

May 2021

Economic Impact Statements for Proposed Rules

The corresponding proposed rule to each of the statements below may be viewed in its entirety in the May 20, 2021 *Louisiana Register*. Each *Louisiana Register* edition is published on the 20th of each month.

Promulgating Agency	Proposed Rule Title	Estimated Costs and/or Economic Benefits to Directly Affected Persons, Small Businesses or Nongovernmental Groups
Department of Children and Family Services	Maintenance and Disclosure of Information on Reports and Investigations on the State Repository	Implementation of this proposed rule change is not anticipated to have a cost or direct economic benefit to small businesses or non-governmental groups.
Department of Children and Family Services	Expungement of Unused Benefits	The proposed change will impact recipients of electronic benefits from FITAP, KCSP, or SNAP that take longer than 9 months to use their benefits. Under current rule, unused benefits are expunged after 12 months. Proposed rule reduces this period to 9 months.
Department of Culture, Recreation and Tourism	State Commercial Tax Credit Program Credit Reservation Process	The State Commercial Tax Credit program encourages building restoration, commerce, and tourism. The economic benefit to the community is the increased economic stimulus provided by the restoration of historic properties. Owners of revenue-producing historic properties in qualifying districts who choose to rehabilitate their properties could benefit by receiving 20 percent of eligible costs and expenses as income tax or corporate franchise tax credits, currently limited at \$5 million in Credits per owner per district per year. The implementation of a credit reservation system will have no direct economic impact to affected persons, small businesses, or non-governmental groups.
Department of Economic Development	Angel Investor Tax Credit Program	The proposed rule change will have no estimated effect on costs to directly affected persons, small businesses, or non-governmental groups.
Board of Regents	Academic Program Standards; Student Level Data Collection and Reporting	The proposed action will affect all public employees and public servants by setting a standard monetary limit on the receipt of food and drink.
Board of Regents	General Provisions; License Requirements; Affidavits and Bonds; Proprietary Schools Applications; Violations; Student Complaint Procedure; Student Records	The proposed rule change will have no estimated effect on costs to directly affected persons, small businesses, or non-governmental groups.
Board of Pardons	Meeting and Hearing for the Board of Parole; Inactive Parole Supervision	There will be an impact to individuals who choose to participate in hearings with the Board of Pardons and/or the Committee on Parole via phone, teleconference, or videoconference. Those persons will experience a savings in travel expenses by participating in the new manner allowed under the proposed rules.
Racing Commission	Pick N Procedure	There are no estimated costs or economic benefits to directly affected persons or non-governmental groups. The proposed amendment is a change of language in the rule for clarification.
Department of Health	Home and Community-Based Services Waivers Cost Reporting Requirements	This proposed Rule amends the provisions governing home and community-based services (HCBS) waivers in order to: 1) repeal LAC 50:XXI.Chapter 29 of the Adult Day Health Care (ADHC) Waiver Rule in its entirety and incorporate the language into LAC 50:XXI.Chapter 7 of the general provisions for HCBS waivers providers; 2) add provisions stating that personal care service and adult day health care providers may be penalized for failing to submit cost reports timely; and 3) remove outdated language from the administrative Rule. It is anticipated that the implementation of this proposed Rule will not result in costs for FY 20-21, FY 21-22, and FY 22-23, but may result in decreased payments ADHC and PCS providers who are assessed a penalty for submitting cost reports after the deadline.

