longitude 92 degrees 33 minutes 24.78254 seconds west;

18. (18) thence in an easterly direction along the shore to the west point of land on Rollover Bayou, latitude 29 degrees 34 minutes 26.98807 seconds north, longitude 92 degrees 32 minutes 13.49527 seconds west;

19. (19) thence easterly approximately 624 feet to the east point of land on Rollover Bayou, latitude 29 degrees 34 minutes 27.05142 seconds north, longitude 92 degrees 32 minutes 06.42546 seconds west;

20. (20) thence in a southeasterly direction along the shore to a point of land on the west side of the mouth of Freshwater Bayou Channel, latitude 29 degrees 32 minutes 06.16258 seconds north, longitude 92 degrees 18 minutes 41.19677 seconds west;

21. (21) thence easterly approximately 2,092 feet to a point of land on the east side of the mouth of Freshwater Bayou Channel, latitude 29 degrees 32 minutes 06.37004 seconds north, longitude 92 degrees 18 minutes 17.51635 seconds west;

22. (22) thence in an easterly direction along the shore to a point of land on the west side of Southwest Pass, latitude 29 degrees 35 minutes 14.28597 seconds north, longitude 92 degrees 02 minutes 29.00306 seconds west;

23. (23) thence southeasterly approximately 4,655 feet to Lighthouse Point, the east point of land of Southwest Pass, latitude 29 degrees 34 minutes 38.68472 seconds north, longitude 92 degrees 01 minute 55.52266 seconds west;

24. (24) thence in an easterly direction along the shore to a point of land on the southeast side of Marsh Island, known as "South Point", latitude 29 degrees 29 minutes 25.41005 seconds north, longitude 91 degrees 46 minutes 06.44233 seconds west;

25. (25) thence southeasterly approximately 54,641 feet to a platform in East Cote Blanche Bay known as "Double Stacks", latitude 29 degrees 26 minutes 53.99982 seconds north, longitude 91 degrees 36 minutes 13.00008 seconds west;

26. (26) thence southeasterly approximately 75,100 feet to the Eugene Island Lighthouse and Radio Tower, latitude 29 degrees 22 minutes 19.63544 seconds north, longitude 91 degrees 23 minutes 03.82294 seconds west;

27. (27) thence in a southeasterly direction approximately 19,990 feet to the south point of land on Little Pointe Au Fer Island, latitude 29 degrees 19 minutes 33.01214 seconds north, longitude 91 degrees 21 minutes 01.95819 seconds west;

28. (28) thence southeasterly approximately 6,928 feet to the northwest point of Point au Fer Island, latitude 29 degrees 18 minutes 33.79644 seconds north, longitude 91 degrees 20 minutes 22.47380 seconds west;

29. (29) thence in an easterly direction along the shore to a point of land on the west side of Oyster Bayou, latitude 29 degrees 13 minutes 16.94873 seconds north, longitude 91 degrees 07 minutes 54.47860 seconds west;

30. (29.1) thence northwesterly approximately 1,066 feet along the shoreline of Oyster Bayou to a point located at latitude 29 degrees 13 minutes 25.9932 seconds north, longitude 91 degrees 08 minutes 00.582 seconds west;

31. (29.2) thence northeasterly across Oyster Bayou to a point on the opposite shore located at latitude 29 degrees 13 minutes 30.5472 seconds north, longitude 91 degrees 07 minutes 52.2048 seconds west;

32. (29.3) thence southeasterly approximately 1,555 feet along the shoreline of Oyster Bayou to a point located at latitude 29 degrees 13 minutes 16.9104 seconds north, longitude 91 degrees 07 minutes 46.0848 seconds west;

33. (30) thence due south across the sand deposits to a point located at the mouth of Oyster Bayou at latitude 29 degrees 13 minutes 15.7116 seconds north, longitude 91 degrees 07 minutes 46.0848 seconds west;

34. (31) thence in a southeasterly direction along the shore to a point of land on the west side of Bayou Goreau, latitude 29 degrees 11 minutes 31.23316 seconds north, longitude 91 degrees 05 minutes 08.55272 seconds west;

35. (32) thence northeasterly approximately 197 feet to a point of land on the east side of Bayou Goreau, latitude 29 degrees 11 minutes 32.00005 seconds north, longitude 91 degrees 05 minutes 06.50709 seconds west;

36. (33) thence in a southeasterly direction along the shore to a point of land on the northwest side of Caillou Bay, at a pipeline canal, latitude 29 degrees 11 minutes 02.25687 seconds north, longitude 91 degrees 03 minutes 39.91642 seconds west;

37. (34) thence northeasterly approximately 7,563 feet to the south point of Pelican Island in Terrebonne Parish, latitude 29 degrees 11 minutes 15.46442 seconds north, longitude 91 degrees 02 minutes 15.93298 seconds west;

38. (35) thence northeasterly approximately 3,508 feet to the east point of Pelican Pass in Terrebonne Parish, latitude 29 degrees 11 minutes 17.43943 seconds north, longitude 91 degrees 01 minute 36.41672 seconds west;

39. (36) thence southeasterly approximately 3,845 feet to the west point of the mouth of Jack Stout Bayou, latitude 29 degrees 10 minutes 45.91373 seconds north, longitude 91 degrees 01 minute 12.11677 seconds west;

40. (37) thence southeasterly approximately 3,213 feet to the east point of the mouth of Jack Stout Bayou, latitude 29 degrees 10 minutes 34.77304 seconds north, longitude 91 degrees 00 minutes 38.17378 seconds west;

41. (38) thence in a southeasterly direction along the shore to a point of land on the west side of the mouth of Bayou Charbon, latitude 29 degrees 10 minutes 26.60339 seconds north, longitude 91 degrees 00 minutes 08.78997 seconds west;

42. (39) thence southeasterly approximately 603 feet to the east point of the mouth of Bayou Charbon, latitude 29 degrees 10 minutes 24.09051 seconds north, longitude 91 degrees 00 minutes 02.61837 seconds west;

43. (40) thence in an easterly direction along the shore to the west point of Little Jack Stout Bayou, latitude 29 degrees 10 minutes 30.53538 seconds north, longitude 90 degrees 59 minutes 35.80642 seconds west;

44. (41) thence northeasterly approximately 743 feet to the east point of Little Jack Stout Bayou, latitude 29 degrees 10 minutes 33.06175 seconds north, longitude 90 degrees 59 minutes 27.94047 seconds west;

45. (42) thence in an easterly direction along the shore to the west point of Grand Bayou Du Large Washout, latitude 29 degrees 10 minutes 46.71793 seconds north, longitude 90 degrees 58 minutes 06.59105 seconds west;

46. (43) thence northeasterly approximately 1,785 feet to the east point of Grand Bayou Du Large Washout, latitude 29 degrees 10 minutes 55.66835 seconds north, longitude 90 degrees 57 minutes 49.23370 seconds west;

47. (44) thence northeasterly approximately 2,998 feet to the east point of mouth of Grand Bayou Du Large, latitude 29 degrees 11 minutes 01.64086 seconds north, longitude 90 degrees 57 minutes 16.10137 seconds west;

48. (45) thence southeasterly approximately 1,136 feet to the south point of mouth of Fish Bayou, latitude 29 degrees 10 minutes 52.78854 seconds north, longitude 90 degrees 57 minutes 08.20611 seconds west;

49. (46) thence in a southerly direction along the shore to the west point of Bayou Grand Caillou, latitude 29 degrees 10 minutes 36.20213 seconds north, longitude 90 degrees 56 minutes 57.11505 seconds west;

50. (47) thence southeasterly approximately 4,432 feet to the east point of Bayou Grand Caillou, latitude 29 degrees 10 minutes 14.05594 seconds north, longitude 90 degrees 56 minutes 13.95794 seconds west;

51. (48) thence in a southeasterly direction along the shore to the north point of the mouth of Turtle Bayou, latitude 29 degrees 09 minutes 39.77048 seconds north, longitude 90 degrees 55 minutes 51.45370 seconds west;

52. (49) thence southerly approximately 765 feet to the south point of the mouth of Turtle Bayou, latitude 29 degrees 09 minutes 32.21916 seconds north, longitude 90 degrees 55 minutes 52.04575 seconds west;

53. (50) thence in a southeasterly direction along the shore to the north point of the mouth of Bayou de l'Ouest, latitude 29 degrees 08 minutes 49.13785 seconds north, longitude 90 degrees 54 minutes 50.25877 seconds west;

54. (51) thence southeasterly approximately 6,446 feet to the south point of the mouth of Bayou de l'Ouest, latitude 29 degrees 08 minutes 02.57616 seconds north, longitude 90 degrees 54 minutes 00.55764 seconds west;

55. (52) thence southeasterly approximately 5,766 feet to the west point of Pass Des Ilettes, latitude 29 degrees 07 minutes 20.21771 seconds north, longitude 90 degrees 53 minutes 16.98295 seconds west;

56. (53) thence southeasterly approximately 7,183 feet to the east point of Pass Des Ilettes, latitude 29 degrees 06 minutes 23.54239 seconds north, longitude 90 degrees 52 minutes 28.08108 seconds west;

57. (54) thence southeasterly approximately 3,538 feet to the west point of Wilson Pass, latitude 29 degrees 05 minutes 52.96424 seconds north, longitude 90 degrees 52 minutes 08.63735 seconds west;

58. (55) thence southeasterly approximately 10,190 feet to the east point of Wilson Pass, latitude 29 degrees 04 minutes 28.82542 seconds north, longitude 90 degrees 51 minutes 05.28173 seconds west;

59. (56) thence in a southeasterly direction along the shore to the north point of Caillou Boca Pass, latitude 29 degrees 03 minutes 58.53867 seconds north, longitude 90 degrees 50 minutes 08.56325 seconds west;

60. (57) thence southwesterly approximately 5,368 feet to the south point of Caillou Boca Pass, near a navigational

light, latitude 29 degrees 03 minutes 08.15855 seconds north, longitude 90 degrees 50 minutes 27.81820 seconds west;

61. (58) thence in a southerly direction along the shore to a point on the southwest shore of Whiskey Island, latitude 29 degrees 02 minutes 50.74165 seconds north, longitude 90 degrees 50 minutes 33.50103 seconds west;

62. (59) thence in an easterly direction along the shore to the west point of Whiskey Pass, latitude 29 degrees 03 minutes 22.40555 seconds north, longitude 90 degrees 48 minutes 24.25731 seconds west;

63. (60) thence easterly approximately 12,891 feet to the east point of Whiskey Pass, latitude 29 degrees 03 minutes 10.14362 seconds north, longitude 90 degrees 45 minutes 59.69472 seconds west;

64. (61) thence in an easterly direction along the shore to the west point of Wine Island Pass, latitude 29 degrees 04 minutes 22.79842 seconds north, longitude 90 degrees 39 minutes 13.91593 seconds west;

