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DECLARATION OF EMERGENCY

Board of Supervisors of Southern University

On November 17, 1979, at the regular meeting of the Southern University Board of Supervisors, exercising those powers conferred by the emergency provisions of the Administrative Procedures Act, R.S. 49:953B, the following rules were adopted. This action was necessary in order to protect the economic welfare of Southern University, Baton Rouge Campus.

1. An increase of two dollars in the student union fee was adopted, effective Spring Semester, 1980.

2. An increase of one dollar per semester for student health and accident insurance was adopted, effective Spring Semester, 1980.

James J. Prestage, Acting President
Board of Supervisors of Southern University

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, does hereby exercise the emergency provision of the Administrative Procedures Act (R.S. 49:953 B) to adopt effective January 1, 1980, the following increases in the Aid to Families with Dependent Children (AFDC) and General Assistance (GA) Need Standards. This action is necessary so that needy families will receive public assistance which they are entitled to.

The current need standards are shown in parentheses. Using a 10.8 percent increase standard, the new AFDC and GA Need Standards are proposed as follows:

AFDC Need Standards

Size of Household	Non-Urban	Urban
1	\$ 139 (125)	\$ 151 (136)
2	259 (234)	289 (261)
3	366 (330)	402 (363)
4	456 (412)	494 (446)
5	543 (490)	583 (526)
6	622 (561)	664 (599)
7	704 (635)	742 (670)
8	782 (706)	821 (741)
9	856 (773)	896 (809)
10	933 (842)	972 (877)
11	1014 (915)	1054 (951)
12	1098 (991)	1138 (1027)
13	1187 (1071)	1219 (1100)
14	1273 (1149)	1306 (1179)
15	1361 (1228)	1394 (1258)
16	1448 (1307)	1488 (1343)
17	1536 (1386)	1560 (1408)
18	1623 (1465)	1659 (1497)

For each additional person, add \$94 (85)

For each additional person, add \$103 (94)

GA Need Standard

1 person - \$229 (207)

2 persons - 289 (261)

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

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Family Security

In accordance with the Appropriation Act of the 1979 Louisiana Legislature, the Department of Health and Human Resources, Office of Family Security will implement policy effective January 1, 1980, providing for the semiannual adjustments for the coupon allotments and standard deduction in the Food Stamp Program. This action is necessary to allow the Food Stamp Program to be in compliance with federal regulations as specified in the federal register, Volume 44, Number 216, November 6, 1979, pages 64067 - 64069.

This is also necessary so that Food Stamp recipients will receive the Food Stamp coupons that they are entitled to.

The following is the Thrifty Food Plan (TFP) amounts and standard deduction.

Household Size	TFP	Household Size	TFP
1	\$ 63	11	\$517
2	115	12	564
3	165	13	611
4	209	14	658
5	248	15	705
6	298	16	752
7	329	17	799
8	376	18	846
9	423	19	893
10	470	20	940

For each additional person in excess of twenty, add forty-seven.
The new standard deduction is seventy-five dollars.

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

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Family Security

In accordance with the Appropriation Act of the 1979 Louisiana Legislature, the Department of Health and Human Resources, Office of Family Security will implement policy effective January 1, 1980, which allows persons sixty years of age or over and persons who receive Supplemental Security Income (SSI) Benefits under Title II of the Social Security Act to deduct from the household's income that portion of medical expenses in excess of thirty-five dollars per month excluding special diets. These households shall be given an excess shelter deduction for the monthly cost that exceeds fifty percent of the household's monthly income after all other applicable deductions. This action is necessary to allow the Food Stamp Program to be in compliance with federal regulations as specified in the *Federal Register*, Volume 44, Number 187, Tuesday, September 25, 1979, pages 55160 - 55165. It is also necessary to ensure that certain Food Stamp recipients receive deductions and coupon allotments that they are entitled to.

Spouses or other persons receiving benefits as a dependent of the SSI or disability recipient are not eligible to receive this deduction but persons receiving emergency SSI benefits based on presumptive eligibility are eligible for this deduction.

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

Rules

RULE

Board of Elementary and Secondary Education

Rule 4.01.50a

(Replaces present policy in effect) The Board adopted amended Nonpublic School Testing Guidelines.

Nonpublic School Testing Guidelines

Section I: Rationale. The purpose of this program is to assess the sustained curriculum of course of study in nonpublic schools through the use of standardized instruments.

A systematic auditing of these results will give some measure of the progress achieved by the individual pupil, a local school and the system as a unit, and also serve as an indicator of the need for remedial programs.

Such an audit would assist in assessing the variation of effectiveness of different instructional procedures and/or different curricular arrangements. The program would assist in assessing the degree to which fixed goals and objectives are accomplished.

The program would make available standardized testing for pupils in grades K-12 to evaluate the sustained curriculum or course of study.

Definition of Terms.

School — approved nonpublic school which is not classified as part of an organized system.

System — approved nonpublic schools forming part of an association of schools functioning under a Board which sets policy.

LDE — Louisiana Department of Education — nonpublic school testing staff.

BESE — Louisiana State Board of Elementary and Secondary Education

Goals.

1. Assessment of program evaluation as an educational priority
2. Assessment of effective pupil learning

Objectives.

1. Indicators which have been subjected to tests for both validity and reliability in terms of effectiveness that can be communicated to provide the Board of Elementary and Secondary Education (BESE) and other interested persons data by which they can evaluate the sustained curriculum or course of study in approved nonpublic schools.

2. Identification of programs that are effective.

3. Development of conclusions drawn from hard data that help decision makers refine, expand, or drop programs.

Section II: Basic Design of Testing Program.

A. Selection of Instrument. The school or system will identify one type of norm-referenced instrument to be used for testing from the approved list of test publishers, as established by the Advisory Council for Nonpublic School Testing.

B. Reporting Format. Percentile rank by subtest based on national norms will be reported. Raw score, standard score and normal curve equivalent (NCE) score will be furnished LDE for analysis. Summary results of hand scored tests must be provided the LDE by the school or system. After each school has administered the tests and returned them to the publisher for scoring, the results will be sent to the LDE with copies to the

Allowable medical costs are:

A. Medical and dental care, including psychotherapy and rehabilitation services provided by a licensed practitioner authorized by state law or other qualified health professional.

B. Hospitalization or outpatient treatment, nursing care, and nursing home care including payments by the household for an individual who was a household member immediately prior to entering a hospital or nursing home provided by a facility recognized by the state.

