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Executive Orders

EXECUTIVE ORDER BR 89-13

WHEREAS, Executive Order No. BR-89-7 was signed February 28, 1989, establishing a Task Force on Criminal Justice; and

WHEREAS, it is necessary to expand that Task Force to include a member of the Louisiana Association of Criminal Defense Lawyers;

NOW THEREFORE I, BUDDY ROEMER, Governor of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 3 of Executive Order No. BR-89-7 shall be amended as follows:

o. The President of the Louisiana Association of Criminal Defense Lawyers or his designee.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 2nd day of May, 1989.

Buddy Roemer
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State

EXECUTIVE ORDER BR 89-14

WHEREAS, high unemployment is a severe problem in Louisiana at this time, our unemployment rate being the highest in the nation; and

WHEREAS, this condition of high unemployment means that thousands of Louisianians who want to work cannot find jobs with which to provide the necessities of life for themselves and their families; and

WHEREAS, in order to enable all our citizens to become self-sustaining participants in the economic life of our society we must develop the economy so as to provide jobs for all who need jobs; and

WHEREAS, there are many agencies in state government and many substate and private resources which can contribute to our economic development efforts; and

WHEREAS, there is a need to coordinate the activities of all agencies and resources in order to eliminate duplication of effort, fill gaps, employ available knowledge, expertise, manpower and financial resources as efficiently as possible, and provide overall direction for the total state economic development program;

NOW THEREFORE I, BUDDY ROEMER, Governor of the State of Louisiana, do hereby order and direct as follows:

Section 1: The Department of Economic Development is the lead agency of the State of Louisiana for the state's economic development program.

Section 2: The Secretary of the Department of Economic Development shall convene and chair the Louisiana Economic Development Cabinet.

Section 3: The Louisiana Economic Development Cabinet shall be composed of all department heads of state government, shall meet at the call of the Secretary of Economic Development, and shall be charged with responsibility for developing the state's overall long-term strategic plan for economic development.

Section 4: The Economic Development Cabinet shall marshal all state, substate and private resources available to assist in carrying out its mission to stimulate the creation of jobs and therefore enhance the economic well-being of all the citizens of Louisiana.

IN WITNESS WHEREOF, I have hereunto set my hand officially and caused to be affixed the Great Seal of the State of Louisiana, at the Capitol, in the City of Baton Rouge, on this 4th day of May, 1989.

Buddy Roemer
Governor of Louisiana

ATTEST BY
THE GOVERNOR
Fox McKeithen
Secretary of State

Emergency Rules

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

State Plan for Migrant Education

The State Board of Elementary and Secondary Education, at its meeting of April 27, 1989, exercised those powers conferred by the emergency provisions of the Administrative Procedure Act R. S. 49:953B and adopted the State Department of Education's FY'90 State Plan for Migrant Education (ECIA Chapter I Migrant Education) for submission to the U. S. Department of Education no later than April 30, 1989.

The necessity for the emergency adoption of this plan is a result of not having the funding level to prepare the final stages of the plan. The funding was not known unofficially until three months ago and officially approximately two weeks ago. The plan was originally due at the U. S. Department of Education April 30, 1989.

Application for Federal Financial Assistance
Under Chapter 1
Migrant Education Program

PART 1

1. Request for Federal Assistance

The state of Louisiana hereby request its entitlement of funds as authorized by Section 1201 of Chapter 1 of the School Improvement Act of 1988.

2. State Applicant (list the state agency to whom the funds will be awarded)

Applicant: Louisiana Department of Education
Street Address/P.O. Box: 654 Main Street/P.O. Box 94064

City/State, and Zip Code: Baton Rouge, Louisiana 70804-9064

Federal Employer Identification Number: 123-720-8290-A2

Contact Person (name and title): Ronnie E. Glover, Director

Telephone Number: (504) 342-3517

3. Certification

To the best of my knowledge and belief, data in this application are true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the requirements of the Chapter 1, Migrant Education Program, and the attached assurance contained in Part IV of this application.

Signature of Chief State School Officer or Legally Authorized Representative

Date

Wilmer Cody, State Superintendent

Title

LOUISIANA MIGRANT EDUCATION STUDENT NEEDS ASSESSMENT

School _____

Migrant Status _____
(Currently or Formerly)

Year _____
Person Entering Assessment _____

PERSONAL DATA				TESTING DATA								STUDENT APPRAISAL	INTERVENTION INDICATORS														SUPPLEMENTAL SERVICES								MISC DATA																		
DATE ASSESSED	STUDENT NAME	MIGRANT STATUS	GRADE	DATE OF BIRTH	PRL				ENGLISH				LOW ACADEMIC SCORES	IN-DOOR ATTENDANCE	DROP-OUT	COVERAGE FOR GRADE	PRE-KINDERGARTEN	SUMMER SCHOOL	CAREER AWARENESS	SPECIAL EDUCATION	ENRICHMENT	INTERESTING SVCS	INSTRUCTIONAL				SUPPORT				CHAPTER 1				BILINGUAL	ESL	PRE-KINDERGARTEN	SPECIAL EDUCATION	SPECIAL TALENTED	INSTRUCTIONAL PROGRAM	SUPPLEMENTAL SUPPORT PROGRAM	MIGRANT INSTRUCTIONAL SERVICES	R	M	L	A	E	O	49	50	51	52	53
					R	M	L	A	R	M	L	A											R	M	L	A	R	M	L	A	R	M	L	A																			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	

COLUMN TALLIES
COLUMN TOTALS

Testing Data

Test Used _____

Test Cycle _____

Describe on back

Principal Review and Signature _____

Date _____

PART II — PROGRAM NARRATIVE
SECTION A — PROGRAM PLAN—STATE LEVEL

1. Type of Application

- a. This plan covers a period of one year.
- b. Not applicable

2. Statewide Needs Assessment

a. Describe the SEA's needs assessment procedures, including the use of objective educational criteria for determining on a statewide basis the numbers and the degree of educational deprivation of eligible migratory children.

The SEA utilizes a comprehensive data collection instrument to elicit information from LEA subgrantees concerning the needs of migratory children. This instrument was designed to include a wide range of indicators of educational deprivation, including test scores, age-grade levels, retention, academic scores, attendance, dropouts, and teachers' perceptions of needs in basic skills areas.

Prior to the preparation of the State Plan, LEA subgrantees operating a project in 1988-89 were asked to compile the data based on the educational record and perceived needs of every migratory child then enrolled. LEAs aggregated the data by grade level and submitted it to the SEA, which aggregated the data for the state as a whole.

Although it was unrelated to the SEAs formal needs assessment process, a survey of migrant parents conducted for the National Association of State Directors of Migrant Education produced some useful information concerning training needs of parents. Accordingly, survey results were added to the needs assessment procedures for determination of overall needs.

b. Describe the results of the statewide needs assessment in terms of indicators of educational needs and the types of educational and support services that should be provided to meet those needs.

Indicators of Educational Need

Thirty-four of 41 LEA subgrantees representing 85 percent of the state's identified migratory children submitted needs assessment data in time for inclusion in the statewide needs assessment.

(3) **SECONDARY LEVEL (Grades 7-12)**—The needs of migratory students in junior and senior high school are extensions of those in Grades K-6 insofar as they reflect deficiencies in reading and math, low test scores, and such, but here the whole is greater than the sum of the parts. The greatest need of these students, given all of their deficiencies, is simply to stay in school, to not drop out. Unfortunately, there are many indications of a high potential for dropout. For present purposes, consider only these:

	CURRENTLY MIGRATORY		FORMERLY MIGRATORY	
	NO.	PCT.	NO.	PCT.
GRADES 7-12	n = 228		n = 628	
Retention	43	18.9	158	25.1
Low Academic Scores	57	25.0	181	28.8
Below Modal Grade	68	29.8	276	43.9
Poor attendance	19	8.3	40	6.4
Perceived need in				
Reading	87	38.2	288	45.8
Math	74	32.4	272	43.3
Language Arts	53	23.2	107	17.0
ESL/Bilingual	25	10.9	16	2.5

(4) **LIMITED ENGLISH PROFICIENT (LEP) STUDENTS**—The needs assessment data revealed concentrations of LEP students, as determined by oral language proficiency assessment. The state totals for children with a language proficiency rating of three or lower (on a scale of one to five) were as follows:

	CURRENTLY MIGRATORY		FORMERLY MIGRATORY	
	NO.	PCT.	NO.	PCT.
K-12 LEP students	n = 929		n = 2580	
	202	21.7	634	24.5

Ninety percent of the LEP migratory children identified were found in five of the 34 reporting LEA project areas. One LEA with a known population of LEP migratory students did not report needs assessment data.

(5) **COORDINATION AND SUPPORT SERVICES**—The needs assessment data, inasmuch as they reflect a wide range of needs, make an explicit statement concerning the imperative to plan and coordinate indicated services with all programs and sources of assistance. They indicate a need not only for direct instructional services, but also for programs directly supporting instruction, such as guidance and counseling, and for the ongoing coordination of such services. The needs assessment data also indicate a need for an array of health services.

(6) **PARENT NEEDS**—According to tabulations of the parent survey, the following are the priorities for parent training as perceived by more than 200 responding parents in Louisiana:

- (a) Helping students with math
- (b) Helping students with reading
- (c) Drug and alcohol abuse
- (d) Parental involvement at elementary school level
- (e) Parental involvement—helping the underachieving student
- (f) Child abuse and neglect
- (g) Parental involvement—making it work at the school level
- (h) Parental involvement—helping at the preschool level
- (i) School and home responsibilities
- (j) Procedures for working effectively within the school system

Types of Educational and Support Services to Meet the Needs

The data indicate a need for the following services:

- timely identification and enrollment of migratory children;
- individualized remediation plans based on specific identified deficiencies;
- remediation and tutoring in reading, math and language arts in appropriate settings;
- ESL and bilingual education support for LEP students;
- close coordination with regular programs;
- utilization of most efficient and most effective strategies;
- utilization of all available resources;
- coordination with programs and services offered by other agencies
- timely updates of student records and transfer of data through MSRTS;
- ongoing assessment of student progress and emerging needs;
- dropout prevention activities;
- dropout retrieval activities;
- linkage between home and school, development of parent support and involvement;
- linkage between school and community, school and world of work;
- intervention to remove or ameliorate health problems.

c. Describe the procedures the SEA will use to ensure that:

- (1) LEAs are aware of the results of the statewide needs assessment

Directors of all LEA migrant education projects will be thoroughly briefed on the contents of the FY90 State Plan, of which this needs assessment is an integral part. Separate copies of Table 1 will be mailed to all LEAs in the state, including those which do not operate migrant projects.

(2) On a statewide basis currently migratory children have priority over formerly migratory children in the provision of program services

LEA subgrantees will be instructed to affirm in their applications for funds that all currently migratory children will be served in an appropriate manner, and to document the strategies and techniques they will utilize to serve even those who are relatively isolated. LEAs will be notified that the FY90 state plan provides for greater flexibility in the delivery of services, and that they shall use the formats and structures described in the state plan as frameworks in which to plan services to currently migratory children.

LEAs will be encouraged to use flexible and adaptable staffing patterns, instructional methods and delivery systems to address the needs of currently migratory children as they appear in their project areas. They will be instructed that service to a currently migratory child should include prompt identification and enrollment, prompt needs assessment, direct compensatory educational services as indicated (whether from the Migrant Education Program or another source), close coordination with the regular classroom, outreach and linkage to the home and community resources, ongoing assessment of progress and needs, utilization of all available resources, coordination of appropriate support services, and full implementation of the Skills Information System of the MSRTS.

In the prioritizing of services for currently migratory children, LEAs will be relieved of any burden for providing direct services to all or a minimum percentage of formerly migratory

children, but will be expected to use their program funds to serve all significant needs of currently migratory children that cannot be met by the regular school program or by other programs or services before using the remainder to serve formerly migratory children in order of need.

(3) Eligible migratory children with the greatest need for special assistance will be served

LEA subgrantees will be instructed to affirm in their applications for funds that migratory children with the greatest needs will be served, subject to limitations of the statutory requirement to prioritize services to all currently migratory children over services to formerly migratory children. The general guideline which LEA subgrantees will be given is that services addressing the identified needs of currently migratory children must be provided—no matter from what program or source— before the needs of the formerly migratory can be addressed, no matter what the relative degree of need.

LEA subgrantees will be under no obligation to spend more money on or provide more service to currently migratory children than on formerly migratory, nor to spend more money on addressing the greatest identified needs than on other needs, only to make sure that all the currently's are served before any of the formerly's, and that the greater needs are met before the lesser.

3. Objectives, Activities to Achieve Objectives, and Evaluation

a. State each objective in measurable terms and relate it to statewide needs assessment. Include objectives concerning (1) educational achievement (2) coordination of educational services and (3) changes in behavior.

b. Describe the instructional, support and administrative activities to be carried out to meet each objective.

c. Describe the procedures and instruments to be used to determine the effectiveness of the activities in achieving each objective.

Objective #1

1a. Currently migratory preschool children will participate in at least 3,000 aggregate hours of appropriate developmental activities in appropriately structured settings. [Coordination objective]

1b. To meet the preschool education needs of currently migratory children, LEA subgrantees will be authorized to utilize any or all of the following strategies and will be directed to employ the strategy or combination of strategies most appropriate for the purpose:

(1) HEAD START—Each subgrantee will coordinate with a Head Start project in its area to secure the highest possible accommodation of currently migratory children. Each will be required to make every reasonable effort to place currently migratory children in Head Start, subject to all applicable eligibility requirements and parental consent. If required, the LEA will provide, or assist in the provision of, transportation or other support services, provided that the cost does not exceed the cost of providing comparable preschool education through other authorized means.

(2) HIGH RISK FOUR-YEAR OLD PROGRAM—Each subgrantee which also operates a state-funded Program for High-Risk Four-Year-Olds shall make the program available to all currently migratory children on an equal access basis, subject to all eligibility requirements of the high-risk program. Where necessary, the LEA may use MEP funds to provide, or assist in the provision of transportation or other support services if not provided by the high-risk program, provided that the cost does not

exceed the cost of comparable preschool education services through other authorized means.

(3) CHAPTER 1 FOUR-YEAR PROGRAM—Each subgrantee which also operates a Chapter 1 project for four-year-olds shall make the program available to all currently migratory children on an equal access basis, subject to all Chapter 1 eligibility requirements. Where necessary, the LEA may use MEP funds to provide, or assist in the provision of, transportation and other support services if not provided by Chapter 1, provided that the cost does not exceed the cost of comparable preschool education services through other authorized means.

(4) OUTREACH SERVICES—Instructional and support services will be delivered at or near the place of residence. Outreach aides will provide up to 12 hours of pre-K developmental activities per child per week, up to a maximum of 90 days. The outreach will also provide instruction to parents concerning means of assisting the child's education at home. If the family is still in residence following 90 days, outreach will continue, but with a reduced maximum of six hours per week. (Parents by then should have received sufficient training to play a role.) A one-time onsite medical screening will be included.

(5) PRIVATE PRESCHOOL—Currently migratory children can be enrolled in private preschool programs for a period not to exceed 90 days, but only if enrollment in Head Start or other public programs is not possible and it is more feasible economically than outreach services.

(6) PARENT EDUCATION—LEA subgrantees shall provide for the presentation to migrant parents of preschool children of a complete Parent Tutorial unit as developed and disseminated by the state resource center, with such presentation being made at Parent Advisory Council meetings, other meetings or outreach visits as appropriate. LEAs will be encouraged to include all parents of preschool migratory children in this activity whether or not the children are enrolled in Head Start or other preschool programs.

(7) PRESERVICE AND INSERVICE TRAINING—LEA subgrantees shall designate one or more staff personnel to receive training prior to the start of the 1989-90 school year in the planning and delivery of services to preschool currently migratory children. Training shall be provided on a state, regional and local basis under a master training plan to be developed with the assistance of the Central Stream Professional Development Center. Training of key personnel at the start of the school year will focus on preparation of a cadre of knowledgeable practitioners who in turn will be able to train others during the course of the year. Training will be conducted by SEA staff, by staff from the State Migrant Education Resource Center, by selected LEA personnel, by consultants provided by the PDC, and other such personnel from within and outside the Migrant Education Program as determined appropriate by the state director. LEA personnel employed on a needs basis to provide direct services to currently migratory preschool children on an outreach basis shall receive training at the LEA site at any time during the course of the year when such personnel are hired. Training of any personnel employed in response to an emerging need may be delivered by SEA staff, Resource Center personnel, by previously trained LEA staff, or by trained personnel from other LEAs assigned such responsibilities in the master training plan.

(8) LINKAGE—Designated LEA staff members will coordinate the provision of preschool services from all contributing sources, provide liaison with parents and facilitate parental involvement in preschool developmental activities. Each LEA subgrantee shall designate at least one person to fill the role of linker

on a full- or part-time basis, but this person may be involved with other children in addition to those at the preschool level.

(9) DAY CARE—LEA subgrantees may provide day care for currently migratory preschool children for that portion of the day in which the children are not participating in an organized developmental/instructional program as identified at (1), (2), (3), (4) and (5) above, provided that that such children would be unable to participate in the developmental/instructional activity if day care were not provided for part of the day extending beyond the specified activity.

(10) SUPPORT SERVICES—LEA subgrantees shall be instructed to provide support services needed to remove barriers to the meeting of the preschool educational needs of migratory children. They shall be instructed to utilize all possible resources for health, dental, nutritional, transportation and other support services, and to expend migrant funds for those purposes only when a needed support service is not available from another source.

1c. Measurement of preschool educational services will be in quantitative terms. Each LEA subgrantee will be required to account for days/hours present for currently migratory preschool children placed in Head Start, High-Risk Four-Year-Old, Chapter 1 Four-Year-Old, private preschool or outreach programs, as well as for MEP contacts (linkages). Each will also be asked to account for the hours of instruction provided in the Parent Education component. LEAs will be requested to enter early childhood skills in MSRTS.

Objective #2

2a. Reading scores for 75 percent of migratory students enrolled in an intact K-8 reading program for at least one year will demonstrate a gain of three or more NCEs, as measured on a spring-to-spring testing cycle. [Educational achievement objective]

2b. To attain the desired objectives in reading improvement, the following activities will be authorized:

(1) CHAPTER 1 READING PROGRAMS—LEA subgrantees will provide Chapter 1 reading services to all qualifying migratory children enrolled in Chapter 1 schools where such services are offered, on a basis of equal access as compared to selection of non-migrant children. LEA migrant education staff shall be responsible for recording appropriate data on such children into the Skills Information System and coordinating support services and other appropriate services.

(2) PULLOUT READING LABS—Participating children will be pulled from regular classrooms according to a predetermined schedule to receive individualized or small group instruction in reading that is specifically designed to address identified deficiencies and is coordinated with the regular classroom teacher. Teachers and aides providing this supplementary instruction shall submit information on reading skills under study to the LEAs MSRTS Specialist on a regular basis.

(3) IN-CLASS AIDES—Participating children will receive individualized tutorial assistance while in their regular classroom. Such assistance shall be closely coordinated with the regular teacher; it may serve to reinforce current skills as they are being taught, as well as to remediate deficiencies. In-class aides shall submit information on reading skills under study to the LEA's MSRTS Specialist on a regular basis.

(4) EXTENDED DAY SERVICES—In before-school, after-school or weekend sessions at the school site, tutorial assistance in reading will be provided to participating children. Personnel providing this instructional assistance shall submit information

on reading skills to the LEA's MSRTS Specialist on a regular basis.

(5) OUTREACH—Currently migratory children who cannot be served in the school setting will be tutored in or near their homes by personnel either employed specifically for the purpose or who also work in schools. Instructional schedules for outreach tutoring shall be planned to provide as much assistance as possible within a minimum number of visits. Personnel providing instruction to children in a home setting shall be expected to involve parents in the educational process to the greatest extent possible. Information on reading skills will be submitted to the LEA's MSRTS Specialist on a regular basis.

(6) LINKAGE—A designated Linker (See description after Objective #12) shall facilitate placement of migratory children in appropriate programs for remediation of reading deficiencies, coordinate supplementary services with regular classroom instruction, insure that skills under study are recorded in the Skills Information System, insure that parents are kept apprised of children's needs and services provided, and coordinate support services and services of other agencies as are appropriate to improvement in reading proficiency. LEA subgrantees will employ at least one full- or part-time linker to oversee delivery of services.

(7) SUPPLEMENTARY READING MATERIALS—The State Resource Center will distribute appropriate books and other reading material donated to migratory children through the Free Books program. All LEAs will be allocated free books on a pro rata basis and will be instructed to distribute them to migrant children, and to conduct such related instructional activities and parent activities as will encourage the reading of the books at home. All LEAs will also be encouraged to participate in the RIF program to secure additional supplemental reading materials for migrant children at no additional cost to the program.

(8) PRESERVICE AND INSERVICE EDUCATION—All LEA instructional personnel employed with MEP funds on a full-time basis shall be required to attend training to be conducted at regional sites prior to or early in the 1989-90 school year. All other personnel who work with migrant children, including part-time MEP-funded personnel and Chapter 1 personnel who provide instruction for migrant children, will be able to participate in these training activities on a space available basis. Training shall be conducted by SEA staff, personnel from the State Resource Center, and other personnel as designated by the state director. Additional training will be scheduled in response to needs. LEA personnel hired on a needs basis to serve currently migratory children shall receive training at the LEA site, such training to be provided by SEA or Resource Center staff or by LEA personnel previously trained under the master training plan.

(9) PARENT EDUCATION—A unit of instruction to enable parents to assist children in development of reading skills will be delivered to migrant parents through PAC meeting presentations, special training efforts, or outreach activity. LEA personnel will be inserviced by SEA or resource center staff on a needs basis.

(10) SUPPORT SERVICES—LEA subgrantees will be instructed to provide support services needed to remove barriers to the improvement of reading. These support services may include services in the areas of health, nutrition, counseling, transportation, or any other activity which can reasonably be expected to lead to the desired improvement in reading. LEAs will be instructed to utilize all available resources to obtain the necessary services. They will be authorized to use migrant funds for sup-

port services only when a needed service is not available from any other source.

2c. For students for whom appropriate matched scores on a spring-to-spring cycle are available, measurement of gains in reading skills will be made through the use of standardized tests. LEA subgrantees will be instructed to record gains in NCEs regardless of the test form used. For other students, quantitative totals of skills covered and/or under study will be compiled. Subgrantees will be instructed to record accurately all test scores on each student's MSRTS record, but the data recorded in MSRTS will not be used in evaluation of reading activities.

Objective #3

3a. Mathematics scores for 75 percent of migratory students enrolled in an intact K-8 math program for at least one year will demonstrate a gain of three or more NCEs, as measured on a spring-to-spring testing cycle. [Educational achievement objective]

3b. To attain the desired objectives in math improvement, the following activities will be authorized:

(Same as for No. 2b above, except that references to reading should be replaced by references to math, and [7] does not apply.)

3c. Measurement of gains in math will be made in the same manner as that of gains in reading, as described in No. 2c above.

Objective #4

4a. Language arts scores for 75 percent of migratory students enrolled in an intact K-8 language arts program for at least one year will demonstrate a gain of three or more NCEs, as measured on a spring-to-spring testing cycle. [Educational achievement objective]

4b. To attain the desired objectives in language arts improvement, the following activities will be authorized:

(Same as for No. 2b above, except that [1] does not apply and references to reading should be replaced by references to language arts.)

4c. Measurement of gains in language arts will be made in the same manner as that of gains in reading, as described in No. 2c above.

Objective #5

5a. At least 75 percent of Limited English Proficient migratory students will demonstrate increased capacity for learning in an English language environment, as measured by reduction in time allocated for ESL or bilingual instruction and/or concomitant improvement in regular classroom performance. [Coordination objective]

5b. To attain the desired objectives in educational improvement for Limited English Proficiency (LEP) students, LEA subgrantees will be required to stipulate that they are in compliance with the legal doctrine (as stated in *Lau vs Nelson*, *Castaneda vs Pickard* and the Equal Educational Opportunity Act of 1974) that each school district is responsible for removing language barriers that pose obstacles to education. LEAs will describe the procedures that are in place to assist in the removal of such barriers. In addition, the following activities will be authorized to supplement required procedures:

(1) TITLE VII BILINGUAL EDUCATION PROGRAM—In LEAs receiving grants for the Title VII Bilingual Education Program, migratory children of Limited English Proficiency, as determined by appropriate assessment, shall be placed in such services on the basis of equal access as compared to non-migrant children qualifying for the services. The Migrant Education pro-

ject shall supply appropriate guidance and oversight to ensure that the needs of such LEP children are being met, and that oral language skills are recorded in the Skills Information System of the MSRTS educational record, and that all appropriate linkage with educational and support needs is being provided.

(2) TECHNICAL ASSISTANCE AND INSERVICE TRAINING—In close coordination with the Bilingual Education Section of the SEA, the SEA migrant education staff or designated representatives will assist LEA subgrantees in planning, developing and implementing programs of service for LEP migratory children, and shall provide appropriate training and supplementary resources for LEA staff that will provide supplemental ESL instruction or bilingual assistance.

(3) SUPPLEMENTARY READING MATERIALS—Appropriate English language reading materials matched to students' reading level will be provided through the Free Books Program and/or the RIF program as described under (2b)[7] above.

(4) OTHER ACTIVITIES—MEP-funded special classes or tutorial pull-outs for LEP students will be authorized only if the LEA demonstrates that it is fulfilling its obligations to remove language barriers and that such special services are dedicated to the development of more advanced skills and competencies. Any such activity must correspond to a reasonable expectation that participating children can perform at a higher level than the minimum English language proficiency established as the goal of the state/local ESL/bilingual program.

(5) SUPPORT SERVICES—Support services may be provided on the basis described at (2b)[10] above.

5c. Measurement of improvement in English language proficiency will be made in terms of student progress toward satisfactory functioning in the regular classroom, e.g., the number and percentage of migratory children requiring ESL or bilingual education services at the start of their enrollment and no longer needing such services at the end of the enrollment period, the number and percentage of migratory children requiring fewer hours of ESL/bilingual support per day (or per week), etc.

Objective #6

6a. At least 5,000 migratory children will receive appropriate free books or other learning resources through the Free Books program. At least 1,000 migratory children will receive appropriate free books or other learning resources through the RIF program. [Coordination objective]

6b. To attain the desired objective of placing supplementary reading materials in the hands of migrant children, the SEA will utilize the state resource center, located in Hammond, as a distribution point for books and other materials acquired through the ongoing Free Books program initiated by the Office of Migrant Education. Books received at the center will be allocated among the state's LEA subgrantees, with some held in reserve for distribution to migratory children in non-project areas. Books will be distributed directly or through onsite pick-up by LEA personnel.

In addition to the Free Books program, which will be coordinated at the state level, the SEA will strongly recommend that all LEA subgrantees participate in the RIF (Reading is Fundamental) program, through which additional free books can be made available to migratory children at no cost.

LEA subgrantees will be directed to comply with all terms of the book donation.

6c. Comprehensive records will be maintained of numbers of books distributed by title, by participating LEAs, and by

number of children receiving books.

Objective #7

7a. At least 200 realistic self-actualizing goals will be set by migratory children in Grades 7-12. [Behavior objective]

7b. The objective of self-actuated goals-setting by migrant students will be facilitated through a unit on goals-setting developed at the resource center in association with other participants in an interstate coordination project that developed career awareness materials. Students will learn to set realistic short-term goals for self-realization and academic improvement, such as reducing absences from school, establishment of a minimum time devoted to homework, improvement by one letter grade in a given subject, etc. LEA subgrantees will be instructed to provide this unit to migratory students in grades 7-12, with special emphasis on those at the junior high level (grades 7-9).

The unit will be made available in a package format accompanied by appropriate training provided by resource center staff. LEAs will have complete flexibility in scheduling the unit as an in-school activity or a special extended-day or weekend activity. LEAs shall also have the option of expanding the basic unit by development of a Goals for Youth program which provides appropriate individuals as part-time counselors and role models for individual migrant youth.

7c. LEA staff will be instructed to record numbers of students involved in the goals-setting activities, contact hours per student, goals set and goals achieved. Additional records will be kept concerning individuals used as role model/counselors, such as students counseled, time spent, student reaction, etc.

Objective #8

8a. At least 200 migratory children in grades 7-12 will demonstrate increased awareness of career opportunities and development of job application skills. [Behavior objective]

8b. Goals pertaining to the development of increased career awareness will be accomplished through the use of a career awareness unit developed by the state resource center. LEA subgrantees will be instructed to provide all or portions of this unit to currently migratory students and to formerly migratory students based on need and logistical feasibility. The career awareness unit will be made available as a package, including appropriate training supplied by SEA or resource center staff. LEA subgrantees will exercise the option of designing an appropriate delivery system that will maximize participation while minimizing absence from class.

Additionally, subgrantees may design special career-oriented activities for migrant students, including career fairs, workplace visits, presentations by employers and the like. They will be responsible for assuring that any career orientation activities include many varieties of careers, including professions requiring college and/or postgraduate education, for including information on the types of education/training required and the prerequisites therefore, and for assuring that no pervasive sex or ethnic stereotyping is included.

LEA subgrantees shall also have the option of providing special orientation and training for secondary administrators, counselors and teachers for working with migrant students.

8c. LEA staff will be instructed to record numbers of students participating in career awareness activities, hours of instruction, and results of pre- and post-testing of individual awareness of career options. They will also be asked to document in full any special career exercises, such as types of places of employment visited, types of employers making presentations, and student reactions.

Objective #9

9a. At least 100 migratory students in Grades 9-12 will eliminate or reduce deficiencies in subjects required for high school graduation. [Educational achievement objective]

9b. Deficiencies in required high school subjects under study by currently migratory students will be addressed through individual and group tutoring, to the extent that such tutoring does not supplant any provided to the general school population. LEA subgrantees will be instructed to employ qualified subject matter tutors on a contract basis as they are needed.

LEAs shall also have the option of providing an intensified course in study skills to secondary migrant students. Basic materials for this unit have been developed by the state resource center.

Deficiencies in credits accrued for graduation will be addressed in part through the availability of packaged courses such as those developed by the PASS program. These will be offered to students planning to graduate in a state or district recognizing credits earned through the courses.

9c. Effectiveness of tutoring will be measured by improvement in the subject for which tutoring is provided, as indicated by gains in test scores or improvement in assigned grades. LEAs will be required to provide follow-up information on all migrant children receiving such tutoring to ascertain if improvement is realized. LEAs shall record numbers of students participating in the study skills unit, number of hours, and results of final course evaluation. LEAs shall also report number of students taking correspondence or other package courses, number completing courses, and credits accepted by state or district of intended graduation.

Objective #10

10a. At least 100 secondary migratory children will receive information about opportunities for a college education through the College Assistance Migrant Program (CAMP). [Coordination objective]

10b. Information concerning the CAMP programs in Texas and Tennessee—those which are in closest geographical proximity to the state—will be distributed to LEA subgrantees, guidance counselors in schools where secondary migrant students have been identified, and other personnel. Each LEA will be briefed during preschool training as to the availability of CAMP openings for qualified students.

10c. LEAs will be required to document that all migrant students in the eleventh and twelfth grades have received information about the CAMP programs in Texas and Tennessee.

Objective #11

11a. The graduation rate for migratory children during 1989-90 will be within 10 percentage points of that for the general school population. [Behavior objective]

11b. Attainment of improved retention of migrant students will be the result of the activities described in Objectives 7, 8, 9 and 10 immediately above, plus the attention paid to individual student needs, programs and services through those LEA staff designated as linkers and increased awareness of migrant student needs fostered through awareness training for administrators, teachers and counselors.

11c. Information concerning migratory students dropping out of school will be compiled from LEA reports and from MSRTS, and a dropout rate will be computed utilizing the best available baseline data. This rate will be compared to that of the overall Louisiana school dropout rate.

Objective #12

12a. At least 75 migratory children will be graduated from Louisiana high schools in the spring of 1990. [Behavior objective]

12b. Graduation of migrant students from high school will be furthered through the activities described in Objectives 7, 8, 9 and 10 immediately above, as well as the individual attention paid to individual student needs, programs, and services through designated linkers and increased awareness of migrant student needs fostered through awareness training for administrators, teachers and counselors.

12c. Information on the number of migratory students graduating from Louisiana high schools will be compiled from LEA reports and MSRTS.