65. (62) thence northeasterly approximately 16,409 feet to the most easterly point of the Wine Island rock jetties, latitude 29 degrees 05 minutes 37.99824 seconds north, longitude 90 degrees 36 minutes 30.00008 seconds west;

66. (63) thence southeasterly approximately 19,851 feet to the west point of Timbalier Island, latitude 29 degrees 05 minutes 20.37941 seconds north, longitude 90 degrees 32 minutes 47.17387 seconds west;

67. (64) thence in a southeasterly direction along the shore to the west point of Little Pass Timbalier, latitude 29 degrees 04 minutes 04.21174 seconds north, longitude 90 degrees 26 minutes 36.84970 seconds west;

68. (65) thence easterly approximately 35,929 feet to the west point of land on East Timbalier Island, latitude 29 degrees 04 minutes 02.46147 seconds north, longitude 90 degrees 19 minutes 52.00898 seconds west;

69. (66) thence in an easterly direction along the shore to the west point of "Penrod Slip", latitude 29 degrees 04 minutes 29.18578 seconds north, longitude 90 degrees 18 minutes 42.55926 seconds west;

70. (67) thence northeasterly approximately 17,926 feet to the east point of "Penrod Slip", latitude 29 degrees 05 minutes 39.09466 seconds north, longitude 90 degrees 15 minutes 36.87269 seconds west;

71. (68) thence in an easterly direction along the shore to the west point of Belle Pass, latitude 29 degrees 05 minutes 16.73856 seconds north, longitude 90 degrees 13 minutes 38.63916 seconds west;

72. (69) thence southeasterly approximately 1,388 feet to the east point of Belle Pass, latitude 29 degrees 05 minutes 10.19903 seconds north, longitude 90 degrees 13 minutes 24.88638 seconds west;

73. (70) thence in a northeasterly direction along the shore to the southwest point of Caminada Pass, latitude 29 degrees 11 minutes 34.92016 seconds north, longitude 90 degrees 02 minutes 50.94216 seconds west;

74. (71) thence in a northerly direction along the northwesterly shoreline of Caminada Pass to the intersection of an underground power line as marked by two platforms in Caminada Pass, which is the northwest point of Caminada Pass, latitude 29 degrees 12 minutes 22.50230 seconds north, longitude 90 degrees 03 minutes 02.70045 seconds west;

75. (72) thence southeasterly along the underground power line as marked by two platforms in Caminada Pass, approximately 358 feet to the West Power Line Marker of the Caminada Channel, latitude 29 degrees 12 minutes 21.20418 seconds north, longitude 90 degrees 02 minutes 58.93637 seconds west;

76. (73) thence southeasterly along the underground power line as marked by two platforms in Caminada Pass, approximately 1,478 feet to the East Power Line Marker of the Caminada Channel, latitude 29 degrees 12 minutes 15.85401 seconds north, longitude 90 degrees 02 minutes 43.41687 seconds west;

77. (74) thence southeasterly approximately 781 feet to the northeast point of Caminada Pass on the northwesterly shoreline of Grand Isle, latitude 29 degrees 12 minutes 12.25221 seconds north, longitude 90 degrees 02 minutes 35.65270 seconds west;

78. (75) thence in a southerly direction along the shore to the southeast point of Caminada Pass, latitude 29 degrees 11 minutes 55.73980 seconds north, longitude 90 degrees 02 minutes 28.00430 seconds west;

79. (76) thence in a northeasterly direction along the south shoreline of Grand Isle to the most northerly point of Grand Isle, the west point of Baratavia Pass, latitude 29 degrees 16 minutes 10.92696 seconds north, longitude 89 degrees 57 minutes 17.70348 seconds west;

80. (77) thence northeasterly approximately 1,098 feet to the navigation marker known as the "Green Turn Buoy" in Baratavia Pass, latitude 29 degrees 16 minutes 20.98086 seconds north, longitude 89 degrees 57 minutes 12.98009 seconds west;

81. (78) thence easterly approximately 2,411 feet to the east point of Baratavia Pass, at Fort Livingston ruins, latitude 29 degrees 16 minutes 21.17236 seconds north, longitude 89 degrees 56 minutes 45.75555 seconds west;

82. (79) thence in a northeasterly direction along the south shoreline of Grand Terre Island to a point of land most northerly, the west point of Pass Abel, latitude 29 degrees 17 minutes 50.66661 seconds north, longitude 89 degrees 54 minutes 30.79631 seconds west;

83. (80) thence northeasterly approximately 6,861 feet to the east point of Pass Abel, latitude 29 degrees 18 minutes 28.77024 seconds north, longitude 89 degrees 53 minutes 26.65497 seconds west;

84. (81) thence in an easterly direction along the shore to the west point of Quatre Bayou Pass, latitude 29 degrees 18 minutes 47.29679 seconds north, longitude 89 degrees 51 minutes 41.26373 seconds west;

85. (82) thence northeasterly approximately 6,697 feet to the east point of Quatre Bayou Pass, latitude 29 degrees 19 minutes 13.89235 seconds north, longitude 89 degrees 50 minutes 31.97201 seconds west;

86. (83) thence in a northeasterly direction along the shore to the west point of the washout below Bay Long, latitude 29 degrees 19 minutes 32.29984 seconds north, longitude 89 degrees 49 minutes 34.23242 seconds west;

87. (84) thence southeasterly approximately 4,682 feet to the east point of the washout below Bay Long, latitude 29 degrees 19 minutes 03.24021 seconds north, longitude 89 degrees 48 minutes 53.02463 seconds west;

88. (85) thence in an easterly direction along the shore to the west point of the washout below Shell Island Bay,

latitude 29 degrees 17 minutes 57.91497 seconds north, longitude 89 degrees 39 minutes 37.87864 seconds west;

89. (86) thence southeasterly approximately 11,734 feet to the east point of the washout below Shell Island Bay, latitude 29 degrees 16 minutes 53.15017 seconds north, longitude 89 degrees 37 minutes 47.86759 seconds west;

90. (87) thence in a southeasterly direction along the shore to the southeast point of Lanaux Island, latitude 29 degrees 15 minutes 55.96639 seconds north, longitude 89 degrees 36 minutes 28.97569 seconds west;

91. (88) thence southeasterly approximately 3,044 feet to the northwest point of Pelican Island, in Plaquemines Parish, latitude 29 degrees 15 minutes 28.50701 seconds north, longitude 89 degrees 36 minutes 14.82716 seconds west;

92. (89) thence in a southwesterly direction along the shore to the southwest point of Pelican Island, in Plaquemines Parish, latitude 29 degrees 15 minutes 14.14710 seconds north, longitude 89 degrees 36 minutes 24.53604 seconds west;

93. (90) thence in an easterly direction along the shore to the west point of the pass of Scofield Bayou, latitude 29 degrees 14 minutes 55.60396 seconds north, longitude 89 degrees 33 minutes 56.70645 seconds west;

94. (91) thence east approximately 435 feet to the east point of the pass of Scofield Bayou, latitude 29 degrees 14 minutes 55.53846 seconds north, longitude 89 degrees 33 minutes 51.79374 seconds west;

95. (92) thence in a southeasterly direction along the shore to the west point of the washout below Bay Coquette, latitude 29 degrees 14 minutes 05.57842 seconds north, longitude 89 degrees 31 minutes 01.38761 seconds west;

96. (93) thence southeasterly approximately 12,157 feet to the south point of the Sandy Point Island, latitude 29 degrees 13 minutes 06.36125 seconds north, longitude 89 degrees 29 minutes 01.94537 seconds west;

97. (94) thence southeasterly approximately 5,134 feet to the north point of Red Pass, latitude 29 degrees 12 minutes 43.23994 seconds north, longitude 89 degrees 28 minutes 10.35788 seconds west;

98. (95) thence south approximately 954 feet to the south point of Red Pass, latitude 29 degrees 12 minutes 33.80160 seconds north, longitude 89 degrees 28 minutes 10.69614 seconds west;

99. (96) thence in a southeasterly direction along the shore to the southwest point of land south of Red Pass, latitude 29 degrees 12 minutes 29.20037 seconds north, longitude 89 degrees 28 minutes 07.76965 seconds west;

100. (97) thence approximately 37,800 feet in a southeasterly direction to the radio tower located at latitude 29 degrees 07 minutes 55 seconds north, longitude 89 degrees 23 minutes 18 seconds west;

101. (98) thence approximately 21,300 feet in a southeasterly direction to a manifold platform in the east side of Grand Pass at latitude 29 degrees 05 minutes 28 seconds north, longitude 89 degrees 20 minutes 26 seconds west;

102. (99) thence approximately 12,981 feet south to the southwestern point on southern shore of Scott Bay, latitude 29 degrees 03 minutes 19.55590 seconds north, longitude 89 degrees 20 minutes 20.91769 seconds west;

103. (100) thence in a southeasterly direction along the shore to the northwestern point of the mouth of Outlet W-2, latitude 29 degrees 02 minutes 35.29280 seconds north, longitude 89 degrees 21 minutes 08.95367 seconds west;

104. (101) thence approximately 21,926 feet in a southwesterly direction to latitude 28 degrees 59 minutes 20.865 seconds north, longitude 89 degrees 22 minutes 59.314 seconds west;

105. (102) thence approximately 45,797 feet in a southwesterly direction to a point on the west bank of Southwest Pass, latitude 28 degrees 55 minutes 50 seconds north, longitude 89 degrees 25 minutes 00 seconds west;

106. (103) thence approximately 3,631 feet in a southeasterly direction to a point on the east jetty of Southwest Pass, latitude 28 degrees 55 minutes 40.90119 seconds north, longitude 89 degrees 24 minutes 20.47101 seconds west;

107. (104) thence northeasterly approximately 19,313 feet to the south point of Burrwood Bayou, latitude 28 degrees 57 minutes 56.42504 seconds north, longitude 89 degrees 21 minutes 47.16227 seconds west;

108. (105) thence northeasterly approximately 33,352 feet to a point on the western shore of East Bay, latitude 29 degrees 02 minutes 11.57932 seconds north, longitude 89 degrees 17 minutes 48.81506 seconds west;

109. (106) thence northeasterly approximately 4,862 feet to Cockler Point on the western shore of East Bay, latitude 29 degrees 02 minutes 52.70522 seconds north, longitude 89 degrees 17 minutes 20.35614 seconds west;

110. (107) thence northeasterly approximately 10,163 feet to the mouth of Joseph Bayou, latitude 29 degrees 03 minutes 36 seconds north, longitude 89 degrees 15 minutes 37 seconds west;

111. (108) thence east approximately 14,733 feet to a point of land on the west bank of South Pass in Whale Bay, latitude 29 degrees 03 minutes 36 seconds north, longitude 89 degrees 12 minutes 51 seconds west;