C. Prescription drugs when prescribed by a licensed practitioner authorized under state law and other over-the-counter medication (including insulin) when approved by a licensed practitioner or other qualified health professional; in addition, costs of medical supplies, sick room equipment (including rental) or other prescribed equipment are deductible.

D. Health and hospitalization insurance policy premiums. The costs of health and accident policies such as those payable in lump sum settlements for death or dismemberment or income maintenance policies such as those that continue mortgage or loan payments while the beneficiary is disabled are not deductible.

E. Medicare premiums related to coverage under Title XVIII of the Social Security Act; any cost-sharing or spend-down expenses incurred by Medicaid recipients.

F. Dentures, hearing aids, and prosthetics.

G. Securing and maintaining a seeing eye or hearing dog including the cost of dog food and veterinarian bills.

H. Eye glasses prescribed by a physician skilled in eye disease or by an optometrist.

I. Reasonable cost of transportation and lodging to obtain medical treatment or services.

J. Maintaining an attendant, homemaker, home health aide, or child care services, housekeeper, necessary due to age, infirmity, or illness. In addition, an amount equal to the one person coupon allotment shall be deducted if the household furnishes the majority of the attendant's meals. The allotment for this meal-related deduction shall be that in effect at the time of initial certification. The state agency is only required to update the allotment amount at the next scheduled recertification; however, at their option, the state agency may do so earlier. If a household incurs attendant care costs that could qualify under both the medical deduction and dependent care deduction, the state agency shall treat the cost as a medical expense.

Monthly shelter costs is the amount in excess of fifty percent of the household's income after all other deductions have been applied. The shelter deduction alone or in combination with the dependent care deduction shall not exceed ninety dollars unless the household contains a member who is age sixty or over or who receives SSI (including emergency benefits based on presumptive eligibility) under Title XVI or disability payments under Title II of the Social Security Act. These households shall be given an excess shelter deduction for the monthly cost that exceeds fifty percent of the household's monthly income after all other applicable deductions. That portion of an allowable medical expense which is not reimbursable shall be included as part of the household's medical expenses. Households entitled to the medical deduction shall have the nonreimbursable portion considered at the time the amount of reimbursement is received or can otherwise be verified.

Households reporting one-time only medical expenses during their certification period may elect to have a one-time deduction or to have the expense averaged over the remaining months of the certification period. Averaging would begin the month the change would become effective.

school by calendar dates established annually by the advisory council.

C. Name and Publisher of Instrument. The school or system will submit the name and publisher of the instrument to be used for testing students to LDE sixty days prior to anticipated testing date. In addition, they will submit by grade level the number of students participating in the school program; the unit price per student as substantiated by the publisher's catalog must also be included with the school order. The publisher's remuneration shall not exceed the amount of the purchase order plus shipping costs. Addition costs must be borne by the school.

D. Acquisition of Materials. The school or system will notify the LDE of their test recommendations. The LDE staff will issue a purchase order to the publisher authorizing delivery of the tests to the schools.

E. Fiscal Administration. The school or system will provide the LDE with the name of the selected instrument, the vendor, and the number of students to be tested at each grade level.

A purchase order will be issued by the LDE to the selected vendor for each school.

The school will notify the LDE upon receipt of the materials so that partial payment may be made if required.

Upon receipt of the test results (a copy of which will be supplied the LDE) the school or system will notify the LDE and final payment will be made.

Section III: Administration of Testing Program

A. Test dates. Spring or Fall in accordance with publishers' norming dates.

B. Grade Levels to be Tested. Standardized testing to evaluate sustained curriculum or course of study, grades K-12.

C. Testing Exclusions. Any exceptional child who, with the aid of any available related services, is capable of participating in the approved nonpublic school testing program, and who meets the criteria established by the Department of Education's office of special education for participation in such program, shall participate.

Section IV.

A. Board Reporting. A summary report of data by selected instrument will be provided by LDE to the Board of Elementary and Secondary Education. This summary report may also be provided to the Elementary and Secondary Education Bureaus of the Department of Education for purposes of evaluating the sustained curriculum.

B. Release of Test Data. Data relative to test results of individual students, teachers, classes, or schools will only be released in accordance with the Buckley Amendment and Attorney General's Opinion 77-1340.

Section V: Advisory Council. The Nonpublic School Testing Advisory Council appointed by the Board of Elementary and Secondary Education will continue to function in an advisory capacity throughout the duration of the program.

Rule 4.01.50b

The Board adopted the following directives to be used in listing nonpublic schools in the Louisiana School Directory: If a school does not submit an annual school report, it shall not be listed in the directory; schools ineligible under the Brumfield vs. Dodd decision would be so listed in the directory and be noted as ineligible by the use of an asterisk. Approval categories should be listed as approved, provisional, probational, or unapproved, with appropriate notations as to whether or not the schools are special schools or alternative schools and have met those standards.

Rule 1.00.30c

Amendment to present policy which will require that referrals of advisory council minutes/reports be made to the standing committee(s) at the discretion of the Board Staff Director.

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

RULES

Department of Health and Human Resources Air Control Commission

Regulation Revisions

Add the following definitions to Section 4 of the Regulations:

4.95 "New Design" Furnace. An existing straight kraft recovery furnace with both welded-wall or membrane wall construction and emission-control-designed air systems, for which design specifications, purchase contract or manufacturer's warranty specifies a capability for continuous total reduced sulfur (TRS) emissions equivalent to the New Source Performance Standards (*Federal Register*, February 23, 1978, Part V).

4.96 Cross-recovery. The practice of combining the spent liquors from a soda-based semi-chemical pulping process, such as NSSC, with kraft mill black liquor prior to burning in a recovery furnace. Less than seven percent semi-chemical liquor, on a quarterly basis, based on equivalent air-dry pulp production, will not be classified as cross-recovery.

4.97 "Bubble Concept." An alternative emission plan whereby a facility with multiple sources of a given pollutant may achieve a required total emission by a different mix of controls from that mandated by regulation. Some sources may be assigned more restrictive limits, while others would meet less restrictive ones, provided the resulting total emissions are equivalent. Such a concept may permit a more expeditious compliance plan.

Add to Table 4, "Emissions—Methods of Contaminant Measurement."

Total Reduced Sulfur (TRS) -

1) Title 40, Code of Federal Regulations, Part 60, Appendix A - Method 16 or 60.8B.

2) Coulometric titration by method specified in NCASI Atmospheric Quality Improvement Technical Bulletin Number 91. (January, 1978.)

3) Or any other equivalent method.