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Department of Health	Home Health Program Durable Medical Equipment	This proposed rule repeals the Rules governing “Kangaroo Pump” and “Durable Medical Equipment Program - HIPAA Implementation” that were promulgated prior to implementation of the Louisiana Administrative Code codification system, as it has been determined that the provisions of these Rules are procedural requirements that are included in the provider manual. It is anticipated that implementation of this proposed Rule will not result in costs to Medicaid providers or small businesses in FY 20-21, FY 21-22 and FY 22-23, but will be beneficial by ensuring that operational procedures are not promulgated in the durable medical equipment administrative Rule.
Department of Health	Intermediate Care Facilities for Persons with Intellectual Disabilities Reimbursement Methodology Direct Care Floor Recoupment	The proposed rule amends the provisions governing reimbursement methodology for intermediate care facilities for persons with intellectual disabilities (ICFs/IID) in order to establish an effective date for the remittance of funds owed to the department by facilities that fail to meet the required direct care floor and specify that filing an administrative appeal does not suspend or delay the imposition of this recoupment. This proposed Rule will impact ICFs/IID since it will implement a 30-day effective date for the direct care floor recoupment. It is anticipated that implementation of this proposed Rule may result in an indeterminable cost to ICFs/IID that have a recoupment imposed in FY 20-21, FY 21-22, and FY 22-23.
Department of Health	Targeted Case Management	The Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities propose to amend the provisions governing the Targeted Case Management Program in order to: 1) repeal the provisions limiting the maximum number of recipients and the percentages of the available recipient population that a case management agency may serve in a region; and 2) update language throughout the administrative Rule to reflect current practices. It is anticipated that implementation of this proposed rule will not result in costs to targeted case management providers in FY 20-21, FY 21-22 and FY 22-23, but will be beneficial by removing the limitation on the maximum number of recipients an agency may serve within a region.
Physical Therapy Board	Licensing and Certification	The proposed rule changes will remove the one-year work experience requirement for licensed PTAs to supervise PTA students, marginally reducing labor demand for PTs and experienced PTAs. The conversion of this labor demand reduction to realized cost savings is indeterminable as these changes only apply to licensed PTAs in their first year of practice. The LPTB recognizes a shortage of PTA supervisors and intends this change to enable provider growth, the extent of which in the short-term is indeterminable, as agencies such as the Louisiana Department of Health (LDH) maintain work experience requirements in certain practice settings such as home health care and early childhood services. Proposed rule changes reducing education requirements for the practice of dry-needling will lead to a modest reduction in costs for Louisiana licensees seeking to provide dry needling treatment by enabling them to forgo additional coursework prior to practice. Proposed rule changes removing minimal hours of live coursework from the Continued Education requirements may represent savings and additional convenience for providers. Providers would have no maximum amount of hours for remote learning. The scope of impact for this change in terms of savings for providers and potential loss of revenue for live educators is indeterminable. Proposed rule changes modernizing the application process to allow electronic signatures or waiving verification of licensure from jurisdictions outside of Louisiana to reinstate expired licenses granted by LPTB will offer a significant increase in convenience for certain applicants. The savings in personal administrative costs and time will vary applicant to applicant and cannot be easily generalized.

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Department of Natural Resources	Pipeline Safety	The proposed rule changes directly affect pipeline operators. The proposed rule changes codify adopted federal regulations that these regulators are currently complying with. Therefore, there should be no economic impact to the regulated community.
Department of Transportation and Development	Offshore Terminal Facilities Air Emissions Recordkeeping and Reporting	The proposed rule will require offshore terminal facilities within the jurisdiction of LOTA to establish and maintain records of operating parameters necessary to estimate actual air emissions in each calendar year and submit an annual report of such emissions compared to modeled emissions. This provision is not anticipated to create an appreciable workload or expenditure impact on the existing terminal facility, which already collects this information. There are no other estimated costs and/or economic benefits to directly affected persons, small businesses or non-governmental groups.
Department of Wildlife and Fisheries	Domesticated Aquatic Organisms	The proposed rule change clarifying the requirement of tilapia culture permit holders to hold a domestic aquatic organism permit as well, which is expected to increase license expenditures by a collective \$30. Also, the proposed rule change increasing performance bond requirements in 2026 for tilapia live permit holders (\$25,000 to \$50,000) and tilapia culture permit holders (\$10,000 to \$50,000) will impose a financing cost on the license holders. The premium for the performance bond will vary with market rates and the credit rating of the applicant; therefore, the costs to the license holders are indeterminable.