112. (109) thence in a southeasterly direction to the southeast point of the eastern shore of East Bay, latitude 28 degrees 59 minutes 42.10926 seconds north, longitude 89 degrees 09 minutes 19.74294 seconds west;

113. (110) thence easterly approximately 1,152 feet to the south point of the west levee of South Pass, latitude 28 degrees 59 minutes 43.04560 seconds north, longitude 89 degrees 09 minutes 06.81181 seconds west;

114. (111) thence in a northeasterly direction along the shore to the west point of South Pass, latitude 28 degrees 59 minutes 56.51565 seconds north, longitude 89 degrees 08 minutes 53.80725 seconds west;

115. (112) thence northwesterly approximately 2,299 feet to the south point of the east barrier island of South Pass, latitude 29 degrees 00 minutes 17.79651 seconds north, longitude 89 degrees 09 minutes 02.97217 seconds west;

116. (113) thence in a northeasterly direction along the shore to a point on the south side of the east outlet of South Pass, latitude 29 degrees 00 minutes 34.18822 seconds north, longitude 89 degrees 09 minutes 05.18348 seconds west;

117. (114) thence northerly approximately 900 feet to the east point of the east levee of South Pass, latitude 29 degrees 00 minutes 43.09785 seconds north, longitude 89 degrees 09 minutes 05.00480 seconds west;

118. (115) thence northwesterly approximately 14,882 feet to the southeastern point of an island southeast of the mouth of Dennis Pass, latitude 29 degrees 03 minutes 09.64678 seconds north, longitude 89 degrees 09 minutes 22.20009 seconds west;

119. (115.1) thence northeasterly approximately 13,189 feet to mouth of Johnson Pass, latitude 29 degrees 04 minutes 51.333 seconds north, longitude 89 degrees 07 minutes 48.981 seconds west;

120. (115.2) thence northeasterly approximately 5,530 feet to the northern bank of Cognevich Pass, latitude 29 degrees 05 minutes 42.9432 seconds north, longitude 89 degrees 07 minutes 28.2036 seconds west;

121. (115.3) thence northeasterly approximately 7,345 feet to the eastern shore of the island located between North Shore Bay and Redfish Bay at latitude 29 degrees 06 minutes 47.3508 seconds north, longitude 89 degrees 06 minutes 49.77 seconds west;

122. (115.4) thence easterly approximately 8,755 feet to the western bank of Southeast Pass seaward side in Redfish Bay, latitude 29 degrees 06 minutes 41.562 seconds north, longitude 89 degrees 05 minutes 11.292 seconds west;

123. (116) thence southeasterly approximately 6,621 feet to the southwest point of the west levee of Southeast Pass, latitude 29 degrees 05 minutes 50.61189 seconds north, longitude 89 degrees 04 minutes 24.33261 seconds west;

124. (117) thence in a northeasterly direction along the shore to the west point of Southeast Pass, latitude 29 degrees 06 minutes 06.60266 seconds north, longitude 89 degrees 04 minutes 07.22646 seconds west;

125. (118) thence northeasterly approximately 535 feet to the east point of Southeast Pass, latitude 29 degrees 06 minutes 09.42871 seconds north, longitude 89 degrees 04 minutes 02.12414 seconds west;

126. (119) thence in a northeasterly direction along the shore to the east point of the south levee of Micale Bayou, latitude 29 degrees 06 minutes 21.10356 seconds north, longitude 89 degrees 03 minutes 46.47144 seconds west;

127. (120) thence northeasterly approximately 417 feet to the east point of the north levee of Micale Bayou, latitude 29 degrees 06 minutes 23.71630 seconds north, longitude 89 degrees 03 minutes 42.83758 seconds west;

128. (121) thence in a northeasterly direction along the shore to the eastern-most point of land between the Southeast Pass and Northeast Pass, latitude 29 degrees 07 minutes 05.75774 seconds north, longitude 89 degrees 03 minutes 17.81742 seconds west;

129. (121.1) thence northwesterly approximately 2,731 feet to the North bank of Northeast Pass, latitude 29 degrees 07 minutes 31.2708 seconds north, longitude 89 degrees 03 minutes 28.0008 seconds west;

130. (121.2) thence northwesterly approximately 17,591 feet to the mouth of the Bayou just north of the Pipeline Canal that cuts through Jackass Bay to a point on the east side of the island located at latitude 29 degrees 08 minutes

43.2276 seconds north, longitude 89 degrees 06 minutes 28.6272 seconds west;

131. (121.3) thence northeasterly approximately 9,262 feet to the southern bank of Jackson Bayou located at latitude 29 degrees 09 minutes 56.934 seconds north, longitude 89 degrees 05 minutes 26.4948 seconds west;

132. (121.4) thence northeasterly approximately 9,034 feet to the southern bank of the island located at the mouth of Straight Bayou at latitude 29 degrees 10 minutes 30.8424 seconds north, longitude 89 degrees 03 minutes 52.2036 seconds west;

133. (122) thence northeasterly approximately 14,852 feet to the east point of the south levee of North Pass, latitude 29 degrees 12 minutes 13.91839 seconds north, longitude 89 degrees 01 minute 52.71454 seconds west;

134. (123) thence northwesterly approximately 1,721 feet to the east point of the north levee of North Pass, latitude 29 degrees 12 minutes 30.51489 seconds north, longitude 89 degrees 01 minute 57.09847 seconds west;

135. (124) thence in a northwesterly direction along the shore to the north point of the north levee of North Pass, latitude 29 degrees 12 minutes 35.55832 seconds north, longitude 89 degrees 02 minutes 00.61988 seconds west;

136. (125) thence southwesterly approximately 24,349 feet to the northeast point of land in Customhouse Bay, latitude 29 degrees 11 minutes 45.47006 seconds north, longitude 89 degrees 06 minutes 29.35285 seconds west;

137. (125.1) thence northwesterly approximately 11,715 feet to a point located in Bucket Bend at latitude 29 degrees 13 minutes 09.1848 seconds north, longitude 89 degrees 08 minutes 00.8448 seconds west;

138. (125.2) thence northwesterly approximately 6,283 feet to a point located in the southern part of Dead Women Bend near the exit location of Twentyseven Pass at latitude 29 degrees 13 minutes 41.0736 seconds north, longitude 89 degrees 09 minutes 01.728 seconds west;

139. (125.3) thence northeasterly approximately 9,300 feet to a point located at the southern bank of Dead Woman Pass at latitude 29 degrees 14 minutes 46.2984 seconds north, longitude 89 degrees 07 minutes 47.6472 seconds west;

140. (126) thence northwesterly approximately 752 feet to the north bank of Dead Woman Pass, latitude 29 degrees 14 minutes 53.7252 seconds north, longitude 89 degrees 07 minutes 48.2736 seconds west;

141. (127) thence northwesterly approximately 13,460 feet to the northeast point of Timber Island by Bienvenue Pass, latitude 29 degrees 17 minutes 02.66053 seconds north, longitude 89 degrees 08 minutes 26.62523 seconds west;

142. (128) thence northwesterly approximately 24,047 feet to the northeast point of the island in the mouth of Main Pass, latitude 29 degrees 20 minutes 15.94786 seconds north, longitude 89 degrees 11 minutes 05.17729 seconds west;

143. (129) thence northwesterly approximately 5,018 feet to the north point of the west levee of Main Pass, latitude 29 degrees 20 minutes 29.98190 seconds north, longitude 89 degrees 11 minutes 59.55914 seconds west;

144. (129.1) thence southwesterly approximately 6,155 feet to a point located just seaward from Octave Pass North at latitude 29 degrees 19 minutes 50.9988 seconds north, longitude 89 degrees 12 minutes 52.9992 seconds west;

145. (129.2) thence southwesterly approximately 10,461 feet to a point located between Bernies Pass and Battery Bayou at latitude 29 degrees 18 minutes 18 seconds north, longitude 89 degrees 13 minutes 45.0012 seconds west;

146. (130) thence northwesterly approximately 4,285 feet to the north point of the east levee of East Fork, latitude 29 degrees 18 minutes 38.94519 seconds north, longitude 89 degrees 14 minutes 27.08895 seconds west;

147. (131) thence northwesterly approximately 11,244 feet to the northeast point of the east levee of the east outlet of Emeline Pass, latitude 29 degrees 20 minutes 16.49226 seconds north, longitude 89 degrees 15 minutes 28.27037 seconds west;

148. (132) thence northwesterly approximately 5,141 feet to the northeast point of the east levee of Emeline Pass, latitude 29 degrees 20 minutes 58.88195 seconds north, longitude 89 degrees 16 minutes 00.41227 seconds west;

149. (133) thence northwesterly approximately 9,960 feet to the southeastern point on the eastern shore of the Main Pass east levee, latitude 29 degrees 21 minutes 57.19326 seconds north, longitude 89 degrees 17 minutes 31.17691 seconds west;

150. (134) thence northerly approximately 10,939 feet to an east point on the eastern shore of the Main Pass east levee, latitude 29 degrees 23 minutes 44.78937 seconds north, longitude 89 degrees 17 minutes 45.23755 seconds west;

151. (135) thence northeasterly approximately 4,585 feet to the northeastern point on the eastern shore of the Main Pass east levee, latitude 29 degrees 24 minutes 25.32960 seconds north, longitude 89 degrees 17 minutes 21.93072 seconds west;

152. (136) thence northeasterly approximately 39,510 feet to the south point of Breton Island, latitude 29 degrees 28 minutes 11.81256 seconds north, longitude 89 degrees 11 minutes 17.62330 seconds west;

153. (137) thence in a northeasterly direction along the shore to the north point of Breton Island, latitude 29 degrees 29 minutes 49.50414 seconds north, longitude 89 degrees 10 minutes 30.33595 seconds west;

154. (138) thence northeasterly approximately 27,234 feet to the south point of the south island of the Gosier Islands, latitude 29 degrees 31 minutes 24.79774 seconds north, longitude 89 degrees 05 minutes 42.00863 seconds west;

155. (139) thence in a northeasterly direction along the shore to the north point of the south island of the Gosier Islands, latitude 29 degrees 31 minutes 59.74482 seconds north, longitude 89 degrees 05 minutes 19.86319 seconds west;

156. (140) thence northeasterly approximately 8,509 feet to the south point of the north island of the Gosier Islands, latitude 29 degrees 32 minutes 45.13752 seconds north, longitude 89 degrees 03 minutes 58.70949 seconds west;

157. (141) thence in a northeasterly direction along the shore to the north point of the north island of the Gosier

Islands, latitude 29 degrees 33 minutes 22.48000 seconds north, longitude 89 degrees 03 minutes 32.21823 seconds west;

158. (142) thence northeasterly approximately 35,924 feet to the south point of the Curlew Islands, latitude 29 degrees 38 minutes 10.35706 seconds north, longitude 88 degrees 59 minutes 33.29121 seconds west;