Revise the first part of 22.6 to read as follows:

22.6 Organic Compounds Water Separation.

22.6.1 Water Separators-Volatile Organic Compounds. Single or multiple compartment volatile organic compound water separators which receive effluent water from any equipment processing, refining, treating, storing or handling volatile organic compounds and emit greater than one hundred tons per year of regulated hydrocarbons (uncontrolled) shall be equipped with one of the following vapor loss control devices properly installed in good working order and in operation....

a) A container having all openings sealed and totally enclosing the liquid contents. All gauging and sampling devices will be gas-tight except when gauging or sampling is taking place.

b) A container equipped with a floating roof, consisting of a pontoon type, double deck type roof, or internal floating cover which rests or floats on the surface of the contents and be equipped with a closure seal or seals to close the space between the roof edge and container wall. All gauging and sampling devices will be gas-tight except when gauging or sampling is taking place.

c) A container equipped with a vapor disposal system capable of processing such organic vapors and gases so as to prevent their emission to the atmosphere and with all container gauging and sampling devices gas-tight except when gauging or sampling is taking place.

d) Other equivalent equipment or means as may be approved by the Technical Secretary. This subsection does not apply to oil field separators.

Add Section 22.6.2 as follows:

22.6.2 Water Separators - Non Volatile Organic Compounds. Single or multiple compartment water separators which receive effluent water from any equipment processing, refining, treating, storing or handling organic compounds with a vapor pressure less than 1.5 psia (at actual conditions in separator) and emit greater than one hundred tons per year of regulated hydrocarbons (uncontrolled) shall be equipped with one of the following vapor loss control devices properly installed in good working order and in operation on the forebays:

(a) A cover having all openings sealed and totally enclosing the liquid contents: All gauging and sampling devices will be gas tight except when gauging or sampling is taking place.

(b) A floating roof, consisting of a pontoon type, double deck type roof, or internal floating cover which rests or floats on the surface of the contents and is equipped with a closure seal or seals to close the space between the roof edge and container wall. All gauging and sampling devices will be gas-tight except when gauging or sampling is taking place.

(c) Vapor disposal system capable of processing such organic vapors and gases so as to prevent their emission to the atmosphere and with all container gauging and sampling devices gas-tight except when gauging or sampling is taking place.

(d) Other equivalent equipment or means as may be approved by the Technical Secretary. This Subsection does not apply to oil field separators.

In Section 22.10 revise the second sentence to read as follows: ...Sources emitting other organic compounds may be considered for exemption by the Commission if their control causes hardship....

Add the following Subsection 23.4.3 to read:

23.4.3 Total Reduced Sulfur Emissions. Emission of Total Reduced Sulfur (TRS) from existing sources specified below shall not exceed the following limits:

(1) Kraft recovery furnaces corrected to eight percent oxygen by volume:

a. New design straight kraft recovery furnaces, five parts per million (ppm).

b. Old design straight kraft recovery furnaces, twenty ppm.

c. Cross-recovery furnaces, twenty-five ppm.

d. Recovery furnaces constructed prior to 1960: The department may establish emission limitations different from those specified above for the remaining useful life of the unit. The emission limit established for each effected furnace will reflect the lowest levels of TRS emissions consistently achievable utilizing best practicable technology.

(2) Digester systems, five ppm.

(3) Multiple-effect evaporator systems, five ppm.

(4) Lime kilns, corrected to ten percent oxygen by volume, twenty ppm.

(5) Condensate stripper systems, five ppm.

(6) Smelt dissolving tanks, 0.0084 grams per kilogram black liquor solids fired. Compliance with the particulate emission limits of Section 23.4.1 (2) by a scrubbing device employing fresh water as the scrubbing medium make-up will be accepted as evidence of adequate TRS control on smelt dissolving tanks.

Emission limits are given in terms of twelve-hour averages. For recovery furnaces, one percent, and for lime kilns, two percent of all twelve-hour TRS averages per quarter year above the specified level, under conditions of proper operation and maintenance, in

the absence of start-ups, shut downs and malfunctions, are not considered to be violations of the emission limitation. These are not running averages, but are instead for discrete contiguous twelve-hour periods of time.

23.4.3.1 In any facility with multiple sources subject to this Section, alternative TRS emission limits from individual sources shall be established upon request, using the "Bubble Concept," provided that the total emissions from all the regulated sources do not exceed those permitted above.

23.4.3.2 The Department may establish alternative limits consistent with the purposes of this Section.

23.4.3.3 Compliance: Effected sources shall achieve final compliance with the provisions of Subsection 23.4.3 as expeditiously as practicable but not more than six years from the effective date of this subsection of the regulations.

4.99 Graphic Arts (Printing). The formation of words, designs and pictures, usually by a series of application rolls each with only partial coverage.

4.100 Packaging Rotogravure Printing. The printing upon paper, paper boards, metal foil, plastic film, and other substrates, which are, in subsequent operations, formed into containers and labels for articles to be sold.

4.101 Publication Rotogravure Printing. The printing upon paper which is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements, and other types of printed materials.

4.102 Flexographic Printing. The application of words, designs and pictures to a substrate by means of a roll printing technique in which both the pattern to be applied is raised above the printing roll and the image carrier is made of rubber or other elastomeric materials.

4.103 Vapor-Tight. Not capable of allowing the passage of gases at the pressures encountered.

4.104 Pharmaceutical Manufacturing Facility. Any facility which manufactures pharmaceutical products by chemical syntheses.

4.105 Particleboard is a manufactured board made of individual wood particles which have been coated with a binder and formed into flat sheets by pressure. Particleboard used as furniture component is not covered under this definition.

4.106 Thin particleboard is particleboard with a nominal thickness of ¼ inch or less. (Nominal ¼" is from 0.210" to 0.265").

4.107 Class II finish. A finish which complies with the requirements of NBS Voluntary Product Standard PS 59-73.

4.108 Dry cleaning facility. A facility engaged in the cleaning of fabrics in an essentially non-aqueous solvent by means of one or more washes in solvent, extraction of excess solvent by spinning and drying by tumbling in an air stream. The facility includes but is not limited to any washer, dryer, filter and purification systems, waste disposal systems, holding tanks, pumps, and attendant piping and valves used in this service.

4.109 Production equipment exhaust system. A device for collecting and directing out of the work area VOC fugitive emissions from reactor openings, centrifuge opening and other vessel openings for the purpose of protecting workers from excessive VOC exposure.

4.110 Heat sensitive material. Materials which cannot be exposed to temperatures greater than 80° to 95°C (180° to 200°F).

4.111 Transfer efficiency. The portion of coating which is not lost or wasted during the application process expressed as percent.

4.112 Printed panels. Panels whose grain or natural surface is obscured by fillers and basecoats upon which a simulated grain or decorative pattern is printed.

4.113 Hardwood plywood. Plywood whose surface layer is a veneer of hardwood.

4.114 Natural finish hardwood plywood panels means panels

whose original grain pattern is enhanced by essentially transparent finishes frequently supplemented by fillers and toners.

4.115 Hardboard is a panel manufactured primarily from inter-felted lignocellulosic fibers which are consolidated under heat and pressure in a hot-press.

4.116 Low organic solvent coating (LOSC) coating which contain less organic solvent than the conventional coatings used by the industry. Low organic solvent coatings include water-borne, higher solids, electrodeposition and powder coatings.

6.3.8 A statement that any proposed new or modified major stationary source as per Section 173 of the Federal Clean Air Act as amended August 1977 in an area which has been designated as "nonattainment" by the Environmental Protection Agency will be built or modified to achieve the lowest achievable emission rate (LAER) as defined by Section 171 of the Federal Clean Air Act as amended August 1977. In addition, the owner or operator of such proposed new or modified source will demonstrate that all major stationary sources owned or operated by such person (or by any entity controlling, controlled by, or under common control with such person) in Louisiana is in compliance with all emission limits and standards under the Federal Clean Air Act or is on a schedule of actions, officially adopted by the Commission, to achieve compliance. Such demonstration shall be evidenced by the owner or operator furnishing the following certification:

All existing major stationary sources owned and operated by the applicant in Louisiana, which are subject to a final court judgement or final EPA order or final Louisiana Air Control Commission enforcement action entered as a result of the alleged non-compliance of such sources with an emission limitation or standard under the Clean Air Act, are now in compliance with all such judgements or orders including, without limitation, any approved compliance schedules which are federally enforceable contained therein. This certification is based upon a reasonable inquiry of those employees of applicant who have operational responsibility for compliance with such emission limitations and standards.

If owner or operator is not able to make the affirmations specified in Section 6.3.8, a permit cannot be issued.

* * * *

Revise the first sentence of Section 22.3 (a) to read as follows:

22.3...(a) A floating roof, consisting of a pontoon type, double deck type roof or internal floating cover, which will rest or float on the surface of the liquid contents and can be equipped with a closure seal or seals to close the space between the roof edge and tank wall...

* * * *

Revise 22.9.2 to read: Surface Coating Industries. No person may cause, suffer, allow or permit volatile organic compound (VOC) emissions from the surface coating of any materials affected by Regulation 22.9.2 (a) through (j) to exceed the emission limits as specified in the regulation.

Add 22.9.2 (i) reading: Surface Coating of Miscellaneous Metal Parts and Products. The following emission limits shall apply:

	VOC Emission Limitation	
	lbs per gal of coating (minus water)	kg per liter of coating (minus water)
Clear Coat	4.3	0.52
Air or forced air-dried items (not oven dried)	3.5	0.42
Frequent color change and/or large numbers of colors applied, or first coat on un-treated ferrous substrate	3.0	0.36
Outdoor or harsh exposure		

or extreme performance characteristics	3.5	0.42
No or infrequent color change, or small number of colors applied		
(1) Powder Coating	0.4	0.05
(2) Other	3.0	0.36

These limits do not apply to operations covered in (a) to (h) herein or exterior coating of aircraft, auto refinishing, exterior coating of marine vessels and auto customizing topcoating (processing less than 35 vehicles per day)

Add 22.9.2 (j) reading: Factory Surface Coating of Flat Wood Paneling. The following emission limits shall apply:

	VOC Emission Limitation	
	lbs per 1000 sq. ft. of coated surface	kg per 100 sq. meter of coated surface
Printed interior wall panels made of hardwood plywood and thin particleboard	6.0	2.9
Natural finish hardwood plywood panels	12.0	5.8
Class II finishes for hardboard paneling	10.0	4.8

Revise Section 22.9.3 (b) to read: If a person wishes to use low solvent technology to meet any of the emission limits specified in Regulation 22.9.2 (a) through (j) and if the technology to be used for any particular application is not now proven but is expected to be proven in a reasonable length of time, he may request a compliance date extension from the Technical Secretary. After consultation with appropriate local governmental agencies, the Technical Secretary may extend the compliance date to no later than December 31, 1982. Compliance date extensions will require progress reports every ninety days, or as directed, to show reasonable progress, as determined by the Technical Secretary, toward technology to meet the specified emission limitation.

Compliance with the emission limitation for any specified surface coating application shall be eighteen months after any progress report indicates the extended compliance date cannot be met with low solvent technology. Final compliance date for any control plan shall be no later than December 31, 1982. Compliance will be determined by the procedure specified in "Control of Volatile Organic Emissions for Existing Stationary Sources. Vol. 2-Surface Coating of Cans, Coils, Paper, Fabric, Autos and Lt. Duty Trucks", (EPA 450/2-77-008); a method approved by the Technical Secretary or certification from the paint manufacturer concerning the solvent makeup of the paint.

* * * *

22.12.4 Exemptions. A vapor degreaser emitting one hundred pounds (forty-five kilograms) or less of VOC in any consecutive twenty-four hour period (uncontrolled) is exempt from the provisions of this section provided the total emissions from all the vapor degreasers at the facility combined are less than one hundred tons/year of VOC, uncontrolled. If these two conditions are not met, the provisions of Section 22.12 must apply.

* * * *

22.19 Perchloroethylene Dry Cleaning Systems

22.19.1 Control Requirements.

A. There shall be no liquid leakage of volatile organic compounds from any perchloroethylene dry cleaning system. Liquid leakage shall be determined by visual inspection of the following sources:

1. Hose connections, unions, couplings and valves.
2. Machine door gasket and seating.
3. Filter head gasket and seating.
4. Pumps.

5. Base tanks and storage containers.
6. Water separators.
7. Filter sludge recovery.
8. Distillation units.
9. Divertor valves.
10. Saturated lint from lint basket.
11. Cartridge filters.

B. Vaporized perchloroethylene shall be handled in vapor-tight equipment and transfer lines.

C. The dryer exhaust must be vented through a carbon adsorber or equivalent control system for a vented solvent concentration of 100 ppm or less before dilution as determined by a method approved by the Technical Secretary or by utilizing equipment which has already been shown to meet this limitation.

D. Filter and distillation wastes.

1. The residue from any diatomaceous earth filter shall be cooked or treated so that wastes shall not contain more than twenty-five pounds of solvent per one hundred pounds of wet waste material (25kg/100kg).

2. The residue from a solvent still shall not contain more than sixty pounds of solvent per one hundred pounds of wet waste material (60kg/100kg).

3. Filtration cartridges must be drained in the filter housing for at least twenty-four hours before being discarded. The drained cartridges should be dried in the dryer tumbler after draining if at all possible.

4. Any other filtration or distillation system can be used if equivalency to these guidelines is demonstrated to the Technical Secretary. For purposes of equivalency demonstration, any system reducing waste losses below one pound solvent per one hundred pounds of clothes cleaned (1kg/100kg) will be considered equivalent.

5. The amount of solvent in filter and distillation wastes shall be determined by utilizing the test method described by the American National Standards Institute in the paper, "Standard Method of Test for Dilution of Gasoline-Engine Crankcase Oils."

22.19.2 Exemptions.

A. Perchloroethylene dry cleaning facilities are exempt from Section 22.19.1 where an adsorber cannot be accommodated because of inadequate space or where no, or insufficient, steam capacity is available to desorb adsorbers. Documented evidence must be presented to the Louisiana Air Control Commission. Any exemption granted shall be confirmed in writing.

B. Any coin operated perchloroethylene dry cleaning facility is exempted.

C. Any perchloroethylene dry cleaning facility which has a potential to emit a combined weight of volatile organic compounds less than five hundred fifty pounds (249kg) in any consecutive twenty-four hour period is exempt from the provisions of this subsection.

22.19.3 Compliance. All affected facilities shall be in compliance with the provisions of Section 22.19.1 as soon as practicable, but no later than December 31, 1982.

* * * *

22.20 Graphic Arts (Printing) by Rotogravure and Flexographic Processes

22.20.1 Control Requirements. No person shall operate or allow the operation of a packaging rotogravure, publication rotogravure, or flexographic printing facility unless volatile organic compound emissions are controlled by one of the following methods:

A. The volatile organic compound fraction of ink, as it is applied to the substrate, contains twenty-five volume percent or less of organic solvent and seventy-five volume percent or more of water.

B. A volatile organic compound adsorption or incineration system having at least ninety percent (by weight) control efficiency across the control device, which can be demonstrated to have an overall capture and abatement reduction of at least:

1. Seventy-five percent where a publication rotogravure process is employed.

2. Sixty-five percent where a packaging rotogravure process is employed.

3. Sixty percent where a flexographic printing process is employed.

C. The ink as it is applied to the substrate, less water, contains sixty percent by volume or more of nonvolatile material.

D. This rule applies to affected machines on which both surface coating and printing operations are performed.

22.20.2 Exemptions. A rotogravure or flexographic printing facility which has a potential to emit a combined weight of volatile organic compounds less than five hundred fifty pounds (249kg) in any consecutive twenty-four hour period is exempt from the provisions of Section 22.20.1.

22.20.3 Compliance. All affected facilities shall be in compliance with the provisions of 22.20.1 as soon as practicable, but no later than December 31, 1982. Compliance will be determined by the procedure specified in Appendix A of "Control of Volatile Organic Emissions for Existing Stationary Sources Vol. 2-Surface Coating of Cans, Coils, Paper, Fabric, Autos and Lt. Duty Trucks," (EPA 450/2-77008); A Method approved by the Technical Secretary or certification from the ink manufacturer concerning the solvent makeup of the ink.

* * * *

22.21 Fugitive Emission Control

22.21.1 Control Requirements.

A. No component of any petroleum refinery shall be allowed to leak at a rate which would result in a volatile organic compound concentration exceeding 10,000 parts per million (ppm) when tested in the manner described in appendix B of the OAQPS guideline series: "Control of volatile organic compound leaks from petroleum refinery equipment," (EPA 450/2-78-036).

B. No valve, except safety pressure relief valves, shall be located at the end of a pipe or line containing volatile organic compounds unless the end of such line is sealed with a second valve, a blind flange, a plug, or a cap. Such sealing device may be removed only when the line is in use, for example, when a sample is being taken.

C. The operator of a refinery shall make every reasonable effort to repair a leaking component, as described in Section 22.21.1A, within fifteen days. If the repair of a component would require a unit shutdown, and if the shutdown would create more emissions than the repair would eliminate, the repair may be delayed to the next scheduled shutdown.

22.21.2 Monitoring Requirements. The monitoring of components containing volatile organic compounds shall be performed by the following schedule using the method described in Section 22.21.1 A. (CEPA 450/2-78-036).

A. Monitor with a VOC detection device one time per year (annually) the following equipment items:

1. Pump seals.
2. Pipeline valves in liquid service.
3. Process drains.

B. Monitor with a VOC detection device four times per year (quarterly) the following equipment items:

1. Compressor seals.
2. Pipeline valves in gas service.
3. Pressure relief valves in gas service.

C. Monitor pump seals visually fifty-two times a year (weekly).

D. Monitor promptly with a VOC detection device any pump seal when liquids are observed dripping from the pump seals.

E. Monitor with a VOC detection device any pressure relief valve within seven days after it has vented to the atmosphere.

F. Monitoring is not required on the following equipment items:

1. Pipeline flanges, inaccessible valves, tank valves or check valves (including similar devices not externally regulated),
2. Pressure relief valves in liquid service, and
3. Pressure relief devices which are tied into either a flare header or vapor recovery device.

G. The monitoring schedule of Section 22.21.2 A, B, and C may be modified as follows:

1. After at least two complete annual checks, the operator of a refinery may request in writing to the Louisiana Air Control Commission that the monitoring schedule be revised. This request shall include data that have been developed to justify any modification in the monitoring schedule.
2. If the Technical Secretary determines that there is an excessive number of leaks in any given process area, he may require an increase in the frequency of monitoring for that process area of the refinery.

H. The Technical Secretary may approve an alternate monitoring method if the refinery operator can demonstrate that the alternate monitoring method is equivalent to the method required by this Regulation. Any request for an alternate monitoring method must be made in writing to the Technical Secretary.

22.21.3 Records Requirements.

A. When a leak, as described in Section 22.21.1 A is located, a weatherproof and readily visible tag bearing an identification number and the date the leak is located shall be affixed to the leaking component. The tag may be discarded after the leak is repaired.

B. A survey log shall be maintained by the operator of a refinery which shall include the following:

1. The name of the process unit where the leaking component is located.
2. The name of the leaking component.
3. The stream composition at the leak.
4. The identification number from the tag required by Section 22.21.3A.
5. The date the leak was located.
6. The date maintenance was performed.
7. The date the component was rechecked after maintenance, as well as the instrument reading upon check.
8. A record of VOC detection device calibration.
9. A listing of leaks not repaired until turnaround.
10. A list of the total number of items checked versus the total found leaking.