ROLE OF THE LINKER

Accomplishment of almost all of the objectives will be enhanced by the utilization of individuals classified as linkers. These persons will be coordinators of services for individual migratory children, with special responsibilities for insuring that the needs of all currently migratory children are addressed in a suitable manner. Such persons may have other duties within an LEA Migrant Education project, such as those of an administrator, an MSRTS specialist, a recruiter or an aide. Each LEA subgrantee will be instructed to describe the duties and a pro-rated time share for persons whose duties include provision of linkage services. The principal duties of the linker are as follows:

- (1) to assist in the speedy identification and enrollment of currently migratory children;
- (2) to assess, or assist in the assessment of, the needs of currently migratory children;
- (3) to ensure placement of currently migratory children in an appropriate program of supplemental educational services;
- (4) to assist in the coordination and delivery of services from other agencies and community resources;
- (5) to assist in the coordination of supplemental educational services with regular classroom services;
- (6) to assure the provision of support services essential to remove barriers to learning;
- (7) to assure the ongoing updating of the MSRTS educational and health records of migratory children;
- (8) to communicate with the parents of currently migratory children and foster a greater role for parents in their children's education where appropriate.
- (9) to assist in the collection of evaluation data.
- (10) to see to the provision of appropriate services to formerly migratory children, based on need, once assurance is reached that the needs of currently migratory children are met.

LEAs will be encouraged to utilize experienced holdover Migrant Education personnel in the role of linkers, and to combine the role of linker with other roles to the greatest extent possible. They will be instructed to provide each person designated as a linker with sufficient flexibility of work hours and sufficient freedom to travel so that each linker will be able to make home visits at times convenient to parents and to make calls on other agencies as appropriate.

LEAs will be given complete freedom to use other designations for the linker role, e.g., liaison, home-school coordinator, migrant child advocate, etc., so long as the job responsibility conforms to that described here.

4. Statewide Evaluation and Program Improvement

a. Sustained Performance of Students

Describe how the SEA will determine whether improve-

ments in the educational performance of those formerly migratory students who have participated in a full-year program for at least two years were sustained for at least one school year.

Following completion of the project year, each LEA subgrantee shall be required to submit all available data on student achievement for all migratory children enrolled during the period. For those formerly migratory students enrolled continuously in a full-year program of supplementary instruction in reading, math, or language arts for the 1988-89 and 1989-90 school years, the LEA shall submit achievement data that includes gains, as measured in NCEs, in each subject for each year. In aggregating these data, the SEA shall determine whether gains recorded during 1988-89 were sustained during the 1989-90 school years. This determination will be made for the state as a whole, but also for each LEA subgrantee.

b. Report to the Secretary

Describe the SEA's process for collecting and aggregating local evaluation information for the SEA's biennial report to the secretary, including testing schedules, the types of measurements to be used, and data on regular and summer school programs and on sustained gains.

Each LEA subgrantee shall be required to submit comprehensive reports on services provided for migratory children and indicators of what the results of those services were. This information shall be differentiated between currently and formerly migratory students. It will include information on supplemental services provided by programs other than the MEP, such as Chapter 1 or Bilingual Education, as well as those funded by Migrant Education. It will provide data on direct instructional services, linkage and liaison services, special instructional units, parent education and support services.

Subgrantees will also be encouraged to supplement basic data with information concerning attendance, dropouts and graduates, dropout retrieval/adult education, extracurricular activity, and any other evidence of overall impact of the total effort to serve migratory children. Each subgrantee shall submit all available achievement data on each child enrolled in Grades 2-12, including test type, test schedule, scores and gains as expressed in NCEs, where available. The subgrantees shall be required to submit this information annually.

The SEA will aggregate all data received each year. Although the formal report to the secretary of education will be prepared only every other year, the SEA will use each year's reports for purposes of program planning and improvement.

c. Use of evaluation information to improve the MEP

Describe how the SEA has used evaluation information to improve its migrant education program at the state and local levels.

As a result of information attained through previous evaluation efforts, the SEA has already implemented program changes such as a statewide resource center, coordinated inservice training for all personnel, and emphasis on expansion of services to a greater proportion of eligible children. Statewide improvement is designed to be reflected through improvements in local projects, while LEA project improvement strengthens the state program. Still more changes will be implemented in the coming year under this revised State Plan. While these changes are based in part upon changing statutory and regulatory requirements and upon budgetary considerations, they also reflect the SEA's responsiveness to needs identified in the most recent evaluation, that of the 1987-88 program year. In like manner, results of evaluation of the 1988-89 and 1989-90 project years

will be used to plan revisions and modifications where needed for the future.

5. Identification and Recruitment

Describe the SEA's plan for identifying and recruiting all eligible currently and formerly migratory children in the state.

a. Procedures the SEA has established to determine the areas where migratory children are expected to reside and the dates when identification and recruitment activities will be conducted in those areas.

It has been determined through experience that currently and formerly migratory children can be found in any area of the state at almost any time of year. Agriculture is the major industry in most regions of the state outside the major urban areas, and the long growing season creates opportunities for a wide range of temporary and seasonal jobs throughout most of the year. There are greater numbers of migratory children, including a greater proportion of currently migratory children, found in the coastal regions, where inshore and offshore activities relating to the catching and processing of seasonal fish and shellfish attract many intrastate and interstate migrant workers, in the cotton-growing delta of northeast Louisiana, in the truck-farming region of southeastern Louisiana, and in the central and western Louisiana areas where forestry is the major agricultural industry.

There is more interstate migration during the spring and fall than during other times, but migrant children can be found in the state 12 months out of the year. Recruiting activities will be conducted nine to 10 months of the year, omitting only the hot summer months when most home-based and interstate migrants are most likely to be out of the state and when identification of eligible children is made more difficult by the close of schools.

b. The assignment and training of recruiters to ensure that the eligible children are identified.

Each LEA subgrantee shall include in its application for funds the name or names of program personnel to be designated for training and service as associate recruiters. According to local conditions and the interests of cost efficiency, this may be a full- or part-time role, it may be a shared role, or it may be filled on a contractual basis. Following training, and under close monitoring and supervision as described below, associate recruiters will be responsible for timely completion of Certificates of Eligibility for every family of migratory children residing within the LEA, or a designated portion thereof. LEA subgrantees will be instructed to select associate recruiters from existing instructional or support staff on the basis of experience in and knowledge of the Migrant Education Program, ability to work independently, and willingness to work irregular hours and under unpredictable circumstances.

At least one LEA subgrantee in each geographical region of the state shall be instructed to employ an experienced recruiter in the newly defined role of senior recruiter. Senior recruiters will be responsible for conducting or assisting in the training of associate recruiters, for monitoring the activities and reviewing completed COEs of associate recruiters within a defined geographic region, for providing technical assistance and inservice training, and for conducting identification and recruitment activities in areas where there is no LEA subgrantee.

All recruiters will be supervised and periodically monitored by the state supervisor of recruitment and the technical assistant for recruitment.

TRAINING: The major training effort will be directed toward associate recruiters. Senior recruiters, each of whom has five to 15 years of experience as migrant education recruiters, have been through extensive training and inservice activities over

the years. They themselves will serve as trainers of associate recruiters. Each LEA subgrantee will be directed to send its associate recruiter designates to a regional recruiter training workshop to be held in August, prior to the start of the 1989-90 school year. The training, which is expected to take one and a half days, will consist of the following components:

- Overview of the scope and purpose of the MEP
- Overview of the Louisiana MEP and the population served
- Defining the migratory child
- Establishing sources of information
- Conducting interviews
- Completing the COE
- Record-keeping and procedural practices
- Quality control
- State policies governing recruiting decisions
- Technical aspects of eligibility

The outline of topics for the training of associate recruiters is based on the presumption that persons selected for this role will possess a significant amount of MEP experience and knowledge at the outset of training, and that only minimal time need be devoted to introductory material of a general nature. This presumption is consistent with the direction to LEA subgrantees guiding their selection of these persons.

Training of the associate recruiters will be conducted by the state supervisor of recruitment, technical assistant for recruitment, senior recruiters and outside consultants, including consultants provided through the Central Stream Program Development Center.

Senior recruiters will be provided a one-day training and orientation in their new role as monitors and technical assistants. This will be provided prior to any training for associate recruiters. It will be conducted by the state supervisor of recruitment and outside consultants.

While technical assistance will be ongoing and continuous, inservice training for recruiters will be conducted only at widely scattered intervals and based solely on evidence of compelling need.

All LEA subgrantees will be instructed to provide all recruiting personnel with sufficient flexibility so that recruiting activities can be conducted in the evenings and on weekends whenever appropriate.

NOTE on "to insure that the eligible children are identified":

Despite language contained in the OME instructions and in the proposed nonregulatory guidance, the recruiters themselves cannot insure that all eligible children are identified. Because of the diverse nature of Louisiana's agricultural and fishing industries, most families move on their own in largely unpredictable patterns, taking what housing they can get. They could be—and usually are—just about anywhere. Although it is sometimes possible at given times of the year to get information from certain growers or food processors concerning incoming or newly arrived migrant families, most migratory children who move into Louisiana school districts do so in a random, haphazard manner. Enrollment of children in a new school has proved to be the only reliable means whereby most migratory children can be identified.

The most successful migrant education recruiters in Louisiana have been those who have done the most extensive development of sources of information in the schools, whether those sources are school secretaries, guidance counselors, administrators, or migrant education instructional personnel. Accordingly,

the major emphasis for identification, as compared to recruitment, must be placed on those persons who first come into contact with migrant children—building-level school employees.

To that end, the SEA will recommend to all LEAs, including those which operate Migrant Education Programs as well as those which do not, a series of procedures to facilitate the identification of migrant children. First is a limited number of key indicators of migrant eligibility which LEAs will be asked to include on each enrollment document used to register a child in a new school. Such indicators as a move from another school district and type of employment will trigger recognition of possible eligibility, leading to immediate securing of additional information to verify or deny eligibility, or to prompt referral to a recruiter.

Secondly, all LEAs will be asked to schedule a presentation by SEA migrant education staff or designated Senior Recruiters to LEA staff prior to the start of the 1989-90 school year. The purpose of these meetings will be to foster awareness in every school that each newly enrolled child should be screened for possible eligibility for the Migrant Education Program, to the extent that a key person or personnel in each school—whether an assistant principal or secretary or someone else—is conscious of a responsibility for this task.

Thirdly, the SEA will develop informational materials concerning the Migrant Education Program and appropriate reminders of the Migrant Education presence for conspicuous posting in all schools. The materials will include uniform brochures describing the migrant program, posters or placards which remind secretaries and other personnel to check for possibility, and informational materials which can also be distributed through public health units, food stamp offices and other agencies where they might be seen by migrant families.

Additionally, the SEA will develop a uniform system for the prompt dispatch of referrals to the nearest recruiter for verification of eligibility. Each LEA will be instructed to channel referrals through a central point, which in most cases would be the LEA migrant education director's office.

These procedures will be recommended to all LEAs, but those LEAs which receive subgrants for operation of Migrant Education projects shall be required to describe in their applications their procedures for implementation of the recommendations or of equivalent procedures.

c. Quality control procedures the SEA uses to ensure that

(1) the eligibility of children to be considered migratory is properly documented and verified.

Quality control begins with adequate training of recruiters and is maintained only through continuous monitoring, review, feedback, and corrective action. It must be predicated on zero tolerance for errors of any kind, inasmuch as any error could result in the improper allocation of migratory child FTEs for the state. The training component is described above, the balance detailed below.

Monitoring and supervision in the field

Senior recruiters will personally direct and advise associate recruiters on a regular basis, with supervisory visits to take place at least once a month. During these visits, the senior recruiter shall accompany the associate recruiter on parent interviews and shall provide appropriate suggestions for improving interview techniques. The senior recruiter shall review completed COEs for accuracy and completeness, and shall make appropriate recommendations for modifications in practice. The senior recruiter shall file periodic reports with the state supervisor of

recruitment substantiating whether each associate recruiter is performing in a satisfactory manner.

Review of COEs

As per established practice, two copies of each completed COE are filed with the state office for review by the state supervisor of recruitment and the state MSRTS coordinator. On a timely basis, each COE will be reviewed to ascertain that the information contained on the document is sufficient to establish eligibility of the children listed. This review will proceed independently of enrollment into MSRTS, inasmuch as the process can be time-consuming and prompt enrollment is essential to the success of the program. The state recruitment supervisor will determine whether each COE is

(a) acceptable documentation for eligibility,

(b) inadequate documentation, or

(c) documentation indicating eligibility does not exist.

In the case of (b) and (c), the state recruitment supervisor will address an inquiry to the recruiter, utilizing a form called a Recruiter Action Request, asking for additional information or clarification of facts that could provide an acceptable documentation of eligibility. Requests addressed to associate recruiters will be channeled through senior recruiters. All recruiters will be asked to respond in writing within 30 days. Upon receipt of the requested information, the state supervisor of recruitment will determine whether the additional information adequately supports the eligibility or indicates there is no eligibility, or whether still more information is needed. If it is determined that eligibility is still not adequately documented following the provision of additional information, all children on the COE in question will be "misidentified" and removed from the MSRTS, thereby generating no funds. In this manner, ineligible children occasionally may be enrolled, but the SEA will insure that no children it deems ineligible are allowed to generate funds for the program.

The state supervisor of recruitment will maintain records of the reasons for calling for further review of eligibility and of the reasons for disallowing eligibility. He will also maintain other records documenting where migratory workers are found, types of temporary and seasonal work giving rise to migration to the various sections of the state, recruiter activity and proficiency.

(2) The eligibility error rate does not exceed five percent.

By implementing the procedures described immediately above, the SEA will assure itself that any discrepancies, misjudgments or inadequate documentation concerning the determination of eligibility will be corrected before funding is generated, and that its theoretical error rate will be zero.

d. Maps showing:

(1) the location of agricultural and fishing activities in the state that require the use [of] migratory labor. (see following map.)

(The map is based on qualifying activities documented by migrant education recruiters on Certificates of Eligibility completed from late spring of 1988 through the end of January, 1989. The map does not reflect all activities in all locations where they were found, but does represent the major categories.)

(2) Areas of the state where identification and recruitment have been or will be conducted this calendar year. (See State Identification and Recruitment Map)

e. Reasons for not conducting identification and recruitment activities in areas of the state, if any, where qualifying agricultural and/or fishing activities are located.

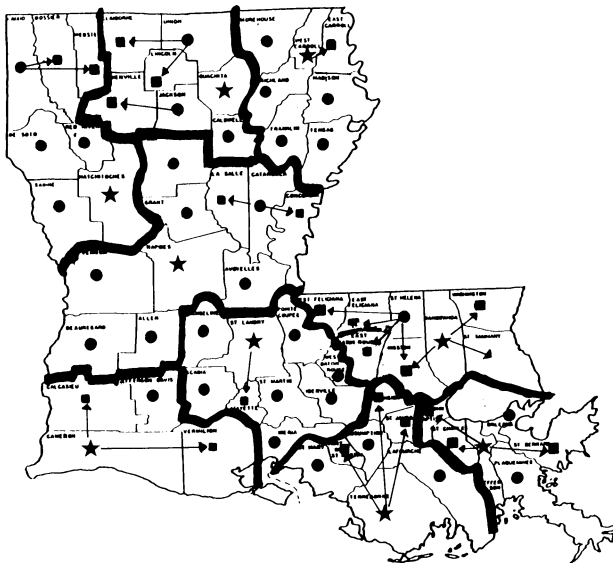
Does not apply—identification and recruitment activities will be conducted in all areas.

LOCATION OF AGRICULTURAL AND FISHING ACTIVITIES



STATE IDENTIFICATION AND RECRUITMENT MAP

- ★ SENIOR RECRUITERS (TECHNICAL ASSISTANCE & IDENTIFICATION)
- ASSOCIATE RECRUITERS (FULL-TIME OR PART-TIME I & R)
- ■ NON-MIGRANT AREA I & R



6. Children Residing in the State and to be Served by the State Program

a. Complete Table A (Parts 1-4 where applicable) showing the estimated number of children:

- (1) Expected to reside in the state; and
- (2) Expected to be served with Chapter 1 Migrant Education funds.

See Table A, Parts 1-3 in Part III.

b. Explain why any significant numbers of currently migratory children expected to reside in the state will not be served in the SEA's migrant education program.

Does not apply—the SEA plans to serve a major proportion of all currently migratory children, including all of those present in concentrated areas.

7. Location of Planned Projects

a. What criteria do the SEA use to determine location of migrant education projects?

MEP projects will be located where the greater concentrations of migratory children are found.

b. Report the number of local Chapter 1 migrant education projects the SEA expects to approve to provide direct services to migratory children during the:

- (1) regular school term only: 40 projects with capacity to provide services in all school districts in state
- (2) summer school term only: None;
- (3) both the regular school and summer school term: None.

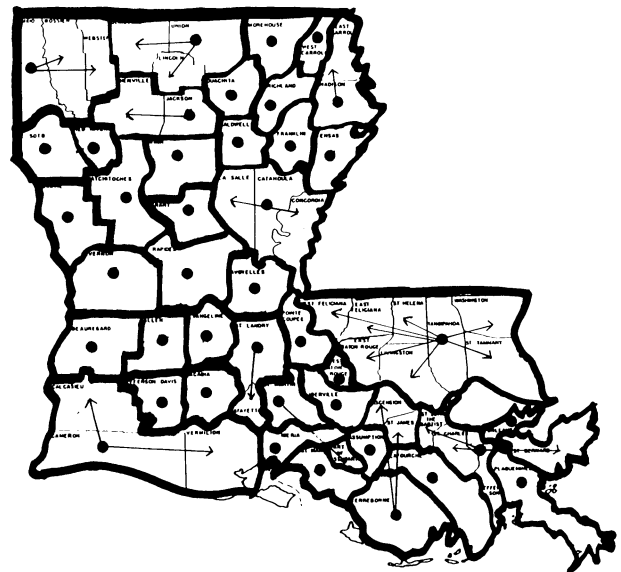
c. Provide a map showing the locations of planned projects

(See following map)

The SEA may, prior to making subgrants to local operating agencies, consolidate projects for greater efficiency. Any such consolidation, however, would not reduce the total project area or diminish the numbers of migratory children to be served.

MAP OF PLANNED PROJECT AREAS

- PROJECT
- ○ NON-PROJECT (SERVICE BASED ON NEED)



8. Services to Private School Children

a. Describe how the SEA will determine whether migratory children who may attend private schools need special services.

If eligible children are identified who are attending private schools, the director of the LEA project serving the geographical area in which the school is located shall be required to conduct a needs assessment.

b. Describe how services will be provided to eligible migratory children enrolled in private schools.

Such services as are needed will be provided on a priority basis, with currently migratory children to be served first. No services shall be provided on the premises of religiously affiliated private schools. Services will be provide on an outreach basis or

by transporting such children to a site not affiliated with a region.

9. Coordination with Other Programs

Describe how the MEP will be coordinated with programs administered under:

a. Other Department of Education programs

(1) Chapter 1 Part A—It is understood at the SEA level that migratory children who are enrolled in Chapter 1 schools and who meet the eligibility requirements for Chapter 1 services in that LEA shall be provided equal access to all Chapter 1 services. Migratory children receiving remedial instruction and/or other Chapter 1 services shall continue to be eligible for additional services provided by the MEP, including coordination, support, home-school linkage, parent education, counseling, career guidance, etc., where not provided by Chapter 1.

(2) Title VII Bilingual Education—The SEA's Bureau of Migrant Education and the Bilingual Education section have reached mutual understanding for a process for working with LEAs to assure delivery of appropriate ESL or bilingual education services to LEP children, and for the availability of Title VII services to LEP migrant children on an equal access basis.

(3) Adult Education—LEA subgrantees will be instructed to make reasonable efforts to place into Adult Basic Education programs any migratory youth who has dropped out of school after passing the maximum age for compulsory attendance, and to make information concerning Adult Basic Education available to migratory youth at high risk of dropping out. Subgrantees will also be expected to coordinate with the adult education programs in their areas to make information about ABE and GED opportunities available to migrant parents.

(4) Vocational Education—LEA subgrantees will be required to provide assurance that migratory children will be placed in appropriate vocational education programs on an equal access basis.

b. Migrant Health

There are no Migrant Health Centers or satellites located in Louisiana. However, all LEA subgrantees are required to assist migratory children in gaining access to needed health services as provided by school nurses, MEP-funded health providers, public health clinics, private providers. They are advised that MEP funds can be used for providing essential health services posing barriers to learning only if there is no other source of funding.

c. HEP and CAMP

Attempts to coordinate with HEP programs would be counter-productive in terms of providing high school equivalency courses for migratory youth residing in Louisiana who have dropped out of school. There are no HEP programs in the state, but a much better alternative is at hand in the Adult Education programs operated by every Louisiana school system. High school equivalency, as indicated by passage of the GED test, is available to all Louisiana residents through Adult Education. The term has actually become something of a misnomer, since almost half of the 40,000-plus enrollees in Adult Education last year were teen-agers. Therefore, migrant dropout youth can be easily accommodated in Adult Education (See [a.3] above), making this a more realistic possibility than a HEP program in another state.

There are also no CAMP programs in Louisiana, but unlike in the case of HEP there is no satisfactory alternative. Therefore, LEA subgrantees will be required to provide to secondary migrant students information about the nearest CAMP programs to Louisiana, those at St. Edward's in Austin, Texas, and the University of Tennessee in Knoxville. The SEA will provide as-

sistance to students wishing to make application to either CAMP.

d. Migrant Headstart

There is no Migrant Headstart program in Louisiana. However, LEA subgrantees will be required to coordinate with local Head Start projects, as described under No. 3 (1)(a) above, to secure the placement of preschool migratory children to the greatest possible extent.

e. The Education for the Handicapped Program

The SEA's migrant education office has worked closely for several years with the Office of Special Education to coordinate efforts to identify and serve handicapped migratory children. The two agencies work together in the ongoing Child Search, and the state plan for EHA-B assures priority for migratory children in assessment of handicapping conditions.

f. The Community Services Block Grant Act of 1981

LEAs will be instructed to coordinate with their local Community Action Agency (or other CSBG grantee, if any) in the dissemination of information about the programs and services offered.

g. Section 402 of the Job Training Partnership Act of 1982

Coordination with this program has been hampered by the unwillingness of the Section 402 grantee, which is based in another state, to enter into discussions with the SEA concerning coordination of services. It is known, however, that the 402 program is available only in a limited area. LEAs will be encouraged to work with CAAs and other grantees of the major JTPA programs in the coordination of services, dissemination of information, and placement of eligible individuals.

h. Other appropriate programs

LEAs will be strongly encouraged to disseminate to migrant families information about services available from the Departments of Agriculture, Labor and Health and Human Services and from the Environmental Protection Agency. Representatives of these agencies will be requested to present information at state and local Parent Advisory Council meetings.

10. Coordination with Other States

Describe how the SEA will coordinate the services it provides for migratory children with the services they receive in other states by—

a. Transmitting and using educational and health records through the Migrant Student Record Transfer System

The Migrant Student Record Transfer System is the principal instrument for interstate coordination. The SEA has made a total commitment to full utilization of the system by all parties, including recruiters, administrators and instructional personnel as well as by records clerks and terminal operators. The SEA has linked each project site by computer to the state terminal center, and the system is fully operational for most LEA-SEA student data transfers. Each LEA subgrantee is required to include in its program staff an MSRTS specialist (clerk), either full time or part time as determined by the work volume.

The MSRTS specialists are the main links in the chain of communication by which important data are transmitted from a source, usually a recruiter, teaching aide, linker or health professional, to the national MSRTS data bank. From there, migrant education personnel in other states can readily access important data if the child moves. This data is of value in the receiving state only if it is current and up-to-date. Therefore the overriding objective of MSRTS operations in the state is to maintain a continuing influx of data to keep the records up to date.

The SEA maintains a single terminal center for the state in its own office. The operation is supervised by a state coordina-

tor, who is responsible not only for supervising the work of terminal operators but for training, technical assistance and monitoring of MSRTS clerks throughout the state. LEA subgrantees are required to provide assurances that appropriate project personnel will provide complete initial and updating information to the MSRTS clerk on a timely basis, and that the clerk will forward data to the state terminal center on a daily basis. The SEA requires terminal operators to enter data onto the data base the same day received unless extraordinary circumstances exist.

b. Ensuring the adaptation of services at the local level to assist children in meeting the requirements of educational agencies in other states and school districts

LEA subgrantees will be required to assure full participation in MSRTS, including ongoing reporting of skills through the SIS and the recording of secondary credits accrued. They will be further required to assure that provision will be made in the scheduling of high school courses for students planning to graduate in states other than Louisiana, so that credits earned in Louisiana will be readily accepted by the designated state of graduation.

Other Dimensions of Interstate Coordination

Besides MSRTS, there are other mechanisms for interstate coordination on various levels--planning, dissemination and professional development as well as direct services to children. Louisiana regularly exchanges presenters for state conferences here and in neighboring states, promoting the sharing of expertise and experience. In regional and national conferences, the state's presenters share with participants from other states significant aspects of the state's programs, while Louisiana attendees at these conferences share ideas and program materials and gain insights from other states. Specialists from other states are sometimes called in to conduct workshops and demonstrations for state-level and local personnel, and reciprocal visits are made by Louisiana personnel. Major publications of the Bureau of Migrant Education, including the annual State Plan and annual evaluation report, are shared with other program directors.

The SEA will participate in, and provide appropriate support for, the official activities of the National Association of State Directors of Migrant Education and any affiliated organizations thereof.

The SEA will also provide a pro-rated share of support for the publication MEMO, which is accepted across the nation as a primary vehicle for sharing information and resources for the Migrant Education Program.

Louisiana has played a variety of roles in a number of Section 143 interstate coordination activities, and will continue to perform such roles as are appropriate. Having previously served on the advisory panel for the MERIT identification and recruitment project directed by Indiana and having conducted the Identification and Recruitment effort that produced the SMART (Systematic Methodology for Accountability in Recruiter Training) manual, it is now represented on the Advisory Committee to the Identification and Recruitment contract being conducted by Pennsylvania. Louisiana will be interested in developing applications for grants, contracts or cooperative agreements under the new Section 1203 Interstate Coordination program whenever such opportunities are announced during the project year. Personnel and resources funded under this state plan will be committed to the development of such applications in accordance with the intent of the statute, but such commitment will not diminish the accomplishment of regularly assigned responsibilities.

11. Parental Participation

a. Describe the composition and membership of the State Parent Advisory Council.

The State Parent Advisory Council is composed of at least one delegate from each LEA Parent Advisory Council. LEAs where 200 or more migrant children are enrolled as of the start of the 1989-90 school year are given one additional delegate for each additional 200 children or fraction thereof. Delegates to the State PAC are chosen by members of LEA PACs. Members serve for two years, or until they establish residency in another LEA. Three meetings of the SPAC are held each year, with one meeting held in the northern section of the state, one in the central region, and one in the south to facilitate the greatest possible overall attendance. Attendance at SPAC meetings will be open to all parents of migrant children, although none but members will be permitted to vote on Council business. The SPAC elects a president, vice-president and secretary-treasurer annually.

b. Describe how the SPAC will be consulted in the planning, operation and evaluation of

(1) The state program

The FY90 state plan was presented to a meeting of the SPAC March 16, 1989, in Hammond. All of the new features of the State Plan were explained in great detail, with emphasis on addressing the needs of currently migratory children with sufficient flexibility to assure that all needs of all such children can be feasibly addressed in a manner consistent with high expectation of success. Members of the SPAC were asked for suggestions on alternate strategies for delivery of services, specifically for suggestions on maximizing the effect of outreach efforts and parent education efforts. Members were also asked to mobilize interest among members of their LEA PACs for the provision of input into the preparation of local project applications. SPAC members and other migrant parents were given 30 days in which to file written comments on the State Plan with the SEA. Such comments will remain on file. SPAC members and other migrant parents will have additional opportunity to comment and/or make suggestions on the operation of the State Plan during any of the meetings held during FY90.

(2) Local projects

SPAC members will be asked to provide brief reports on the planning, operation and evaluation of their own LEA project at each SPAC meeting. The SPAC as an entity will be invited to address recommendations on the project to the LEA project director or the SEA.

c. Describe how the SEA will ensure that at the state level regular and summer programs and projects are implemented with the meaningful consultation and involvement of parents of participating children.

Review of the FY90 State Plan as described under (b) above will be the principal means whereby parents of participating children will be involved at the state level. However, much closer involvement will be required at the local level. LEA subgrantees will be required to document that migrant families have been consulted concerning the needs of their children and strategies for meeting those needs, especially those dimensions of local programs involving outreach services and parent education.

d. Describe how the SEA will coordinate with programs funded under the Adult Education Act.

To the extent of relating to parent participation, the SEA will instruct LEAs to make information concerning Adult Education opportunities available to parents through special presenta-

tions at PAC meetings and information disseminated through recruiters and linkers. The SEA will also insure that information concerning Adult Education is made available at SPAC meetings.

12. Fiscal and Administrative Requirements

Describe how the SEA will ensure that operating agencies will comply with the requirements

a. That fiscal effort be maintained

All Louisiana school districts receiving Chapter 1 funds are monitored by the Chapter 1 Bureau to assure that each LEA is maintaining the level of support from non-federal sources for its programs. The Chapter 1 Bureau notifies the Bureau of Migrant Education when an LEA fails to meet the requirements for maintenance of effort.

b. That Chapter 1 migrant education funds not supplant state and/or local funds

The regular compliance monitoring visits by SEA staff to each LEA subgrantee will include verification that Migrant Education Program activities are supplementary in nature.

c. That state and local services provided for migratory children be comparable to those being provided to non-migratory children,

Each LEA receiving Chapter 1 funds is required to submit a Comparability Report. These reports are readily accessible to the Bureau of Migrant Education.

13. Use of Funds

a. Describe how the SEA will use Chapter 1 administrative funds to defray costs of administering the Chapter 1 migrant education program.

The SEA will use Chapter 1 administrative funds to pay one-half the salary of the state director of migrant education, one-half the salary of a program monitor and all of the salary of an administrative secretary, plus all related benefits, administrative-related travel and miscellaneous administrative services. These funds represent one percent of the SEA's allocation for the Migrant Education Program plus additional amounts from Chapter 1 administrative funds as needed, with the consent of the Director of the Chapter 1 Bureau. (See Part III, Budget Information)

b. Describe the unique Chapter 1 migrant program functions the SEA will carry out at the state level using Chapter 1 Migrant Education Program funds.

The unique Migrant Education program functions being carried out at the state level include the Migrant Student Record Transfer System, staff development and improvement of instruction, participation in interstate coordination projects and activities and dissemination of information about the program. (See Part III, Budget Information)

c. Describe the SEA's procedures for ensuring that Chapter 1 Migrant Education Program funds are used only to meet the allowable costs incurred by the SEA and its subgrantees.

Each LEA subgrantee is monitored on an annual basis to assure compliance with all fiscal requirements. Additionally, the expenditure of program funds by the SEA is thoroughly audited at several levels. Financial control is maintained by an internal staff that prepares a budget, issues requisitions and payment vouchers and keeps books for all Chapter 1 programs. All requests for migrant education funds are reviewed and signed by the state director and Assistant Superintendent of the Office of Educational Support Programs. All actions are then subject to approval through normal departmental channels. All fiscal transactions are subject to internal auditing by SEA auditors and by the Office of the Legislative Auditor.

Section B: Program Plan — Local Projects

1. Compliance

Describe the SEA's process for ensuring that local operating agencies' applications are approved only if they comply with the requirements of applicable regulations and the State Plan.

Prior to the preparation of LEA project applications, prospective subgrantees will be informed of the requirements and features of the FY90 State Plan, with special emphasis on the unqualified obligation to provide appropriate services to all currently migratory children and the flexible framework in which they will be able to plan delivery options for the coming year. Written instructions will be issued specifying all of the LEA obligations and the manner in which subgrantees shall document their understanding and acceptance of the conditions under which subgrants will be made. Each LEA application will be thoroughly reviewed by SEA staff to insure that it comports with all of the requirements of the Migrant Education Program and the provisions of the State Plan.

2. Proper Use of Funds

Describe the criteria the SEA will use to determine the amount of each sub-grant to ensure that

(1) currently migratory children have priority for service.