159. (143) thence in a northeasterly direction along the shore to the north point of the Curlew Islands, latitude 29 degrees 38 minutes 15.78007 seconds north, longitude 88 degrees 59 minutes 30.59398 seconds west;

160. (144) thence northeasterly approximately 8,761 feet to the south point of the Stake Islands, latitude 29 degrees 39 minutes 10.60431 seconds north, longitude 88 degrees 58 minutes 13.65731 seconds west;

161. (145) thence in a northeasterly direction along the shore to the north point of the Stake Islands, latitude 29 degrees 40 minutes 47.88908 seconds north, longitude 88 degrees 56 minutes 47.18591 seconds west;

162. (146) thence northeasterly approximately 34,091 feet to the south point of the south island of the Chandeleur Islands, latitude 29 degrees 45 minutes 42.31016 seconds north, longitude 88 degrees 53 minutes 38.18264 seconds west;

163. (147) thence in a northeasterly direction along the shore to the north point of the south island of the Chandeleur Islands, latitude 29 degrees 48 minutes 30.73219 seconds north, longitude 88 degrees 51 minutes 41.66097 seconds west;

164. (148) thence northeasterly approximately 4,487 feet to the south point of the main island of the Chandeleur Islands, latitude 29 degrees 49 minutes 13.34094 seconds north, longitude 88 degrees 51 minutes 27.25032 seconds west;

165. (149) thence in a northerly direction along the shore to the north point of the main island of the Chandeleur Islands, latitude 30 degrees 00 minutes 59.54256 seconds north, longitude 88 degrees 51 minutes 02.96200 seconds west;

166. (150) thence northwesterly approximately 4,782 feet to the south point of the north island of the Chandeleur Islands, latitude 30 degrees 01 minute 43.94624 seconds north, longitude 88 degrees 51 minutes 21.82982 seconds west;

167. (151) thence in a northwesterly direction along the shore to the north point of the north island of the Chandeleur Islands, latitude 30 degrees 02 minutes 06.44260 seconds north, longitude 88 degrees 51 minutes 45.77415 seconds west;

168. (152) thence northwesterly approximately 5,401 feet to a point located at latitude 30 degrees 02 minutes 51.98110 seconds north, longitude 88 degrees 52 minutes 17.98216 seconds west; the location of the destroyed Chandeleur Light;

169. (153) thence in a northerly direction to the intersection of the Louisiana-Mississippi Boundary, latitude 30 degrees 08 minutes 14.51336 seconds north, longitude 88 degrees 52 minutes 09.61702 seconds west (coordinates not specified repealed by Act 1991, No. 946, §2.).

C. All waters of the state shoreward of the line described in Subsection B hereof within which the tide regularly rises and falls or into which saltwater shrimp migrate are inside waters. All waters seaward of the line described in Subsection B of this Section are outside waters.

D. For the purpose of determining if a person is shrimping in inside or outside waters, reference shall be made by global positioning satellite (GPS) navigational instrument readings for a vessel located on or in proximity to the boundary line between open and closed waters as set forth in Subsection B of this Section.

E. For the purposes of this Section, the department shall utilize GPS navigational instrument readings taken from such equipment located on department vessels or, if the shrimping vessel is equipped with GPS equipment, from the equipment located on the shrimping vessel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a) and R.S. 56:495(E).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 44:

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent and final Rule, including but not limited to, the filing of the Fiscal and Economic Impact statement, the filing of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S.49:973.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

Written comments should be addressed to Peyton Cagle, Marine Fisheries Biologist, 1213 North Lakeshore Drive, Lake Charles, LA 70601, or via e-mail to: peyton.cagle@la.gov prior to May 1, 2018.

Robert J. Samanie, III
Chairman

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Defining Inside and Outside Waters

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule changes have no anticipated impact on state or local governmental units.

The proposed rule change alters the coordinates of the inside-outside line differentiating inside state waters from outside state waters in Louisiana provided in LA R.S. 56:495. Louisiana state waters, those not under federal jurisdiction, are

divided into inside and outside waters. Outside waters generally stretch from shore to the federal waters line with some exceptions for marshes and deltas. Inside waters stretch from the inside-outside line to the saltwater-freshwater delineation. Act 294 of 2014 granted authority to the Louisiana Wildlife and Fisheries Commission to amend the inside-outside line through the Administrative Procedure Act. The proposed rule change is the first time that the Commission has moved to update the line to the most recent possible configuration and to establish it in administrative rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes are anticipated to have no impact on revenue collections of the state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Commercial shrimp harvesters will be impacted by the proposed rule changes to the extent coordinates are added or altered, which changes the accessible areas.

Each set of waters operates under distinct regulatory policies for shrimp harvesting due to differences in local environmental conditions and the local shrimp stocks. Most outside waters are usually open year-round. Inside waters are frequently closed for a few months per year when biological and technical data indicate the need.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment as a result of the proposed rule changes

Bryan McClinton
Undersecretary
1803#021

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Workforce Commission

Office of Workers' Compensation Administration

Workers' Compensation Second Injury Board Post-Hire/Conditional Job Offer Knowledge Questionnaire
(LAC 40:III.502)

The Louisiana Workforce Commission does hereby give notice of its intent to amend certain portions of the *Louisiana Administrative Code*, Title 40, Labor and Employment, Part III, Workers' Compensation Second Injury Board, Chapter 5 regarding forms. This Rule is promulgated by the authority vested in the director of the Office of Workers' Compensation found in R.S. 23:1291 and R.S. 23:1378(A).

Title 40

LABOR AND EMPLOYMENT

Part III. Workers' Compensation Second Injury Board Chapter 5. Forms

§502. Louisiana Workers' Compensation Second Injury Board Post-Hire/Conditional Job Offer Knowledge Questionnaire; Form D

**LOUISIANA WORKERS' COMPENSATION SECOND INJURY BOARD
POST-HIRE/CONDITIONAL JOB OFFER KNOWLEDGE QUESTIONNAIRE**

EMPLOYEE: The intent of this questionnaire is to provide your employer with knowledge about any pre-existing medical condition or disability which may entitle your employer to reimbursement from the Louisiana Workers' Compensation Second Injury Board in the event you suffer an on-the-job injury. This reimbursement in no way affects the benefits owed to you by your employer or its insurance company under the Louisiana Workers' Compensation Act. La. R.S. 23:1021-1361. However, your failure to answer truthfully and/or correctly to any of the question on this questionnaire may result in a forfeiture of your workers' compensation benefits.

In order for your employer to be considered for reimbursement from the Second Injury Board, it has to show that it knowingly hired or retained you with a pre-existing medical condition or disability. To establish its knowledge, your employer is requesting that this questionnaire be completed.

INSTRUCTIONS: Please answer ALL questions completely. If a response requires an explanation, please provide a brief description on the Explanation Page. If you have any questions or need help in answering the questions on this form, please ask for assistance from the Employer Representative signing this form.

NOTE: Since this questionnaire contains medical information, you can request that the form be kept CONFIDENTIAL and not made part of your personnel file. Please let your employer know that you want the completed questionnaire placed in a sealed folder for confidentiality purposes.

EMPLOYEE WARNING

FAILURE TO ANSWER TRUTHFULLY AND/OR CORRECTLY TO ANY OF THE QUESTIONS ON THIS FORM MAY RESULT IN A FORFEITURE OF YOUR WORKERS' COMPENSATION BENEFITS UNDER La. R.S. 23:1208.1.

Employee Signature: _____ Date: _____

Employer Representative Signature: _____ Date: _____

Employer Name: _____

Employee Name: _____

Date of Birth (mm/dd/yyyy): _____ Male: Female:

Soc. Sec. # (last 4 digits only): _____

Home Address: _____

Telephone Number: (_____) _____

¹ Under La. R.S. 23:1371(A), the purpose of the Second Injury Board is to encourage the employment, re-employment, or retention of employees who have a permanent partial disability.

Disease and Other Medical Conditions you currently have or have ever had.

For all conditions that you check yes, write a brief explanation on the Explanation Page.

[Please check the appropriate box next to each. Every illness/injury requires a Yes (Y) or No (N) answer.]

Y N	Y N	Y N	Y N
<input type="checkbox"/> <input type="checkbox"/> Diabetes	<input type="checkbox"/> <input type="checkbox"/> Cerebral Palsy	<input type="checkbox"/> <input type="checkbox"/> Arthritis	<input type="checkbox"/> <input type="checkbox"/> Heart Disease/Heart Attack
<input type="checkbox"/> <input type="checkbox"/> Silicosis	<input type="checkbox"/> <input type="checkbox"/> Tuberculosis	<input type="checkbox"/> <input type="checkbox"/> Parkinson's	<input type="checkbox"/> <input type="checkbox"/> Congestive Heart Failure
<input type="checkbox"/> <input type="checkbox"/> Varicose Veins	<input type="checkbox"/> <input type="checkbox"/> Multiple Sclerosis	<input type="checkbox"/> <input type="checkbox"/> Brain Damage	<input type="checkbox"/> <input type="checkbox"/> Vision Loss, one or both eyes
<input type="checkbox"/> <input type="checkbox"/> Asbestosis	<input type="checkbox"/> <input type="checkbox"/> Post Traumatic Stress	<input type="checkbox"/> <input type="checkbox"/> Asthma	<input type="checkbox"/> <input type="checkbox"/> Disability from Polio
<input type="checkbox"/> <input type="checkbox"/> Hyperinsulinism	<input type="checkbox"/> <input type="checkbox"/> Osteomyelitis	<input type="checkbox"/> <input type="checkbox"/> Dementia	<input type="checkbox"/> <input type="checkbox"/> Psychoneurotic Disability
<input type="checkbox"/> <input type="checkbox"/> Alzheimer's	<input type="checkbox"/> <input type="checkbox"/> Nervous Disorder	<input type="checkbox"/> <input type="checkbox"/> Thrombophlebitis	<input type="checkbox"/> <input type="checkbox"/> Ruptured or Herniated Disc
<input type="checkbox"/> <input type="checkbox"/> Emphysema	<input type="checkbox"/> <input type="checkbox"/> Muscular Dystrophy	<input type="checkbox"/> <input type="checkbox"/> Arteriosclerosis	<input type="checkbox"/> <input type="checkbox"/> Ankylosis or Joint Stiffening
<input type="checkbox"/> <input type="checkbox"/> Hearing Loss	<input type="checkbox"/> <input type="checkbox"/> Migraine Headaches	<input type="checkbox"/> <input type="checkbox"/> Hodgkin's	<input type="checkbox"/> <input type="checkbox"/> High/Low Blood Pressure
<input type="checkbox"/> <input type="checkbox"/> COPD	<input type="checkbox"/> <input type="checkbox"/> Mental Retardation	<input type="checkbox"/> <input type="checkbox"/> Cancer	<input type="checkbox"/> <input type="checkbox"/> Carpal Tunnel Syndrome
<input type="checkbox"/> <input type="checkbox"/> Hypertension	<input type="checkbox"/> <input type="checkbox"/> Kidney Disorder	<input type="checkbox"/> <input type="checkbox"/> Double Vision	<input type="checkbox"/> <input type="checkbox"/> Compressed Air Sequelae
<input type="checkbox"/> <input type="checkbox"/> Head Injury	<input type="checkbox"/> <input type="checkbox"/> Loss of Use of Limb	<input type="checkbox"/> <input type="checkbox"/> Mental Disorders	<input type="checkbox"/> <input type="checkbox"/> Disease of the Lung
<input type="checkbox"/> <input type="checkbox"/> Epilepsy	<input type="checkbox"/> <input type="checkbox"/> Seizure Disorder	<input type="checkbox"/> <input type="checkbox"/> Hemophilia	<input type="checkbox"/> <input type="checkbox"/> Coronary Artery Disease
<input type="checkbox"/> <input type="checkbox"/> Stroke	<input type="checkbox"/> <input type="checkbox"/> Sickle Cell Disease	<input type="checkbox"/> <input type="checkbox"/> Bleeding Disorder	<input type="checkbox"/> <input type="checkbox"/> Heavy Metal Poisoning

Surgical Treatment [Please check the appropriate box. Each illness/injury requires a Yes (Y) or No (N) answer.] For each Yes (Y) answer, please complete the information corresponding to the surgery on the right. Additional information can be provided on the Explanation Page, if necessary.

Y N				
<input type="checkbox"/> <input type="checkbox"/>	Spinal Disc Surgery		Year (approximate if unsure)	_____
<input type="checkbox"/> <input type="checkbox"/>	Spinal Fusion Surgery		Year (approximate if unsure)	_____
<input type="checkbox"/> <input type="checkbox"/>	Amputated Foot	Left <input type="checkbox"/> Right <input type="checkbox"/>	Year (approx. if unsure)	_____
<input type="checkbox"/> <input type="checkbox"/>	Amputated Leg	Left <input type="checkbox"/> Right <input type="checkbox"/>	Year (approx. if unsure)	_____
<input type="checkbox"/> <input type="checkbox"/>	Amputated Arm	Left <input type="checkbox"/> Right <input type="checkbox"/>	Year (approx. if unsure)	_____
<input type="checkbox"/> <input type="checkbox"/>	Amputated Hand	Left <input type="checkbox"/> Right <input type="checkbox"/>	Year (approx. if unsure)	_____
<input type="checkbox"/> <input type="checkbox"/>	Knee Replacement	Left <input type="checkbox"/> Right <input type="checkbox"/>	Year (approx. if unsure)	_____
<input type="checkbox"/> <input type="checkbox"/>	Hip Replacement	Left <input type="checkbox"/> Right <input type="checkbox"/>	Year (approx. if unsure)	_____
<input type="checkbox"/> <input type="checkbox"/>	Other Joint Replacement	Joint _____	Year _____	_____
<input type="checkbox"/> <input type="checkbox"/>	Other Surgical Procedure	Procedure _____	Year _____	_____
<input type="checkbox"/> <input type="checkbox"/>	Other Surgical Procedure	Procedure _____	Year _____	_____
<input type="checkbox"/> <input type="checkbox"/>	Other Surgical Procedure	Procedure _____	Year _____	_____
<input type="checkbox"/> <input type="checkbox"/>	Other Surgical Procedure	Procedure _____	Year _____	_____

Employee Signature: _____ Date: _____

Employer Representative: _____ Date: _____

EXPLANATION PAGE

Please use the space below to explain the illnesses and/or conditions that you checked a Yes (Y) or any other medical conditions that may not be listed on this form. Ask your employer for additional copies of this page if needed.

CONDITION: _____ Year Diagnosed (approx): _____

Are you still treating for this condition? Yes No

Are you taking medication for this condition? Yes No

Do you have any permanent restrictions for this condition? Yes No

Brief Explanation: _____

CONDITION: _____ Year Diagnosed (approx): _____

Are you still treating for this condition? Yes No

Are you taking medication for this condition? Yes No

Do you have any permanent restrictions for this condition? Yes No

Brief Explanation: _____

CONDITION: _____ Year Diagnosed (approx): _____

Are you still treating for this condition? Yes No

Are you taking medication for this condition? Yes No

Do you have any permanent restrictions for this condition? Yes No

Brief Explanation: _____

CONDITION: _____ Year Diagnosed (approx): _____

Are you still treating for this condition? Yes No

Are you taking medication for this condition? Yes No

Do you have any permanent restrictions for this condition? Yes No

Brief Explanation: _____

Employee Signature: _____ Date: _____

Employer Representative: _____ Date: _____

Please answer the following questions.

1. Has any doctor ever restricted your activities? Yes No

If "Yes," please list the restrictions: _____

Were the restrictions: Permanent _____ Temporary _____

Are your activities currently restricted? Yes No

What is the medical condition for which you have restrictions? _____

2. Are you presently treating with a doctor, chiropractor, psychiatrist, psychologist or other health-care provider? Yes
No

Please list the medical condition being treated: _____

Doctor's Name: _____ Specialty: _____

Doctor's Address: _____

3. If you are currently taking prescription medication other than those listed on the Explanation Page, please complete the requested information below.

Medication: _____ Prescribing Doctor: _____

Medication: _____ Prescribing Doctor: _____

4. Have you ever had an on the job accident? Yes No

If you answered "YES," please provide the date for each injury and the nature of the injury:

How long were you on compensation? _____

Name of Employer: _____

5. Has a doctor recommended a surgical procedure, which has not been completed prior to this date, including but not limited to knee, hip or shoulder replacement? Yes No

If you answered YES, please provide:

Recommended surgery: _____

Approximate date of recommendation: _____

Doctor's Name: _____ Specialty: _____

Doctor's Address: _____

Employee Signature: _____

Date: _____

Employer Representative: _____

Date: _____

PAGE _____ OF _____

SIB FORM D (10/17)

TO BE COMPLETED BY EMPLOYEE

EMPLOYEE WARNING

FAILURE TO ANSWER TRUTHFULLY AND/OR CORRECTLY TO ANY OF THE QUESTIONS ON THIS FORM MAY RESULT IN A FORFEITURE OF ANY AND ALL WORKERS COMPENSATION BENEFITS UNDER La. R.S. 23:1208.1.

I have completed this form honestly and to the best of my knowledge. I understand that providing false information or omitting pertinent information could result in loss of my workers compensation benefits should I become injured on the job.

Employee Signature: _____ Date: _____

Employee Printed Name: _____

TO BE COMPLETED BY EMPLOYER REPRESENTATIVE

EMPLOYER WARNING

PURSUANT TO La. R.S. 23:1208 OF THE LOUISIANA WORKERS' COMPENSATION ACT, IT SHALL BE UNLAWFUL FOR A PERSON, FOR THE PURPOSE OF OBTAINING OR DEFEATING ANY BENEFIT PAYMENT UNDER THE PROVISIONS OF THIS CHAPTER, EITHER FOR HIMSELF OR FOR ANY OTHER PERSON, TO WILLFULLY MAKE A FALSE STATEMENT OR REPRESENTATION. PENALTIES FOR VIOLATIONS INCLUDE IMPRISONMENT, FINES, AND/OR THE FORFEITURE OF BENEFITS.

You must certify the following:

1. That I am an authorized representative of the employer designated to obtain and review the information provided by the employee on this questionnaire;
2. That I have provided the employee with as many copies of the Explanation Page as needed and have confirmed the number of and labeled the pages of this questionnaire;
3. That I have provided assistance to the employee (if requested) in responding to the questions on this questionnaire;
4. That the information sought by this authorization is made on an applicant for employment only after a conditional job offer has been made and accepted, or on a current employee; and
5. That the information obtained in the authorization will **NOT** be used to discriminate in any manner against the individual who is the subject of this authorization on any basis, in violation of the Americans with Disabilities Act of 1990, 42 U.S.C. §12101, *et seq.*, or any other state or federal law;
6. That if requested, a photocopy of this fully completed and signed form will be provided to the employee.

Employer Representative Signature: _____ Date: _____

Employer Representative Printed Name: _____

Title: _____

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1291 and R.S. 23:1378.

HISTORICAL NOTE: Promulgated by the Workforce Commission, Office of Workers' Compensation Administration, LR 44:

Family Impact Statement

This amendment to Title 40 should have no impact on families.

Poverty Impact Statement

This amendment to Title 40 should have no impact on poverty or family income.

Provider Impact Statement

1. This Rule should have no impact on the staffing level of the Office of Workers' Compensation as adequate staff already exists to handle the procedural changes.

2. This Rule should create no additional cost to providers or payers.

3. This Rule should have no impact on ability of the provider to provide the same level of service that it currently provides.

Public Comments

All interested persons are invited to submit written comments on the proposed Rule. Such comments should be sent to Sheral Kellar, OWC-Administration, 1001 North Twenty-third Street, Baton Rouge, LA 70802. Such comments should be received on April 10, 2018, by COB.

Public Hearing

A public hearing will be held on April 24, 2018, at 9:30 a.m. at the Office of Workers' Compensation located at 1001 North Twenty-third Street at the main campus of the Workforce Commission, in Baton Rouge, LA. The public is invited to attend.

Ava Dejoie
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Workers' Compensation Second Injury Board Post-Hire/Conditional Job Offer Knowledge Questionnaire

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

Other than the publication fee associated with the proposed rule changes, it is not anticipated that Louisiana Workforce Commission (LWC) will incur any other costs or savings as a result of this rule. Pursuant to LA RS 23:1378(A), the proposed rule provides for a standardized questionnaire for the Louisiana Workers' Compensation Second Injury Board. The form, entitled *Post-Hire/Conditional Job Offer Knowledge Questionnaire*, provides employers with information about any pre-existing medical condition or disability of an employee for the purpose of reimbursement from the Louisiana Workers' Compensation Second Injury Board.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will not affect state or local governmental revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule will not have any economic cost or benefit to employers.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition and employment.

Sheral Kellar
Director
1803#050

Evan Brasseaux
Staff Director
Legislative Fiscal Office

Potpourri

POTPOURRI

Office of the Governor Coastal Protection and Restoration Authority

Notice of Availability of the Deepwater Horizon Oil Spill
Louisiana Trustee Implementation Group Final Strategic
Restoration Plan and Environmental Assessment
#3: Restoration of Wetlands, Coastal, and
Nearshore Habitats in the Barataria Basin, Louisiana

Action

Notice of availability of Final Restoration Plan

Summary

In accordance with the Oil Pollution Act of 1990 (OPA), the National Environmental Policy Act (NEPA), and a Consent Decree with BP Exploration and Production Inc. (BP), the Deepwater Horizon Federal and State natural resource trustee agencies for the Louisiana Trustee Implementation Group (LA TIG) have prepared the Final Strategic Restoration Plan and Environmental Assessment #3: Restoration of Wetlands, Coastal, and Nearshore Habitats in the Barataria Basin, Louisiana (SRP/EA). The Final SRP/EA identifies and, in conjunction with the associated Finding of No Significant Impact (FONSI), selects a restoration strategy that will help prioritize future decisions regarding project selection and funding. Rather than selecting specific projects for construction, the Trustees evaluated a suite of restoration techniques and approaches, for example large-scale diversions or marsh creation, to determine how to best support restoring ecosystem-level injuries in the Gulf of Mexico through restoration in the Barataria Basin. This strategic approach to restoration will allow the Trustees to prioritize projects for further evaluation by the LA TIG.

The purpose of this notice is to inform the public of the availability of the Final SRP/EA and FONSI.

Addresses

Obtaining Documents: You may download the Final SRP/EA and FONSI at:

<http://www.gulfspillrestoration.noaa.gov>

<http://www.la-dwh.com>

Alternatively, you may request a CD of the Final SRP/EA and FONSI (see For Further Information Contact). In addition, you may view the document at any of the public facilities listed at <http://www.gulfspillrestoration.noaa.gov>.

For Further Information Contact

National Oceanic and Atmospheric Administration—Mel Landry, gulfspill.restoration@noaa.gov, (301) 427-8711

Louisiana—Joann Hicks, LATIG@la.gov, (225) 342-7308

Supplementary Information

Introduction

On April 20, 2010, the mobile offshore drilling unit Deepwater Horizon, which was being used to drill a well for BP in the Macondo prospect (Mississippi Canyon 252–MC252), exploded, caught fire, and subsequently sank in the Gulf of Mexico, resulting in an unprecedented volume of oil

and other discharges from the rig and from the wellhead on the seabed. The Deepwater Horizon oil spill is the largest maritime oil spill in United States history, discharging millions of barrels of oil over a period of 87 days. In addition, well over one million gallons of dispersants were applied to the waters of the spill area in an attempt to disperse the spilled oil. An undetermined amount of natural gas also was released to the environment as a result of the spill.

The Deepwater Horizon Federal and State natural resource trustees (DWH Trustees) conducted the Natural Resource Damage Assessment (NRDA) for the Deepwater Horizon oil spill under OPA (33 U.S.C. 2701 et seq.). Pursuant to OPA, Federal and State agencies act as trustees on behalf of the public to assess natural resource injuries and losses and to determine the actions required to compensate the public for those injuries and losses. OPA further instructs the designated trustees to develop and implement a plan for the restoration, rehabilitation, replacement, or acquisition of the equivalent of the injured natural resources under their trusteeship, including the loss of use and services from those resources from the time of injury until the time of restoration to baseline (the resource quality and conditions that would exist if the spill had not occurred) is complete.

The DWH Trustees are:

- U.S. Department of the Interior, as represented by the National Park Service, U.S. Fish and Wildlife Service, and Bureau of Land Management;
- National Oceanic and Atmospheric Administration, on behalf of the U.S. Department of Commerce;
- U.S. Department of Agriculture;
- U.S. Environmental Protection Agency;
- State of Louisiana Coastal Protection and Restoration Authority, Oil Spill Coordinator's Office, Department of Environmental Quality, Department of Wildlife and Fisheries, and Department of Natural Resources;
- State of Mississippi Department of Environmental Quality;
- State of Alabama Department of Conservation and Natural Resources and Geological Survey of Alabama;
- State of Florida Department of Environmental Protection and Fish and Wildlife Conservation Commission; and
- For the State of Texas, Texas Parks and Wildlife Department, Texas General Land Office, and Texas Commission on Environmental Quality.

On April 4, 2016, the DWH Trustees reached and finalized a settlement of their natural resource damages claims with BP in a Consent Decree approved by the U.S. District Court for the Eastern District of Louisiana. Pursuant to that Consent Decree, restoration projects in the Louisiana Restoration Area are now chosen and managed by the LA TIG. The LA TIG is comprised of the following DWH Trustees:

- State of Louisiana Coastal Protection and Restoration Authority;
- Louisiana Oil Spill Coordinator's Office;
- Louisiana Department of Environmental Quality;
- Louisiana Department of Wildlife and Fisheries;
- Louisiana Department of Natural Resources;
- U.S. Department of the Interior, as represented by National Park Service, U.S. Fish and Wildlife Service, and Bureau of Land Management;
- National Oceanic and Atmospheric Administration, on behalf of the U.S. Department of Commerce;
- U.S. Department of Agriculture; and
- U.S. Environmental Protection Agency.

This restoration planning activity is proceeding in accordance with the Deepwater Horizon Oil Spill: Final Programmatic Damage Assessment and Restoration Plan/Programmatic Environmental Impact Statement (PDARP/PEIS). Information on the Restoration Type considered in the Final SRP/EA, as well as the OPA criteria against which alternatives were evaluated, can be viewed in the PDARP/PEIS (<http://www.gulfspillrestoration.noaa.gov/restoration-planning/gulf-plan>) and in the Overview of the PDARP/PEIS (<http://www.gulfspillrestoration.noaa.gov/restoration-planning/gulf-plan>).

Background

In March 2017, the LA TIG solicited project ideas to sustainably create, restore, and enhance coastal wetlands, and restore or preserve Mississippi River processes (<http://www.gulfspillrestoration.noaa.gov/2017/03/request-restoration-project-ideas-louisiana>). From that input and review of other Louisiana restoration planning efforts, including Louisiana's Coastal Master Plan and Deepwater Horizon restoration planning efforts, the LA TIG published a notice of intent on April 28, 2017 announcing its initiation of strategic restoration planning through two phases (82 FR 19659). The first phase would prepare a strategic restoration plan for Louisiana's Barataria Basin. The Deepwater Horizon spill created an ecosystem-level injury to the Gulf of Mexico, which included accelerated loss of critical wetlands, coastal, and nearshore habitats as well as injuries across all trophic levels in the Gulf of Mexico. The most severe losses to coastal marshes, which represent the foundation of the Gulf of Mexico ecosystem, were focused on the Barataria Basin. As described in the April 28, 2017 notice, the LA TIG prepared a Draft SRP/EA which focused on wetlands, coastal, and nearshore habitat restoration type projects in the Barataria Basin restoration area. This geographic focus is appropriate as the PDARP/PEIS found that the Barataria Basin experienced some of the heaviest and most persistent oiling from the DWH spill and because the Basin supports very high primary and secondary production that contributes to the overall health of the northern Gulf of Mexico ecosystem.

A Notice of Availability of the Deepwater Horizon Oil Spill Louisiana Trustee Implementation Group Draft Strategic Restoration Plan and Environmental Assessment #3: Restoration of Wetlands, Coastal and Nearshore Habitats in the Barataria Basin, Louisiana (Draft SRP/EA) was published in the Louisiana Register and Federal Register on December 20, 2017. The Draft SRP/EA proposed four strategic alternatives consistent with the Restoration Types selected in the PDARP/PEIS. The LA TIG evaluated these

alternatives under criteria set forth in the OPA regulations, and evaluated the environmental consequences of the restoration alternatives in accordance with NEPA. The LA TIG provided the public with 45 days to review and provide comment on the Draft SRP/EA. During the public review period, which ended on February 5, 2018, the LA TIG held a public meeting in New Orleans on January 24, 2018. The LA TIG considered the public comments received, which informed the LA TIG's analyses and selection of the preferred alternative in the Final SRP/EA. A summary of the public comments received and the Trustees' responses to those comments are addressed in Section 7 of the Final SRP/EA.

Overview of the Final SRP/EA

The Final SRP/EA is being released in accordance with OPA, the OPA regulations in the Code of Federal Regulations (CFR) at 15 CFR part 990, and NEPA (42 U.S.C. 4321 et seq.).

The LA TIG focused the SRP/EA on two restoration approaches in the wetlands, coastal and nearshore habitat type described in the PDARP/PEIS: creating, restoring and enhancing coastal wetlands; and restoring and preserving Mississippi-Atchafalaya River processes. Within the two restoration approaches, the PDARP/PEIS identifies a series of potential restoration techniques. These techniques, spanning both restoration approaches, are as follows (PDARP/PEIS, Appendix 5.D):

- Create or enhance coastal wetlands through placement of dredged material;
- Backfill canals;
- Restore hydrologic connections to enhance coastal habitats;
- Construct breakwaters; and
- Controlled river diversions.

Four project types, consistent with the restoration approaches in the PDARP/PEIS, are carried forward for additional consideration in the SRP/EA:

- sediment diversion projects;
- large-scale marsh creation projects;
- ridge restoration projects; and
- breakwater construction projects (also referred to as shoreline protection projects).

After reviewing the restoration approaches and techniques, the LA TIG identified 13 example projects from public submissions in response to the Notice of Solicitation and from the 2017 Coastal Master Plan. The LA TIG then combined restoration techniques into four strategic restoration alternatives. With the exception of the natural recovery/no action alternative, each of these alternatives meets the Final SRP/EA's purpose and need "to restore the ecosystem level injuries in Barataria Basin and to restore, rehabilitate, replace, or acquire the equivalent of the injured wetlands, coastal, and nearshore habitat resources and services and compensate for interim losses of those resources from the DWH oil spill." The four strategic restoration alternatives are as follows:

- Alternative 1: Marsh creation and ridge restoration plus large-scale sediment diversion
- Alternative 2: Marsh creation and ridge restoration plus shoreline protection
- Alternative 3: Marsh creation and ridge restoration

- Alternative 4: Natural recovery/no action

In the Final SRP/EA, the LA TIG identifies two decisions to restore ecosystem-level injuries in the Gulf of Mexico through restoration of critical wetlands, coastal, and nearshore habitat resources and services in the Barataria Basin. First, the LA TIG selects a preferred alternative that relies on a suite of restoration approaches and techniques in the Barataria Basin, including large-scale sediment diversions to restore deltaic processes, marsh creation, and ridge restoration. Second, the LA TIG selects to advance several projects forward for further evaluation and planning: the Mid-Barataria Sediment Diversion and one marsh creation increment within Large Scale Marsh Creation: Component E in northern Barataria Basin. The LA TIG also confirms its 2017 decision to move the Spanish Pass Increment of the Barataria Basin Ridge and Marsh Creation project forward for further evaluation and planning. The Trustees are not proposing these projects for construction funding at this time. Rather, the Trustees will continue to consider the selected projects in future Phase II restoration plans including further OPA and NEPA evaluation.

The LA TIG evaluated strategic restoration alternatives under criteria set forth in the OPA regulations. The strategic restoration alternatives are consistent with the restoration alternatives selected in the PDARP/PEIS.

NEPA requires federal agencies to consider the potential environmental impacts of planned actions. NEPA provides a mandate and framework for federal agencies to determine if their proposed actions have significant environmental effects and related social and economic effects, consider these effects when choosing between alternative approaches, and inform and involve the public in the environmental analysis and decision-making process. The LA TIG exercised its discretion pursuant to NEPA (40 C.F.R. §§ 1501.3(b)) to integrate an EA with this SRP in order to assist with restoration planning efforts and to further the purposes of NEPA. This SRP/EA tiers from the PDARP/PEIS and incorporates by reference the NEPA environmental consequences analysis found in Chapter 6 of the PDARP/PEIS (40 C.F.R. 1502.20; 1502.21). The LA TIG has found, based on its evaluation in the EA portion of this SRP/EA that: (1) the PDARP/PEIS included a thorough evaluation of the potential range of environmental effects that could result from the various restoration approaches and techniques analyzed in the PDARP/PEIS; (2) the analysis of the environmental consequences of those approaches and techniques in the PDARP/PEIS remains valid; (3) the effects of the restoration approaches and techniques, including the project selected for further planning and environmental review, evaluated in this SRP/EA are within the range of impacts evaluated in the PDARP/PEIS; and (4) any new information regarding the environmental consequences of the restoration approaches and techniques, including the projects selected for further planning and environmental review, evaluated within this SRP/EA are within the range of and consistent with the environmental impacts identified and analyzed within the PDARP/PEIS. The Federal Trustees of the LA TIG have determined that implementation of the

Final SRP/EA is not a major Federal Action significantly affecting the quality of the human environment within the context of NEPA. They have concluded a FONSI is appropriate, and, therefore, an Environmental Impact Statement will not be prepared for this action.

Administrative Record

The documents comprising the Administrative Record for the Draft SRP/EA can be viewed electronically at <http://www.doi.gov/deepwaterhorizon/adminrecord>.

Authority

The authority for this action is OPA (33 U.S.C. 2701 et seq.) and the OPA NRDA regulations at 15 CFR part 990, the Louisiana Oil Spill Prevention and Response Act (LA R.S. 30:2451 et seq.), the implementing Natural Resource Damage Assessment Regulations found at LA Admin. Code 43:101 et seq., and NEPA (42 U.S.C. 4321 et seq.).

Michael Ellis
Executive Director

1803#037

POTPOURRI

**Department of Natural Resources
Office of Conservation**

Orphaned Oilfield Sites

Office of Conservation records indicate that the Oilfield Sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.

Operator	Field	District	Well Name	Well Number	Serial Number
Abney and Boyter	Caddo Pine Island	S	Crystal Oil and Land Co	002	81276
Affiliated Holdings, Inc.	Welsh	L	Dees et al	003D	114794
Charles Spencer	Monroe	M	Peral Gates	001	147425
F. E. Hargraves	Caddo Pine Island	S	Meyer	001	56109
Ross Exploration, Inc.	Caddo Pine Island	S	Spell B	07	41492
Ross Exploration, Inc.	Caddo Pine Island	S	Muslow F	056	49701
Stratco Operating Co., Inc.	Bayou Jean La Croix	L	L L and E Fee	001-D	157893
Unknown	Caddo Pine Island	S	Conley	001	990486

Richard P. Ieyoub
Commissioner

1803#016

POTPOURRI
Department of Health
Bureau of Health Services Financing

Healthcare Services Provider Fees
Emergency Ambulance Service Providers Fee Assessment

In compliance with Act 305 of the 2016 Regular Session of the Louisiana Legislature, the Department of Health, Bureau of Health Services Financing established qualifying criteria and implemented a provider fee for qualified providers of emergency ground ambulance services (*Louisiana Register*, Volume 42, Number 11).

Pursuant to R.S. 46:2626, the Department of Health shall adopt and impose fees on emergency ground ambulance service providers. The total assessment for the state fiscal year, SFY 2018, will be \$8,605,075. This amounts to 3.5 percent of reported net operating revenue.

Rebekah E. Gee MD, MPH
Secretary

1803#044

POTPOURRI
Department of Health
Bureau of Health Services Financing
and
Office of Aging and Adult Services

Public Hearing—Substantive Changes to Proposed Rule:
Nursing Facilities—Admissions and Continued Stay Criteria
(LAC 50:II.Chapter 5)

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:950 et seq., the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services published a Notice of Intent in the February 20, 2018 edition of the *Louisiana Register* (LR 44:350-352) to amend LAC 50:II.Chapter 5 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Notice of Intent proposed to amend the provisions governing nursing facilities in order to revise and clarify the documentation requirements for medical certification of initial admissions and continued stay processes to ensure that these provisions are promulgated in a clear and concise manner in the *Louisiana Administrative Code*.

The department subsequently determined that additional non-technical revisions, necessary to further clarify the provisions of Chapter 5 of the proposed Rule, were erroneously omitted from the February 20, 2018 Notice of Intent.

Taken together, all of these revisions will closely align the proposed Rule with the department's original intent relative to the provisions governing nursing facilities in the Notice of Intent as originally published. No fiscal or economic impact will result from the amendments proposed in this notice.

Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part II. Nursing Facilities
Subpart 1. General Provisions

Chapter 5. Admissions

§501. Preadmission Screening

A. Preadmission screening shall be performed for all individuals seeking admission to a Medicaid-certified nursing facility, regardless of the source of payment for the nursing facility services or the individual's known diagnoses. The purpose of the preadmission screening and resident review (PASRR) process is to identify applicants or residents who have a diagnosis of serious mental illness or mental retardation (hereafter referred to as intellectual/developmental disability) and to determine whether these individuals require nursing facility services and/or specialized services for their mental condition.

1. - 1.c.ii. ...

A.2. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 36:1010 (May 2010), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:

§503. Medical Certification

A. ...

1. Initial Admissions

a. Required Documents. The following documents are required for initial admission to a nursing facility. The initial admission process does not begin until all of the following documents are complete and submitted to OAAS. These documents must not be dated more than 30 calendar days prior to the date of admission and must reflect the individual's current functioning:

i. ...

ii. a preadmission screening and resident review (level I PASRR) form completed by a qualified health care professional. The level I PASRR form must be signed and dated on the date that it is completed. The level I PASRR form addresses the specific identifiers of MI or I/DD that indicate that a more in-depth evaluation is needed to determine the need for specialized services. The need for this in-depth assessment does not necessarily mean that the individual cannot be admitted to a nursing facility, only that the need for other services must be determined prior to admission;

(a). if the information on the level I PASRR indicates that the individual may have a diagnosis of MI and/or I/DD, and the individual meets the criteria for nursing facility level of care, the individual shall be referred to the Office of Behavioral Health or the Office for Citizens with Developmental Disabilities (the state's mental health and intellectual disability level II authorities) for a level II screening to determine if the individual requires the level of services provided by a nursing facility and whether specialized services are needed. Medical certification is not guaranteed for an individual who has been referred for a

level II screening. A Medicaid-certified nursing facility shall not admit an individual identified for a level II screening until the screening has been completed and a decision is made by the level II authority;

(b). ...

iii. for nursing facility admission under a specialized level of care, additional documentation that supports the need for specialized care; and

iv. OAAS or its designee may require the submittal of additional documentation to support the need for a nursing facility stay.

b. Vendor Payment. Once approval has been obtained, the individual must be admitted to the facility within 30 calendar days of the date of the approval notice. The nursing facility shall submit a completed BHSF Form 148, immediately upon admission, to the local Medicaid eligibility office and OAAS indicating the anticipated payment source for the nursing facility services. Medicaid vendor payment shall not begin prior to the date that medical and financial eligibility is established, and shall only begin once the individual is actually admitted to the facility.

NOTE: Repealed.

2. Continued Stay Requests

a. Required documents. The following documents are required in order for OAAS or its designee to determine the need for continued services in a nursing facility. The continued stay process does not begin until all of the following documents are complete and submitted to OAAS.

i. ...

ii. documentation to support the request for continued stay including an MDS 3.0 conducted no more than 14 calendar days prior to the request shall be required. A LOCET will not be accepted as sufficient evidence of medical need for an individual who has been discharged for a period of less than 14 calendar days unless:

(a). there is additional supporting documentation demonstrating a significant change in status; or

2.a.ii.(b). - b. ...

A.3. - D. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 36:1011 (May 2010), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 43:1179 (June 2017), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:

§507. Exempted Hospital Discharges

A. - B. ...

1. Repealed.

C. If after admission it becomes apparent that a longer stay is required, the nursing facility must refer the individual to the appropriate level II authority for assessment within 30 calendar days of the admission date.

1. ...

D. Exempted hospital discharges are only applicable for persons with MI and/or I/DD. This exempted discharge does not apply to any other program or for transfers between nursing facilities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 36:1012 (May 2010), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 44:

Public Comments

Interested persons may submit written comments to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele is responsible for responding to inquiries regarding these substantive amendments to the proposed Rule.

Public Hearing

A public hearing on these substantive changes to the proposed Rule is scheduled for Thursday, April 26, 2018 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Rebekah E. Gee MD, MPH
Secretary

1803#054

POTPOURRI

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Public Hearing—Substantive Changes to Notice of Intent
2018-2020 Hunting Regulations and Seasons
(LAC 76:XIX.Chapter 1)

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission published a Notice of Intent to amend its rules in the January 20, 2018 edition of the *Louisiana Register*. The Wildlife and Fisheries Commission proposes to amend the original Notice of Intent in relation to allowing for the adjustment in the deer season structure for Areas 5 and 7, allowing commercial fishing on Spring Bayou WMA, not allowing any activities on Bussey Brake WMA until further notice, and allowing for a Boy Scout only 3-day hunt on Camp Avondale Scout Reservation.

Title 76

WILDLIFE AND FISHERIES

Part XIX. Hunting and WMA Regulations

Chapter 1. Resident Game Hunting Season

§101. General

A. The resident game hunting season regulations have been adopted by the Wildlife and Fisheries Commission. A complete copy of the regulations pamphlet may be obtained from the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), LR

26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), LR 30:1493 (July 2004), LR 31:1627 (July 2005), LR 32:1253 (July 2006), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 36:1580 (July 2010), LR 37:2206 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1534 (August 2014), LR 41:958 (May 2015), LR 42:1107 (July 2016), LR 44:

§103. Resident Game Birds and Animals

A. Shooting Hours—one-half hour before sunrise to one-half hour after sunset.

B. Consult *Regulation Pamphlet for Seasons or Specific Regulations on Wildlife Management Areas or Specific Localities.*

Species	Season Dates	Daily Bag Limit	Possession Limit
Quail	OPENS: 3rd Saturday of November CLOSES: Last Day of February	10	30
Rabbit and Squirrel	OPENS: 1st Saturday of October CLOSES: Last Day of February	8	24
Squirrel*	OPENS: 1st Saturday of May for 23 days	3	9
Deer 2018-2020	See Schedule	1 antlered and 1 antlerless (when legal)	Deer Areas 1,2,3,5,6,7,8, and 9 6/season (not to exceed 3 antlered deer or 4 antlerless deer). Deer Area 4 limit 3/season (not to exceed 2 antlered or 2 antlerless deer). Deer Area 10 limit 3/season (not to exceed 2 antlered or 2 antlerless deer).

*NOTE: Spring squirrel season is closed on the Kisatchie National Forest, National Wildlife Refuges, U.S. Army Corps of Engineers property. Some state wildlife management areas will be open, check WMA season schedule.

C. Deer Hunting Schedule 2018-2019

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
1	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Nov. CLOSES: Fri. after 2nd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan.
2	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: Next to last Sat. of Oct. CLOSES: Fri. before last Sat. of Oct. OPENS: Mon. after the last day of Modern Firearm Season in Jan. CLOSES: After 7 days.	OPENS: Last Sat. of Oct. CLOSES: Tues. before 2nd Sat. of Dec. in odd numbered years and on Wed. during even numbered years EXCEPT when there are 5 Sats. in Nov. and then it will close on the Tues. in odd numbered years or Wed. during even numbered years before the 1st Sat. of Dec.	OPENS: Wed. before the 2nd Sat. of Dec. in odd numbered years and on Thurs. during even numbered years EXCEPT when there are 5 Sats. in Nov., then it will open on the Wed. before the 1st Sat. of Dec. on odd years and Thurs. during even numbered years CLOSES: 40 days after opening in odd numbered years or 39 days after opening in even numbered years
3	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after Thanksgiving Day CLOSES: Fri. before 1st Sat. of Dec.	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day OPENS: 1st Sat. of Dec. CLOSES: After 37 days	OPENS: 1st Sat. of Dec. CLOSES: After 37 days.
4	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Nov. CLOSES: Fri. after 2nd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan.

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
5	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	(All Either Sex except as noted.) OPENS: 2 nd Sat. of Nov. CLOSES: Fri. before 3 rd Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Fri. before 2 nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1 st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. In Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Sun. of the same weekend. EITHER SEX: OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2 nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1 st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2 nd Sat. of Dec. CLOSES: Sun. after 2 nd Sat. of Dec. (EITHER SEX) OPENS: Sat. before Christmas. CLOSES: Sun. before Christmas (EITHER SEX).
6	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2 nd Sat. of Nov. CLOSES: Fri. before 3 rd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Fri. before 2 nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1 st Sat. of Dec.	OPENS: 2 nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1 st Sat. of Dec. CLOSES: Next to last Sun. of Jan.
7	OPENS: 3 rd Sat. of Sept. CLOSES: Jan. 15.	OPENS: 2 nd Sat. of Oct. CLOSES: Fri. before 3 rd Sat. of Oct. OPENS: 1 st Sat. of Nov. CLOSES: Fri. before 2 nd Sat. of Nov.	OPENS: 3 rd Sat. of Oct. CLOSES: Fri. before 1 st Sat. of Nov. OPENS: 2 nd Sat. of Nov. CLOSES: Sun. after Thanksgiving	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days
8	OPENS: 3 rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2 nd Sat. of Oct. CLOSES: Fri. before 3 rd Sat. of Oct. OPENS: Mon. after Thanksgiving Day CLOSES: Fri. before 1 st Sat. of Dec.	OPENS: 3 rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day.	OPENS: 1 st Sat. of Dec. CLOSES: After 37 days.
9	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan. OPENS: 2 nd Sat. of Nov. CLOSES: Fri. before 3 rd Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: Last day of Jan. Bucks Only	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Fri. before 2 nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1 st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Sunday of the same weekend. EITHER SEX: OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2 nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1 st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2 nd Sat. of Dec. CLOSES: Sun. after 2 nd Sat. of Dec. (EITHER SEX) OPENS: Sat. before Christmas. CLOSES: Sun. before Christmas.
10	OPENS: 3 rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2 nd Sat. of Oct. CLOSES: Fri. before 3 rd Sat. of Oct. OPENS: Mon. after Thanksgiving Day CLOSES: Fri. before 1 st Sat. of Dec.	OPENS: 3 rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day OPENS: 1 st Sat. of Dec. CLOSES: After 37 days	

D. Deer Hunting Schedule 2019-2020

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
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Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
6	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec.	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan.
7	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15.	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: 1st Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Nov.	OPENS: 3rd Sat. of Oct. CLOSES: Fri Before 1st Sat. of Nov. OPENS: 2nd Sat of Nov. CLOSES: Sun. after Thanksgiving	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days
8	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after Thanksgiving Day CLOSES: Fri. before 1st Sat. of Dec.	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day.	OPENS: 1st Sat. of Dec. CLOSES: After 37 days.
9	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan. OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. CLOSES: Last day of Jan. Bucks Only	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3 rd Sat. of Nov. CLOSES: Sunday of the same weekend. EITHER SEX: OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2nd Sat. of Dec. CLOSES: Sun. after 2nd Sat. of Dec. (EITHER SEX) OPENS: Sat. before Christmas. CLOSES: Sun. before Christmas
10	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after Thanksgiving Day CLOSES: Fri. before 1st Sat. of Dec.		

E. - G.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:109(B) and R.S. 56:141(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), repromulgated LR 25:1526 (August 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), repromulgated LR 29:1521 (August 2003), amended LR 30:1494 (July 2004), LR 31:1627 (July 2005), LR 32:1254 (July 2006), LR 33:115 (January 2007), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 35:2856 (December 2009), LR 36:1580 (July 2010), LR 37:2207 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1535 (August 2014), LR 41:958 (May 2015), LR 42:1108 (July 2016), LR 43:1420 (July 2017), LR 44:

§105. Physically Challenged Hunters Permit

A. Definitions

ATV—an off-road vehicle (not legal for highway use) with factory specifications not to exceed the following: weight—750 lbs.; length—85”; width—48”. ATV tires are

restricted to those no larger than 26x12 with a maximum 1” lug height and a maximum allowable tire pressure of 12 psi as indicated on the tire by the manufacturer.

B. - E.3.h. ...

AUTHORITY NOTE: Promulgated in accordance with Act 1226 of the 1995 Louisiana Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 22:856 (September 1996), amended LR 34:1444 (July 2008), LR 36:2051 (September 2010), LR 44:

§111. General and Wildlife Management Area Hunting Rules and Regulations

A. - F.10.b.v. ...

G. WMA Regulations

1. - 9.o.iv. ...

10. Commercial Activities

a. - b. ...

c. Commercial Fishing. Permits are required of all commercial fishermen using Grassy Lake, Pomme de Terre and Spring Bayou WMAs. Drag seines (except minnow and

bait seines) are prohibited except experimental bait seines allowed on Dewey Wills WMA north of LA 28 in Diversion Canal. Commercial fishing is prohibited during regular waterfowl seasons on Grand Bay, Silver Lake and Lower Sunk Lake on Richard K. Yancey WMA. Commercial fishing is prohibited on Salvador/Timken, Pointe-aux-Chenes, and Russell Sage WMAs except commercial fishing on Pointe-aux-Chenes is allowed in Cut Off Canal and Wonder Lake. No commercial fishing activity shall impede navigation and no unattended vessels or barges will be allowed. Non-compliance with permit regulations will result in revocation of commercial fishing privileges for the period the license is issued and one year thereafter. Commercial fishing is allowed on Pass-a-Loutre and Atchafalaya Delta WMAs. See Pass-a-Loutre for additional commercial fishing regulations on mullet.

11. - 16. ...

17. WMAs Hunting Schedule and Regulations

a. - l.iii. ...

m. Bussey Brake. Area closed to all activities, no hunting allowed, until further notice.

n. - rr.ii. ...

ss. Spring Bayou. Area closed: last Saturday of October for two days to all except youth deer hunters. No hunting allowed in headquarters area. Only overnight campers allowed in the improved Boggy Bayou camping area. Rules and regulations posted at campsite. A fee is assessed for use of this campsite. Water skiing permitted only in Old River and Grand Lac.

i. Deer

(a). Archery: October 1-15 bucks only, October 16-February 15, either sex.

(b). Youth: last Saturday of October for two days, either-sex.

(c). Firearms either-sex: Friday after Thanksgiving day, mandatory deer check, Saturday after Thanksgiving day for two days, self-clearing permit.

(d). Firearms bucks only: fourth Saturday of December for 16 days.

(e). Primitive firearms: Monday after close of firearms bucks only for seven days.

ii. Turkey

(a). Youth lottery: fourth Saturday of April for two days.

iii. Small game and waterfowl: same as outside except small game closed during either-sex firearms hunts for deer. Waterfowl to remain open during either-sex firearms hunts for deer. Open to squirrel hunting during the

spring season, first Saturday of May for nine days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of February.

(a). Youth squirrel hunt: fourth Saturday of September for two days.

iv. Raccoon (nighttime): second Saturday of September for 16 days and day after primitive firearms season ends to last day of February.

v. Commercial fishing: gill nets and trammel nets 3.5 inches and greater permitted Monday through Friday except slat traps and hoop nets permitted any day. The take and possession of grass carp is prohibited. Permits available from area supervisor or Opelousas wildlife field office. Closed until after 2 p.m. during waterfowl season.

vi. Sport fishing: same as outside except only allowed after 2 p.m. during waterfowl season, except during early Teal season, recreational fishing allowed after 10 a.m.

vi. Crawfish: March 15-July 31. Recreational only, 100 lbs. per person per day.

tt. - xx.iv. ...

18. Other Areas

a. Camp Avondale Scout Reservation

i. Deer

(a). Firearms either-sex: second Saturday in November for three days. Restricted to scout program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115 and R.S. 56:116.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:1279 (July 1999), amended LR 26:1494 (July 2000), LR 27:1049 (July 2001), LR 28:1603 (July 2002), LR 29:1124 (July 2003), repromulgated LR 29:1522 (August 2003), amended LR 30:1495 (July 2004), LR 31:1611 (July 2005), LR 32:1251 (July 2006), LR 33:1382 (July 2007), LR 34:1429 (July 2008), LR 35:1264 (July 2009), LR 36:1566 (July 2010), LR 37:2190 (July 2011), LR 38:1732 (July 2012), LR 39:2292 (August 2013), LR 40:1540 (August 2014), LR 41:963 (May 2015), LR 42:1112 (July 2016), LR 43:1423 (July 2017), LR 44:

Public Hearing

In accordance with R.S. 49:968(H)(2), a public hearing on proposed substantive changes will be held by the Department of Wildlife and Fisheries on April 24, 2018 at 9 a.m., in the Louisiana Room of the Wildlife and Fisheries Headquarters Building, 2000 Quail Drive, Baton Rouge, LA 70808.

Al Sunseri
Vice-Chairman

1803#012

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