The operator shall retain the survey log for two years after the latter date specified in Section 22.21.3 B 7 and make said log available to the Technical Secretary upon request.

22.21.4 Reporting Requirements. The operator of a refinery shall, after each quarterly monitoring has been performed, submit a report to the Technical Secretary of the Louisiana Air Control Commission listing all leaks that were located but not repaired within the fifteen day limit. These reports are due the fifteenth day of January, April, July and October. Such report shall include the following:

- A. The name of the unit where the leaking component is located, the date of last unit shutdown.
- B. The name of the leaking component.
- C. The stream composition at the leak.
- D. The date the leak was located.
- E. The date maintenance was attempted.
- F. The date the leak will be repaired.
- G. The reason repairs failed or were postponed. The

operator shall include in this report a signed statement attesting to the fact that all other monitoring has been performed as required by this rule.

H. The list of items awaiting turnaround for repair.

I. The number of items checked versus the number found leaking.

22.21.5 Compliance Schedule. All facilities affected by this regulation shall be in compliance as soon as practicable, but no later than December 31, 1982.

* * * *

22.22 Gasoline Terminal Vapor-Tight Control Procedure

22.22.1 Gasoline Tank Trucks.

A. Gasoline tank trucks and their vapor collection systems shall not sustain a pressure change of more than three inches of water (0.75 kPa) in five minutes when pressurized to eighteen inches of water (4.5 kPa) or evacuated to six inches of water (1.5 kPa) using the test procedure described in Appendix A of the OAQPS Guideline series: "Control of volatile organic compound leaks from gasoline tank trucks and vapor collection systems," December 1978, (EPA-450/278051).

B. All tank trucks must have a sticker displayed on each tank indicating the identification number of the tank and the date each tank last passed the pressure and vacuum test described in Section 22.22.1 A. Each tank must be certified annually and the sticker must be displayed near the Department of Transportation certification plate. Any repairs necessary to pass the specified requirements must be made within fifteen days of failure.

22.22.2 Vapor Collection System.

A. Loading and unloading operations at gasoline terminals shall not produce a reading equal to or greater than 100 percent of the lower explosive limit (LEL, measured as propane) at 2.5 centimeters around the perimeter of a potential leak source as detected by a combustible gas detector using the test procedure described in appendix B of the document referenced in Section 22.22.1 A.

B. Vapor collection and processing equipment shall be designed and operated to prevent tank truck gauge pressure from exceeding eighteen inches of water (4.5 kPa) and prevent vacuum from exceeding six inches of water (1.5 kPa).

C. The gasoline terminal operator shall keep records for two years indicating the last time the vapor collection facility passed the requirements specified in Section 22.22.2 A. Items which required repair in order to pass the specified requirements must also be recorded during the annual test procedure. Any repairs necessary to pass the specified requirements must be made within fifteen days of failure.

D. The monitoring frequency for the vapor collection system may be modified as follows:

1. After at least two annual checks, the terminal operator may request in writing to the Louisiana Air Control Commission that the monitoring frequency be extended. The operator should include data that have been developed to justify less frequent monitoring.

2. If the Technical Secretary determines that there is an excessive number of leaks during any given test by the terminal operator or by a Louisiana Air Control Commission representative, he may require an increase in the monitoring frequency.

22.22.3 Exemptions. All loading and unloading facilities for crude oil and condensate, for ships and barges and for facilities loading or unloading only liquified petroleum gas are exempt from Section 22.22.

22.22.4 Compliance Schedule. All affected facilities shall be in compliance with the provisions of these regulations as soon as practicable, but no later than December 31, 1982.

* * * *

22.23 Pharmaceutical Manufacturing Facilities

22.23.1 Reactors, Distillation Operations, Crystallizers, Centrifuges, and Vacuum Dryers. The owner or operator of a this regulation shall control the volatile organic compound emissions from all reactors, distillation operations, crystallizers, centrifuges and vacuum dryers that have the potential to emit fifteen pounds per day (6.8 kg/day) or more of VOC. Surface condensers or equivalent controls shall be used, provided that:

A. If surface condensers are used, the condenser outlet gas temperature must not exceed:

1. -13°F (-25°C) when condensing VOC of vapor pressure greater than 5.8 psia (40.0 KPA),
2. 5°F (-15°C) when condensing VOC of vapor pressure greater than 2.9 psia (20.0 KPA),
3. 32°F (0°C) when condensing VOC of vapor pressure greater than 1.5 psia (1.0 KPA),
4. 50°F (10°C) when condensing organic compounds of vapor pressure greater than 1.0 psia (7.0 KPA), or,
5. 77°F (25°C) when condensing organic compounds of vapor pressure greater than 0.5 psia (3.50 KPA).

B. If equivalent controls are used, the VOC emissions must be reduced by at least as much as they would be by using a surface condenser which meets the requirements of Section 22.23.1 A.

22.23.2 Air dryers, and production equipment exhaust systems. The owner or operator of a synthesized pharmaceutical manufacturing facility subject to this regulation shall reduce the VOC emissions from all air dryers and production equipment exhaust systems:

1. By at least 90 percent if emissions are 330 lb/day (150 kg/day) or more of VOC; or,
2. To 33 lb/day (15.0 kg/day) or less if emissions are less than 330 lb/day (150 kg/day) of VOC.

22.23.3 Storage and loading controls. The owner or operator of a synthesized pharmaceutical manufacturing facility subject to this regulation shall:

A. Provide a vapor balance system or equivalent control that is at least 90 percent effective in reducing emissions from truck or railcar deliveries to storage tanks with capacities greater than 2,000 gallons that store VOC with vapor pressures greater than 4.1 psia (28.0 KPA) at 20°C and,

B. Install pressure/vacuum conservation vents set at plus or minus 0.03 psi gauge (plus or minus 0.2 KPA) on all storage tanks that store VOC with vapor pressures greater than 1.5 psia (10.3 KPA) at 20°C, unless a more effective control system is used.

22.23.4 Centrifuges, filters, and in-process tank requirements. The owner or operator of a synthesized pharmaceutical facility subject to this regulation shall:

A. Enclose all centrifuges, rotary vacuum filters, and other filters which have exposed liquid surfaces, where the liquid contains volatile organic compounds and exerts a total volatile organic compound vapor pressure of 0.5 psia (3.50 KPA) or more at 20°C.

B. Install covers on all in-process tanks containing a volatile organic compound at any time. These covers must remain closed, unless production, sampling, maintenance, or inspection procedures require operator access.