The SEA will utilize a number of relevant factors in determining allocations to operating agencies. To insure that currently migratory children receive priority for service, LEAs will receive allocations weighted on the basis of (a) numbers of currently migratory children either residing in the LEA during the preceding school year or expected to reside in the LEA during the 1989-90 school year and (b) the proportion of FTE credit attributable to currently migratory students residing in the LEA during calendar year 1988.

However, other factors will also be considered, including the number of formerly migratory children who are expected to be served; requirements of individual LEAs to meet local variances in pay scales, instructional programs, logistical requirements and special needs of their migrant children, and services that will be provided by LEA staff to other LEAs or the state as a whole, such as state resource center personnel, technical assistants and instructional supervisors. Budget modifications will be made as needed throughout the year to meet changes in numbers of children, emerging needs, and types of services required.

(2) Chapter 1 migrant education funds will be used to provide services to migratory children that are not available for those children from other sources.

LEA subgrantees shall be instructed to affirm in their applications that all migratory children will be placed in programs or services funded by other than Migrant Education monies on an equal access basis, based on assessed needs of the individual child and the requirements of the programs involved. They shall be instructed to identify all programs and services available to the general student population or identifiable segments thereof which address needs identified in the statewide needs assessment for migratory children as described in Section A, part 2 above. They shall provide assurance that no migratory child meeting the stated criteria shall be excluded from such services unless other non-migrant children are also excluded because programs are filled beyond capacity or are not available to students in the particular school where the migratory child is enrolled. This shall apply to programs funded by federal, state or local monies.

3. Size, Scope and Quality

Describe how the SEA will ensure that the size, scope and

quality of funded local projects will be sufficient to give reasonable promise of substantial progress toward meeting the special educational needs of migratory children being served.

Instructions to prospective LEA subgrantee applicants will state that each application should provide assurance that the proposed project is of size, scope and quality "to give reasonable promise of substantial progress toward meeting the special educational needs of migratory children being served."

LEAs will be informed that funding for the 1989-90 year will be inadequate in most cases to provide significant direct services to all migratory children. Instead, applicants will be instructed to focus on providing a total spectrum of needed services, including support services, to currently migratory children and to serve formerly migratory children on an excess basis, i.e., funds remaining after the needs of currently migratory children have been met can then be expended on services to formerly migratory children.

LEAs will be instructed to plan for flexibility and adaptability in addressing the needs of currently migratory children as they enroll in their schools at any time during the year. They will be instructed to include in their budgets funds for hiring tutors and/or outreach personnel on a contract basis as need arises, and not to commit all funds to permanent staff positions. They will be instructed to plan only minimum direct services to formerly migratory children, but to utilize MEP-funded staff to coordinate provision of services to these children from other programs.

In program compliance monitoring, the SEA will seek confirmation that these considerations are being met. Where there are insufficient resources allocated to meet the needs of currently migratory children, the SEA will make recommendations for changes and will follow through to see that they are carried out.

4. Parent Involvement and Consultation with Teachers
Describe SEA procedures to insure that

a. a local parent advisory committee is established for each regular school year project, and the local operating agency plans and implements that project with the meaningful consultation and involvement of parents of the children to be served.

The instructions to LEA subgrantees will state that each applicant shall be required to establish a parent advisory council, in accordance with the provisions of Sections 1016 and 1202 (a) (4) of P.L. 100-297. The instructions will also direct applicants to describe the process that was used for consulting with parents of migratory children about the contents of the application and the procedures that will be in place to ensure meaningful involvement of parents in the implementation and operation of the project.

b. Each local project is designed and implemented in consultation with teachers, early childhood professionals, and librarians when appropriate.

LEA subgrantees shall be instructed to document in their application that the project was designed in consultation with classroom teachers, migrant education teachers and/or aides, early childhood professionals and library media specialists.

5. Coordination of Services and Instruction

Describe the SEA requirements and procedures to ensure that

a. local operating agencies allocate time and resources for the coordination of services and curriculum of the Migrant Education Program with the services and instruction of the regular school program.

LEAs will be instructed to document in their applications for subgrants that all instructional services for migrant children will be coordinated with regular classroom instruction. It will be recommended to them that they utilize the linker concept as an instrumentality for assuring coordination on a continuing basis. The linker will be able to monitor coordination of regular classroom activity with whatever supplemental services the child is receiving, whether they are MEP-funded or other programs.

b. Local operating agencies coordinate service for students participating in the Migrant Education Program, who are limited in English proficiency or handicapped, with other services being provided to address children's handicapping conditions of limited English proficiency in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the students' program.

LEAs will be instructed to identify, as per Item 2.2 above, what services are available for students with Limited English Proficiency. Where Bilingual Education and/or comparable programs are available, they will be instructed to provide assurance that English as a Second Language or other appropriate services offered through these programs will be made available to migratory children on an equal access basis. Subgrantees will be further instructed to refer promptly for appropriate assessment any migratory child with a possible handicapping condition. Where such handicaps are identified, the special education program assumes primary responsibility for serving the handicapped migratory child.

LEAs will be instructed to specify what additional services, if any, will be made available to migratory children with MEP funds, and to describe the manner in which services will be coordinated. Again, they will be encouraged to utilize the linker concept as a means of assuring coordination and reducing fragmentation of effort.

c. To the extent possible, local operating agencies coordinate their programs with programs under the Adult Education Act.

LEAs will be instructed to provide assurances that (1) reasonable efforts will be made to place migratory students who have dropped out of school into appropriate programs offered by Adult Education and that (2) information will be presented to parents of migratory children concerning opportunities available through Adult Education.

PART III
TABLES AND BUDGET NARRATIVES

TABLE A (1)
ESTIMATED CHILDREN EXPECTED TO RESIDE IN THE STATE
AND CHILDREN EXPECTED TO BE SERVED a/
AGRICULTURE

MIGRANT STATUS	AGE		GRADE LEVELS		TOTALS	
	1 Below Age 3	2 3 Thru 4	3 ELEMENTARY Grades K to 8	4 SECONDARY Grades 9 to 12		5 UNGRADED
INTERSTATE						
Reside	120	120	696	104	50	1090
Serve	0	110	626	94	45	875
INTRASTATE						
Reside	150	180	910	90	50	1380
Serve	0	170	819	81	45	1115

MIGRANT STATUS	AGE		GRADE LEVELS			TOTALS
	1	2	3	4	5	
	Below Age 3	3 Thru 4	ELEMENTARY Grades K to 8	SECONDARY Grades 9 to 12	UNGRADED	
SUBTOTALS (Inter-state and Intrastate)						
Reside	270	300	1606	194	100	2470
Serve	0	280	1445	175	90	1990
FORMERLY						
Reside	75	200	1760	517	50	2602
Serve	0	40	1144	336	25	1545
TOTALS						
Reside	345	500	3366	711	150	5072
Serve	0	320	2589	511	115	3535

a/ "Served" means to receive academic and support services provided in whole or in part with MEP funds, except those related to identification and recruitment of migrant children, up to the point of entry into the Migrant Student Record Transfer System.

TABLE A (2)

ESTIMATED CHILDREN EXPECTED TO RESIDE IN THE STATE AND CHILDREN EXPECTED TO BE SERVED a/

FISHING

MIGRANT STATUS	AGE		GRADE LEVELS			TOTALS
	1	2	3	4	5	
	Below Age 3	3 Thru 4	ELEMENTARY Grades K to 8	SECONDARY Grades 9 to 12	UNGRADED	
INTERSTATE						
Reside	120	125	711	79	50	1085
Serve	0	113	640	71	30	854
INTRASTATE						
Reside	100	130	693	77	50	1050
Serve	0	117	624	69	30	840
SUBTOTALS						
Reside	220	255	1404	156	100	2135
Serve	0	230	1264	140	60	1694
FORMERLY						
Reside	75	200	1615	535	70	2495
Serve	0	40	1050	348	30	1468
TOTALS						
Reside	295	455	3019	691	170	4630
Serve	0	270	2314	488	90	3162

a/ "Served" means to receive academic and support services provided in whole or in part with MEP funds, except those related to identification and recruitment of migrant children, up to the point of entry into the Migrant Student Record Transfer System.

TABLE A (3)

ESTIMATED CHILDREN EXPECTED TO RESIDE AND CHILDREN EXPECTED TO BE SERVED IN THE STATE BY AGE GROUPS a/

REGULAR SCHOOL

MIGRANT STATUS	AGE		LEVELS			TOTALS
	1	2	3	4	5	
	Below Age 3	3 Thru 4	5 Through 12	13 Through 17	18 Through 21	
INTERSTATE						
Reside	240	245	1307	233	150	2175
Serve	0	223	1166	215	125	1729
INTRASTATE						
Reside	250	310	1503	217	150	2430
Serve	0	287	1343	200	125	1955
SUBTOTALS						
Reside	490	555	2810	450	300	4605
Serve	0	510	2509	415	250	3684

MIGRANT STATUS	AGE		LEVELS			TOTALS
	1	2	3	4	5	
	Below Age 3	3 Thru 4	5 Through 12	13 Through 17	18 Through 21	
FORMERLY						
Reside	150	400	3275	1102	170	5097
Serve	0	80	2094	734	105	3013
TOTALS						
Reside	640	955	6085	1552	470	9702
Serve	0	590	4603	1149	355	6697

a/ "Served" means to receive academic and support services provided in whole or in part with MEP funds, except those related to identification and recruitment of migrant children, up to the point of entry into the Migrant Student Record Transfer System.

TABLE B

STATE EDUCATIONAL AGENCY BUDGET SUMMARY a/

OBJECT CLASS CATEGORIES	FEDERAL FUNDING AMOUNTS	
	Chapter 1 Administrative Funds b/	Chapter 1 Migrant Education Program Funds c/
1	2	3
1. SEA ACTIVITIES		
a. Personnel	53,587	116,796
b. Fringe Benefits	8,877	20,604
c. Travel	3,700	20,000
d. Equipment	-0-	-0-
e. Supplies	-0-	3,000
f. Contractual	-0-	-0-
g. Construction	-0-	-0-
h. Other	3,810	55,614
i. Total Direct Charges (la -lh)	69,974	216,014
j. Indirect Charges (6%)	4,198	12,961
k. Total (li + lj)	74,172	228,975
2. LEA ACTIVITIES	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX \$ 4,111,092
3. TOTAL BUDGET (Sum lk + 2) a/	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX \$ 4,340,067

- a/ Include in this table:
 1. The allocation of funds for the next program year: \$3,720,057
 2. The estimated carryover of funds from the current program year: 620,010
 3. Total budget: 4,340,067
- b/ Chapter 1 Administrative funds assigned specifically for the Administration of the Migrant Education program.
- c/ Column 3 should include the allocation of funds for the next program year and the estimated carryover of funds from the current program year.

TABLE B - BUDGET NARRATIVE CHAPTER 1 MIGRANT EDUCATION FUNDS

1 a. PERSONNEL:

Director, Migrant Education (50%) (Ronnie Glover)	\$ 21,154
Supervisor of Program Monitoring, and Evaluation (LEA) (50%) (E. H. Cantwell)	15,718
Supervisor of Identification and Recruitment and Program Improvement (Betty L. Kraft)	31,863
MSRTS Coordinator, Computer Network and Migrant Inventory (Wanda Osterthaler)	20,668
Terminal Operator (Carolyn Meyers)	14,850
Secretary 1 (Vacant)	12,543
	\$116,796
TOTAL 1a. PERSONNEL	\$116,796

b. FRINGE BENEFITS:

Ronnie Glover (50%) Director, Migrant Education	
Teacher Retirement (20%)	\$ 4,231
Insurance	826
Unemployment (.005)	106
	\$ 5,163

E. H. Cantwell (50%) Supervisor of Program Monitoring, and Evaluation (LEA) Retirement (11.2%) Insurance Unemployment (.005)	\$ 1,762 728 79 <u>\$ 2,569</u>
Betty L. Kraft Supervisor of Identification Recruitment and Program Improvement Retirement (20%) Insurance Unemployment (.005)	\$ 6,373 -0- 159 <u>\$ 6,532</u>
Wanda Osterthaler MSRTS Coordinator, Computer Network and Migrant Inventory Retirement (11.2%) Insurance Unemployment (.005)	\$ 2,315 717 103 <u>\$ 3,135</u>
Carolyn Meyers Terminal Operator Retirement (11.2%) Insurance Unemployment (.005)	\$ 1,663 -0- 74 <u>\$ 1,737</u>
(Vacant) Secretary 1 Retirement (11.2%) Insurance Unemployment (.005)	\$ 1,405 -0- 63 <u>\$ 1,468</u>
TOTAL 1b. FRINGE BENEFIT	\$ 20,604

c. TRAVEL:

IN STATE:

Ronnie Glover (50%) 40 Technical Assistance visits to instructional programs	\$ 2,400
E. H. Cantwell 40 Technical Assistance visits to instructional programs	\$ 4,300
Betty L. Kraft 40 Technical Assistance visits to recruitment projects and instructional programs	\$ 4,300
Wanda Osterthaler 40 Technical Assistance visits to train LEA MSRTS Specialists	\$ 4,300
Carolyn Meyers Attend State Conference	\$ 350
(Vacant) Attend State Conference	\$ 350 <u>\$ 16,000</u>

(The above includes meals at \$18 per day in-state, \$18 per day out-of-state, except for high cost areas, lodging at amount of receipt, and travel at 21 cents per mile.)

OUT-OF-STATE TRAVEL:

Ronnie Glover Director, Migrant Education (50%)	\$ 725
E. H. Cantwell (50%) Supervisor of Program Monitoring, and Evaluation (LEA) Attend Conference	\$ 600
Betty L. Kraft Supervisor of Identification and Recruitment and Program Improvement Attend meeting	\$ 1,000
Wanda Osterthaler MSRTS Coordinator 2 Trips to Little Rock, Arkansas	\$ 1,300
Carolyn Meyers Terminal Operator 1 Trip to Little Rock, Arkansas	\$ 375 <u>\$ 4,000</u>
TOTAL 1c. TRAVEL	\$ 20,000

e. SUPPLIES:

Office (for MSRTS computers and personnel)	\$ 3,000
TOTAL 1e. SUPPLIES	\$ 3,000

h. OTHER:

Auditing	\$ 1,701
Reserved for Resignations	750
Insurance	2,656
Migrant Printing	8,000
Maintenance of Equipment	196
Rent (2,837 sq. ft. x 6.75)	19,151
Utilities	6,000

Postage	5,000
Telephone	12,000
Subscription	160
TOTAL 1h. OTHER	\$ 55,614
i. TOTAL DIRECT CHARGES:	\$ 216,014
j. INDIRECT COST (6%)	\$ 12,961
k. TOTAL BUDGET:	\$ 228,975

d. EQUIPMENT:

No equipment will be purchased by the SEA during the project year. This shall not preclude the purchase of equipment by LEA subgrantees when such is essential to the fulfillment of project objectives. Prior approval from the state director is required for all equipment purchases.

Since title to all equipment purchased with Migrant Education funds remains with the state, the SEA maintains a computerized inventory of all equipment that has been purchased. The inventory lists each item, serial numbers where available, cost, date of acquisition, current location and name of LEA personnel immediately responsible. The inventory is continually updated to reflect shifting of equipment to varying locations as needs change. Utilization of equipment is a major item of scrutiny in program compliance monitoring.

f. CONTRACTUAL:

The SEA will award no contracts during the project year. This shall not preclude the awarding of contracts by LEA subgrantees if such contracts are essential to the fulfillment of project objectives consistent with SEA requirements, etc.

The SEA shall employ no consultants during the project year. This shall not preclude the employment of consultants of LEA subgrantees if consultative services are essential to the fulfillment of project objectives consistent with SEA requirements, etc.

TABLE B: BUDGET NARRATIVE CHAPTER 1 ADMINISTRATIVE FUNDS

1a. PERSONNEL:

Director, Migrant Education (Ronnie Glover) (50%)	\$ 21,154
Supervisor of Program Monitoring, and Evaluation (LEA) (E. H. Cantwell) (50%)	15,718
Administrative Secretary (Gwendolyn Jones)	16,715 <u>\$ 53,587</u>
TOTAL 1a. SALARIES	\$ 53,587

b. FRINGE BENEFITS:

Teacher Retirement (20%)	\$ 4,231
State Retirement (11.2%)	3,633
Unemployment (.005)	268
Group Insurance	2,797 <u>\$ 10,929</u>
TOTAL 1b. FRINGE BENEFITS	\$ 10,929

c. TRAVEL:

In-State (Conferences and Conventions)	\$ 700
In-State (Field)	1,500
Out-of-State, Director	750
Out-of-State, Supervisor	750 <u>\$ 3,700</u>
TOTAL 1c. TRAVEL	\$ 3,700

h. OTHER:

Insurance	250
Maintenance	185
Rent	3,375 <u>\$ 3,810</u>
TOTAL 1h. OTHER	\$ 3,810
i. TOTAL DIRECT CHARGES	\$ 72,026
j. INDIRECT COST (6%)	4,322
k. TOTAL BUDGET	\$ 76,348

All of the employees listed will perform only Migrant work (100%). The function of each staff member whose salary is paid in full or in part from Chapter 1 funds are listed below:

Director - Ronnie Glover - Responsible for the total administration and programmatic operation of the Migrant Education Program.

Supervisor - E. H. Cantwell - Responsible for Program Evaluation and assistance with project approval and monitoring.

Administrative Secretary - Gwendolyn Jones - Performance of clerical work for Migrant staff.

TABLE C
SEA STAFF POSITIONS AND FUNDING SOURCE

Position	Migrant Program Funds		Chapter 1 Administrative Funds		Total Percent Time in the MEP
	Salary	% Time	Salary	% Time	
1	2	3	4	5	6 a/
Ronnie Glover Director	21,154	50%	21,154	50%	100%
E. H. Cantwell Supervisor of Monitoring and Evaluation (LEA)	15,718	50%	15,718	50%	100%
Gwendolyn Jones Administrative Secretary	0	50%	16,715	50%	100%
Betty Kraft Supervisor Identification/ Recruitment & Program Improve- ment	31,863	100%	0	0	100%
Wanda Osterthaler MSRTS Coordinator	20,668	100%	0	0	100%
Carolyn Meyers Terminal Operator	14,850	100%	0	0	100%
Vacant Secretary I/ Data Entry Oper.	12,543	100%	0	0	100%
TOTALS	116,796		53,587		

a/ The percentage of time reported in Column 3 plus the percentage of time reported in Column 5 must equal the percentage of time reported Column 6.

TABLE D
ESTIMATED STATE PLAN BUDGET SUMMARY
(Migrant Education Program Funds Only)

PART I Identification and Recruitment and MSRTS	
SEA and LEA (Subgrantee) Budget For:	
a. Identification and Recruitment a/	450,000
b. MSRTS b/	225,000
c. Total	675,000

PART II Instructional Services, Support Services and Subgrantee Administration	
1. LEA (Subgrantee) Budget For:	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
a. Instructional Services	3,170,000
b. Support Services:	
1. Health	100,000
2. Guidance and Counseling	10,000
3. Nutrition	2,000
4. Parental Activities c/	5,000
5. Other	2,000
c. Administration (Subgrantee)	200,000
2. Total	3,489,000

a/ Costs to be shown under identification and recruitment include those costs related to the identification and recruitment of migratory children up to the point of entry into the MSRTS at both SEA and local operating agency levels.

b/ Costs to be shown under MSRTS include all those costs associated with the Migrant Education Program in entering data into the MSRTS and all costs involved in extracting, analyzing, or studying data from the MSRTS at both the SEA and local operating agency levels.

c/ Parental Activities include costs associated with the Parent Advisory Committee.

Em Tampke
Executive Director

Table C -- SEA Staff Positions

Budget Narrative

Briefly describe the responsibilities to be assigned to each position listed in Column 1.

Director

Prepares State Plan for approval by SEA (Department and Board) and USED; determines LEA allocations; approves LEA subgrants; directs Migrant Bureau staff; conducts selected program compliance monitoring; represents SEA to OME and interstate migrant education entities.

Supervisor of Monitoring, Program Compliance and Evaluation

Reviews LEA project application and recommends appropriate actions; conducts compliance monitoring and prepares recommendations for Director; directs LEA and SEA evaluation and prepares required reports on annual or other basis.

Administrative Secretary

Maintains communications files, channels correspondence, performs typing and word processing activities for letters, reports and publications, maintains files; serves Director primarily and assists other staff on availability basis.

Supervisor of Identification and Recruitment and Program Improvement

Coordinates statewide identification and recruitment activities; conducts preservice and inservice training for administrative and instructional personnel; develops and evaluates instructional programs and strategies.

MSRTS Coordinator

Coordinates MSRTS terminal center operation, coordinates LEA migrant student records clerks, conducts training and provides technical assistance to MSRTS personnel, facilitates usage of state computer network, maintains equipment inventory.

Terminal Operator

Enters data into MSRTS data base: new enrollments, updates and SIS information, withdrawals, etc., maintains files of eligibility forms and enrollment forms.

Secretary I

Typing and word processing for staff members, filing, maintenance of mailing lists, other office responsibilities.

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

All Students to Take State Exit Exam

The State Board of Elementary and Secondary Education, at its meeting of April 27, 1989, exercised those powers conferred by the emergency provisions of the Administrative Procedure Act R. S. 49:953B and directed that all students be required to take and pass the State Exit Exam and that this become a part of the State Standards. Effective implementation date for nonpublic students is 1990-91 for sophomores and 1992-93 graduating seniors.

Effective date of this emergency rule is May 22, 1989 (date of publication of May, 1989 issue of the *Louisiana Register*.)

This directive was adopted as an emergency rule in order to facilitate the State Department of Education's effort to provide all needed information to the non-public schools in order that they might notify the students affected starting with the 1989-90 school year.

Em Tampke
Executive Director

DECLARATION OF EMERGENCY

Department of Health and Hospitals Office of the Secretary Bureau of Health Services Financing

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, has exercised the emergency provision of the Administrative Procedure Act, R.S. 49:953 B to adopt the following rule in the Medical Assistance Program.

Currently, Title XIX coverage (Medicaid) in Louisiana includes Skilled Nursing Facility (SNF) services to care for eligible patients, age 18 or younger, in need of nursing services beyond those provided at an intermediate level. Care for medically stable 24-hour ventilator dependent patients in need of intensive nursing services has been provided primarily in a hospital setting as a result of the cost of providing this type of care. Federal regulations require the Title XIX program to provide coverage for services in sufficient amount, duration and scope to meet the needs of the population served. As a result of this mandatory provision for participation in Title XIX services, the state has become aware that current payment levels for treatment of pediatric conditions in long term care facilities may act as a barrier preventing receipt of covered SNF level services.

Under this rule, the Medical Assistance Program will increase its SNF rate by \$42.38 per day for Technology Dependent children to allow transfer of patient to the appropriate level of care as provided under Title XIX. Without this enhancement of reimbursement, Title XIX SNF services could be found to violate mandatory federal requirements and jeopardizes the health and safety of patients who require pediatric care but can no longer remain in a hospital setting.

Skilled Nursing Facility/Technology Dependent Children (SNF/TDC) services shall be covered under the state's Title XIX Medical Assistant Program in accordance with all applicable federal and state rules and regulations. Participating providers reimbursement shall be limited to \$85 per diem, subject to established SNF payment limitations, standards for participation, and standards for payment with the following additional requirements:

- Provision of SNF/TDC services shall be limited to enrolled long term care facilities who are licensed to provide nursing services at the SNF level of care.
- At the end of the facility's current cost reporting period, the facility shall file a standard long term care facility cost report that shall be the subject to audit. All participating facilities will be expected to work closely with the agency to insure that services are provided at the most cost effective rate.
- SNF/TDC Facilities certified for participation shall adhere to all agency Standards for Payment applicable to Skilled Nursing Facilities and the Children's Hospital protocol for TDC services.

David L. Ramsey
Secretary

DECLARATION OF EMERGENCY

Department of Health and Hospitals Office of the Secretary Bureau of Health Services Financing

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, has exercised the emergency provision of the Administrative Procedure Act, R.S. 49:953B to adopt the following rule in the Medical Assistance Program.

Public Law 100-203 established mandatory preadmission screening and annual resident review requirement for nursing care (other than ICF-MR) provided under Title XIX of the Social Security Act. Section 1919(b)(3)(E) prohibits admission of a mentally ill or mentally retarded recipient, unless the recipient requires the level of services provided by a nursing facility because of his/her physical and mental condition, as determined by the State Mental Health or State Mental Retardation Authority. Additionally, when the admission or continued residence in a nursing facility is appropriate, a determination must be made as to whether active treatment for mental illness or mental retardation is required. Under mandatory federal law, the Bureau of Health Services Financing must implement and maintain preadmission screening and annual resident review requirements for individuals with Mental Illness and Mental Retardation.

Under this emergency rule, the Bureau of Health Services Financing is adopting the mandatory preadmission screening and annual resident review requirements required under P.L. 100-203 effective January 1, 1989. This rule was originally adopted January 1, 1989 and published in Vol. 15, No. 1 of the *Louisiana Register*, dated January 20, 1989. While proposed rulemaking is pending public comment and review prior to final adoption, redeclaration of this emergency rule is necessary to comply with the mandatory provision of P.L. 100-200.

Under the state's public records act, copies of all federal publications and interpretative data will continue to be made available to interested parties upon request. Information critical to provider requirements will continue to be forwarded by the state agency as it is received from HCFA.

The Bureau of Health Services Financing shall follow the mandatory provisions of P.L. 100-203 which establish preadmission screening and annual resident review requirements for nursing care (other than ICF-MR). Title XIX coverage of ICF-I, ICF-II, and SNF services shall only be available to recipients in accordance with the federal law. In applying P.L. 100-203 the state agency shall follow the criteria of the Health Care Financing administration provided through technical assistance and interpretative data (federal publications such as the State Medicaid Manual, Central Office issuances, Regional Office issuances, etc.) while federal regulations are being developed and promulgated.

David L. Ramsey
Secretary

DECLARATION OF EMERGENCY

Department of Public Safety and Corrections Office of Motor Vehicles

The Department of Public Safety and Corrections, Office

of Motor Vehicles, in accordance with R.S. 49:953B declares this an emergency rule to meet the deadline required for this rule to be in effect.

License Plates Removed by Dealers
(R.S. 47:505B)

R.S. 47:505(B) authorizes that dealers may remove the license plates from previously owned (used) automobiles received by the dealer for resale.

The following procedures will apply to new and used Louisiana automobile dealers:

(1) The license plate and vehicle identification number must be shown on the invoice transferring same to dealer.

(2) The dealer must remove the license plate immediately upon receiving the vehicle.

(3) The dealer must submit a notarized affidavit attesting to the fact that the plate was removed by the dealer and this affidavit will become a permanent part of the supporting documents for title of that vehicle.

(4) The registration certificate must be surrendered as part of the supporting documents or a duplicate registration must be purchased.

(5) A monthly report with the license plates attached must be sent by the dealer to the Motor Vehicle Office processing the dealer files by the fifth of the following month, listing all plates removed and a complete description of the vehicle including the vehicle identification number.

(6) Upon receipt of the monthly report from the dealer the vehicle record will be checked on the scope and if it has not been transferred, the "TR" flag will be set along with a "CP" flag to indicate the plate was cancelled and the vehicle traded to the dealer.

(7) A temporary marker will be issued by the dealer upon sale of the vehicle.

(8) The new owner will purchase a new plate at the time of transfer of the vehicle.

Rex McDonald
Undersecretary

DECLARATION OF EMERGENCY

Department of the Treasury State Bond Commission

The State Bond Commission at a regular meeting on April 20, 1989, unanimously adopted an amendment to its rules as previously adopted and amended.

The commission exercised the emergency provisions of the Administrative Procedure Act R.S. 49:953B and repealed the following rules regarding non-traditional tax-exempt bond issues:

4. The commission shall not approve the issuance of any bonds issued for the sole purpose of purchasing an existing facility when the only result of such financing will be a change in the ownership of the existing facility, other than for hospitals.

5. The commission shall not approve the issuance of any bonds for an existing facility unless 25 percent or more of the proceeds of the bonds will be used to construct additions, improvements and betterments thereto, pollution control projects and hospitals excepted.

This emergency adoption is necessary to conform to federal standards as to percentage of bond proceeds to be utilized in rehabilitation of specified facilities.

This rule is effective immediately.

Mary L. Landrieu
State Treasurer and Chairman

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(b), the Administrative Procedure Act, R.S. 49:967 which allows the Wildlife and Fisheries Commission to use the emergency procedures to set shrimp seasons and R.S. 56:497 which authorizes the Louisiana Wildlife and Fisheries Commission to set shrimp seasons seaward of the inside-outside shrimp line, the Louisiana Wildlife and Fisheries Commission on April 7, 1989 hereby declares an emergency and adopts the following rule:

Emergency Rule

Pursuant to R.S. 56:497 the shrimp season in Louisiana's offshore territorial waters seaward of the inside-outside shrimp line as described in R.S. 56:495 is hereby opened at 6:00 a.m. Friday, April 21, 1989.

Virginia Van Sickle
Secretary

Rules

RULE

Department of Economic Development Used Motor Vehicle and Parts Commission

(**Editor's Note:** This rule was originally published in the April, 1989 issue of the *Louisiana Register* and is being reprinted to correct a typographical error.)

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part V. Automotive Industry

Subpart 2. Used Motor Vehicle and Parts Commission

Chapter 29. Used Motor Vehicle Dealer

§2905. Qualifications and Eligibility for Licensure

A. The commission, in determining the qualifications and eligibility of an applicant for a dealer's license, will base its determinations upon the following factors:

1. The ability of the applicant to establish an adequate place of business, properly zoned in the municipality, provide a suitable office, have a permanently affixed sign, clearly visible

from the street or roadway in front of the establishment which denotes that vehicles are offered for sale at the location to which the sign is affixed. Applicant must have a usable telephone at the place of business, the number of which should be listed on the application for license. The commission must be notified of any change in the telephone number.

2. All dealers are required to furnish and keep in force the minimum required liability insurance coverage on all vehicles offered for sale or used in any other capacity in demonstrating or utilizing the streets and roadways in accordance with the financial responsibility laws of this state.

3. The applicant's business integrity, based upon the applicant's experience in the same or similar businesses, his business history, and whether such applicant will devote full or part time to the business.

B. A dealer's license shall consist of a signed certificate bearing the official seal of the commission and the name and address of the dealership and assigned a dealer number, which shall be posted in a conspicuous place in the dealer's place or places of business. The dealer's license number will be prefixed with UD, followed by a four-digit number and then the current year of license (UD-0000-89).

C. The valid dealer's license permits the dealer to transfer and assign titles, purchase and sell used motor vehicles without paying Louisiana general sales tax.

D. A dealer who has multiple locations will be allowed from his salesman's license to sell at all locations owned by him.

E. Dealers in new and used motor homes, new and used semitrailers and new and used motorcycles likewise must meet the above qualifications to be eligible and all these types license numbers will be prefixed by NM, followed by a four digit number then the current year of license (NM-0000-89). Semitrailers are described in the title law as every single vehicle without motive power designed for carrying property and passengers and so designed in conjunction and used with a motor vehicle that some part of its own weight and that of its own load rests or is carried by another vehicle and having one or more load carrying axles. This includes, of course, recreational trailers and boat trailers, but excludes mobile homes. One license shall be due for new and used operators at the same location.

AUTHORITY NOTE: Promulgated in accordance with RS. 32:772 F(2).

HISTORICAL NOTE: Promulgated by the Department of Commerce, Used Motor Vehicle and Parts Commission, LR 11:1062 (November 1985), amended LR 15: (April 1989), amended LR 15: (May 1989).

Rodley J. Henry
Executive Director

RULE

Board of Elementary and Secondary Education

Notice is hereby given that the Board of Elementary and Secondary Education, pursuant to notice of intent published February 20, 1989 and under the authority contained in Louisiana State Constitution (1974), Article VIII, Section 3, Act 800 of the 1979 Regular Session, adopted the rule listed below:
Rule 3.01.51.aa(8)

The board adopted an amendment to Bulletin 741,

Standard 2.038.01 to lower BESE requirements for maximum class size in Grades K-3 from 29 to 26.

Em Tampke
Executive Director

RULE

Board of Elementary and Secondary Education

Notice is hereby given that the Board of Elementary and Secondary Education, pursuant to notice of intent published February 20, 1989 and under the authority contained in Louisiana State Constitution (1974), Article VIII, Section 3, Act 800 of the 1979 Regular Session, adopted the rule listed below:
Rule 3.01.70.nn

The board adopted the following amendment to Bulletin 746, Louisiana Standards for State Certification of School Personnel, page 68:

Amend "E" to read:

E. Assistant superintendents for all instructional programs are required to meet the same standards as superintendents.

Add "F" to read:

F. Assistant superintendents for noninstructional areas* shall be certified as a school superintendent or meet the following requirements:

1. A minimum of five years of demonstrated successful administrative experience at a managerial level in education and/or related fields either in the public or private sector.

2. Possess an earned master's degree from a regionally accredited institution of higher education in either education administration, business administration, public administration or a related area of study, including but not limited to accounting, finance, banking, insurance, and law.

The responsibilities assumed by this category of administrators must be related to noninstructional programs and the experiences obtained while at that level may not be used for meeting the certification requirements for superintendent.

* Noninstructional areas include finance, management, facilities planning, and ancillary programs.

Em Tampke
Executive Director

RULE

Department of Education Proprietary School Commission

Add Title IX to the Advisory Commission on Proprietary Schools, Louisiana State Department of Education, Rules and Regulations, Bulletin 1443

PSC-11

Appendix K

APPLICATION FOR ASSOCIATE
IN OCCUPATIONAL STUDIES DEGREE
(La. R.S. 17-3141.15 A-G)
STATE OF LOUISIANA
DEPARTMENT OF EDUCATION
PROPRIETARY SCHOOL COMMISSION
POST OFFICE BOX 94064
BATON ROUGE, LA 70804-9064

The State Board of Elementary and Secondary Education (BESE) shall approve or disapprove occupational degree proposals as submitted by eligible licensed postsecondary proprietary schools under its jurisdiction.

Title of Associate in Occupational Studies Degree Proposal
KNOW ALL MEN BY THESE PRESENTS:

That we, _____
Of the City of _____ State of _____ are:

- (1) licensed by the State Board of Elementary and Secondary Education
- (2) domiciled in the State of Louisiana
- (3) accredited by the Association of Independent Colleges and Schools, the National Association of Trade and Technical Schools, the Southern Association of Colleges and Schools or a regional or national accrediting agency recognized by the United States Department of Education.

A. The State Board of Elementary and Secondary Education shall revoke the degree of granting status of any postsecondary proprietary school which loses its accreditation.

B. Eligible postsecondary proprietary schools shall award a nonacademic degree entitled "The Associate in Occupational Studies". No proprietary school shall award the Associate of Arts or Associate of Science. All advertising, recruiting, and publications shall state clearly that such occupational degree awarded by a postsecondary proprietary school is nonacademic and does not imply, promise, or guarantee transferability.

C. Each student admitted to an occupational degree program in an accredited postsecondary proprietary school shall be required to:

- 1) Have a high school diploma or equivalent
- 2) Complete a minimum of two years, four semesters, or six quarters of course work for each occupational degree program.

D. Each "Associate in Occupational Studies" degree program shall have a minimum of 75 percent of its course of study in a specific occupational area.

E. Each course of study shall have a minimum of 96 quarter hours if using quarter hours, a minimum of 1800 clock hours if using clock hours and a minimum of 64 semester hours if using semester hours.

We have attached 1 original and 30** copies in binders with tabs of the following to our application:

- 1) An "Associate in Occupational Studies Degree" certificate for each course of study.
- 2) Of each "Course of Study" a schedule showing course numbers, course titles, clock hours, quarter hours or semester hours (whichever is used) for each subject, and total clock hours, quarter hours or semester hours (whichever is used).
- 3) A synopsis of each subject must be provided indicating the number of quarter hours, clock hours or semester hours (whichever is used). Quarter hours are typically measured in the following manner:

10 class periods equals 1 credit hour, quarter in lecture-type courses

20 class periods equals 1 credit hour, quarter in laboratory-type courses

30 class periods equals 1 credit hour, quarter in shop-type courses

One class period is generally defined as a minimum of 50 minutes of instruction within a one-hour time period.

The rule for converting quarter hours to semester hours is

as follows: Quarter hours multiplied by two-thirds equals semester hours.

Your Associate in Occupational Studies Degree course of study may exceed 96 quarter hours if you use quarter hours but it cannot be less. It may exceed 1800 clock hours if you use clock hours but it cannot be less. It may exceed 64 semester hours if you use semester hours but it cannot be less.

Name of Institution _____

Signature of Owner or Authorized Official _____

Title: _____

Address: _____

Notary Public _____ Signature and Seal _____

** Attach one original and 30 copies of this notarized statement, along with other copies in binders with tabs and then mail it to the Louisiana Proprietary School Commission.

Any reference to clock hours in application for Proprietary Schools is hereby removed.

Andrew H. Gasperez
Executive Secretary

RULE

Department of Education Proprietary School Commission

Addition to Title 1, Section 2, (c), Definition on Advisory Commission on Proprietary Schools, Louisiana Department of Education, Rules and Regulations, 1443.

Exemption From Licensure Under Proprietary School Rules
Title 1, Section 2, (c)

Proprietary School Commission Rules, Title 1, Section 2 (c), "A school or training program which offers instruction primarily in the field of recreation, health, entertainment or personal enrichment and which does not purport to qualify persons for employment as determined by the commission" may be exempted provided that our disclaimer is used on all of your advertisements. The disclaimer is as follows: "This course is for recreation, health, entertainment or personal enrichment (whichever fits your school) of the student, and completion of the course will not qualify the student for any particular employment".

This disclaimer statement must be on all of the hand-out (course) materials, fliers, catalogs, radio, television, yellow pages and newspaper advertisements so that the public will not misinterpret your program. Advertisements can be misinterpreted on some programs as being career oriented, job training or vocational training; therefore, a disclaimer statement will clarify this.

Before you can be exempted from licensure, the commission will require proof of the above material prior to exempting you from licensure. Copies of your course materials, hand-outs, catalogs, fliers and advertising copies shall be mailed to the commission along with your reasons for exemption.

Andrew H. Gasperez
Executive Secretary

RULE

Department of Education Proprietary School Commission

Add to Title V, Section 1, Subsection (10) to the Advisory Commission on Proprietary Schools, Louisiana State Department of Education, Rules and Regulations, Bulletin 1443.

Qualifications of School Staff

I. An instructor in an academically credentialed area shall have, at a minimum, a baccalaureate degree from an accredited college or university, and shall by evidence of academic transcript, and/or occupational experience, demonstrate appropriate familiarity with the subject matters taught.

* II. An instructor of other than academically credentialed area shall have a high school diploma or its equivalent with a license, diploma, certificate or other degree from a recognized institution or organization in the area taught and at a minimum four years documented evidence of occupational experience in the area taught approved by the commission.

DEFINITION:

RECOGNIZED INSTITUTION OR ORGANIZATION shall include any bona fide licensed, chartered or traditionally accredited business or association legally engaged in commerce, education, training or advocacy; including but not limited to, governmental agencies, labor unions, trade and professional associations, business leagues, corporate training programs, professional corporations and retail financial and commercial entities.

III. An Academic Dean of Education shall have, at a minimum, a baccalaureate degree from an accredited college or university.

IV. A Guidance Counselor of a proprietary school shall be certified by the "Louisiana Department of Education" or licensed by the "Licensed Professional Counselors Board of Examiners".

* Employees employed prior to the effective date of this rule will be exempted from occupational experience.

Andrew H. Gasperecz
Executive Secretary

RULE

Department of Environmental Quality Office of Solid and Hazardous Waste Hazardous Waste Division

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., and in particular Sections 2011, 2014, and 2193 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Louisiana Hazardous Waste Regulations, LAC 33:V.Subpart 1.

These regulations are intended to preclude further environmental damage and the endangerment to the citizens of the state; to provide for restrictions and incentives designed to encourage alternative methods of hazardous waste disposal, destruction and reduction; to lessen the possibility of hazardous waste released from existing land disposal sites; and to provide

for the eventual prohibition of land disposal of hazardous wastes. The regulations include for schedules for land disposal prohibitions, treatment standards which waste treatment residues must meet to be disposed, procedures for exemptions from the prohibitions, and fee schedules.

A notice of intent was published in the *Louisiana Register* on March 20, 1989. A public hearing was held, technical amendments were made and submitted to the legislative oversight committees, and the Senate and House oversight committees held a joint hearing. A portion of the regulations was severed, and a portion was found acceptable by the committee. Specifically, Sections 2242.A.2, 2242.D-O, 2242.Q-T, and 2242.V-W of the proposed regulations were severed and will be submitted later for rulemaking. The remaining sections are being promulgated as a final rule, effective upon publication May 20, 1989.

A copy of the regulations may be obtained by contacting Joan Albritton, Office of Legal Affairs and Enforcement, 625 North Fourth Street, Baton Rouge, LA. The regulations are also available for inspection at the following locations from 8 a.m. until 4:30 p.m.

State Land and Natural Resources Building, Room 615, Sixth Floor, 625 North Fourth Street, Baton Rouge, LA.

Department of Environmental Quality, 804 31st Street, Monroe, LA.

Department of Environmental Quality, State Office Building, 1525 Fairfield Avenue, Shreveport, LA.

Department of Environmental Quality, 1155 Ryan Street, Second Floor, Lake Charles, LA.

Department of Environmental Quality, 2945 North I-10 Service Road, Metairie, LA.

Department of Environmental Quality, 100 Eppler Road, Lafayette, LA.

Paul H. Templet, Ph.D.
Secretary

RULE

Office of the Governor Division of Administration Office of State Planning

Louisiana Community Development
Block Grant (LCDBG) Program
FY 1988 Final Statement - Amended

The following sections of the FY 1988 LCDBG Final Statement will be amended as follows:

Section II. GENERAL

E. DISTRIBUTION OF FUNDS

Approximately \$24,000,000 (subject to federal allocation) in funds will be available for the FY 1988 LCDBG Program. Figure 1 shows how the funds available will be allocated between the various program categories. Of the total CDBG funds allocated to the state, up to \$100,000 plus two percent will be used by the state to administer the program.

FIGURE 1
TOTAL FUNDS ALLOCATED TO LOUISIANA

Administration	
\$100,000 + 2%	
Demonstrated Needs	
Fund	
\$1,500,000	
Remaining LCDBG	
Funds	
Economic	Housing and
Development	Public Facilities
25%	75%
	Housing
	Public Facilities
	_____ % *
	_____ % *

*The percentage distribution among the housing and public facilities program categories will be based upon the number of applications received and amount requested in each category. Half of the funds will be distributed based on percentage of applications received in each category and half on the basis of amount of funds requested in each category. However, the dollar amount allocated for housing will be no more than ten percent of the total available for housing and public facilities. Three subcategories (water, sewer, and other) will be established under public facilities. The dollar amount for each of these subcategories will be distributed based upon the percentage of applications submitted and amount of funds requested in each subcategory.

In addition, \$1,500,000 will be set aside for the Demonstrated Needs Fund. Since creation and retention of permanent jobs is so critical to the economy of the state of Louisiana, 25 percent of the remaining LCDBG funds will be allocated specifically for economic development type projects. Only economic development applications will compete for these funds. Economic development applications and demonstrated needs proposals will be accepted on a continual basis within the time frame designated by the state. Public facilities and housing applications will be funded with the remaining LCDBG funds. There will be one funding cycle for housing and public facilities applications. This fund will be divided into two program categories as identified in Figure 1; the exact distribution of these funds will be based upon the number of applications received and amount of funds requested in each program category as established under the FY 1988 LCDBG Program. Half of the money will be allocated based on the number of applications received in each category with a maximum of 10 percent of the funds allocated to housing. The public facility category will be allocated in the same manner, by number and dollar amount of applications for sewer, water, and other type projects.

Funds may also be awarded from the public facilities category to previously funded communities who, due to unforeseen changes in standards and requirements of other state agencies, or other reasons, cannot complete their project as originally funded. Only those projects for which construction has not been completed will be considered. These additional funds will only be given in extreme cases where they are necessary in order that a national objective be met. These funds will only be used as a last resort, and only when it is cost effective to do so. The state reserves right to cancel or amend the original project before awarding additional funds. The amount of additional funds used will be determined on a case-by-case basis and will be awarded by either contract amendment or a second contract. If it is determined by the state that the situation requiring the additional

funds could have been avoided, sanctions may be imposed.

Section VI. REDISTRIBUTION OF FUNDS

Any monies awarded by the state that are later recaptured by or returned to the state will be reallocated in accordance with the division's policy, then in effect. The sources of these funds may include, but not be limited to, program income, questioned costs, disallowed expenses, recaptured funds from loans, unallocated monies, previously awarded funds not spent by grant recipients, etc.

The monies as defined above will be placed in the current program year's public facilities category and will first be used to fund previously funded communities who cannot complete their project as originally funded, as described in Section II. E., amended.

Secondly, the monies placed in this category will be used to fund the project with the highest score that was not initially funded, with some exceptions. This policy will govern all such monies as defined herein from the FY 1982, FY 1983, FY 1984, FY 1985, FY 1986, FY 1987, and FY 1988 LCDBG Program years as well as subsequent funding cycles, until later amended. One exception to this rule is that funds recaptured from economic development loans which were not spent by the grant recipients will initially be transferred to the current economic development program category. Those monies remaining in the economic development program category at the end of the FY 1988 program year will be transferred to the public facilities category for distribution as described above. Another exception is that all funds recaptured by the state from the payback of economic development loans will be placed in an economic development revolving loan fund which will be used for economic development projects under the guidelines then in effect.

These regulations are to be effective on May 20, 1989 and are to remain in force until they are amended or rescinded.

Dennis Stine
Commissioner of Administration

RULE

Office of the Governor Office of Elderly Affairs

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Governor's Office of Elderly Affairs has amended Section 1229 of the GOEA Policy Manual (LAC 4:VII.1229), entitled "Office of the Long Term Care Ombudsman," effective July 1, 1989.

Title 4

ADMINISTRATION

Part VII. Governor's Office

Chapter 11. Elderly Affairs

Subchapter E. Uniform Service Requirements

§1229. Office of the Long Term Care Ombudsman

A. Purpose

The purpose of the Louisiana Office of the State Long Term Care Ombudsman is to ensure that residents of long term care facilities receive the quality of care and quality of life to which they are entitled.

B. Definitions

For purpose of this Section, "long term care facility" means:

1. a skilled nursing facility (SNF) as defined in Section 1861(j) of the Social Security Act;
2. an intermediate care facility (ICF) as defined in Section 1905(c) of the Social Security Act;
3. a nursing facility as defined in Section 1919 (a) of the Social Security Act;
4. a nursing home as defined in Section 1098(3) of the Social Security Act;
5. any nursing home or board and care home licensed by the state or required to be licensed by the state under the terms of R.S. 40:2009.12, and R.S. 40:2151-2163.

C. Functions of the Office of the State Long Term Care Ombudsman

1. to investigate and resolve complaints made by or on behalf of older individuals who are residents of long-term care facilities relating to action, inaction, or decisions of providers, or their representatives, of long-term care services, of public agencies, or of social services agencies, which may adversely affect the health, safety, welfare, or rights of such residents;
2. to promote the development of citizen organizations to participate in the ombudsman program;
3. to prepare an annual report containing data and findings regarding the types of problems experienced by and complaints received from or on behalf of individuals residing in long-term care facilities, and to provide policy, regulatory, and legislative recommendations to solve such problems, resolve such complaints, and improve the quality of care and life in long-term care facilities;
4. to analyze and monitor the development and implementation of federal, state, and local laws, regulations, and policies with respect to long-term care facilities and services in Louisiana, and recommend any changes in such laws, regulations, and policies deemed by the office to be appropriate;
5. to provide information to public agencies, legislators, and others, as deemed necessary by the office, regarding the problems and concerns, including recommendations related to such problems and concerns, of older individuals residing in long-term care facilities;
6. to provide for the training of the office staff, including volunteers and other representatives of the office in--
 - a. federal, state, and local laws, regulations, and policies with respect to long-term care facilities in the state;
 - b. investigative techniques; and
 - c. such other matters as the state deems appropriate;
7. to coordinate ombudsman services with the protection and advocacy systems for individuals with developmental disabilities and mental illness established under Part A of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001 et seq.) and under the Protection and Advocacy of Mentally Ill Individuals Act of 1986 (Public Law 99-319); and
8. to include any area or local ombudsman entity designated by the state long term care ombudsman as a subdivision of the office.

D. Program Structure

1. State Level

a. The Governor's Office of Elderly Affairs shall operate an Office of the State Long Term Care Ombudsman and shall carry out through the office a long-term care ombudsman program which provides a state ombudsman who will, on a full-time basis, carry out such activities as necessary to perform the functions of the ombudsman program specified in Subsection C of this Section.

b. Other staff may be added as necessary to implement the program. Specific program functions may be contracted.

c. The office and its representatives shall be free from any conflicts of interest which might compromise the program's efforts to investigate impartially and resolve complaints.

2. Planning and Service Area (PSA) Level

a. Every area agency on aging (AAA) which has a nursing home within its boundaries shall be responsible for the operation of the ombudsman program at the local level. The ombudsman program may be operated directly by the AAA through a contract with GOEA or subcontracted to a qualified provider. An AAA may enter into a cooperative agreement with another area agency for the operation of the program in its PSA.

b. The state ombudsman shall designate each agency which operates a local program as a subdivision of the office. Any representative (as defined in R.S. 40:2010.1) of an entity so designated (whether an employee or an unpaid volunteer) shall be treated as a representative of the office for purposes of this Section.

c. At a minimum, each local designated program shall:

- i. employ or contract with a certified ombudsman who shall be paid to serve as an ombudsman coordinator for all facilities within the PSA on at least a part-time basis;
- ii. provide two hours of weekly visitation in each facility. Every facility must be visited by a certified ombudsman at least once a month. Visitation may be by a long term care visitor during other weeks;
- iii. investigate, record, and resolve problems and complaints;
- iv. record and report information on complaints and observed problems;
- v. advertise the existence and function of the designated program and the office; and
- vi. advise the public about, or arrange for the availability of, current state, local, and federal inspection reports, statements of deficiency, and plans for correction for individual long term care facilities in the PSA.

d. The amount of funds to be allocated for the ombudsman program in each PSA shall be determined by the Governor's Office of Elderly Affairs.

e. Program personnel at the designated local level area:

- i. ombudsman coordinator;
- ii. ombudsman; and
- iii. long term care visitor.

f. No person shall use the title "Ombudsman" or "Ombudsman Coordinator", or investigate any complaint filed with the office unless the individual has completed and maintained certification.

g. No person shall use the title "long term care visitor" unless he has completed orientation training and fulfills the responsibilities in Subsection E.4.b. of this Section.

E. Personnel Qualifications and Responsibilities

1. State Long Term Care Ombudsman

a. Qualifications

The state ombudsman shall fulfill the State Civil Service position requirements for long term care ombudsman.

b. Responsibilities

The duties of the state ombudsman shall be those set forth in Subsection D.1.a of this Section.

2. Ombudsman Coordinator

a. Qualifications

- i. The ombudsman coordinator must have:

- met all qualifications of an ombudsman;
- successfully completed one year of service as an ombudsman;
- administrative and supervisory skills; and public relations skills.

ii. College credit may be substituted for the service requirement at the discretion of the state ombudsman, with the approval of the director of the Governor's Office of Elderly Affairs.

b. Responsibilities

- i. to establish a focal point for receiving and processing complaints;
- ii. to investigate and resolve complaints;
- iii. to recruit, train and supervise ombudsmen and long term care visitors. This shall include meeting with all ombudsmen and long term care visitors at least once a quarter and visiting with each ombudsman in his assigned facility at least once a year;
- iv. to explain the program to the community including long term care facilities;
- v. to assure that residents, responsible parties, and concerned members of the public know how to contact the state ombudsman and the ombudsman assigned to the facilities;
- vi. to visit in each long term care facility within the PSA at least once a year;
- vii. to assure that all personnel within the designated local program adhere to the policies of the office and the designated program;
- viii. to coordinate the program with agencies within the PSA serving long term care facilities;
- ix. to encourage residents in self-advocacy;
- x. to promote community involvement with long term care facilities;
- xi. to promote the development of citizen organizations to participate in the ombudsman program;
- xii. to attend ombudsman training. At least once a year this will include a meeting of ombudsman coordinators with the state ombudsman;
- xiii. to maintain ombudsman certification;
- xiv. to report to the office as required by the Governor's Office of Elderly Affairs;
- xv. to refer problems that are not resolved to the state ombudsman; and
- xvi. to adhere to the policies and procedures of the office;
- xvii. to introduce new trainees, ombudsmen and long term care visitors to administrators of assigned facilities and explain their roles.

3. Ombudsman

a. Qualifications

- i. An ombudsman must possess the following qualifications:
 - graduation from high school or equivalency;
 - two years of experience in working with people;
 - recommendation by his designated ombudsman program; and
 - successful completion of ombudsman certification training program.
- ii. Comparable experience may be substituted for the educational requirement at the discretion of the state ombudsman with the approval of the director of the Governor's Office of Elderly Affairs.

b. Responsibilities

- i. to work through the designated ombudsman program;
- ii. to devote at least two hours per week to fulfilling responsibilities listed in Clauses (iii) through (vii) of this Subparagraph in assigned long term care facilities. The assigned facility(ies) will be one in which no relative (spouse, child, parent, grandparent, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, or daughter-in-law) of the ombudsman resides or serves as an employee or has financial interest;
- iii. to serve as a liaison between residents, their families, and facility personnel and facility administration;
- iv. to encourage residents in self-advocacy;
- v. to investigate and resolve complaints;
- vi. to refer problems that are not resolved to the ombudsman coordinator;
- vii. to record visits and complaints on the appropriate reporting forms;
- viii. to promote community involvement with long term care facilities;
- ix. to adhere to the policies and procedures of the office;
- x. to meet with the ombudsman coordinator at least once a quarter;
- xi. to meet with long term care visitors assigned to his facility(ies) at least once a month;
- xii. to assist the ombudsman coordinator in publicizing the existence of the ombudsman program and assuring that residents, responsible parties and concerned members of the public know how to contact the state ombudsman and the ombudsman assigned to the facilities;
- xiii. to maintain ombudsman certification.

4. Long Term Care Visitors

a. Qualifications

- i. experience in working with people;
- ii. ability to be observant;
- iii. ability to be impartial; and
- iv. completion of the orientation training sponsored by his local designated ombudsman program.

b. Responsibilities

- i. to work through the designated ombudsman program;
- ii. to visit residents in each assigned facility weekly;
- iii. to assist the ombudsman coordinator in publicizing the existence of the ombudsman program and assuring that residents, responsible parties and concerned members of the public know how to contact the state ombudsman and the ombudsman assigned to the facilities;
- v. to observe the care in long term care facilities;
- vi. to meet regularly with the ombudsman or ombudsman coordinator;
- vii. to report monthly to the ombudsman assigned to his LTC facility on the status of the residents in his facility and refer problems to the ombudsman or ombudsman coordinator; and
- viii. to attend at least six hours of training a year on topics related to nursing homes, aging, and the ombudsman program.

F. Ombudsman Certification

1. Definition

Certification is the mechanism whereby the office delegates the functions and responsibilities stated in R.S. 40:2010.0 through 40:2010.5 to local program representatives.

2. Certification Process

- a. Upon successful completion of the certification program, a trainee will become a certified ombudsman. The state

ombudsman shall notify the trainee in writing and shall issue an identification card. A copy of the letter shall be sent to the designated ombudsman program and the AAA.

b. The ombudsman shall be assigned to a long term care facility(ies) by the state ombudsman after consultation with the ombudsman, the ombudsman coordinator, and the director of the designated program. The administrator of the long term care facility where the ombudsman is assigned shall be so informed by the state ombudsman.

c. Individuals certified by nursing home ombudsman programs in other states can request the state ombudsman to consider their previous experience. The individual must submit a letter from the state ombudsman which describes the training program and verifies that the individual left the program in good standing. The individual will need to attend certification training on these topics: regulatory system; rights of nursing home residents; Medicaid; complaint investigation and resolution; and ombudsman policies and procedures. To complete Louisiana's certification requirements, the individual must pass the examination.

3. Training

a. Individuals shall be certified as ombudsmen upon successful completion of the ombudsman certification training program. The training program consists of three components: an orientation program, a 26 hour training program, an examination, and an internship in a long term care facility. The state ombudsman or his designee shall conduct the certification program. Trainees must meet the minimum personnel qualifications specified in Subsection E.3.a of this Section.

b. Required training includes, but is not limited to the following topics:

- i. long term care ombudsman program;
- ii. the process of aging;
- iii. the institutionalized elderly;
- iv. nursing homes;
- v. board and care homes;
- vi. state and federal regulatory systems;
- vii. rights of residents;
- viii. community resources;
- ix. Medicaid and Medicare;
- x. complaint resolution;
- xi. ombudsman policies and procedures; and
- xii. investigative techniques

c. Certification must be renewed annually. Renewal is based on successful completion of at least 15 contact hours of in-service training each year and on adherence to ombudsman policies and procedures. At least eight hours of this training must be sponsored by the office. The remainder may be earned by attending any relevant training, subject to the conditions described below.

d. Training programs not sponsored by the office will be eligible for in-service credit provided that:

- i. the topic is related to ombudsman work;
- ii. the course or training is approved in advance by the state ombudsman; and
- iii. the course or training must be at least one hour in length.

a. In order to receive credit for such courses an ombudsman may either attend a program which has already been approved by the state ombudsman or must submit in advance a written request for approval of a particular program. Requests for approval must include:

- i. brief description of training;
 - ii. who is conducting or sponsoring the training;
 - iii. when and where it is being held; and
 - iv. who the trainers/speaker are (if available).
- f. Ombudsmen must provide evidence of attendance at any outside training and may be required to submit a written report of the training.
- g. Recertification will be done on a calendar year basis. Newly certified ombudsmen will have their in-service hours prorated as follows for the first year or partial year:

Month of Certification	Hours of Inservice
January - February	15
March - April	12
May - June	9
July - August	6
September - October	3
November - December	0

h. It is the responsibility of each designated program to monitor at least the following activities to assure eligibility for recertification:

- i. number of visits per month;
- ii. number of hours per month;
- iii. number of cases handled per month; and
- iv. number of inservice hours completed per quarter.

4. Examination

a. written examination will be administered to assess the trainee's knowledge of the long term care system, of long term care residents, and of the problem-solving process. The examination will be evaluated on a "pass/conditional pass/fail" basis.

b. If a trainee receives a "conditional pass," the state ombudsman, in conjunction with the trainee, will identify additional activities or training which must be successfully completed to obtain a "pass" rating.

c. If a trainee fails the examination, the state ombudsman, in conjunction with the trainee, will identify additional training and activities to prepare the trainee for successful completion of the next written examination.

d. Each trainee may take the examination no more than three times.

5. Internship

a. Prerequisites

A passing score on the written examination must be attained prior to the internship. In conjunction with the training program, each trainee will be required to spend 12 hours visiting in a long term care facility. Previous experience may not be substituted. The internship must extend over a minimum of three weeks and must be completed within two months of passing the certification examination.

b. Purpose

- i. to familiarize the trainee with a long term care facility;
- ii. to provide an opportunity for the trainee to develop and/or refine skills in relating to residents and facility staff; and
- iii. to provide friendly visiting for residents.

c. Introduction

A prerequisite to visiting with the residents is an initial meeting with the facility administration. That meeting is to discuss the purpose of the internship and the facility's policies.

d. Evaluation

From two to four hours of the internship will be supervised by the state ombudsman or his designee. Evaluation forms to assess the internship will be completed by the long term care

facility administrator and the state ombudsman or his designee. The internship will be evaluated on a "pass/conditional pass/fail" basis. If a trainee receives a "conditional pass," the state ombudsman, in conjunction with trainee, will identify additional activities which must be successfully completed to attain a "pass" rating. The internship may be evaluated only twice.

6. Leave of Absence

Individuals who are unable to fulfill their program responsibilities due to extended illness, family problems, or other unforeseen circumstances may request a leave of absence. A letter of request must be submitted to the state ombudsman with a specified time period for the leave. If granted, ombudsman responsibilities will be suspended until the leave is concluded.

7. Revocation

Certification may be revoked by the state ombudsman if ombudsman policies and procedures are violated. An ombudsman shall receive written notification that certification is to be revoked ten working days before revocation. The ombudsman may appeal the decision to the director of the Governor's Office of Elderly Affairs prior to the date of revocation. If certification is revoked, the appropriate long term care facility administrator shall be so informed in writing by the state ombudsman.

G. Complaints

1. The ombudsman is responsible for receiving complaints relating to residents of long term care facilities and taking necessary action to investigate and resolve those complaints.

2. The ombudsman may receive complaints by phone or through written or in-person contact with complainant(s).

3. Each complaint case will be assigned a number and be documented on the complaint log sheet developed by the Governor's Office of Elderly Affairs.

4. The ombudsman shall contact pertinent parties to the complaint either by phone, mail, or in person in order to gain details of the complaint. The investigation shall be initiated within five working days of receipt of the complaint to determine the validity of the complaint.

5. In the process of resolving complaints, the ombudsman shall encourage residents to resolve complaints themselves. If the ombudsman is asked to act on behalf of a resident, the ombudsman shall seek to resolve the problem within the long term care facility by contacting the administrator or staff of the facility. If a referral to another agency is appropriate, the ombudsman shall make such a referral with the permission of the complainant. Referrals to agencies outside of his PSA will go through the state ombudsman. Referrals to an office of a state agency within the PSA must be reported to the state ombudsman within one working day of the referral. The ombudsman shall follow up on referrals to other agencies. The complainant shall be kept informed by the ombudsman of the status of the complaint and may choose to stop the investigation or resolution process at any time.

H. Access

1. Facilities

a. Representatives of the office of the state ombudsman shall have immediate access to any resident of a long term care facility. The representative shall notify the administrator or the person in charge of their presence upon entry into the facility. The representative shall respect any resident's desire for privacy.

b. Long Term Care Visitors shall notify the administrator or the person in charge of their presence upon entry into a long term care facility. The visitor shall respect any resident's desire for privacy.

2. Records

The ombudsman may review those portions of a resident's records which are relevant to resolving a specific problem. Records may be reviewed only with the written consent of the resident or the resident's legal representative. If a resident is unable to consent to such review and has no legal representative, the ombudsman shall have access to the resident's medical and social records.

I. Confidentiality

1. All investigatory files, complaints, responses to complaints and all other information related to any complaint or investigation maintained by the ombudsman program shall be considered confidential information in accordance with R.S. 40:2010.5.

2. All information retained by or developed by any representative of the office pertaining to complaints shall be considered confidential.

3. All complaint files maintained by the office and any of its representatives shall be secured in a locked file cabinet.

4. In monitoring the ombudsman program, access to files, minus the identity of any complainant or resident of a long-term care facility, shall be available only to the director of GOEA and one other senior manager of GOEA designated by the director of GOEA for this purpose.

5. Files maintained by the ombudsman program shall be disclosed only at the discretion of the ombudsman having authority over the disposition of such files, except that the identity of any complainant or resident of a long-term care facility shall not be disclosed by such ombudsman unless --

a. such complainant or resident, or the individual's legal representative, consents in writing to such disclosure; or

b. such disclosure is required by court order.

6. The confidentiality and disclosure procedures do not preclude the ombudsman's use of otherwise confidential information in the files for preparation and disclosure of statistical, case study, and other data, provided the ombudsman does not disclose the identity of persons otherwise protected in this Section.

J. Reporting

1. The Governor's Office of Elderly Affairs has established a statewide uniform reporting system to collect and analyze information on complaints and conditions in long term care facilities for the purpose of identifying and resolving significant problems.

2. The state ombudsman will submit the data collected pursuant to Paragraph 1 of this Subsection to the director of the Governor's Office of Elderly Affairs for recommendations to the governor and to the Department of Health and Hospitals, Bureau of Health Standards.

3. All designated programs shall utilize the report forms developed by the Governor's Office of Elderly Affairs to report their activities. Such reports are to be submitted monthly to the Governor's Office of Elderly Affairs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:2010.4 and OAA Section 307(a)(12).

HISTORICAL NOTE: promulgated by the Office of the Governor, Office of Elderly Affairs, LR 10:464 (June 1984), amended LR 11:35 (January 1985), LR 11:1078 (November 1985), LR 13:742 (December, 1987), LR 15: (May 1989).

Vicky Hunt
Director

RULE

Office of the Governor Office of Elderly Affairs

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Governor's Office of Elderly Affairs has amended Section 1223 of the GOEA Policy Manual (LAC 4:VII.1223), entitled "Title III-C Nutrition Services," effective July 1, 1989.

Title 4 ADMINISTRATION Part VII. Governor's Office

Chapter 11. Elderly Affairs Subchapter E. Uniform Service Requirements §1223. Title III-C Nutrition Services

A. Definitions of Nutrition Services

1. **Congregate Meals.** A congregate meal is a meal that meets, at a minimum, one-third of the current daily Recommended Dietary Allowance, for males 51 years and older, as established by the Food and Nutrition Board of the National Academy of Sciences-National Research Council, served in strategically located centers such as senior centers, schools, churches, community centers, and other public or private facilities. The congregate meal may be hot, cold, or a combination of both and must be provided at least once a day, five or more days per week, no less than 250 days per year. Shelf-stable meals may be distributed in advance to congregate participants to provide for emergencies which preclude site opening.

2. **Home-Delivered Meals.** A home-delivered meal is a meal that meets, at a minimum, one-third of the current daily Recommended Dietary Allowances for males 51 years and older, as established by the Food and Nutrition Board of the National Academy of Sciences-National Research Council, served in the home to a homebound older person. Meals may consist of hot, cold, frozen, dried, canned, or supplemental foods. Such a program is aimed at keeping the individual in his own home. Home-delivered meals must be provided at least once a day, five or more days per week, no less than 250 days per year.

3. **Nutrition Education.** This service involves the provision of knowledge and/or assistance to older persons in any nutrition related area and must be provided quarterly, at a minimum.

4. **Outreach.** Outreach is the effort to identify older persons not receiving services and inform them of the availability of services. Each area agency will establish outreach activities which assure that the maximum number of eligible individuals may have an opportunity to participate.

B. Participant Eligibility

1. Congregate Nutrition Services

a. Eligible participants include:

i. Persons aged 60 or older, and their spouses, regardless of age, are eligible to receive congregate nutrition services. Preference must be given to clients who are economically and/or socially needy. Nutrition program volunteers, regardless of age, whose services are provided during the meal hours, and individuals with disabilities who reside at home with and accompany older individuals who are eligible, may be given the option to receive a meal on the same basis as meals are provided to elderly participants. Nutrition services providers may serve handicapped or disabled individuals who have not attained 60 years of age but who reside in housing facilities occupied primarily by the elderly at which congregate nutrition services are provided.

b. Nutrition services providers may offer nutrition services to elderly guests (age 60 and above) on the same basis as meals are provided to regular participants.

c. Guests who have not attained age 60 may receive congregate meals, provided no eligible participant age 60 or older is denied a meal. Guests under age 60 must pay the full cost of the meal.

2. Home-Delivered Nutrition Services

a. Eligible participants include:

i. persons age 60 or older who are homebound by reason of illness, incapacitating disability or are otherwise isolated; and

ii. individual(s) with disabilities who reside at home with the recipient; and

iii. the spouse residing with the recipient, if receipt of the meal is deemed in the best interest of the homebound older person.

b. Each area agency must establish procedures for nutrition projects to ensure that participants receiving home-delivered meals shall be selected based upon an assessment of individual need by the provider. The minimum criteria for determination of need are that the participant must:

i. be unable to leave home without assistance; and

ii. have no one available to provide assistance in the preparation and consumption of a meal.

C. USDA Entitlement

The United States Department of Agriculture (USDA) provides USDA food, cash, or a combination of food and cash for nutrition services providers. The Governor's Office of Elderly Affairs will distribute cash received from USDA to area agencies for nutrition services based on each agency's proportion of the total number of eligible meals served in the state. The Louisiana Department of Agriculture contracts directly for the distribution of USDA food with the nutrition services provider.

1. Eligibility Criteria

A meal served in Title III-C programs is eligible for USDA support regardless of the funding source, if it meets the following three criteria:

a. the meal served provides a minimum of one-third of the Recommended Dietary Allowance as established by the Food and Nutrition Board of the National Academy of Sciences-National Research Council; and

b. the meal is served to an individual who is:

i. 60 years of age or older and

ii. his/her spouse regardless of age; or

iii. handicapped/disabled regardless of age, but who resides in a housing facility occupied primarily by the elderly at which congregate nutrition services are provided; or

iv. a volunteer whose services are provided during the meal hours; or

v. disabled and resides at home with and/or accompanies an eligible older individual to the nutrition site; and

c. the meal is served by an agency which has received a contract from an area agency on aging or the Governor's Office of Elderly Affairs to provide meals.

Area Agencies must spend USDA cash for buying only United States agricultural commodities and food.

The requirements of 7 CFR Part 250 for participation in the USDA program govern all USDA commodity transactions for the elderly nutrition program. The nutrition services provider must establish procedures for any USDA food made available and must assure appropriate and cost effective arrangements for the transportation, storage and use of the food. The area agency

on aging should require the inclusion of USDA regulatory mandates in contracts/grants with Title III-C providers and subcontractors.

D. Selection of Nutrition Services Providers

An area agency may make awards for congregate and home-delivered nutrition services to a provider that furnishes either or both type(s) of service.

1. Nutrition Services Providers

The area agency must award funds for the provision of nutrition services through a competitive process in compliance with Governor's Office of Elderly Affairs guidelines (Section 1201 (E)).

2. Home-Delivered Meals Providers

To the extent feasible, an area agency must give preference in making awards for home-delivered meals to public, private nonprofit, and voluntary organizations which:

- a. have demonstrated an ability to provide home-delivered meals efficiently and reasonably; and
- b. have furnished assurances to maintain efforts to solicit voluntary support and not to use the funds received under this part to take the place of funds from non-federal sources.

E. Special Staffing Requirements

1. Area Agencies on Aging

a. Each area agency on aging must employ a Louisiana licensed dietitian/nutritionist (LDN) full-time, part-time or as a consultant.

b. Responsibilities of the licensed dietitian/nutritionist shall include but not be limited to:

- i. menu review and nutritional analysis;
- ii. at a minimum, annual on-site review of nutrition sites;
- iii. monitoring provision of regular nutrition education activities and development of programs to be used by staff;
- iv. providing technical assistance to nutrition site staff;
- v. training nutrition personnel;
- vi. reviewing and monitoring special diets;
- vii. monitoring USDA commodity utilization;
- viii. making field checks of home-delivered meals;
- ix. reviewing layouts and plans for kitchens to be constructed with GOEA funds; and

x. quarterly on-site assessments of kitchen facilities. This assessment shall include, but not be limited to:

- a. general sanitation
- b. review of standardized recipes and food production records to insure that adequate food amounts are used for the portions ordered; and
- c. review of all products used to insure that minimum standards of bid specifications are met.

2. Service Providers

Each nutrition service provider must employ an adequate number of qualified staff to assure satisfactory conduct of services.

F. Minimum Standards

The area agency shall assure that each nutrition site employs mechanisms to insure sound financial management. The area agency must develop a policy which assures that each congregate nutrition provider shall:

- a. have a site director who is responsible for activities at the site;
- b. assure that in the case of employees paid with Title III-C funds, the site director and other related staff shall be limited to 4 hours per day for services directly related to serving meals;
- c. serve an average of at least 20 meals per day at each congregate site;

d. serve meals at least five days per week, no less than 250 days per year;

e. make special provisions as necessary for the service of meals to eligible handicapped individuals with limited mobility;

f. locate sites in areas where there is economic and/or social need;

g. be certified to accept food stamps as contributions;

h. have available to the public a copy of written policy for determining who is eligible to receive home-delivered meals;

i. have a copy of the written policy for determining transfer of participants from home-delivered status to congregate status and back as required for health, weather, transportation or other reasons;

j. post emergency procedures, e.g., fire, storms, etc.; and

k. each area agency shall establish procedures that will include the option of offering a meal, on the same basis as meals are provided to elderly participants, to individuals providing volunteer services during the meal hours, and to individuals with disabilities who reside at home with and/or accompany older individuals who are eligible under the Older Americans Act.

2. Exceptions to the assurances in Paragraph 1 of this Subsection must be approved in writing by the Governor's Office of Elderly Affairs.

3. The area agency must develop procedures that will assure a monthly inspection by appropriate area agency or council on agency personnel of each nutrition site.

4. The area agency shall maintain on file supporting documentation of food temperatures, routes, delivery, etc., for each site. Food temperatures must be recorded at nutrition sites when food is placed in holding equipment and again immediately before service. These records must be maintained on file for one year.

5. The area agency shall use a uniform intake form for all nutrition participants. At a minimum, each client intake card should include: the participant's name, address, telephone number, date of birth, sex, and emergency information.

6. The area agency shall develop and utilize a system for documenting C-1 and C-2 meals served and discarded.

7. The area agency shall establish procedures to accurately project daily meal counts in order to minimize discarded meals.

G. Sanitary Code

The Governor's Office of Elderly Affairs has adopted the Louisiana Sanitary Code (Chapter VII - Eating and Drinking Establishments) as policy to be followed for congregate and home-delivered nutrition services.

H. Reassessment for Home Delivered Meals

Each home-delivered meals provider must reassess the need for home-delivered meals and other nutrition services at least semi-annually.

I. Food Procurement

All food procurement must be transacted in accordance with the purchasing requirements stated in §1201 (C)(1) of this manual.

J. Food Stamp Program

Nutrition services providers must assist participants in taking advantage of benefits available to them under the food stamp program. Nutrition services providers must coordinate their activities with agencies responsible for administering the food stamp program to facilitate participation of eligible older persons in the program. Each participant must be given the opportunity to contribute food stamps in lieu of cash.

K. Food Requirements

1. In purchasing food, and preparing and delivering meals, nutrition services providers must preserve nutritional value and food safety.

2. Nutrition services providers may make special menus available, to meet the particular dietary needs arising from the health, religious requirements and/or ethnic backgrounds of eligible individuals. In determining feasibility and appropriateness, a nutrition services provider must consider the following factors:

- a. whether there are sufficient numbers of persons who need the special menus to make their provision practical; and
- b. whether the food and skills necessary to prepare the special menus are available.

L. Food Preparation

All staff employed in the preparation of food shall be under the supervision of a person who will ensure the application of hygienic techniques and practices in food handling, preparation, and service. The supervisor person shall consult the dietitian for advice and consultation as necessary.

M. Meals Packaging and Packing Standards

1. All meals packaged at the food preparation centers or nutrition sites must be individually packaged first, (before congregate meals are served), packed in secondary NSF- approved food carriers and packaged with tight fitting lids, and transported immediately.

2. Hot food items must be transported in NSF- approved insulated carriers. Any exceptions must be approved by this office. Cold items must be transported in an insulated carrier (styrofoam carriers are not acceptable).

3. All hot bulk food sent from the food preparation center(s) to nutrition sites must be packed with tight fitting lids and transported immediately.

4. If disposable containers are used, aluminum divided containers must be used for hot food. The lids must provide a tight seal. Cold and hot food must be packaged and packed separately. Appropriate individual containers with tight fitting lids must be used for all cold food; "sandwich" type bags which can be sealed may be used for bread. Bread must not be placed on top of other food. All food delivery equipment and carriers must be sanitized daily by the food service provider.

N. Delivery of Home-Delivered Meals

Home-delivered nutrition service providers may use various methods of delivery; however, the following standards shall apply:

1. Title III-C funds may be used to provide additional daily meals to participants. These meals may be delivered hot, chilled, frozen, dried, canned or as supplemental foods with a satisfactory storage life. Proper storage and heating facilities must be available in the home and the participant should be able to consume the meal(s) either by himself or with available assistance. Directions for properly preparing chilled, frozen, dried, or canned foods shall be provided to the participant;

2. each delivery route must be clearly established in writing or delineated on a map or diagram;

3. meals must be delivered in the order in which they are packaged (volunteers must not open carrier and rearrange the meals);

4. each meal must be received at the participant's home by an individual; and

5. nutrition funds can be used to pay for volunteer mileage at the applicable rate for home-delivered meals only.

O. Maximum Holding Time

The maximum allowable time interval between prepara-

tion and deliver to participants is six hours for congregate and home-delivered meals.

P. Food Safety

All foods used in the program must meet standards of quality, sanitation, and safety applicable to foods that are processed commercially. No food which is prepared, frozen, or canned in the home may be used.

Q. Menu Standards

1. Menus prepared for the nutrition program must:

a. be accompanied by nutrient calculations using the Nutrient Standard Method (NSM), or Bowes and Church, or USDA Handbook Number 8, or appropriate computer software;

b. be certified in writing as providing one third of the current Recommended Dieter Allowances by the dietitian/nutritionist whose services are utilized by the provider;

c. Incorporate the dietary guidelines of the U.S. Department of Agriculture. The total fat content, based on total calories, must not exceed 35 percent of the meal. The sodium content of the meal must fall within the range of a NO ADDED SALT diet (no more than 1,000-1,300 milligrams of sodium per meal). High fiber foods should be included in meals.

d. be reviewed and approved by the Governor's Office of Elderly Affairs for nutritional adequacy at least four weeks prior to use;

e. be posted in a conspicuous location in each congregate meal site as well as each preparation area, with serving dates indicated;

f. be adhered to, subject to seasonal availability of food items as well as availability of USDA donated food;

g. be designed to utilize fresh fruits and vegetables when they are in season; and

h. be kept on file for at least one year with any changes noted in writing at the provider level.

2. Service providers shall use the following menu pattern:

a. Meat or Meat Alternate Group. A serving shall consist of three ounces of cooked, edible meat, fish or fowl; eggs; or cheese. Meat alternates such as cooked dried beans are encouraged in order to increase fiber and lower fat content of meals ($\frac{1}{2}$ cup of cooked beans or peas is equivalent to one ounce of the meat requirement).

b. Vegetable and Fruit Group. Two one-half cup servings shall be provided. This shall include all vegetable juices, all fruits, and all full strength fruit juices. Rice, spaghetti, macaroni and noodles are not vegetables. Fruit used as a dessert should not be counted toward the suggested two servings of vegetables and fruits. A minimum of four high fiber selections per week shall be provided, for example: fruits and vegetables, peas, beans, tossed salads, etc.

c. Bread or Bread Alternate Group. One serving shall be provided of enriched or whole-grain bread, biscuits, muffins, rolls, sandwich buns, cornbread, or other hot breads. Bread alternates may include enriched or whole-grain cereals or cereal products, such as spaghetti, macaroni, rice, dumplings, pancakes, and waffles; whole grain bread shall be provided a minimum of three times a week.

d. Dessert Group. One, one-half cup serving shall be provided. All fruit, full strength fruit juices, and simple desserts, such as puddings, gelatin desserts, ice cream, ice milk and sherbet; cake, pie, cookies and similar foods, are also included.

e. Milk Group. One-half pint of fortified skim, or low-fat milk, or buttermilk, shall be provided. Coffee, tea, decaffeinated beverages, soft drinks and fruit flavored drinks may be used but

cannot be used to substitute for the milk requirement.

3. Vitamins and/or mineral supplements may not be provided with nutrition services funds.

R. Use of Nutrition Contributions

Nutrition services providers must use all contributions to increase the number of meals served by the provider, to facilitate access to such meals, and to provide other supportive services directly related to nutrition services.

AUTHORITY NOTE: Promulgated in accordance with OAA Section 307(a)(13), Section 313, and Section 336.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Elderly Affairs, LR 10:464 (June 1984), amended LR 11:1078 (November 1985), LR 15:

Vicky Hunt
Director

RULE

**Department of Health and Hospitals
Board of Physical Therapy Examiners**

As per R.S. 37:2401 through 37:2418, amended by Act 208, Regular Session, 1987 Legislature, the board hereby adopts the following amendments and additions to rules and regulations governing the licensing of physical therapists to engage in the practice of physical therapy in the state of Louisiana.

Title 46

**PART LIV. LOUISIANA STATE BOARD OF
PHYSICAL THERAPY EXAMINERS**

Subpart 1. Licensing and Certification

**Subchapter B. Graduates of American Physical Therapy
Schools and Colleges**

§107. Qualifications For Licensure

A. 5. have taken the licensing examination administered by the board and achieved a passing score, as set forth in §145, subject to the exception provided for certain applicants for licensure by reciprocity provided in §121.

§111. Approved Physical Therapy Schools

C. A listing of approved schools of physical therapy shall be kept on file at the board office and, periodically, amended and supplemented.

Subchapter D. Licensure by Reciprocity

§121. Qualifications for Licensure by Reciprocity

An applicant who possesses and meets all of the qualifications and requirements specified by 107-109 of this Chapter, save for successfully passing the examination administered by the board, as otherwise required by §107.A.5, shall nonetheless be eligible for licensing if such applicant possesses, as of the time the application is filed and at the time the board passes upon such application, a current, unrestricted license issued by another state.

Subchapter E. Application

§125. Application Procedure

D. Application forms and instructions pertaining thereto may be obtained upon written or verbal request directed to the office of the board. Application forms will be mailed by the board within five working days of the board's receipt of request.

E. An application for licensure under this Chapter shall include:

1. proof, documented in a form satisfactory to the board, that the applicant possesses the qualifications set forth in this Chapter;

2. two recent photographs of the applicant; and

3. such other information and documents as the board may require to evidence qualification for licensing.

H. After submission of a completed application, an applicant shall, by appointment, make a personal appearance before a member of the board, or its designee, as a condition to the board's consideration of such application.

§127. C. (Omitted In New Rules and Regulations)

Subchapter F. Examination

§131. Designation of Examination

The examination approved and administered by the board pursuant to R.S. 37:2409 shall be standardized and nationally accepted by the Federation of State Boards of Examiners and/or the American Physical Therapy Association.

§133. Eligibility of Examination

To be eligible for examination by the board, an applicant shall possess all qualifications for licensure prescribed by §107.A; provided, however, that an applicant who has completed, or prior to examination will complete, his physical therapy education, but who does not yet possess a degree or certificate as required by §107.A.4, shall be deemed eligible for examination upon submission to the board of a letter subscribed by the authorized representative of an approved physical therapy school certifying that the applicant is in his last semester or term of, or has completed his academic physical therapy education at such school or college, that the applicant is a candidate for a degree in physical therapy at the next scheduled convocation of such school or college, and specifying the date on which such degree will be awarded.

§135. Dates, Places of Examination

In accordance with testing dates specified by the approved testing agency, applicants shall be advised of the specific dates, times, and locations of the next scheduled examination upon application to the board and may obtain such information upon inquiry to the board office.

§137. Administration of Examination

B. An applicant who appears for examination shall:

1. present to the chief proctor or his designated assistant proctor proof of registration for the examination and positive personal photograph and other identification in the form prescribed by the board; and

§145. Passing Score

An applicant will be deemed to have successfully passed the examination if he attains a minimum converted score of 75 for the composite score and a minimum of 70 on each subsection of the examination.

§147. Restriction, Limitation on Examinations

A. A passing score must be attained by an applicant upon the passing of all sections of the examination taken during a single administration of the entire examination.

B. An applicant having failed to attain a passing score upon taking the examination twice shall not be issued a temporary permit. Therefore, the applicant can no longer work in the capacity of a physical therapist and must thereafter successfully pass the examination in order to obtain a license to practice in Louisiana.

§149. Lost, Stolen, or Destroyed Examinations

A. The submission of an application for examination by the board shall constitute and operate as an acknowledgement

and agreement by the applicant that the liability of the board, its members, committees, employees and agents, and the state of Louisiana to the applicant for the loss, theft or destruction of all or any portion of an examination taken by the applicant, prior to the reporting of scores thereon by the Examination Service, other than by intentional act, shall be limited exclusively to the refund of the fees paid for examination by the applicant.

B. In the event that all or part of the examination taken by an applicant is lost, stolen, or destroyed prior to the reporting of the applicant's score thereon, such applicant shall be permitted by the board to sit for and take such section(s) of the examination at either of the next two successively scheduled administrations of the examination, and such scores or averages as the applicant attains on such section(s) shall be averaged with the section(s) on which scores were previously reported in computing the applicant's score, which shall be accepted by the board.

Subchapter G. Temporary Permits

§153. Permit Pending Examination

A. An applicant who possesses all of the qualifications for licensing prescribed by §107.A of the Chapter, save for §107.A. 5, and who has applied to the board and completed all requirements for examination shall be issued a temporary permit to be in effect until the board submits the applicant's examination scores to him.

B. The applicant holding a temporary permit requires periodic supervision (as defined in §305.A herein) by a physical therapist approved by the board.

§155. Permit Pending Reexamination

A. An applicant who possesses all of the qualifications for licensing prescribed by §107.A of this Chapter, except for §107.A. 5, who has once failed the licensing examination administered by the board, and who has applied to the board within 10 days and completed all requirements for examination at the next scheduled date, shall be issued a new temporary permit to the effective pending the applicant's taking of the next scheduled physical therapy licensing examination and the reporting of the applicant's scores to the board.

§157. Permit Pending Reciprocity (New addition; section renumbered)

An applicant for reciprocity who has applied to take the licensure examination in another state, or has examination scores pending for licensure in that state, may be issued a temporary permit according to §§151 and 153 and may practice physical therapy under periodic supervision as defined in §305.A until the applicant has fulfilled all requirements for licensure.

§159. Foreign Graduate Temporary Permit

A. A foreign graduate who possesses all of the qualifications for licensing prescribed by §115 of this Chapter, save for §115.A. 3, shall be issued a temporary permit to engage in supervised clinical physical therapy training under the requirements of §153.B for the purpose of fulfilling in whole or part the requirement of §115.A. 3.

Subchapter H. License and Permit Issuance, Termination, Renewal, Reinstatement

§161. Issuance of License

A. If the qualifications, requirements, and procedures prescribed or incorporated by §§107-109, 115-117, or 121 are met to the satisfaction of the board, the board shall issue to the applicant a license to engage in the practice of physical therapy in the state of Louisiana.

B. A license issued under §107 of this Chapter shall be

issued by the board within 30 days following the reporting of the applicant's licensing examination score to the board. A license issued under any other Section of this Chapter shall be issued by the board within 15 days following the meeting of the board next following the date on which the applicant's application, evidencing all requisite qualifications, is completed in every respect.

§163. Expiration of Licenses and Permits

A. Every license or permit issued by the board under this Chapter, the expiration date of which is not stated thereon or provided by these rules, shall expire, and thereby become null, void, and to no effect, on the last day of the year in which such license or permit was issued.

B. The timely submission of an application for renewal of a license as provided by §165 of this Chapter, shall operate to continue the expiring license in full force and effect pending issuance of the renewal license.

C. Temporary permits that expire at the end of a calendar year can be reissued upon payment of the renewal of license fee, and approved by the board.

§165. Renewal of License

A. Every license issued by the board under this Chapter shall be renewed annually on or before its date of expiration by submitting to the board an application for renewal, upon forms supplied by the board, together with the renewal fee prescribed in Chapter 5 of these rules.

B. An application for renewal of license form shall be mailed by the board to each person holding a license issued under this Chapter on or before the first day of December of each year. Such forms shall be mailed to the most recent address of each licensee as reflected in the official records of the board.

§167. Reinstatement of License

A. A license which has expired may be reinstated by the board subject to the conditions and procedures hereinafter provided.

B. An applicant for reinstatement shall be made upon forms supplied by the board and accompanied by two letters of character recommendation from reputable physicians, dentists, podiatrists, or physical therapists who have knowledge of the former licensee's most recent professional activities, together with the applicable renewal and reinstatement fees.

Subchapter I. Committees

§169. Purpose

The board may appoint committees to assist in the review of applicants' qualifications for licensure under this Chapter, in administration of the physical therapy licensing examination, in interpretation of board rules and regulations, in the delivery of temporary permits, in liaison with other licensed physical therapists in the state of Louisiana, and other purposes deemed necessary by the board.

Subpart 3. Practice

Chapter 3. Practice

Subchapter A. General Provisions

§317. Qualifications for License

B. A licensed physical therapist who undertakes to supervise a physical therapist holding a temporary permit under §153 or §155 or these rules shall:

1. undertake to concurrently supervise not more than three permittees.

Subchapter D. Disciplinary Proceedings

§321. Cause for Administrative Action

The board, after due notice and hearing as set forth

herein and the Louisiana Administrative Procedure Act, R. S. 49:950 et seq., may refuse to issue a license or temporary permit, or suspend, revoke, or impose probationary conditions and/or restrictions on the license or temporary permit of a person on a finding that the person has violated the Physical Therapy Practice Act of Louisiana, R. S. 37:2401 et seq., or any of the rules and regulations promulgated thereto, R. S. 46:301 et seq.

§323. Definitions

A. A person who *attempts to or attains a license by fraud or misrepresentation*, as used in §2413A (2) of the Physical Therapy Practice Act, means and includes a person who:

1. makes any representation to the board, knowingly or unknowingly, which is in fact false or misleading as to a material fact or omits to state any fact or matter that is material to an application for a license or temporary permit under Chapter 1 of these rules; or

2. makes any representation, or fails to make a representation or engages in any act or omission which is false, deceptive, fraudulent, or misleading in achieving or obtaining any of the qualifications for a license or permit required by Chapter 1 of these rules.

B. As used in §2413.A. 4 of the Physical Therapy Practice Act, a *felony* means a crime defined as such under the law of the United States, or of any state. The term *convicted*, as applied to a licensed physical therapist, the holder of a temporary permit or an applicant for such license or permit, means that a judgment has been entered against such person by a court of competent jurisdiction on the basis of a finding or verdict of guilty or a plea of guilty or nolo contendere. Such a judgment provides cause for administrative action by the board so long as it has not been reversed by an appellate court of competent jurisdiction and notwithstanding the fact that an appeal or other application for relief from such judgment is pending.

C. As used in §2413.A. 5 of the Physical Therapy Practice Act, *habitually intemperate* means:

1. repeated excessive use or abuse of alcohol; or

2. the ingestion, self-administration, or other use of legally controlled substances or other medications affecting the central nervous system other than pursuant to and in accordance with a lawful prescription.

D. As used in §2413.A. 5 of the Physical Therapy Practice Act, the phrase *addicted to the use of habit forming drugs* means physiological dependence on any legally controlled substance or any other medication with a potential for inducing physiological or psychological dependence or tolerance.

E. As used in §2413.A.7 of the Physical Therapy Practice Act, the term *unprofessional conduct* means:

1. departure from, or failure to conform to, the minimal standards of acceptable and prevailing physical therapy practice in the state of Louisiana, regardless of whether actual injury to a patient results therefrom;

2. conviction of any crime or entry of a plea of guilty or nolo contendere to any criminal charge arising out of or related to the practice of physical therapy;

3. making or participating in any communication, advertisement, or solicitation which is false, fraudulent, deceptive, misleading or unfair, or which contains a false, fraudulent, deceptive, misleading, or unfair statement or claim;

4. disclosure to a third-party not involved in a patient's care, without such patient's prior written consent, or information or records relating to the physical therapist-patient relationship,

except when such disclosure is otherwise required or permitted by law;

5. initiation or continuation of physical therapy services that are contraindicated or cannot reasonably result in a beneficial outcome; or

6. abuse or exploitation of the physical therapist-patient relationship for the purpose of securing personal compensation, gratification, or benefit unrelated to the provision of physical therapy services.

F. As used in §2413.A. 8 of the Physical Therapy Practice Act, the phrase *engages directly or indirectly in the division, transferring, assigning, rebating, or refunding of fees received for professional service with a referring practitioner or any relative or business associate of that referring practitioner* means:

1. exploitation of the physical therapy referral mechanism whereby the physician or any other referring practitioner receives compensation, payment, or anything of value, including but not limited to rental fees in excess of fair market value, or any other unearned monies or value in kind, in return for the patient referral when the physician or any other referring practitioner does not have an ownership interest in the physical therapy practice at issue.

§325. Disciplinary Process and Procedures

A. The purpose of the following rules and regulations is to supplement and effectuate the applicable provisions of the Louisiana Administrative Procedure Act, R. S. 49:950 et seq., regarding the disciplinary process and procedures incident thereto. These rules and regulations are not intended to amend or repeal the provisions of the Louisiana Administrative Procedure Act, and to the extent any of these rules and regulations are in conflict therewith, the provisions of the Louisiana Administrative Procedure Act shall govern.

B. A disciplinary proceeding, including the formal hearing, is less formal than a judicial proceeding. It is not subject to strict rules and technicalities, but must be conducted in accordance with considerations of fair play and constitutional requirements of due process.

C. The purpose of a disciplinary proceeding is to determine contested issues of law and fact; whether the person did certain acts or omissions and, if he did, whether those acts violated the Physical Therapy Practice Act or rules and regulations of the Board of Physical Therapy Examiners; and to determine the appropriate disciplinary action.

§327. Initiation of Complaints

Complaints may be initiated by any person or by the board on its own initiative.

§329. Informal Disposition of Complaints

Some complaints may be settled informally by the board and the person accused of a violation, without a formal hearing. The following types of informal dispositions may be utilized:

A. Disposition of Correspondence

For complaints less serious, an agent of the board may write to the person explaining the nature of the complaint received. The person's subsequent response may satisfactorily explain the situation, and the matter may be dropped. If the situation is not satisfactorily explained, it shall be brought before the board for a formal or informal hearing.

B. Conference or Informal Hearing

1. An agent or agents of the board, may hold a conference with the person, in lieu of, or in addition to correspondence, in cases of less serious complaints. If the situation is satisfactorily explained in conference, a formal hearing is not scheduled.

2. The person shall be given adequate notice of the conference, of the issues to be discussed, and of the fact that information brought out at the conference may later be used in a formal hearing. Board members may be involved in informal hearings.

C. Settlement

An agreement worked out between the person making the complain and the person accused of a violation does not preclude disciplinary action by the Board of Physical Therapy Examiners. The nature of the offense alleged and the evidence before the board must be considered.

§331. Consent Order

An order involving some type of disciplinary action may be made by the board with the consent of the person. A consent order requires formal consent of a quorum of the board. It is not the result of the board's deliberation; it is the board's acceptance of an agreement reached between the board and the person. The order is issued by the board to carry out the parties' agreement.

§333. Formal Hearing

A. The Board of Physical Therapy examiners has the authority, granted by R. S. 37:2413, to bring administrative proceedings against persons to whom it has issued a license to practice as a physical therapist or any applicant requesting a license. The board and the person accused of a violation are the parties to the proceeding. The person has the right to appear and be heard, either in person or by counsel; the right of notice, a statement of what accusations have been made; the right to present evidence and to cross-examine; and the right to have witnesses subpoenaed.

B. If the person does not appear, either in person or through counsel, after proper notice has been given, the person may be considered to have waived these rights and the board may proceed with the hearing without the presence of the person.

C. The process of disciplinary proceeding shall include certain steps and may include other steps as follows:

1. The Board of Physical Therapy Examiners received a complaint alleging that a person has acted in violation of the Physical Therapy Practice Act. Communications from the complaining party shall be privileged and shall not be revealed to any person except when such documents are offered for evidence in a formal hearing and except those documents being subpoenaed by a court.

2. a. The complaint is investigated by the board's agent or attorney to determine if there is sufficient evidence to warrant disciplinary proceedings. No board member may communicate with any party to a proceeding or his representative concerning any issue of fact or law involved in that proceeding, once notice of the proceeding has been served, and said member has notice thereof.

b. A decision to initiate a formal complaint or charge is made if one or more of the following conditions exists:

- i. the complaint is sufficiently serious;
- ii. the person fails to respond to the board's correspondence concerning the complaint;
- iii. the person's response to the board's letter or investigative demand is not convincing that no action is necessary;
- iv. an informal approach is used, but fails to resolve all of the issues.

3. A sworn complaint is filed, charging the violation of one or more of the provisions of the Physical Therapy Practice

Act and/or the rules and regulations promulgated thereto and the specific violation thereof.

4. A time and place for a hearing is fixed by the chairman or an agent of the board.

5. a. At least 10 days prior to the date set for the hearing, a copy of the charges and a notice of the time and place of the hearing are sent by registered mail to the last known address of the person accused. If the mailing is not returned to the board, it is assumed to have been received. It is the person's obligation to keep the board informed of his whereabouts.

b. The content of the charges limits the scope of the hearing and the evidence which may be introduced. The charges may be amended at any time up to 10 days prior to the date set for the hearing.

c. If the board is unable to describe the matters involved in detail at the time the sworn complaint is filed, this complaint may be limited to a general statement of the issues involved. Thereafter, upon the person's request, the board shall supply a more definite and detailed statement to the person.

6. Except for extreme emergencies, motions requesting a continue of a hearing shall be filed at least five days prior to the time set for the hearing. The motion shall contain the reason for the request, which reason must have relevance to due process.

7. a. The chairman, or an authorized agent of the board, issues subpoenas for the board for disciplinary proceedings, and when requested to do so, may issue subpoenas for the other party. Subpoenas include:

i. a subpoena requiring a person to appear and give testimony; and

ii. a subpoena duces tecum, which requires that a person produce books, records, correspondence, or other materials over which he has control.

b. A motion to limit or quash a subpoena may be filed with the board, but not less than 72 hours prior to the hearing.

8. a. The hearing is held, at which time the board's primary role is to hear evidence and argument, and to reach a decision. Any board member who, because of bias or interest, is unable to assure a fair hearing, shall be recused from the particular proceeding. The reasons for the recusal are made part of the record. Should the majority of the board members be recused for a particular proceeding, the governor shall be requested to appoint a sufficient number of pro tem members to obtain a quorum for the proceeding.

b. The board is represented by its agent who conducted the investigation and presents evidence that disciplinary action should be taken against the person and/or by the board's attorney. The person may present evidence personally or through an attorney, and witnesses may testify on behalf of the person.

c. Evidence includes the following:

i. oral testimony given by witnesses at the hearing, except that, for good cause, testimony may be taken by deposition; (cost of the deposition is borne by requesting party)

ii. documentary evidence, i.e., written or printed materials including public, business or institutional records, books and reports;

iii. visual, physical and illustrative evidence;

iv. admissions, which are written or oral statements of a party made either before or during the hearing;

v. facts officially noted into the record, usually readily determined facts making proof of such unnecessary.

d. All testimony is given under oath. If the witness objects to swearing, the word "affirm" may be substituted.

9. The chairman of the board presides and the customary order of proceedings at a hearing is as follows:

a. The board's representative makes an opening statement of what (s)he intends to prove, and what action, (s)he wants the board to take.

b. The person, or her/his attorney, makes an opening statement, explaining why (s)he believes that the charges against her/him are not legally founded.

c. The board's representative presents the case against the person.

d. The person, or her/his attorney, cross-examines.

e. The person presents evidence.

f. The board's representative cross-examines.

g. The board's representative rebuts the person's evidence.

h. The person surrebuts the evidence against her/him.

i. Both parties make closing statements. The board's representative makes the initial closing statement and the final statement.

10. Motions may be made before, during, or after a hearing. All motions shall be made at an appropriate time, according to the nature of the request. Motions made before or after the hearing shall be in writing. Those made during the course of the hearing may be made orally since they become part of the record of the proceeding.

11. a. The record of the hearing shall include:

i. all papers filed and served in the proceedings;

ii. all documents and other materials accepted as evidence at the hearing;

iii. statements of matters officially noticed;

iv. notices required by the statutes or rules, including notice of the hearing;

v. affidavits of service or receipts for mailing or process or other evidence of service;

vi. stipulations, settlement agreements or consent orders, if any;

vii. records of matters agreed upon at a prehearing conference;

viii. reports filed by the hearing officer, if one is used;

ix. orders of the board and its final decision;

x. actions taken subsequent to the decisions, including requests for reconsideration and rehearing;

xi. a transcript of the proceedings, if one has been made, or a tape recording or stenographic record.

b. The record of the proceeding shall be retained until the time for any appeal has expired, or until the appeal has been concluded. The record is not transcribed unless a party to the proceeding so requests, and the requesting party pays for the cost of the transcript.

12. a. The decision of the board shall be reached according to the following process:

i. determine the facts in issue on the basis of evidence submitted at the hearing;

ii. determine whether the facts in the case support the charges brought against the person;

iii. determine whether charges brought are a violation of the Physical Therapy Practice Act or rules and regulations of the Board of Physical Therapy Examiners.

b. The vote of the board shall be recorded. A majority vote of the board, or a majority vote of the quorum of the board in attendance at the hearing, shall be necessary to render a decision, unless otherwise agreed upon by the parties. Minority views may be made part of the record.

c. Sanctions against the person who is party to the proceeding are based upon the findings of fact and conclusions of law determined by the hearing. The party is notified by mail of the decision of the board.

13. a. The board may reconsider a matter which it has decided. This may involve rehearing the case, or it may involve reconsidering the case on the basis of the record. Such reconsideration may occur when a party who is dissatisfied with a decision of the board files a petition requesting that the decision be reconsidered by the board.

b. The board shall reconsider a matter when ordered to do so by a higher administrative authority or when the case is remanded for reconsideration or rehearing by a court to which the board's decision has been appealed.

c. A petition by a party for reconsideration or rehearing must be in proper form and filed within 10 days after notification of the board's decision. The petition shall set forth the grounds for the rehearing, which include one or more of the following:

i. the board's decision is clearly contrary to the law and evidence;

ii. there is newly discovered evidence by the party since the hearing which is important to the issues and which the party could not have discovered with due diligence before or during the hearing;

iii. there is a showing that issues not previously considered ought to be examined in order to dispose of the case properly; or

iv. it would be in the public interest to further consider the issues and the evidence.

§335. Withdrawal of a Complaint

If the complainant wishes to withdraw the complaint, the inquiry is terminated, except in cases where the board judges the issues to be of such important as to warrant completing the investigation in its own right and in the interest of public welfare.

§337. Refusal to Respond or Cooperate with the Board

A. If the person does not respond to the original inquiry within a reasonable period of time as requested by the board, a follow-up letter shall be sent to the person by registered or certified mail, return receipt requested.

B. If the person refuses to reply to the board's inquiry or otherwise cooperate with the board, the board shall continue its investigation. The board shall record the circumstances of the person's failure to cooperate and shall inform the person that the lack of cooperation may result in action which could eventually lead to suspension or revocation of license, or other appropriate legal action under the law.

§339. Emergency Action

If the board finds that public health, safety, and welfare requires emergency action and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. Such proceedings shall be promptly instituted and determined.

§341. Judicial Review of Adjudication

Any person whose license has been revoked, suspended or denied by the board shall have the right to have the proceedings of the board reviewed by the state district court having jurisdiction over the board, provided that such petition for judicial review is made within 30 days after the notice of the decision of the board. If judicial review is granted, the board's decision is enforceable in the interim unless the court orders a stay.

§343. Appeal

A person aggrieved by any final judgment rendered by the state district court may obtain a review of said final judgment

by appeal to the appropriate circuit court of appeal. Pursuant to the applicable section of the Louisiana Administrative Procedure Act, R. S. 49:965, this appeal shall be taken as in any other civil case.

§345. Reinstatement of Suspended or Revoked License

A. Application for reinstatement of a revoked license must be made in accordance with the requirements of initial licensure in Louisiana.

B. The application for reinstatement of a suspended license does not require satisfaction of the requirements for initial licensure.

C. Prior to reinstatement of a license previously revoked or suspended (except for non-payment of fees), a hearing is held before the board to afford the applicant with the opportunity to present evidence that the cause for the revocation or suspension no longer exists and to provide an opportunity for the board to evaluate changes in the person and/or conditions.

§347. Declaratory Statements

The board may issue a declaratory statement in response to a request for clarification of the effect of the provisions contained in the Physical Therapy Practice Act, R. S. 37:2401 et seq., and/or the rules and regulations promulgated in accordance thereto, R. S. 46:103 et seq.

A. A request for declaratory statement is made in the form of a petition to the board. The petition should include at least:

1. the name and address of the petitioner;
2. specific reference to the statute or rule and regulation to which the petitioner relates;
3. a concise statement of the manner in which the petitioner is aggrieved by the rule or statute or by its potential application to her/him, in which (s)he is uncertain of its effect.

B. Said petition shall be considered by the board within a reasonable period of time taking into consideration the nature of the matter and the circumstances involved.

C. The declaratory statement of the board on said petition shall be in writing and mailed to the petitioner at the last address furnished to the board.

§351. Injunction

The board may cause to issue in any competent court of law a writ of injunction enjoining any person from unlawfully practicing physical therapy, until such person obtains a license pursuant to the provisions of the Physical Therapy Act, R. S. 37:2401 et seq., and/or any rules and regulations promulgated thereto. This injunction shall not be released upon the posting of a bond by the person. The provisions of R. S. 37:2416 shall further govern the use and effects of this procedure.

Subpart 5. Fees

Chapter 5. Fees

§501. Fees

- A. The board may collect the following fees:
- | | |
|--|-----|
| Examination Fee | 180 |
| Reciprocity Fee | 150 |
| Reexamination Fee | 90 |
| Reinstatement Fee. | 75 |
| Renewal of License Fee | 75 |
| Verification of Licensure Fee | |
| Out of State | 10 |
| Duplicate Wall License Fee | 30 |
| Duplicate Billfold License Fee | 10 |

B. Fees provided in the Section shall be paid to the secretary-treasurer of the board by January 1 of each year.

C. If renewal fees are not paid by February 1 of each year, a license will lapse and reinstatement fee will be charged.

Becky Legé
Chairman

RULE

**Department of Health and Hospitals
Office of the Secretary
Bureau of Health Services Financing**

The Medical Assistance Program is adopting the following rule which was published as a notice of intent in the *Louisiana Register* Vol 15, No. 3, dated March 20, 1989.

The Facility Need Review Program is revising policies and procedures to accurately reflect the purposes of the review, and to eliminate the criteria which are irrelevant. Copies of the specific revisions are not included in this published notice because of the volume of information. However a copy is on file with the *Louisiana Register* as required by state Law. Copies of the specific changes may be reviewed by contacting the Bureau of Health Services Financing.

David L. Ramsey
Secretary

RULE

**Department of Health and Hospitals
Office of the Secretary
Bureau of Health Services Financing**

The Medical Assistance Program is adopting the following rule which was published as a notice of intent in the *Louisiana Register* Vol. 15, No. 3, dated March 20, 1989.

The Personal Care Needs Allowance for Medicaid recipients in Skilled and Intermediate Care Facilities will be \$38 for individuals and \$76 for couples.

David L. Ramsey
Secretary

RULE

**Department of Social Services
Office of Eligibility Determinations**

The Department of Social Services, Office of Eligibility Determinations, shall adopt the following rule in the Food Stamp Program.

This was published as an emergency rule in the February 20, 1989, *Louisiana Register*. Emergency rulemaking was necessary because correspondence received from the United States

Department of Agriculture (USDA) Food and Nutrition Service (FNS) dated November 4, 1988, mandated a February 1, 1989 implementation date and that federal regulations were forthcoming immediately. Federal regulations still have not been received.

Rule

Effective February 1, 1989 foster children are to be considered "boarders" and must be certified under the provisions governing boarder status in Section C-140 and E-210 of the FAM-4. The provision under E-211.1 which prohibits granting boarder status to children under 18 years of age who are under the parental control of an adult household member does not apply with regard to foster children. In addition, the foster care payments must be excluded from consideration as income to the household providing the foster care.

However, foster care households continue to have the option to treat the foster children as members of the household in accordance with current boarder policy. The entire foster care payments would then count as income to the household.

May Nelson
Secretary

RULE

Department of Social Services Office of Eligibility Determinations

The Department of Social Services, Office of Eligibility Determinations, shall adopt the following rule in the Food Stamp Program.

This was published as an emergency rule in the February 20, 1989 issue of the *Louisiana Register*. Correspondence received from the United States Department of Agriculture (USDA) dated January 10, 1989 mandated an implementation date of January 1, 1989. Federal regulations are forthcoming.

Rule

Effective January 1, 1989, advance payment of earned income tax credits (EITC) will not be counted as income for food stamp purposes. However, the amount of the EITC payment will still have to be estimated. This amount will be counted toward the household's resources just as EITC payments made as tax refunds are.

May Nelson
Secretary

RULE

Department of Social Services Office of Eligibility Determinations

The Department of Social Services, Office of Eligibility Determinations, shall adopt the following rule in the Aid to Families with Dependent Children Program.

The Family Support Administration in the Department of Health and Human Services advised OED in Memorandum No. FSA-IM-89-1 that proposed regulations were being developed regarding the treatment of loans. Until final regulations are pub-

lished, states may disregard a bona fide loan from any source as income and resources. The Office of Eligibility Determinations elects to implement this policy change prior to the publication of federal regulations.

Rule

Effective June 1, 1989, bona fide loans will not be considered income in determining AFDC eligibility and payment amount. A loan is considered bona fide if the client is legally obligated or intends to repay the loan.

May Nelson
Secretary

RULE

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Pursuant to the authority granted under Louisiana Revised Statutes, Title 56, Section 320(E), the Louisiana Wildlife and Fisheries Commission hereby continues the special scuba gamefish season at Toledo Bend Reservoir, but deletes black bass from the list of gamefish eligible to be taken. The rules regulating the special scuba gamefish season as amended and re-enacted by the commission are as follows:

(1) The special season shall be limited to Toledo Bend Reservoir, and only in that part of the lake located south of Highway 6 (Pendleton Bridge) on the Louisiana side.

(2) The special season shall be for four months beginning at sunrise on the first day of June and ending at sunset on the last day of September each year.

(3) The taking of gamefish species shall be permitted during daylight hours only from sunrise to sunset.

(4) Each diver harvesting gamefish is required to have a special permit issued by the secretary of the Louisiana Department of Wildlife and Fisheries, and the permit must be available for inspection upon request.

(5) In addition to the special permit, the permit holder must have a valid Louisiana sportsfishing license.

(6) Crappie and bream shall be the only gamefish species allowed to be taken.

(7) The daily creel limit shall be 25 crappie and 50 bream; the possession limit shall be the same as the daily creel limit.

(8) The scuba diver must be submerged in the water and use only standard underwater spearing equipment.

(9) No permitted diver shall have in his possession (vessel or on his person) any other fishing gear.

(10) Each permit holder shall submit to the Louisiana Department of Wildlife and Fisheries a monthly report of gamefish taken, and other information requested on the forms supplied by the department; the report deadline for a specific month shall be on the fifteenth of the following month. All reports should be sent to Bennie Fontenot, Louisiana Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000. Each permit holder must submit the monthly report whether they fish or not.

(11) A legal diving flag shall be conspicuously displayed while diving operations are taking place.

(12) Permits will expire at the end of each season and

shall be renewed on an annual basis.

(13) Failure of the permittee to adhere to any of the above stipulations shall result in the revocation of the permit by the secretary of the department.

(14) The secretary of the department shall be authorized to recall permits and/or to close the special season if deemed necessary.

Virginia Van Sickle
Secretary

Notices of Intent

NOTICE OF INTENT

Department of Agriculture and Forestry Office of Agricultural and Environmental Sciences Seed Commission

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and R.S. 3:1433, notice is hereby given that the Department of Agriculture and Forestry, Seed Commission, intends to amend the following rules and regulations:

- 1) Hybrid Seed Corn Certification Standards
- 2) Okra Seed Certification Standards
- 3) Onion Bulbs and Seed Certification Standards
- 4) Soybean Seed Certification Standards
- 5) Rice Seed Certification Standards

A copy of the proposed rules and regulations detailed above may be obtained from Eric Gates, Director, Department of Agriculture and Forestry, Box 18190-B, University Station, Baton Rouge, LA 70893. He will accept comments from any interested parties through Friday, June 30, 1989.

Bob Odom
Commissioner

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Seed Commission

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

These rule changes will not involve any implementation costs or savings to the state or local government units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

These rule changes will not have any effect on revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The Association of Seed Certifying Agencies has requested the rule changes for Louisiana's Hybrid Seed Corn, Okra and Onion Certification Standards to be revised enabling unification of certification standards throughout the United States. In 1988 Louisiana grew zero acres of Hybrid Seed Corn, zero acres of Seed Onions and one acre of Okra for the purpose of seed.

The farmers actually growing seed crops for future seed have established processes and procedures in handling certified seed stock.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes are required in order to be consistent with the certified standards of the Association of Official Seed Certifying Agencies which is the national overseeing body of the seed certifying agencies and to ensure Louisiana's standards are comparable to the surrounding states and was requested by the Louisiana farmers and the Louisiana seed industry.

Richard Allen
Assistant Commissioner

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Agriculture and Forestry Office of Animal Health Services Livestock Sanitary Board

In accordance with the provisions of R.S. 49.950, et seq., the Administrative Procedure Act, and R.S. 3:2095, relative to the power of the Louisiana Livestock Sanitary Board to deal with diseases of animals, notice is hereby given that the Louisiana Livestock Sanitary Board advertises its intent to amend and/or add to the regulations of the board:

Title 7

AGRICULTURE AND ANIMALS

Part XXI. Diseases of Animals

Chapter 117. Livestock Sanitary Board

Subchapter A. General Provisions

§11701. Definitions

U.S. Pullorum-Typhoid Clean Flock means a flock in which freedom from pullorum and typhoid has been demonstrated by one of the following:

1. all breeding age birds have been blood tested negative within the past 12 months;
2. it is a flock composed entirely of birds that originated from U.S. Pullorum-Typhoid Clean breeding flocks;
3. 25 percent of the birds have been tested negative within the past 12 months, provided the percentage of birds tested may be reduced five percentage points following each year there is no evidence of infection and provided that testing

shall include at least 500 birds the first year, 400 birds the second year, 300 birds the third year, 200 birds the fourth year, and 100 birds the fifth year.

Interested persons may comment on the proposed policy change and/or additions, in writing, until 4:30 p.m., June 15, 1989, at the following address: William B. Fairchild, D.V.M., State Veterinarian, Louisiana Department of Agriculture and Forestry, Louisiana Livestock Sanitary Board, Box 1951, Baton Rouge, LA 70821.

Bob Odom
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Title 7 Section 11701**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed amendment would not cost or save the state or any local governmental unit any money.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed amendment would have no effect on revenue collection of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

It is estimated that there will be no additional cost or economic benefit to affected persons or non-governmental groups, if the proposed amendment is implemented.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule change is needed so that Louisiana can meet the standards to be a pullorum-typhoid free state, which would make Louisiana's poultry industry more competitive with other states.

Richard Allen
Assistant Commissioner

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Agriculture and Forestry
Office of Animal Health Services
Livestock Sanitary Board**

In accordance with the provisions of R.S. 49:950, et seq., the Administrative Procedure Act, and R.S. 3:2095, relative to the power of the Louisiana Livestock Sanitary Board to deal with diseases of animals, notice is hereby given that the Louisiana Livestock Sanitary Board advertises its intent to amend and/or add to the regulations of the board:

**Chapter 117. Livestock Sanitary Board
Subchapter B. Cattle
§11735. Livestock Auction Market Requirements**

All cattle which are sold or offered for sale in livestock

auction markets must meet the general requirements of LAC 7:XXI.11709 and the following specific requirements:

A. 1. . . .

2. All cattle that are offered for sale through Louisiana livestock auction markets must be identified by a white official backtag; those animals two years of age and older, shall have this official backtag placed immediately behind the shoulder of the animal. The market shall furnish the Livestock Sanitary Board's official representative a copy of each check-in slip, showing the complete name and address of each consignor and the official backtag numbers applied to the consignor's livestock. The check-in slip shall be made available to the Livestock Sanitary Board's official representative before the animals can be tested for brucellosis.

It shall be a violation of this regulation for anyone to consign livestock to a Louisiana livestock auction market and give a name and address that is not the name and address of the owner consigning the livestock to the auction market.

Interested persons may comment on the proposed policy change and/or additions, in writing, until 4:30 p.m., June 15, 1989, at the following address: William B. Fairchild, D.V.M., State Veterinarian, Louisiana Department of Agriculture and Forestry, Louisiana Livestock Sanitary Board, Box 1951, Baton Rouge, LA 70821.

Bob Odom
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Title 7 Section 11735 A.2.**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There would be no costs or savings to state or local governmental units to implement the proposed amendment.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There would be no effect on revenue collections for state or local governmental units as a result of the proposed amendment.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

There would be no economic benefit to directly affected persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There would be no effect on competition or employment.

Richard Allen
Assistant Commissioner

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Agriculture and Forestry Office of Animal Health Services Livestock Sanitary Board

In accordance with the provisions of R.S. 49:950, et seq., the Administrative Procedure Act, and R.S. 3:2095, relative to the power of the Louisiana Livestock Sanitary Board to deal with diseases of animals, notice is hereby given that the Louisiana Livestock Sanitary Board advertises its intent to add Regulation 11702 to the regulations of the board:

Title 7

AGRICULTURE AND ANIMALS Part XXI. Diseases of Animals

Chapter 117. Livestock Sanitary Board

Subchapter A. General Provisions

§11702. Official Permanent Animal Identification

A. Official, permanent animal identification consists of any Louisiana Department of Agriculture and Forestry or United States Department of Agriculture, Veterinary Services approved identification eartag that conforms to the nine-character or seven-character alphanumeric National Uniform Eartagging System. This includes, but is not limited to, the official metal identification eartag, the special orange-colored metal eartag used to identify brucellosis calfhood vaccinates, and the special plastic, bangle eartag used to identify brucellosis adult vaccinates.

B. It shall be a violation of this regulation for anyone to remove official, permanent animal identification from any animal and it will be a separate violation for each animal that has had its official, permanent animal identification removed.

Interested persons may comment on the proposed addition of Regulation 11702, in writing, until 4:30 p.m., June 15, 1989, at the following address: William B. Fairchild, D.V.M., State Veterinarian, Louisiana Department of Agriculture and Forestry, Louisiana Livestock Sanitary Board, Box 1951, Baton Rouge, LA 70821.

Bob Odom
Commissioner

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Title 7 Section 11702

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There would be no implementation, cost, or savings to state or local governmental units as a result of the proposed rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There could be a minimal increase in revenue collections if violations to the proposed rule occurred. Each violation would result in the agency collecting \$1,000 in self-generated revenue.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

There would be no cost and/or economic benefits to persons as a result of the proposed rule, unless they were found

to be in violation of the regulation. If, after an adjudicatory hearing of the Louisiana Livestock Sanitary Board, a person was found to be in violation of the proposed rule, they could be fined \$1,000 for each violation.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

It is estimated that there would be no effect on competition and on employment as a result of the proposed rule. This rule needs to be published at this time to serve as a deterrent for anyone who might consider removing official identification from animals, which could potentially spread diseases if they could not be traced and restricted to the proper premises.

Richard Allen
Assistant Commissioner

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Agriculture and Forestry Office of Animal Health Services Livestock Sanitary Board

In accordance with the provisions of LSA 49:950, et seq., the Administrative Procedure Act, and LSA 3:2095, relative to the power of the Louisiana Livestock Sanitary Board to deal with diseases of animals, notice is hereby given that the Louisiana Livestock Sanitary Board advertises its intent to amend and/or add to the regulations of the board:

Title 7

AGRICULTURE AND ANIMALS

Chapter 117. Livestock Sanitary Board

Subchapter D. Poultry

§11769. Governing the Slaughter and Testing of Poultry of Questionable Health

1. Poultry consigned from within the state of Louisiana to a recognized slaughter establishment is, in the opinion of an authorized agent of the Livestock Sanitary Board, of questionable health then the poultry will be quarantined and the entire shipment recosigned to a slaughter establishment maintaining federal inspection for wholesomeness, or returned to the place of origin.

2. All hatcheries and hatchery supply flocks, within the state, must be qualified as U.S. pullorum/typhoid clean or have met equivalent requirements for pullorum/typhoid control under official state supervision. If other domesticated fowl, with the exception of waterfowl, are maintained on the same premises as the participating flock, freedom from pullorum/typhoid infection shall be demonstrated by an official blood test of each of these fowl.

3. All flocks which test positive for *Salmonella pullorum* or *Salmonella galinarum*, shall be followed by an investigation by the official state agency to determine the origin of the infection.

4. All flocks found to test positive for pullorum or typhoid shall be quarantined until marketed or destroyed under the supervision of the official state agency or until subsequently blood tested at intervals of at least 21 days and until two consecutive negatives tests are obtained.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:615 (June 1985), LR 15:

Interested persons may comment on the proposed policy change and/or additions, in writing, until 4:30 p.m., June 15, 1989, at the following address: William B. Fairchild, D.V.M., State Veterinarian, Louisiana Department of Agriculture and Forestry, Louisiana Livestock Sanitary Board, Box 1951, Baton Rouge, LA 70821.

Bob Odom
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Title 7 Section 11769**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The service required by the proposed rule changes are currently being conducted by existing personnel and equipment.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed amendment would have no effect on revenue collection of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

It is estimated that there will be minimal additional cost to affected persons or non-governmental groups, if the proposed amendment is implemented. It is estimated that there will be a positive economic benefit to hatcheries in that the proposed action, if implemented, would result in less restrictions being placed on their Pullorum-Typhoid clean product. It would have a light initial negative economic impact on owners of flocks found to be positive because the positive birds in the flock would have to be marketed immediately, but an eventual positive impact in increased egg production and decreased death losses.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

It is estimated that the proposed amendment would have no effect on competition or employment. The service required by the proposed changes are currently being conducted by existing personnel and equipment.

Richard Allen
Assistant Commissioner

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Agriculture and Forestry
Office of Animal Health Services
Livestock Sanitary Board**

In accordance with the provisions of R.S. 49:950, et seq., the Administrative Procedure Act, and R.S. 3:2095, rela-

tive to the power of the Louisiana Livestock Sanitary Board to deal with diseases of animals, notice is hereby given that the Louisiana Livestock Sanitary Board advertises its intent to amend and/or add to the regulations of the board:

**Chapter 117. Livestock Sanitary Board
Subchapter A. General Provisions
§11717. Requiring the Reporting of Contagious Diseases**

A. In order to improve the protection of the livestock and poultry industry from the effects of contagious diseases, all veterinarians licensed in the state of Louisiana are required to report to the state veterinarian, by telephone or wire, within 24 hours after diagnosis or tentative diagnosis, the occurrence or suspected occurrence of the following contagious diseases: hog cholera, anthrax, vesicular condition, scabies, equine encephalomyelitis, pullorum/typhoid or any other disease condition which may seriously threaten the welfare of the livestock and poultry industry.

B.-D. ...

E. An investigation of the reported contagious disease will be made by representatives of the Louisiana Livestock Sanitary Board, preferably with the veterinarian who reported the disease. If necessary to protect the livestock and poultry industry, a quarantine will be imposed on involved and exposed herds and the quarantine will remain in effect until the threat to the livestock and poultry industry has been removed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:2093, R.S. 3:2094 and R.S. 3:2095.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Livestock Sanitary Board, LR 11:615 (June 1985), amended LR 15:

Interested persons may comment on the proposed policy change and/or additions, in writing, until 4:30 p.m., June 15, 1989, at the following address: William B. Fairchild, D.V.M., State Veterinarian, Louisiana Department of Agriculture and Forestry, Louisiana Livestock Sanitary Board, Box 1951, Baton Rouge, LA 70821.

Bob Odom
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Title 7, Section 11717**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed amendment would have no effect on revenue collection of state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed amendment would have no effect on revenue collection of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

It is estimated that there will be no additional cost or economic benefit to affected persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule change is needed so that Louisiana can meet the standards to be a pullorum-typhoid free state, which would allow Louisiana's poultry industry to be more competitive with other states.

Richard Allen
Assistant Commissioner

John R. Rombach
Legislative Fiscal Officer

There will be no effect on competition and/or employment due to the proposed changes.

Richard Allen
Assistant Commissioner

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Agriculture and Forestry
Office of Forestry**

The Louisiana Forestry Commission, in accordance with R.S. 3:4303, proposes the following changes in the seedling prices, to be effective July, 1989:

	Current Price	Proposed Price
Baldcypress	\$ 50 per M	\$100 per M
Hardwood Species (only orders 500 and above)	\$125 per M	\$150 per M

All other seedling prices will remain the same.

The Louisiana Forestry Commission will consider these changes in selling price at its next regular scheduled meeting on June 13, 1989.

Written comments may be submitted through June 9, 1989, to Paul D. Frey, State Forester/Asst. Commissioner, Office of Forestry, Box 1628, Baton Rouge, LA 70821.

Paul D. Frey
State Forester/Asst. Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules**

Rule Title: Change in Seedling Prices

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no implementation costs associated with this rule change.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be an estimated increase in agency revenues totaling \$24,125 resulting from the proposed changes.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The estimated \$24,125 revenue increase will be borne by landowners who purchase baldcypress seedlings and hardwood seedling orders that exceed 500 seedlings.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

NOTICE OF INTENT

**Department of Civil Service
Civil Service Commission**

Notice is hereby given that the State Civil Service Commission, under authority conferred by Article X, Section 10(A)(1) of the Constitution of Louisiana will conduct a public hearing on Wednesday, June 7, 1989, at 8 a.m. in the hearing room located on the Second Floor South, DOTD Annex Building, Baton Rouge, LA, to consider the following proposed amendment to Civil Service Rule 13.14(a)7:

13.14 Summary Disposition of Appeal.

(a) At any time after the docketing of an appeal, a written request may be filed by any interested party for summary disposition thereof on any of the following grounds:

7. That the disciplinary action was not taken or ratified by the proper appointing authority.

EXPLANATION

This amendment is needed to implement the proposed amendment to Civil Service Rule 12.1(b) which is also published herein.

PROCEDURE FOR COMMENTS

Laura Holmes is responsible for responding to inquiries concerning this proposal. Interested parties may direct written comments, suggestions or inquiries to Laura Holmes, % Department of State Civil Service, Appeals Section, Box 94111, Baton Rouge, LA 70804-9111, any time prior to the public hearing on June 7, 1989; however, it would be appreciated if all comments were received by May 26, 1989. Additionally, interested parties may express their views at the public hearing on June 7, 1989.

Herbert L. Sumrall
Director

NOTICE OF INTENT

**Department of Civil Service
Civil Service Commission**

Notice is hereby given that the State Civil Service Commission, under authority conferred by Article X, Section 10(A)(1) of the Constitution of Louisiana will conduct a public hearing on Wednesday, June 7, 1989, at 8 a.m. in the hearing room located on the Second Floor South, DOTD Annex Building, Baton Rouge, Louisiana, to consider the following:

Proposed amendments to civil service rules 12.1-12.11; 1.14.1; 1.19; 1.20; 1.26; 1.37; 1.38; 1.40; 6.5(c); 8.9(c); 8.15(d); 8.18(d) and (e); 9.1(e); 9.2(c); 11.10(d); 11.18(a) and (d); 11.27(e); 15.9(c)5; 15.10; and 17.24.

Proposed adoption of civil service rules 1.5.2.01; 1.14.01; 1.14.1.1; 1.15.1.2; 1.33.02; 1.38.3; and 15.12.

Proposed repeal of civil service rules 3.1(i) and 15.9(c)6.

Copies of the text of the proposal are available from the Department of State Civil Service Appeals Section which is located on the Second Floor South, DOTD Annex Building in Baton Rouge, Louisiana. Additionally, the proposal can be viewed in the Office of the State Register.

SYNOPSIS OF PROPOSAL

Chapter 12

The proposal represents a complete revision to Chapter 12 of the Civil Service rules. The major substantive changes include:

1. eliminating reprimands and reassignments as disciplinary actions;
2. authority fines are disciplinary actions and establishing limits thereon;
3. requiring a pre-dismissal/pre-removal procedure;
4. authorizing an appointing authority to ratify a disciplinary action taken by someone other than an appointing authority;
5. eliminating domiciliary service of notices of adverse action, but recognizing the use of courier services;
6. limiting the use of suspensions;
7. regulating suspensions pending investigations;
8. authorizing and regulating suspensions pending criminal proceedings;
9. expanding the grounds for removal to include legal incapacities, reaching mandatory retirement age and multiple employments; and
10. restricting the reporting of resignations to avoid disciplinary action.

Chapter 1

With the exception of the proposed amendment to Rule 1.20 ("Leave of Absence Without Pay") the proposal reflects changes that are needed to implement the proposed revisions to Chapter 12 and the anticipated revisions to Chapter 13. Rule 1.20 is proposed for amendment because, as currently written, it fails to recognize that leave without pay may be imposed under Rule 11.27(g).

Chapter 3

Rule 3.1(i) is proposed for repeal because it was declared unconstitutional years ago.

Chapter 6, 8, 9, 11 and 17

The proposal reflects minor word changes which are necessary to implement the revisions to Chapters 1 and 12. The changes are underlined in the proposal.

Chapter 15

Rule 15.9(c) is proposed for amendment because, as currently written, it is redundant. Rule 15.10 is proposed for amendment to make it consistent with anticipated change to Chapter 13. Rule 15.12 is proposed to protect employees from potential adverse consequences of written memoranda that do not constitute official action.

PROCEDURE FOR COMMENTS

AND NOTICE OF PRELIMINARY MEETING

Laura Holmes is responsible for responding to inquiries concerning this proposal. Interested parties may direct written comments, suggestions or inquiries to Ms. Holmes, c/o Department of State Civil Service, Appeals Section, Box 94111, Baton Rouge, LA 70804-9111, any time prior to the public hearing on June 7, 1989; however, it would be appreciated if all comments were received by May 26, 1989. Additionally, interested parties may express their views at the public hearing on June 7, 1989.

A preliminary meeting will be conducted on Wednesday, May 31, 1989, from 9 a.m. to 12 noon, in Room 207, DOTD Building, Baton Rouge, LA. The purpose of this meeting will be to discuss the comments received, to answer questions concerning the proposal, to attempt to resolve any major controversies in advance of the public hearing, to anticipate any amendments that may be offered at the public hearing and to prepare revisions that such amendments may require.

Herbert L. Sumrall
Director

NOTICE OF INTENT

Department of Economic Development Board of Certified Public Accountants

In accordance with R. S. 49:950 et seq., the Administrative Procedure Act, notice is given that the State Board of Certified Public Accountants of Louisiana proposes to amend Paragraphs 707, 709 and 711 of Section 700, 3 La. Admin. C. §46:XIX.700, so that, as amended, said section shall read and provide as follows:

3 LAC 46:XIX.701-709 Requirements for
Continuing Professional Education (R.S. 37:75)

§701. Basic Requirements

A. Each licensee shall participate in at least one-hundred-twenty hours of continuing professional education every three years. However, for the three-year period ending December 31, 1982, only 60 hours shall be required and, for the three-year period ending December 31, 1985, only ninety hours shall be required. The hours of a licensee to whom (B)(2) applies shall be reduced pro rata for the compliance period containing his effective date.

B. Effective date.

1. As to any licensee who was licensed as of January 1, 1980, the effective date of these requirements shall be January 1, 1980.

2. As to any licensee who obtains his initial license after January 1, 1980, the effective date of these requirements shall be January 1, of the following year.

C. Compliance period.

1. The first compliance period for continuing professional education shall be the three-year period ending December 31, 1982, and subsequent compliance periods shall end on December 31 each third year thereafter.

2. Election to maintain records on other than calendar year (fiscal year).

a. A licensee may elect to maintain records of continuing professional education on a "fiscal year." In such case, the continuing education requirements must be completed in the fiscal year ended within the last year of the compliance period. Also in such case, a licensee may claim credit for qualifying programs completed in the part of the fiscal year falling in the calendar year prior to the effective date applicable to him, if proper records of participation in such programs are maintained in accordance with §711 below.

b. Once a calendar or fiscal year has been established, a change therein may be made only with the approval of the board, which approval shall be based on a pro rata of the re-

quirements having been completed during any months that are not included in a three-year period as a result of the change. The board, may, at its discretion, permit a change where such pro rata of the requirements has not been completed, if it is agreed that such additional continuing education requirements will be completed by a stated future date.

D. A certified public accountant who wishes to reenter practice after having allowed his license to lapse must present proof, documented in a form satisfactory to the board, that he has satisfied the requirements for continuing professional education for the preceding period as specified by (A).

E. For good cause shown, the board may at its sole discretion issue a temporary license to an applicant and provide a specified period of time within which to satisfy the required continuing professional education.

§703. Standards for Programs

A. Program development.

1. The program should contribute to the professional competence of the participants.

2. The stated program objectives should specify the level of knowledge the participants should have obtained or level of knowledge he should be able to demonstrate upon completing the program.

3. The education and/or experience prerequisites for the program should be stated.

4. Programs should be developed by individual(s) qualified in the subject matter.

5. Program content should be current.

6. Programs should be reviewed or evaluated by a qualified person(s) other than the preparer(s) to ensure compliance with the above standards.

B. Program presentation.

1. Participants should be informed in advance of objectives, prerequisites, experience level, content, advance preparation, teaching methods, and Continuing Professional Education credit.

2. Instructors or discussion leaders should be qualified with respect to program content and teaching method used.

3. Program sponsors should encourage participation only by individuals with appropriate education and/or experience.

4. The number of participants and physical facilities should be consistent with the teaching method(s) specified.

5. Programs should include some means of evaluating quality.

§705. Programs which Qualify

A. The overriding consideration in determining whether a specific program qualifies as acceptable continuing education is that it be a formal program of learning which contributes directly to the professional competence of an individual licensed to practice as a certified public accountant.

B. Accredited university or college courses.

1. Credit courses. Each semester hour credit shall equal fifteen hours toward the requirement. A quarter hour credit shall equal ten hours.

2. Non-credit short courses. Credit allowable for such courses shall be determined by the board.

C. Formal correspondence or other individual study programs which require registration and provide evidence of satisfactory completion will qualify as set forth in 709(B)(1) of this Part.

D. Continuing education programs qualify if they meet the above standards and if:

1. An outline of the program is prepared in advance and preserved.

2. The program is at least one hour (fifty minute period) in length.

3. The program is conducted by a qualified instructor.

4. A record of registration and attendance is maintained.

E. The following programs are deemed to qualify provided the above are met:

1. Professional development programs of recognized national and state accounting organizations.

2. Technical sessions at meetings of recognized national and state accounting organizations and their chapters.

3. Formal organized in-firm educational programs.

4. Programs of other recognized organizations (accounting, industrial, professional, etc.).

F. The board may look to recognized state or national accounting organizations for assistance in interpreting the acceptability of and credit to be allowed for individual courses.

§707. Subjects which Qualify

A. The following general subject matters are acceptable so long as they contribute to the professional competence of the individual licensee:

1. Accounting and Auditing - This field of study includes accounting and financial reporting subjects, pronouncements of authoritative accounting principles issued by the standard-setting bodies having recognized authority, and any other related subject generally related to an audit examination, review, or compilation of the financial records leading to a written accountant's report.

2. Client Advisory Services - This field of study deals with all client advisory services provided by professional accountants. It includes management advisory services, personal financial planning services, services provided by consultant practitioners, engagement management techniques which deal with planning, organizing and controlling any phase of individual financial or business activity, and the designing, implementing, and evaluating of related operating systems.

3. Taxation - Taxation is a field of study dealing with tax return preparation, tax planning, tax research, estates and trusts, employee benefit plans, and other areas that relate specifically to planning and compliance with respect to the tax laws of governmental entities.

4. Management - This field of study emphasizes the specific management needs of accountants, i.e., financial management, practice management, and management planning.

5. Economics - Economics is the field of study concerned chiefly with the way society chooses to employ its limited resources, which have alternative uses, to produce goods and services for present and future consumption.

6. Business Law - This is the field of study of that portion of the law and legal system dealing with contracts, agency, bailment, sales contracts, transfer of title, warranties, commercial paper, partnerships, corporations, trusts, mortgages, bankruptcy, property, and community property.

7. Personal Development - Personal Development is the field of study which includes self-management and management of others both inside and outside of the business environment. It includes issues of quality of life, interpersonal relationships, self-assessment, personal improvement, public relations, communications and writing skills.

8. Professional Ethics - Professional Ethics includes the study of codes of professional ethics applicable to all CPA registrants and their effect on business decisions.

B. Areas other than those listed above may be acceptable if the licensee can demonstrate that they contribute significantly to his professional competence. The responsibility for substantiating that a particular program is acceptable and meets the requirements rests solely upon the licensee.

C. Special Rules

1. Subsection A shall include those courses related to the specific computer application and specific industry issues of the subject matter.

2. For purposes of categorizing courses, a course shall be categorized in its entirety based on the majority of its content.

3. Courses which have product sales as its underlying content shall not qualify for CPE credit.

§709. Credit Hours Granted

A. Class hours.

1. Only class hours or the equivalent (and not student hours devoted to preparation) will be counted.

2. Continuing education credit will be given for whole hours only, with a minimum of 50 minutes constituting one hour. As an example, 100 minutes of continuous instruction count for two hours; however, more than 50 minutes but less than 100 minutes of continuous instruction would count only for one hour. For continuous conferences and conventions, when individual segments are less than 50 minutes, the sum of the segments will be considered equal to one total program.

3. Any one-day programs will qualify for eight hours of credit if its timing is such that its class hours require participants to be absent from their work for a normal working day. Travel time cannot be claimed. The eight hours must be reduced by any hours not in attendance.

B. Individual study program.

1. The amount of credit to be allowed for correspondence and formal individual study programs (including taped study programs) is to be recommended by the program sponsor based upon one half the average completion time under appropriate "field tests." Licensees claiming credit for such correspondence or formal individual study courses are required to obtain evidence of satisfactory completion of the course from the program sponsor. Credit will be allowed in the renewal period in which the course is completed.

2. The board will not approve any program that does not offer sufficient evidence that the work has actually been accomplished.

C. Service as lecturer, discussion leader, speaker.

1. Credit for one hour of continuing professional education will be granted for each hour completed as an instructor or discussion leader to the extent it contributes directly to the individual's professional competence and provided the program would qualify for credit under these rules. No credit will be granted for repetitious presentations of a group program.

2. In addition, an instructor or discussion leader may claim up to two hours of credit for advance preparation for each teaching hour awarded in (C)(1) above, provided the time is actually devoted to preparation.

3. The maximum credit for teaching and preparation cannot exceed fifty percent of the three-year requirements under these rules.

D. Published articles, books, etc.

1. Credit for published articles and books will be awarded in an amount determined by a board representative provided the writing contributes to the professional competence of the licensee. The board and author shall mutually approve this representative.

2. CPAs requesting this service will be charged a fee: the fee to be negotiated and agreed upon prior to the engagement.

3. The maximum credit for preparation of articles and books cannot exceed twenty-five percent of the three-year requirements under these rules.

4. Credit, if any, will be allowed only after the article or book is published.

E. Committee meetings, dinner and luncheon meetings, firm meetings.

1. Credit will be awarded for participation in committee meetings, dinner and luncheon meetings, etc. provided the program portion thereof meets the other requirements of these rules.

2. Credit will be awarded for firm meetings or meetings of management groups if they meet the requirements of these rules. Portions of such meetings devoted to administrative and firm matters cannot be included.

F. CPE credit for reviewers.

Credit will be granted for actual time expended reviewing reports of the board's positive enforcement programs up to a maximum of 16 credit hours per year as approved by the state board's program coordinator provided the reviewer completes and returns the assigned checklist(s). The effective date of this rule applies only to reports assigned January 1, 1986 and thereafter.

G. Special Limitations and Requirements

1. Personal Development courses cannot exceed twenty percent of the total qualifying CPE.

2. All reporting periods shall include at least four hours of Professional Ethics.

§711. Maintenance of Records and Control

A. Each licensee shall maintain records of continuing education in which he has participated showing:

1. Sponsoring organization.
2. Location of course.
3. Title and/or description of content.
4. Dates attended.
5. Certification of attendance.
6. Hours claimed.

B. Practitioners, partners, or shareholders and employees of a firm of certified public accountants will not be required to maintain the above records personally if the firm has a policy of maintaining such records for its members and professional employees and does maintain the records required herein for the required time and reports to each person at least once each year a summary, which includes the information in (A) above, of the continuing education file on that person.

C. Each sponsoring organization shall maintain records of programs sponsored which shall show:

1. That the programs were developed and presented in accordance with the standards set forth in §703 above. If a program is developed by one organization and sponsored by another, the sponsoring organization shall not be responsible for program development standards and related record maintenance if:

- a. It has reviewed the program and has no reason to believe that program development standards have not been met,
- b. It has on record certification by the developing organization that the program development standards have been met and that the developing organization will maintain the required records relative thereto.

2. Dates of program presentations.
3. Instructor(s) and participants.

D. Records required under this rule shall be maintained for five years and shall be made available to the board or its designee(s) for inspection at the board's request.

Interested parties may submit written comments on the proposed rule through 4:30 p.m., June 2, 1989 to Mildred M. McGaha, State Board of Certified Public Accountants of Louisiana, 2 Canal Street, Suite 1515, New Orleans, LA 70130.

Mildred M. McGaha, CPA
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: LAC §46:XIX.700**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed amendment would not cost or save the state or any local governmental units any money.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed amendment would have no effect on the revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

There should not be any additional costs to directly affected persons or non-governmental units.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

It is estimated that the proposed amendment would have no effect on competition or employment.

Mildred M. McGaha
Executive Director

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Economic Development
Board of Certified Public Accountants**

In accordance with R.S. 49:950 et seq., The Administrative Procedure Act, notice is given that the State Board of Certified Public Accounts of Louisiana proposes to amend Section 1303 of the Rules, 3 La. Admin. C. §46:XIX.1303, so that, as amended, said section shall read and provide as follows:

§1303. Educational Requirements

A. To be eligible for examination and certification by and under the auspices of the board, an applicant shall possess a baccalaureate degree, duly conferred by a university or college recognized and approved by the board, with concentration in the area of accounting, at either the graduate or undergraduate level, evidenced by award of credit for satisfactory completion of the following courses and credit hours, according to whether such courses and credits are taken and awarded on a semester or quarter basis:

	Credit Hours	
	Semester	Quarter
Undergraduate Level Courses		
Elementary Accounting	3	4
Intermediate Accounting	6	8
Advanced Accounting	3	4
Cost Accounting	3	4
Income Tax Accounting	3	4
Auditing	3	4
Accounting Elective	3	4
Commercial Law (as it affects accountancy)	3	4
Graduate Level Courses		
Intermediate Accounting	3	4
Advanced Accounting	3	4
Cost Accounting	3	4
Income Tax Accounting	3	4
Auditing	3	4
Accounting Elective	3	4
Commercial Law (as it affects accountancy)	3	4

A course described as "Legal Environment of Business," emphasizing consumer protection and the regulatory environment, is not recognized as equivalent to or satisfying the specified Commercial Law or Accounting Elective requirements at either the undergraduate or graduate level.

B. In the event that the applicant's degree does not reflect the credit hours in the courses prescribed by paragraph A of this section, the board may, on good cause shown by the applicant, allow the substitution of other courses that, in the board's judgment, are substantially equivalent to any of such prescribed courses or to the credit hours prescribed therefor. Documentation of good cause for any such requested substitution shall be submitted by the applicant to the board upon affidavit sworn to and subscribed by the applicant and an officer of the university, college or other educational institution where the course to be substituted was taken. Such affidavit shall set forth a course description of the course sought to be substituted and a comparison of the content of such course to that of the course for which substitution is requested.

C. If the applicant's degree does not reflect the credit hours in the courses prescribed by paragraph A of this section, an applicant may become eligible for examination and certification by and under the auspices of the board by having otherwise taken and completed the courses required by this rule and received credit for satisfactory completion thereof awarded by an accredited university, college, vocational or extension school recognized and approved by the board.

D. With respect to the course requirements specified by paragraphs A and B of this section, the board does not recognize credit received for courses granted on the basis of advanced placement examination (such as CLEP, ACT or similar examinations). To be recognized by the board, the course credits specified by paragraph A of this section shall have been awarded pursuant to satisfactory completion of a course requiring personal attendance at classes in such course.

E. An applicant who does not meet the course requirements specified by paragraph A of this section but who has, as of the date of application, been engaged in the practice of public accounting on the professional staff of a firm of certified public accountants for a period of not less than four years during the 10 years immediately preceding the date of application, shall nonetheless be deemed eligible for examination by and under the auspices of the board provided that:

1. he has successfully completed at least one course in the course areas enumerated by paragraph A of this section:

2. if such courses were taken at the undergraduate level, he has successfully completed not less than 27 semester hours, or 36 quarter hours, in accounting and commercial law; and

3. each such course was completed at an accredited university, college, vocational or extension school recognized and approved by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:78.

HISTORICAL NOTE: Adopted by the Department Commerce, Board of Certified Public Accountants, January 1974, promulgated LR 6:6 (January 1980), amended LR 11:757 (August 1985), LR 13:13 (January 1987), amended LR 15:

Interested parties may submit written comments on the proposed rule through 4:30 p.m., June 2, 1989 to Mildred M. McGaha, State Board of Certified Public Accountants of Louisiana, 2 Canal Street, Suite 1515, New Orleans, LA 70130.

Mildred M. McGaha, CPA
Executive Director

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: 3 La. Admin. C. §46:XIX.1303

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed amendment would not cost or save the state or any local governmental units any money.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed amendment would have no effect on the revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

There should not be any additional cost to directly affected persons but by reducing the number of hours required to sit for the Exam, there can be an economic benefit to students preparing to sit for the Exam.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

It is estimated that the proposed amendment would have no effect on competition or employment.

Mildred M. McGaha
Executive Director

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Economic Development Board of Certified Public Accountants

In accordance with R. S. 49:950 et seq., The Administrative Procedure Act, notice is given that the State Board of Certi-

fied Public Accountants of Louisiana proposes to amend Subparagraph (1) of paragraph (A) of §1703 of the Rules, LAC 46:XIX.1703(A)(1), so that, as amended, said Section shall read and provide as follows:

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS Part XIX. Certified Public Accountants

Chapter 17. Qualifications for Licensing

§1703. Qualifying Accounting Experience; Nature of Practice

A. The professional experience requisite to licensing may be obtained:

1. by employment as a staff accountant by a licensed, practicing certified public accountant or by a firm of certified public accountants who are licensed to practice public accounting under the laws of any state:

a. on a full-time basis for a period of not less than two years; or

b. on a part-time basis for not less than 4,160 hours begun and completed in not less than two nor more than four years.

Interested parties may submit written comments on the proposed rule through 4:30 p.m., June 2, 1989 to Mildred McGaha, State Board of Certified Public Accountants of Louisiana, 2 Canal Street, Suite 1515, New Orleans, LA 70130.

Mildred M. McGaha, CPA
Executive Director

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: LAC 46:XIX.1703(A)(1)

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed amendment would not cost or save the state or any local government units any money.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed amendment would have a negligible effect on the revenue collections of state or local governmental units because most successful candidates usually apply for their license to practice within the 30-day grace period which does not require payment of a licensing fee.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

There should not be any additional costs to directly affected persons but, by recognizing part-time public accounting experience, more applicants will qualify for a license to practice.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

It is estimated that the proposed amendment would have no effect on competition but could favorably impact employment.

Mildred M. McGaha
Executive Director

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Economic Development Board of Certified Public Accountants

In accordance with R. S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the State Board of Certified Public Accountants of Louisiana proposes to adopt Chapter 20, Sections 2001, 2003, 2005, 2007 and 2009 and to amend Section 2101.A of the Rules, LAC 46:XIX.2000 and 2101.A, so that, as adopted and amended, said Sections shall read and provide as follows:

Temporary Permits

§2001. Scope of Chapter

The rules of this Chapter govern the qualifications for and issuance of temporary permits authorizing the practice of public accountancy in the state of Louisiana limited to a single engagement for a specified period, pursuant to the authority vested in the board by R.S. 37:75(B)(13).

§2003. Temporary Permits; Scope of Authority

A. Subject to satisfaction of the qualifications and procedures prescribed by this Chapter, a temporary permit may be issued by the board to a person who is neither a resident of Louisiana nor licensed by the board, but who is certified and licensed as a certified public accountant by another state, to authorize the permittee's incidental, temporary practice of public accounting in Louisiana in connection with and limited to a single, specified engagement.

B. A temporary permit issued under this Chapter is valid and effective only for the period of time specified therein, which may not exceed a period of 90 days, and may not be renewed.

C. The board's issuance of a temporary permit under this Chapter shall not be construed to provide any right or entitlement whatsoever to certification, licensing or renewal of the permit after its expiration.

§2005. Qualifications, Disqualifications for Temporary Permit

A. To be eligible for a temporary permit, an applicant shall:

1. be currently certified as a certified public accountant by the licensing authority of any state other than Louisiana;

2. possess a valid, current, unrestricted license or equivalent authority to engage in the practice of public accounting in any state other than Louisiana duly issued by the licensing authority of such state;

3. submit a completed application to the board, through its executive director, not less than 30 days prior to the engagement within Louisiana to which the permit shall be applicable; and

4. pay the fee applicable to application for and issuance of temporary permits, as provided by Chapter 21 of these rules; provided, however, that payment of a single fee shall satisfy the application fee requirement for two or more partners or employees of the same partnership of certified public accountants or professional accounting corporation applying for a temporary permit to participate in the same engagement in Louisiana.

B. No person who is a resident of the state of Louisiana or who is certified or licensed by the board shall be eligible for a temporary permit under this Chapter.

C. The board may refuse to issue a temporary permit to any applicant for any of the causes for which the board may refuse to issue certification or licensure pursuant to R.S. 37:84.

§2007. Application Procedure

A. Application for a temporary permit shall be made upon forms supplied by the board. Application forms and instructions pertaining thereto may be obtained upon written request directed to the executive director of the board, 1515 World Trade Center, 2 Canal Street, New Orleans, LA 70130. Application forms will be mailed by the board within 30 days of the board's receipt of request therefor. To ensure timely filing, completion and processing, application forms should be requested not later than 40 days prior to the deadline for application specified in the preceding Section.

B. An application for temporary permit under this Chapter shall:

1. include proof, verified or documented in a form satisfactory to the board as specified by the executive director, that the applicant possesses the qualifications requisite to issuance of a temporary permit, as specified by this Chapter;

2. contain the applicant's authorization to and consent for the board to obtain from the licensing authority of any state in which the applicant is certified or licensed as a certified public accountant such information as the board deems relevant to consideration of an action on an application for temporary permit hereunder;

3. specify the nature of the professional engagement to be performed in Louisiana and for which the temporary permit is sought, the inclusive dates during which and the place or places at which such engagement will be performed, and the name and address of the person, firm or entity for whom or on whose behalf such engagement will be performed;

4. include such other information and documentation as the board may request to evidence qualification for a temporary permit; and

5. be accompanied by the fee, as prescribed by Chapter 21 of these rules.

C. The board may refuse to consider any application which is not complete in every detail, including submission of every document required by the application form. The board may, in its discretion, require a more detailed or complete response to any request for information set forth in the application form as a condition to consideration of an application.

§2009. Issuance of Permit

If the qualifications, requirements and procedures prescribed by this Chapter are met to the satisfaction of the board, the board shall issue to the applicant a temporary license to practice public accounting in the state of Louisiana specifying the professional engagement for which and the time during which such permit shall be valid. A temporary permit shall be valid and effective only if signed by the secretary or treasurer of the board, provided, however, that the executive director may be authorized by the secretary or treasurer to employ a facsimile signature.

Chapter 21. Fees and Service Charges for CPA Examination, Certification, Licensing

§2101. Assessment of Fees

A. Examination fees shall be assessed by the board in conformity with R.S. 37:80E.

Service Charge for refund of examination fee under §1909.	\$20
Original certification	\$50
Original license	\$50*
Replacement certificate	\$50**
Temporary permits	\$100

Interested parties may submit written comments on the proposed rule and amendment through 4:30 p.m., June 2, 1989 to Mildred M. McGaha, State Board of Certified Public Accountants of Louisiana, 2 Canal Street, Suite 1515, New Orleans, LA 70130

Mildred M. McGaha, CPA
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: LAC 46:XIX.2000 and 46:XIX.2101.A**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The effect of these amendments will have a negligible cost and/or saving to this agency. The cost for printing the applications and permit cards will be offset by the cost of scrolling reciprocal certificates, license cards and registration renewal forms.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
It is believed there will be a negligible effect on this agency's revenue collections; it is anticipated that most out-of-state practitioners will apply for temporary permits vs. reciprocal certificates and licenses unless the engagement will be on-going.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)
There should be no additional costs to affected persons.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
It is believed that the proposed action will not have any impact on competition and employment in the public or private sectors.

Mildred M. McGaha
Executive Director

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Economic Development
Economic Development Corporation**

In accordance with R.S. 49:950 et seq., notice is hereby given that the board of the Louisiana Economic Development Corporation has adopted the following proposed rule:

Title 19

CORPORATIONS AND BUSINESS

**Part VII. Louisiana Economic Development Corporation
Subpart 4. Small Business Innovative Research Program
Chapter 1. Matching Grant Program**

§101. Purpose

To provide for support of innovative private sector research and development activities that are intended to generate commercial products, processes or services through the provision of grants matching those Phase 1 grants or contracts

awarded by the United States Government through its Small Business Innovative Research Program.

§103. Eligibility

- A. Any Louisiana firm which has received a Federal SBIR Phase 1 research award.
- B. Any out-of-state firm which agrees to relocate headquarters and research and development operations to Louisiana and has received a Federal SBIR Phase 1 research award.

§105. Application Process

- The application shall include but not be limited to:
1. a copy of the Phase 1 proposal to the federal program;
 2. a statement that the applicant has submitted the proposal to the federal program and that they are submitting a notification of intent to file with the state program;
 3. a use of funds schedule for the requested state grant;
 4. a copy of the grant/contract award from the federal program.

§107. Submission and Review Procedure

- A. Applications will be received only after the applicant has submitted an application to the Federal SBIR program. Applications may be submitted through the course of the Phase 1 research period. No applications for match will be received after the expiration date of the federal grant or contract.
- B. All applications must be submitted no later than three weeks prior to the scheduled screening committee meeting for consideration at the next scheduled board meeting of the corporation following the screening committee meeting.
- C. LEDEC staff shall review the application and make recommendations regarding the use and disbursement of the matching grant funds to the screening committee.

§109. Term

- A. Grant funds must be expended by the firm no later than 30 days after the decision of the Federal agency regarding the Phase 2 application or 60 days after the acceptance of the final Phase 1 report by the Federal agency if no Phase 2 application is made.
- B. Exceptions to this may be made by the board on a case-by-case basis.

§111. Disbursement and Use of Funds

- A. The project proposed for state funding must represent a continuation of and be compatible with the firm's Phase 1 research, and/or
- B. Funds may be used to complete Phase 1 research.
- C. The funds will be disbursed at the time and in the manner determined by the corporation.

§113. Grant Document

- A. The secretary-treasurer of the corporation and one of the following: president of the corporation, chairman of the board or executive director shall execute all necessary legal instruments to effect the grant award.
- B. The grant documents must satisfy all legal requirements as evidenced by the written approval of the corporation's attorney.

§115. Residency requirement

- A. If a firm that has received Louisiana Small Business Innovative Research matching grant funds moves its headquarters or research and development operations out of Louisiana within five years of receiving the grant, said firm will be immediately obligated to repay the state the full amount of the state matching grant received.

§117. Recision

- A. Recision or reduction of a firm's Federal SBIR grant

funds will result in the immediate rescission or reduction of the state matching grant to the firm. Any state matching award funds which have been disbursed to the firm and which are determined by the corporation to relate to the rescission or reduction, are immediately owed to the corporation and shall be returned to the corporation within seven days of the notice of the rescission or reduction of the firm's Federal SBIR award.

§119. Reporting requirements

A. The applicant shall file a financial and narrative report monthly until state funds have been expended.

B. The applicant shall submit a copy of the final report submitted to federal grant agency along with a final financial report covering the entire state grant period.

§121. Confidentiality

A. Confidential information in the files of the corporation acquired in the course of duty is to be used solely for the corporation. The corporation is not obliged to give out a credit rating or confidential information regarding any applicant.

§123. Conflict of Interest

A. No member of the corporation, employee thereof, or employee of the Department of Economic Development, or members of their immediate families shall either directly or indirectly be a party to or be in any manner interested in any contract or agreement with the corporation for any matter, cause, or thing whatsoever by reason whereof any liability or indebtedness shall in any way be created against the corporation. If any contract or agreement shall be made in violation of the provisions of this Section the same shall be null and void and no action shall be maintained thereon against the corporation.

Interested persons may submit written comments to Garry Neal, Executive Director, by 4:30 p.m., June 12, 1989. Comments should be mailed to the Louisiana Economic Development Corporation, Box 94185, Baton Rouge, LA 70804-9185.

Nadia L. Goodman
Director

**Fiscal and Economic Impact Statement
For Administrative Rules**

Rule Title: Small Business Innovative Research Grant Program

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There are no costs to state or local governmental units connected with these rules. \$300,000 of the total appropriation of \$14,697,749 for the corporation has been allocated to this program.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

This is a grant program and as such there will be no increase in revenue collections to state or local government.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The cost of application preparation is minimal.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed action will have little or no effect on competition and employment in either the public or private sector.

Nadia L. Goodman
Director Policy and Planning

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Economic Development
Office of Commerce and Industry**

The Department of Economic Development, Office of Commerce and Industry proposes to adopt the following rule in accordance with the authority given in the Administrative Procedure Act, R.S. 49:950 et seq.

Title 13

ECONOMIC DEVELOPMENT

Part III. Office of Commerce and Industry

Chapter 9. Louisiana Industrial Training Program

§901. Eligibility

A. Applicant must be a manufacturing firm.

B. Applicant must apply for a minimum of 10 net-new, permanent manufacturing jobs that are classed as entry-level unskilled.

C. Applicant must assign a supervisor/instructor to at least 10 trainees.

§903. Preference

A. Preference will be given to applicants locating in a parish which has an unemployment rate higher than the state average.

B. Secondary preference will be given to companies in targeted Standard Industrial Classification (SIC) Codes. The target industries for any particular fiscal year shall be determined by the Secretary of Economic Development in June of each year.

§905. Method and Timing of Application

A. An application shall be submitted for approval to the Development Supervisor for the Department of Economic Development, Office of Commerce and Industry, at least 90 calendar days before the start of training.

B. The application shall include a manning table setting job titles, numbers of employees per job title and hourly wage per job title. A maximum of 10 percent deviation in the proposed manning table will be allowed.

§907. Contract and Monitoring

A. A contract shall be executed between the state of Louisiana and a local approved non-profit economic development organization from the same geographical area as the site location of the applicant on behalf of the applicant industry.

B. The non-profit corporation shall monitor the progress of training under the contract and report to the Development Supervisor who shall also monitor the progress of the training.

§909. Method of Payment

A. Payment to the non-profit monitor shall be reimbursable from an invoice which shows: name of supervisor(s), Social Security number, number of weeks worked, and weekly rate. Instructors will be paid for a maximum of 40 hours per week.

B. All invoices shall be accompanied by a statement

which shows: names of trainees, Social Security number, employment status at time of hiring, sex, race, previous wage rate and current wage rate.

C. Invoices shall be submitted at the end of the training period if that period is seven weeks or less. Invoices shall be submitted monthly if the training period is seven weeks or more.

§911. Location of Training

- A. All training locations shall be in Louisiana.
B. Exceptions to this may be made at the discretion of the Secretary of Economic Development.

§913. Amount of Training Grants

- A. On-the-job training grants will be calculated at \$200 per job.
B. Pre-employment training grants will not exceed \$70,000.
C. Exceptions to this may be at the discretion of the Secretary of Economic Development.

Any comments may be addressed in writing to Harold Price, Assistant Secretary, Box 94185, Baton Rouge, LA 70804-9185. They must be received by June 10, 1989.

LOUISIANA INDUSTRIAL TRAINING PROGRAM APPLICATION

1. Company Name: _____

Address: _____

Contact person: _____

Telephone: _____

Products manufactured at site for which training is desired: _____

2. Non-profit name: _____

Address: _____

Contact person: _____

Telephone: _____

3. Unemployment rate for parish: _____

4. Type of training desired: Pre-employment _____ OJT _____

5. Projected training dates - Begin: _____ End: _____

6. Anticipated number of net-new-manufacturing jobs: _____

7. Attach a manning table showing job titles, numbers of employees per job title and hourly wage per job title.

I have had the Louisiana Industrial Training program explained to me and I agree to abide by the rules covering the program. I

also certify that the information given in this application is correct to the best of my knowledge.

/s/ _____
Authorized Company Official

Date

_____ agrees to administer the proposed
(Name of Non-Profit)
training contract.

/s/ _____
Authorized Non-Profit Official

Date

Return to: Director of Industrial Training
Department of Economic Development
P. O. Box 94185
Baton Rouge, LA 70804-9185

Harold Price
Assistant Secretary

Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Louisiana Industrial Training Program

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
There will be no added implementation costs.
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 governments.
III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)
The manufacturer will receive a maximum of \$200 per net-new job created in the On-The-Job Training Program and negotiated instructor reimbursement/supply cost in the Preemployment Training Program. No Preemployment Training Program will exceed \$70,000 unless approved by the Secretary of the Department of Economic Development.
IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
There is no effect on competition. Approximately 3,500 Louisianians would receive training for jobs that are immediately available and being offered by the manufacturer to selected trainees.

Harold Price
Assistant Secretary

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Economic Development Office of Commerce and Industry Finance Division

Board Rules and Regulations

The Department of Economic Development, Office of Commerce and Industry, Finance Division, in accordance with the Administrative Procedure Act R.S. 49:950, et seq., adopts the following rules regarding the policies and procedures of the Commerce and Industry Board.

The following rules will implement R.S. 51:923 through 928, and R.S. 49:203 through 204 authorizing the secretary of the Department of Economic Development to establish rules for the Board of Commerce and Industry. The Board of Commerce and Industry serves in an advisory capacity to the Department of Economic Development. The Commerce and Industry Board's duty and function is to approve or disapprove applications for tax exemption programs administered by the Office of Commerce and Industry.

Title 13

ECONOMIC DEVELOPMENT

Part I. Office of Commerce and Industry

Subpart 1. Finance

§101. General Provisions

The principal office of the board shall be the Louisiana Department of Economic Development, Office of Commerce and Industry, One Maritime Plaza, Baton Rouge, Louisiana, or at such other place that the board may determine.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:923-928 and R.S. 49:203-204.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, LR 15:

§103. Board Membership

A. Number and qualifications of board members. The board shall consist of 19 members unless R.S. 51:923 is amended to provide for a different number of board members. Fifteen members shall be appointed by the governor from among representatives of the major economic groups within the state of Louisiana and one who shall be an elected municipal official appointed by the governor from a list of three names submitted by the Louisiana Municipal Association. In addition, the governor, the lieutenant governor, and the secretary of the Department of Economic Development shall be ex officio members of the board with full right to participate in and vote on all matters.

B. Appointment. The governor shall appoint the members of the board. Each appointment by the governor shall be submitted to the Senate for confirmation and shall again be submitted by the governor to the Senate for confirmation every two years after the initial confirmation.

C. Term. The members, other than the governor and lieutenant governor, shall serve for terms of four years which shall be concurrent with the term of the governor making the appointments. The governor and lieutenant governor shall serve during the term of office of each. Each member shall continue to serve until his successor is appointed and takes office.

D. Vacancy. A vacancy occurring for any reason shall be filled in the manner provided in Section 2 hereof.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:923-928 and R.S. 49:203-204.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, LR 15:

§105. Compensation of the Board

Members of the board shall serve without compensation. Each member shall be entitled to reimbursement for the actual and necessary expenses incurred in the performance of official duties.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:923-928 and R.S. 49:203-204.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, LR 15:

§107. Meetings of the Board

A. Open Meetings. All meetings of the board shall be open to the public as required by law.

B. Annual Meeting. The year of the board shall begin on April 1 each year. The meeting following the beginning of the year the board shall elect its officers who shall serve until the next annual meeting or until their successors are elected.

C. Regular Meetings. The board may meet as often as it deems necessary provided that there shall be not less than four regular meetings each year.

D. Special Meeting. Any meeting may be called by the chairman or by joint call of at least three of its members, to be held at the principal office of the board, or at such other place as may be fixed by the board. Public notice, for special meeting, shall be posted at the Office of Commerce and Industry and at the site of the meeting. These shall be posted a minimum of 24 hours before the meeting.

E. Quorum. Nine members of the board shall constitute a quorum and a majority thereof may act on any matter within the jurisdiction of the board. In the absence of a quorum, a majority of the members present at the time and place of any meeting may adjourn such meeting from time to time, with notice given in accordance with the open meeting law (presently set forth in LA R.S. 42:4.1-10).

F. Parliamentary Procedure. Unless otherwise provided by law to the contrary, all meetings of the board shall be conducted in accordance with "Robert's Rules of Order."

G. Meeting Place. The board of members shall hold its meetings and keep the record of the board at the principal office of the board or at such other place that the board may determine. The records of the board shall be available for public inspection at reasonable times in the manner provided by law.

H. Proxies. Members may not designate proxies to act on their behalf. The governor may designate either his executive counsel, or secretary to act in his stead. The secretary of Economic Development may appoint a deputy secretary who shall serve as acting secretary whenever the secretary is out of state. The governor and/or secretary designee shall be physically present at the board meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:923-928 and R.S. 49:203-204.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, LR 15:

§109. Notice

A. Notice by mail. Whenever, under the provisions of Louisiana law or these rules, notice is to be given to any member, it shall not be construed to mean personal notice, but such notice may be given in writing, by depositing the same in a post

office or address as it appears in the records of the board, and such notice shall be deemed to be given at the time when the same shall thus be mailed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:923-928 and R.S. 49:203-204.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, LR 15:

§111. Officers

A. The officers of the board shall be: a chairman, and a vice-chairman and such other officers as the board shall consider necessary.

B. Designation, Election and Tenure. The chairman shall be a member of the board and shall be elected by the board. The vice-chairman also shall be a member of the board and shall be elected by the members of the board. Such election of the chairman and the vice-chairman shall be at the annual meeting or at such other time as may be necessary, should the chairman and/or the vice-chairman cease to be a member of the board. The chairman and vice-chairman shall hold office for a term of one year and annually thereafter. There shall be no prohibition against officers succeeding themselves.

C. Removal. Any member may be removed at any time by the governor.

D. Chairman. The chairman of the board shall preside at all meetings of the board at which he or she is present. The chairman shall perform such other duties and have such other powers as from time to time may be assigned to the office by these rules or by the board.

E. Vice-Chairman. At the request of the chairman or in the event of his absence or disability, the vice-chairman shall perform all duties of the chairman, and when so acting, shall have all the powers of, and be subject to all the restrictions upon, the chairman. The vice-chairman shall also perform such other duties and have such other powers as from time to time may be assigned to the office or to the person by these bylaws or by the board or by the chairman. The vice-chairman shall assume the role of chairman of the Screening Committee.

F. Records. The board secretary shall keep an accurate record of all proceedings of the board, and shall be the custodian of all books, documents, and papers filed with the board and the minute books of the board. The secretary shall cause copies to be made of all minutes and other records and documents of the board and shall certify that such copies are true copies, and all persons dealing with the board may rely upon such certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:923-928 and R.S. 49:203-204.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, LR 15:

§113. Standing Committees

A. The board, by resolution adopted by a majority of the board then in office, may establish one or more standing committees, each which shall consist of three or more board members. Each committee shall have and exercise the authority of the board as contained within the resolution establishing such committee and shall perform such functions as shall be provided for in such resolution.

B. Appointment of Members. The officers and members of all standing and ad hoc committees shall be appointed by the chairman.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:923-928 and R.S. 49:203-204.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, LR 15:

§115. Appeal/Petition Procedures

A. Interested parties who wish to appeal the action of the Board of Commerce and Industry must submit their appeals along with any necessary documentation to the Office of Commerce and Industry at least 30 days prior to the meeting of the Board of Commerce and Industry during which their appeal will be heard.

B. Any individual or group wishing to petition the board may do so by submitting a written request to the Finance Division, Office of Commerce and Industry, at least 30 days prior to the meeting of the Board of Commerce and Industry during which their request will be made.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:923-928 and R.S. 49:203-204.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, LR 15:

Interested persons may comment on the proposed rules, in writing, at the following address: Robert Paul Adams, Director, Finance Division, Office of Commerce and Industry, Box 94185, Baton Rouge, LA 70804-9185.

Robert Paul Adams
Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: C and I Board Rules**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The rules will implement the legislation authorizing the secretary of the Department of Economic Development to establish rules for the Commerce and Industry Board. Specifically, the rules contemplate defining the role of the Commerce and Industry Board. There will be no impact (savings, or cost) to local governmental units. Additional workload proposed by these rules will be absorbed by the director and staff of the Department of Economic Development, Office of Commerce and Industry, Finance Division.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The rules will not affect revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

There are no estimated costs and/or economic benefits to persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

These rules will not affect competition and employment.

Arnold M. Lincove
Secretary

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Economic Development Real Estate Commission Real Estate Appraisal Sub-Committee

Notice is hereby given that the Louisiana Real Estate Appraisal Sub-Committee will consider the adoption of the following rules and regulations of the sub-committee to administer and implement the state appraiser certification program: LAC 46: LXVII, Subpart II, Chapter 101 provides the sub-committee with the authority to adopt rules; Chapter 103 stipulates the requirements of the agency pertaining to submission of the application prior to taking the exam required for state certification as an appraiser; Chapter 105 establishes agency provisions for forfeiture of fees for exams, retakes of exams and calculator uses during exams; Chapter 107 stipulates that all fees submitted to the agency pertaining to the appraisal exam and certification program must be in the form of certified monies and paid in accordance with the law; Chapter 109 establishes requirements for nationally recognized appraisal organizations as defined by law and stipulates that the sub-committee approves the accepted courses. The rule also approves for acceptance of college and university courses in AACSB approved schools; Chapter 111 requires submission by applicant of course information to the sub-committee prior to taking the exam; Chapter 113 specifies that only appraisals meeting the standards of professional practice will be accepted towards experience credit; Chapter 115 establishes point schedule and years of experience required to qualify for certification as a residential appraiser; Chapter 117 stipulates that all fees submitted to the agency pertaining to the appraisal exam and certification program must be in the form of certified monies and paid in accordance with the law; Chapter 119 establishes provisions for acceptance of review appraisals for partial credit toward the experience requirement and sets limitation on points awarded per year; Chapter 121 provides for awarding of equal experience points for all participants in co-signed appraisals, reviews, articles and textbooks.

Copies of the proposed rules will be available for public inspection between the hours of 8 a.m. and 4:30 p.m. on any working day at the office of the Louisiana Real Estate Commission, 9071 Interline Avenue, Baton Rouge, LA 70809, or may be obtained by writing Bert Coles Bernard, Public Information Representative, Louisiana Real Estate Commission, Box 14785, Baton Rouge, LA 70898. Interested parties may direct inquiries and present their views in writing to the commission.

Jane H. Moody
Executive Director

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Certified Appraisal Sub-Committee

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Any cost incurred by the agency through adoption of this rule packet would be reflected in the increase in administrative workload of existing agency personnel required to process and implement the certification program of the new sub-committee. Anticipated annual expenditures to implement the program is \$62,819.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The legislatively mandated exam fee (\$100) will be collected from each applicant for each test admission (initial and retake). The agency will retain \$10 of the fee (\$90 per applicant paid to the testing service). An anticipated nine hundred individuals will test during the first year as initial applicants. The applicant will also be required to submit the \$200 (two-year certification) certification fee along with the initial application. Revenue collections based on an estimated nine hundred persons filing the first year of the program would be \$189,000 (both exam and certification fees).

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The cost to those persons directly affected, those persons choosing to apply and take the exam for certification purposes, is a \$100 exam fee as established by R.S. 37:3407. The exam fee is required each time the applicant takes the real estate appraisal exam. The individual, upon submission of the initial exam application, will also be required to submit the \$200 certification fee. Total cost for the initial certification (assuming passage on initial exam date) would be \$300 per applicant. An additional cost to the individual would be completion of the education hours (costs vary per program approved).

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The appraisal certification program, as defined by law, is voluntary - not mandatory - to practice as an appraiser in the state of Louisiana. The future effect on competition and employment as it pertains to certified versus non-certified appraisers remains to be seen. The initial years of operation are too soon to predict the effect.

Jane H. Moody
Executive Director

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Board of Elementary and Secondary Education

Reading Specialist Certification Requirements (Bulletin 746 Amendment)

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 approved the following amendment proposed by the department relative to the certification requirements for Reading Specialist:

Reading Specialist

The applicant must hold a valid Type B Louisiana teaching certificate.

The applicant must hold an advanced degree from a regionally accredited institution.

Included in or beyond the advanced degree of study must be 12 graduate hours of course work in reading education including:

1. Foundations or survey of reading instruction.3 semester hours

2. Diagnosis and correction of reading difficulties including a testing/tutorial practicum under the supervision of qualified personnel6 semester hours

3. Reading in the content areas3 semester hours
Reading Specialist certification will be valid for reading in grades 1-12.

Interested persons may comment on the proposed policy change and/or additions in writing, until 4:30 p.m., July 10, 1989 at the following address: State Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

Em Tampke
Executive Director

4. Delete page 27: Reference orders. (Orders are no longer placed with the SDE: LEAs order the reference materials from the publishers.)

5. Eliminate Section X - School Supply Program. (LEAs order their school supplies directly from vendors utilizing state contracts or their own bid procedures.)

Interested persons may comment on the proposed policy change and/or additions in writing, until 4:30 p.m., July 10, 1989 at the following address: State Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

Em Tampke
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Expansion of Reading Specialist
Certification to Cover Grades 1-12**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
It is anticipated that the cost of printing and postage associated with this rule change will be approximately \$50.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
There will be no effect on revenue collection.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)
This proposed action will have no effect on individual or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
No effect on competition and employment is anticipated as a result of this proposed action.

Graig A. Luscombe
Assistant Superintendent

John R. Rombach
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Revisions to Bulletin 1794**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The estimated implementation cost is approximately \$50 to cover the cost of printing for advertising in the *Louisiana Register*.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
There is no effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)
There is no estimated costs and/or economic benefits to directly affect persons or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
There will be no effect on competition and employment.

Wilmer S. Cody
Superintendent

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Board of Elementary and Secondary Education

Revisions to Bulletin 1794, Procedures Manual for the Bureau of Materials of Instruction and Textbooks

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 approved the following revisions to Bulletin 1794, Procedures Manual for the Bureau of Materials of Instruction and Textbooks:

- 1. Substitute the wording, "Bureau of Materials of Instruction and Textbooks" to read "Office of Educational Support Programs."
- 2. Delete Section VIII Ordering Process. (LEAs now order their textbooks directly from the depository.)
- 3. Reference Adoption - - substitute "Office of Education Programs" for "School Library Supervisor" in the section on Reference.

NOTICE OF INTENT

Board of Elementary and Secondary Education

Revisions to Reduction in Force Policy for SSD #1

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 approved the following revisions to the Reduction in Force Policy for Special School District Number 1. (Board Policy 3.02.80) This was also adopted as an emergency rule, effective April 20, 1989. See April issue of *Louisiana Register*.

Change the first paragraph to read:

"When conditions, such as a significant enrollment decline, the loss of federal or special state funds, the discontinuance of special programs or projects necessitate a reduction in force greater than what can be accommodated through attrition and appropriate reassignments, it shall be the policy of Special

School District Number 1 through the State Board of Elementary and Secondary Education to accomplish the reduction in force utilizing the following priorities and procedures. All possible alternatives to the layoff of employees will be explored and used prior to implementation of the reduction in force policy. Reduction in force will be determined on an individual school basis and implemented district wide. As appropriate and when possible, administrative, supervisory and classified personnel positions will be reduced proportionately with the reductions in the number of teaching positions. The basic considerations in making decisions regarding the reduction in force will be both the administration and maintenance of a quality, balanced educational program and services for the students of Special School District Number 1. Therefore, it is understood that in making decisions regarding the reduction in force of certificated and classified personnel in the various areas of employment, persons with the skills necessary to provide a balanced educational program and to maintain and operate the school system must be retained.

Under - Other Policy Provisions Governing Reduction in Force for Teachers and Other Certificated Personnel, Change 3 to read:

3. Seniority begins to accrue with the initial date of board approved appointment to SSD Number 1 for full-time employment.

Under - Other School Personnel, Change 2.a to read:

2. Seniority defined as:

a. Total years of full-time employment in SSD Number 1 beginning with BESE approval for such employment.

b. Accrued years of experience in a school system acquired prior to the transfer of programming by that school system to the administrative control of SSD Number 1.

ADD:

If, in the event the Reduction in Force Policy is implemented, an employee is transferred from one SSD Number 1 school program site to another, the employee will continue to be paid the contracted salary for the remainder of that current contract year. At the beginning of the next contract year, the employee's salary will be based on the pay scale for the parish school system in which the new SSD Number 1 school program is located.

Interested persons may comment on the proposed policy change and/or additions in writing, until 4:30 p.m., July 10, 1989 at the following address: State Board of Elementary and Secondary Education, Box 94064, Baton Rouge, LA 70804-9064.

Em Tampke
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Revisions to Reduction in Force
Policy for SSD Number 1**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The estimated cost of implementation is \$100 to duplicate the policy revisions in order to update the Policy Manual.

- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no effect on revenue collections of local or state governmental units.

- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

There will be no economic effects affecting persons or non-governmental groups.

- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Since the change in policy was for clarification purposes only, there will be no impact on employment.

Graig A. Luscombe
Assistant Superintendent

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Board of Elementary and Secondary Education

Remedial Education Program

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 approved the Louisiana Remedial Education Program and Regulations (3-21-89) and as amended at the March 23, 1989 board meeting.

This policy was also adopted as an emergency rule, effective April 20, 1989. See April, 1989 issue of the *Louisiana Register* for complete text of regulations.

Interested persons may comment on the proposed policy change and/or additions in writing, until 4:30 p.m., July 10, 1989 at the following address: State Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064.

Em Tampke
Executive Director

**Fiscal and Economic Impact Statement
For Administrative Rules**

**Rule Title: Remedial Education Programs Related to
the LEAP/CRT**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The estimated implementation costs of this rule for 1989-90 is \$14,000,000. The remediation costs are based on predicted failure rates for each test with remediation at approximately \$105 per student per fiscal period (two re-takes).
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The local school boards will receive appropriated funds for remediation.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)
The remediation program will provide additional instruction to students who have not met the state performance

standards on the state grade level tests in grades 3, 5 and 7 and the high school graduation tests, and will increase the students chances for earning a high school diploma.

The remediation program should allow for additional teaching positions and for teacher aide positions.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There should be increased job opportunities for certified teachers and paraprofessionals.

Wilmer S. Cody
Superintendent

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Health and Hospitals
Board of Examiners of Professional Counselors**

The Louisiana Licensed Professional Counselors Board of Examiners, under authority of the Louisiana Mental Health Counselor Licensing Act, R.S. 37:1101-1115, and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., intends to adopt the following rule amendments and rules governing the practice of mental health counseling in the state of Louisiana.

The Paragraph of §103 of Part LX of Title 46 of the Louisiana Administrative Code is amended so that, as amended, said Paragraph shall provide as follows:

§103. Description of Organization

The Louisiana Licensed Professional Counselors Board of Examiners, hereafter referred to as the board, resides in the Department of Health and Hospitals, and consists of seven members, who shall be residents of the state of Louisiana. Board members are appointed by the governor as specified in §1104 within 60 days after the effective date of Chapter 13 of Title 37 to serve the following terms: one member for a term of two years, two members for terms of three years, and two members for terms of four years. The two additional members to be appointed in 1988 shall be appointed by the governor, one to a term of two years and one to a term of three years. Thereafter, each term shall be for four years. Each appointment by the governor shall be submitted to the Senate for confirmation. Board membership shall consist of three licensed professional counselors, three educators whose function is the training of mental health counselors in accredited programs, and one individual from the public at large. No board member shall serve more than two full consecutive terms. The original professional membership of the board shall be qualified to be licensed under this Chapter, except that the initial professional members shall be persons who have rendered mental health counseling for at least three years, or who have been training mental health counselors in accredited programs for at least three years. Appointments to the board are made from a list of qualified candidates submitted by the Executive Board of the Louisiana Association for Counseling and Development. No board member shall be liable in any civil action for any act performed in good faith in the execution of his duties under Chapter 13 of Title 37.

The Paragraph of §109 of Part LX of Title 46 of the Louisiana Administrative Code is adopted so that, as adopted, said Paragraph shall provide as follows:

§109. Financially Self-sufficient

The board shall be financially self-sufficient. It shall receive no state funds through appropriation or otherwise and shall not expend any such state funds. No state funds shall be expended or committed to expenditure for the group benefits program or any other health insurance or employee benefit program, for any retirement system, for any salary, per diem payment, travel or expenses, office supplies and materials, rent, purchase of any product or service, or for any other purpose.

The Paragraph of §305 of Part LX of Title 46 of the Louisiana Administrative Code is amended so that, as amended, said Paragraph shall provide as follows:

§305. Board Staff

An executive director, who shall not be a member of the board, shall be employed, within the limits of the funds received by the board pursuant to R.S. 37:1106. The board shall be empowered to accept grants from foundations and institutions to carry on its functions.

The Paragraph of §901 of Part LX of Title 46 of the Louisiana Administrative Code is amended so that, as amended, said Paragraph shall provide as follows:

§901. General

A. The board shall collect the following fees stated in §1106:

- 1. Application, license and seal \$200
- 2. Written examination \$100
- 3. Renewal of license \$100
- 4. Reissuance for lost or destroyed license \$50

The Subparagraph J of §1703 of Part LX of Title 46 of the Louisiana Administrative Code is repealed in its entirety.

The Paragraph of §1901 of Part LX of Title 46 of the Louisiana Administrative Code is repealed in its entirety.

The Paragraph of §1903 of Part LX of Title 46 of the Louisiana Administrative Code is repealed in its entirety.

The Paragraph of §1905 of Part LX of Title 46 of the Louisiana Administrative Code is repealed in its entirety.

Interested persons may present their views on the proposed rules in writing at the following address: Jane C. Chauvin, Board Chairman, Licensed Professional Counselors Board of Examiners, 121B Peabody Hall, Louisiana State University, Baton Rouge, LA 70808- 4121.

Jane C. Chauvin, Ph.D.
Board Chairman

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Amendment of Act 892**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no costs (savings) to other state or local governmental units as a result of these proposed rules and regulations. The Professional Counselors Board of Examiners operates by collecting fees from granting licenses. Implementation costs for the board for year one is \$18,350; for year two, \$26,500; and for year three, \$27,000. The increased fees will be used to employ an executive director and add two additional board members. The operating cost of the monthly board meetings will increase accordingly.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no effect on revenue collections of other state or local governmental units. The board estimates the difference in collections to be \$0 for the fiscal year ending June 30, 1989; \$25,000 for the fiscal year ending June 30, 1990; and \$30,000 for the fiscal year ending June 30, 1991.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The only individual affected by costs will be those who license. Fees charged are listed below

Application, license, and seal	\$200
Written examination	100
Renewal of license	100
Reissuance of lost or destroyed license	50

There are no costs and/or economic benefits which will directly affect other persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There could be a marginal effect on competition in the private sector. Exempt private sector agencies and individuals are listed in R.S. 37:113(1)-(10). All public sector employees are exempt from R.S. 37:1101-1115.

Jane C. Chauvin, Ph.D
Board Chair

David W. Hood
Senior Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Hospitals
Office of Family Security**

The Department of Health and Hospitals, Office of Family Security, proposes to adopt the following rule in the Medical Assistance Program.

The Louisiana Maximum Allowable Cost (LMAC) reimbursement regulations currently cover 735 multiple source drugs. As a result of the agency's review of drugs covered under the Pharmacy Program, two drugs have been identified as readily available from multiple sources. Therefore, the Medical Assistance Program is proposing to include these drugs under LMAC regulations. This addition of two drugs to LMAC regulations was adopted effective April 1, 1989 by an emergency rule published in the *Louisiana Register*, Vol. 15, No. 4, dated April 20, 1989.

RULE

Louisiana Maximum Allowable Cost Regulations (LMAC) for reimbursement under Title XIX are amended to include the following multiple source drugs:

1. Erythromycin ethylsuccinate/Sulfisoxazole acetyl oral suspension
2. Potassium Chloride Tablets 8mEq

Interested persons may submit written comments to the following address: Carolyn Maggio, Office of the Secretary, Bureau of Health Services Financing, Box 94065, Baton Rouge, LA 70804-4065. She is the person responsible for responding to inquiries regarding this proposed rule.

A public hearing on this proposed rule will be held on June 7, 1989 in Auditorium A, Second Floor, 755 Riverside, Baton Rouge, LA beginning at 9:30 a.m. All interested persons

will be afforded an opportunity to submit data, views or arguments, orally or in writing at said hearing.

David L. Ramsey
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules**

**Rule Title: Pharmacy Services Addition of Two Drugs to
MAC Regulations**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Under this rule state expenditures for pharmacy services will be reduced by: \$7,262 in FY 88/89; \$40,679 in FY 89/90; and \$41,098 in FY 90/91.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Under this rule pharmacy program savings will result in reduced federal revenues of: \$17,239 in FY 88/89; \$107,839 in FY 89/90; and \$108,950 in FY 90/91.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

Under this rule payments to providers will decrease by: \$24,501 in FY 88/89; \$148,518 in FY 89/90; and \$150,048 in FY 90/91.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no known effect on competition and employment.

Carolyn O. Maggio
Acting Director

David W. Hood
Senior Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Hospitals
Office of Public Health**

In accordance with the Administrative Procedure Act as amended, the Department of Health and Hospitals, Office of Public Health intends to amend Title 48, Part V, Subpart 19; Chapter 71, §§7101 and 7103 of the Louisiana Administrative Code regarding the policies for receiving medical supplies through the Hemophilia Program and for the collection of third party reimbursements.

Title 48

PUBLIC HEALTH-GENERAL

Part V. Preventive Health Services

Subpart 19. Genetic Diseases Services

Chapter 71. Hemophilia Program

§7101. Eligibility

To be eligible for the program, a client must reside in Louisiana and have medically diagnosed hemophilia, as defined in R.S. 40:1299.5. For a patient to receive factor and other medical supplies and services through the program he must:

1. receive a medical evaluation at least once annually at the Louisiana Comprehensive Hemophilia Care Center;
2. submit infusion records upon sending in prescriptions to the program office;
3. sign and submit all insurance forms relative to charges for factor and other supplies;
4. inform the Program Office immediately of any changes in insurance coverage.

If a patient fails to comply with these requirements, he/she will not be able to receive factor and other medical supplies and services through the program.

§7103. Collections

Insurance carriers, Medicare and Medicaid are charged by the program for the blood products (e.g., factor, monoclate, stimate and autoplex) and medical supplies (e.g., syringes and needles). Costs are determined by charges made to the program for the blood products and medical supplies, plus an administrative fee for dispensing, shipping and delivery by the state.

Interested persons may submit written comments at the following address: Charles Myers, Administrator, DHH-OPH-Genetic Diseases Program, Box 60630 - Room 611, New Orleans, LA 70160.

David L. Ramsey
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Hemophilia**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
There is no cost for implementation.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The amended eligibility requirements should enhance insurance collections and promote optimum patient management.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)
There will be no costs or economic benefits to directly affected persons or non-governmental groups.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
There will be no effect on competition and employment.

Joseph D. Kimbrell
Deputy Assistant Secretary

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Health and Hospitals
Office of the Secretary**

The Louisiana Department of Health and Hospitals (DHH) intends to apply for Block Grant federal funding for FY 1989-90 in accordance with Public Law 97-35, the Omnibus

Budget Reconciliation Act of 1981, and with federal regulations as set forth in the *Federal Register* Vol 47, No. 129, Tuesday, July 6, 1982, pages 29472-29493. DHH will continue to administer programs funded under the Block Grants in accordance with provisions set forth in Public Law 97-35 and the federal regulations.

The Block Grants and the DHH Offices responsible for program administration are as follows:

1. Alcohol and Drug Abuse and Mental Health Services - Office of Mental Health, and Office of Prevention and Recovery from Alcohol and Drug Abuse. Inquiries and comments may be addressed to Billy Ray Stokes, Assistant Secretary, Office of Mental Health, Mental Retardation, and Prevention and Recovery from Alcohol and Drug Abuse, Box 4049, Baton Rouge, LA 70821. The application is available for review at any Mental Health facility.

2. Maternal and Child Health Services - Office of Public Health. Inquiries and comments may be addressed to Mr. Joe Kimbrell, Acting Assistant Secretary, Office of Public Health, Box 60630, New Orleans, LA 70160. The application is available for review at any regional OPH facility.

3. Preventive Health and Health Services - Office of Public Health. Inquiries and comments may be addressed to Joe Kimbrell, Acting Assistant Secretary, Office of Public Health, Box 60630, New Orleans, LA 70160. The application is available for review at any regional OPH facility.

A public hearing on Block Grant applications for FY 1989-90 is scheduled at 1 p.m. on Wednesday June 7, 1989 in Auditorium A, second floor, Family Security Building, 755 Riverside, Baton Rouge, LA.

At the public hearing all interested persons will have the opportunity to provide recommendations on the proposed Block Grant applications orally or in writing. Written comments will be accepted through June 19, 1989.

David L. Ramsey
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Maternal and Child Health Block Grant**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
This block was implemented in FY '82. Neither an increase nor a decrease in implementation costs is expected, as DHHR will continue to administer these programs in accordance with existing federal and state laws and regulations. No workload change is anticipated, as the same amounts and kinds of services are expected to be delivered.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
No effect on revenue collections is anticipated. Naturally, if the federal allotment to Louisiana for this block decreases, the state will be required to subsequently decrease the allotment to all programs covered under the block, but this is a factor beyond our control.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

No direct effect is anticipated on patients, groups, units of local government or state agencies other than DHHR.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

No effect is anticipated on completion and employment, as the same kinds and amounts of services are to be offered. Should the amount of federal funds eventually appropriated be at such a decreased level as to warrant reductions in staff, unemployment will result.

Joseph D. Kimbrell
Deputy Assistant Secretary

John R. Rombach
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Preventive Health and Health
Services Block Grant**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

This is an ongoing public health grant and therefore has no associated implementation costs.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The Office of Public Health Services anticipates receiving \$2.8 million in federal funds during FY 89-90 under this Block Grant. The same amount was available in FFY 88-89.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The effect of this ongoing public health grant is continuation of health services, not economic benefits.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This grant funds public health programs is already in existence. The approval of this grant application continues the work of public health staff currently employed.

Joseph D. Kimbrell
Deputy Assistant Secretary

John R. Rombach
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: ADMS Block Grant 89-90**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no projected increase in the 89-90 Block Grant over the 88-89 award. The total Grant amount will be used to implement Block Grant commitments, and will result in no additional costs to state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Federal revenue collections from this source are projected at equal levels as in FY 88-89.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

Ongoing services provided to clients funded by the ADMS Block Grant, and new initiatives began under the Grant in FY 88-89, will be maintained at those same levels during FY 89-90.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Competition and employment should be maintained at current levels in the portion of the public and private sectors which rely on this Grant for funding. Impact of new programs began in FY 88-89 will continue through 89-90.

Louis V. Gibson
Acting Deputy Assistant Secretary

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Health and Hospitals
Office of the Secretary
Bureau of Health Services Financing**

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, proposes to adopt the following rule in the Facility Need Review Program.

The Department proposes to clarify the Facility Need Review policy regarding ICF/MR's of 16 or more beds, and to enable the large institutional facilities to voluntarily down-size their bed capacity and establish group and community homes for the mentally retarded. A proposal to simultaneously down-size a large ICF/MR and establish a group or community home (with an equal number of beds) will be exempt from the Facility Need Review application process, and will be directed to the Office of Mental Retardation; the Office of Mental Retardation will approve or deny the proposal.

Community and group home beds resulting from these transactions will not be included in the bed-to-population ratio which is used in the regular application process.

RULE

2. Community and Group Homes for the Mentally Retarded Service Area

The service area for a proposed or existing facility is designated as the planning region in which the facility or proposed facility is or will be located. The planning regions for the Office of Mental Retardation are as follows:

Region I - New Orleans

Jefferson, Orleans, Plaquemines, and St. Bernard.

Region II - Baton Rouge

Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. Tammany, Tangipahoa, Washington, West Baton Rouge, and West Feliciana.

Region III - Thibodaux

Assumption, Lafourche, St. Charles, St. James, St. John, and Terrebonne.

Region IV - Lafayette

Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, St. Mary, and Vermilion.

Region V - Lake Charles

Allen, Beauregard, Calcasieu, Cameron, and Jeff Davis.

Region VI - Alexandria

Avoyelles, Catahoula, Concordia, Grant, LaSalle, Rapides, Vernon, and Winn.

Region VII - Shreveport

Bienville, Bossier, