NOTICE OF INTENT
Office of the Governor
Division of Administration
Patient’s Compensation Fund Oversight Board

Rulemaking Petitions (LAC 37:III.Chapter 21)

The Louisiana Patient’s Compensation Fund Oversight Board, under authority of the Louisiana Medical Malpractice Act, R.S. 40:1231.1, et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950, et seq., specifically R.S. 49:953(C)(1), the Office of the Governor, Louisiana Patient’s Compensation Fund Oversight Board, proposes to adopt the following rule outlining the process for considering rulemaking petitions.

Title 37
INSURANCE
Part III. Patient’s Compensation Fund Oversight Board
Chapter 21. Rulemaking Petitions

§2101. Submission of a Rulemaking Petition
A. In accordance with R.S. 49:953(C)(1), any interested person may petition an agency to adopt a new rule, or to amend or repeal an existing rule.
B. To petition the board for changes to the board’s current rules, or for the adoption of new rules within the board’s purview, an interested person shall submit a written petition to the board. The petition shall include:
1. the petitioner’s name and address;
2. the name of the promulgating agency for the rule in question;
3. specific text or a description of the proposed language desired for the adoption or amendment of a rule, or the specific rule and language identified for repeal;
4. justification for the proposed action; and
5. the petitioner’s signature.
C. The rulemaking petition shall be submitted by certified mail and addressed to
   Louisiana Patient’s Compensation Fund Oversight Board
   Attn: Mr. Kenneth H. Schnauder, Executive Director
   Iberville Building, 627 North Fourth Street, Suite 2-300
   Baton Rouge, LA 70802-5343
   AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1231.4(D)(3) and R.S. 49:953, et seq.
   HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Patient’s Compensation Fund Oversight Board, LR 45:

§2103. Consideration of a Rulemaking Petition
A. Upon receipt, a rulemaking petition shall be forwarded to the board for review.
B. Within 90 days of receipt of the rulemaking petition, the board shall either:
   1. initiate rulemaking procedures to adopt a new rule, or to amend or repeal an existing rule; or
   2. notify the petitioner in writing of the denial to proceed with rulemaking, stating the reason(s) therefor.
   AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1231.4(D)(3) and R.S. 953, et seq.
   HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Patient’s Compensation Fund Oversight Board, LR 45:

Family Impact Statement
This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.