22.23.5 Volatile organic compound leaks. The owner or operator of a synthesized pharmaceutical manufacturing facility subject to this regulation shall repair all leaks from which a liquid, containing VOC, can be observed running or dripping. The repair shall be completed the first time the equipment is off-line for a period of time long enough to complete the repair.

22.23.6 Exemptions. Any pharmaceutical manufacturing facility which has a potential to emit a combined weight of volatile organic compounds less than 550 pounds (249 kg) in any consecutive twenty-four-hour period is exempt from the provisions of

Section 22.23.

22.23.7 Compliance. All affected persons shall be in compliance with these rules as soon as practicable, but no later than December 31, 1982 as determined by a method approved by the Technical Secretary.

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

RULE

Department of Health and Human Resources Board of Embalmers and Funeral Directors

The following rule was adopted by the Louisiana State Board of Embalmers and Funeral Directors, as being reasonably necessary to enforce the provisions of Title 37, Chapter 10. Rules previously numbered 14, 15, and 16 will become Rules 15, 16, and 17.

Rule 14. Pressure Sales Tactics

The use of pressure sales tactics and/or plans, including but not limited to a bait and switch plan, and/or a sales commission plan by a funeral establishment or by anyone in their employ or by anyone acting on their behalf, in the sale of merchandise or services shall be an unethical and/or deceptive practice.

Lloyd E. Eagan, Secretary
Board of Embalmers and Funeral Directors

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, has adopted a rule that will require the timely submittal by providers of medical claims as follows:

- (1) Rehabilitation Center providers must submit their claims within twelve months from the date of service.
- (2) Laboratory and X-Ray Service Providers must submit their claims within six months from the date of service.
- (3) Medical Transportation Providers must submit their claims within six months from the date of service.

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

RULE

Department of Health and Human Resources Office of Human Development

Editor's Note: The Department of the State Register has chosen not to publish the forms mentioned in these rules. Interested persons may obtain copies of the forms by phoning or writing: Don Fuller, Director, Division of Evaluation and Services, 333 Laurel Street, Room 810, Baton Rouge, Louisiana 70802, (504) 342-4043. The forms are: Form 4-H, (Expanded Income Status Eligibility Determination and Fee Assessment); Form 4-H 1-2, (Explanation of 4-H); "Notification" statement form; Form 800 RC, (OHD-DES Community Respite Care Services Provider Referral Form); 800 RC-1. (Referral for Community Respite Care Services Explanation); Form 801 RC and 801 RC-1. (Provider Monthly Service Delivery Report).

In accordance with the Appropriations Act of the 1979 Louisiana Legislature, and the Louisiana Comprehensive Annual

Service Program Plan for 1979, the Department of Health and Human Resources, Office of Human Development has adopted policies and procedures to implement a program of Community Respite Care Services for handicapped persons and their families. This program represents an effort by the Department of Health and Human Resources, Office of Human Development to meet the need for family support services in order to maintain handicapped persons in their own homes.

Part III—Community Respite Care for Handicapped Persons and Their Families

13-300—Introduction and Objectives.

Rationale. It is widely recognized that the most desirable placement for many handicapped and multi-handicapped persons is in his/her own family home. It must also be recognized that any family providing such care is exposed to psychological and physical stresses which are unique, demanding, and unrelenting. Eventually, unless support services are made available, some families are stressed beyond their capacity to cope, and the result can be an increased risk to the handicapped person of being placed in an environment more restrictive than his current situation.

The Community Respite Care program represents an effort by the Division of Evaluation and Services to meet the need for family support services in order to maintain handicapped persons in their own homes.

Definitions. Community Respite Care Services are family support services which provide short-term relief for families who have the special responsibility of providing ongoing care for a handicapped person living at home.

A handicapped person, for purposes of this policy, is defined as anyone with a physically or mentally disabling condition(s) which, without respite services, could lead to placement in a setting more restrictive than his/her present situation. Examples of disabling conditions for which respite care services would be appropriate are: Moderate or severe mental retardation; autism, other developmental disabilities such as cerebral palsy or epilepsy; and multiple handicaps.

Types of service. Community Respite Care includes substitute care services for all or part of a twenty-four-hour day either in the home (Family Aide Service), or outside the home (Respite Care Out of Home); and Training and Counseling Services (Family Education and Training for the handicapped person and/or other family members).

How Services are Delivered. Office of Human Development/Division of Evaluation and Services (OHD/DES) purchases Community Respite Services for eligible recipients through Title XX contractual agreements with Respite Care providers. See Appendix II for a list of Providers and Contracted Services.

Goal. The goal of the Community Respite Program is to combine respite services with other community services to help support the family in their effort to maintain the family home as the principal caretaking resource for the handicapped person, thus preventing placement of the handicapped person in a more restrictive setting. This goal will be attained through the use of one or more of the following strategies:

A. To temporarily relieve the stress imposed on families because of the responsibility of caring for a handicapped person by providing temporary in home and/or out-of-home substitute care.

B. To provide a temporary substitute care resource for emergency situations which prevent the relative caretaker(s) from providing adequate care for the handicapped person.

C. To provide the education, training, and counseling necessary to assist the handicapped person and/or mem-

bers of his family to maintain self-sufficiency, and avoid unnecessary institutional placement.

13-305—Eligibility Determination.

A case coordinator shall be designated in each parish as the staff person responsible for the determination of eligibility for respite care cases. All applications/requests for respite care services from all sources (including providers) shall be referred to the designated case coordinator for an eligibility determination. However, when a request for respite care services is made for persons whose DES case is already involved in the client placement process, and is being handled by a case coordinator, the case coordinator already working with the family shall make the respite care eligibility determination.

The determination of eligibility for respite care is a two-fold process. Step 1: A determination must be made as to whether the handicapped person named in the request for services meets the definition provided in 13-300. Step 2: The family must be determined eligible for Title XX social services on the basis of income maintenance status, income status, or without regard to income (WRI) in certain protective services situations.

13.305.1—Eligibility Condition of a Handicapped Person.

In order to be eligible for Community Respite Care Services, the handicapped person in the family requesting services must be a handicapped person as defined in 13-300. To meet this prerequisite to eligibility, the handicapping condition must be disabling to the extent that the handicapped person cannot care for himself/herself or function in an age-appropriate manner; and it may reasonably be expected, that the handicapped person could require placement in a more restrictive setting if respite care services are not provided.

The applicant's word shall be considered acceptable verification of the extent of a handicapped person's disability and its impact on the family unless there is some reason to doubt it. The case coordinator shall attempt to determine the source of any medical diagnosis regarding the handicapped person's condition and record this along with any other pertinent information on the handicap in the case record.

13-305.2—Title XX Eligibility Determination.

The applicant/family shall be determined eligible for Title XX Community Respite Care Services on an individual basis. This determination shall be made by a DES case coordinator, using procedures outlined in Chapter XX, and this section. Form 4 shall be signed by the family member responsible for the handicapped person. If an eighteen year old is unable to sign for himself, the caretaker may sign if there is no legally responsible person. If the handicapped person is eighteen years of age or over, and is not claimed as a dependent for federal income tax purposes, he may be considered a single person family for the purpose of eligibility determination. For families with a handicapped person under the age of eighteen, the family must be determined eligible based on income maintenance status, income status or WRI criteria.

Provision of Respite Care to Income Maintenance and Income Status Eligibles.

A. Income Maintenance Status Eligibles. Basic Title XX eligibility criteria for income maintenance status eligibles are contained in 20-605.

B. Income Status Eligibles.

1. Basic Income Status Criteria. Basic Title XX eligibility criteria for income status eligibles are contained in 20-610. Form 4 shall be completed to determine eligibility or ineligibility for Title XX services by basic income status criteria.

2. Expanded Income Status Criteria. Income status eligibility standards have been expanded for respite care services to include persons whose family gross monthly income is more than 57.8 percent, but not greater than 115 percent of the state's median income, adjusted for

family size. The following chart gives the maximum gross monthly incomes allowable. Above these amounts of income, families will not be eligible for Community Respite Care Services.

Family Size	Gross Monthly Income	Family Size	Gross Monthly Income
1	\$ 823	7	\$2,136
2	1,076	8	2,184
3	1,329	9	2,231
4	1,582	10	2,279
5	1,835	11	2,327
6	2,088	12	2,375

For each additional family member above twelve persons add forty-eight dollars to the gross monthly income for a family of twelve.

Form 4-H has been designed as a supplement to Form 4 for applications on persons in this expanded group of income status eligibles.

When the family's gross monthly income falls within the above listed expanded income status range, a fee shall be charged for Community Respite Care Services (see Section 13-309 for policy regarding fees). Formal notification of the responsibility to pay fees, the rate at which fees must be paid, and the procedure for paying fees must be made to the client, using Form 4-H.

Persons determined eligible because their income falls in the expanded income status range of eligibility are eligible for Community Respite Care Services only, and will therefore not receive a Form 4-C. Providers shall be informed of such persons' eligibility and responsibility to pay fees for Community Respite Care by Form 800 RC (Referral for Community Respite Care).

C. Without Regard to Income (WRI).

Community Respite Care shall be available in certain protective services situations without regard to income (WRI). To provide respite care to families WRI, it must be established that Community Respite Care is needed for the following reasons:

1. Handicapped person is currently harmed or threatened with imminent harm through action or inaction of the person(s) responsible for his/her care.
2. The OHD/DES Protective Services Staff is involved in an investigation or is providing on-going protective services to the family on behalf of the handicapped person.

When Community Respite Services are provided WRI, Manual Policy 20-725 (D) must be applied. This policy requires the worker to document in the case record the circumstances which establish that the above child is subject to, or at risk of abuse, neglect, or exploitation. Once the adult or child has been certified, a re-determination of eligibility for Community Respite Services WRI shall be made at least every six months to verify that conditions necessitating protective services still exist. The adult or child is eligible for respite care only if the service plan specifies respite care as a necessary service to remedy or prevent neglect, abuse or exploitation.

D. Group Eligibility.

Group eligibility for Title XX social service shall not be applicable to the provision of Community Respite Care Services. An individual case determination is required to establish that the need for respite care is within the reasons set forth in C above and in 13-305.1.

13-307—Availability of a Title XX Community Respite Services Provider.

The case coordinator shall refer persons eligible for Title XX

Community Respite Services to the provider in the client's region of residence using Form 800 RC. The provider shall determine if their services are appropriate for and adequate to meet the needs of the handicapped person. Community Respite Services will be available only after the provider determines that adequate services can be delivered to the handicapped person. Persons determined to be inappropriate for the services will be so advised by the provider.

The case coordinator shall advise the applicant at the time of eligibility determination that the availability of Community Respite Care Services is contingent upon the regional provider's capacity to provide adequate care and services to the handicapped family member. The case coordinator should screen applicants for Community Respite Care Services in terms of the potential for services being available to the handicapped person and the applicant should be advised if the provider is not available to provide services to their handicapped family member. If the applicant requests an eligibility determination even though the initial screening indicates services will not be available, the applicant will not be refused an opportunity to apply for the services.

13-308—Application and Referral Process.

13-308.1—Non-Emergent Application.

A. When the Referral for Respite Care is Received by a Provider.

When a provider of community respite care services receives a request for these services, he shall refer the applicant to the DES designated case coordinator in the parish of the prospective client's residence, for eligibility determination. The applicant/family shall be responsible for contacting the DES case coordinator for a determination of eligibility for respite care services.

B. When the Request for Respite Care Services is Received by the DES Worker.

When a Division of Evaluation and Services intake worker receives a request for respite care services, he/she shall refer the case to the designated case coordinator for a determination of eligibility.

The DES case coordinator shall make an initial assessment of the request, completing Form 800 RC (Referral for Respite Care Services). The case coordinator shall identify the person needing care, the extent of his/her disability, the impact of the condition on the family, and whether Title XX eligibility has already been established.

If Title XX eligibility has not already been established, the case coordinator shall make the eligibility determination as shown in 13-305. If the applicant is found eligible for Respite Care Services, he/she shall be referred to the Regional Respite Care Provider. If he/she is found ineligible for Community Respite Care Services, the case coordinator and other DES staff shall assist the applicant to meet his need through other available resources.

C. Notification Processes.

The client shall be formally notified by the DES case coordinator of his eligibility or ineligibility for Community Respite Services, using Form 18-S.

The provider shall be notified of an applicant's eligibility for Title XX Community Respite Care Service, and of any responsibility the client/family may have to pay fees for the Respite Care Services received by Form 800 RC.

The provider will in turn notify the DES case coordinator as to whether the agency can deliver the requested service, using Section IV of Form 800 RC.

13-308.2—Application and Referral Process: Emergency Applications. The following are emergency procedures designed to expedite delivery of respite care services to families whose need for Respite Care Out-of-Home or Family Aide Services is both extreme and urgent. These procedures shall not be used to circum-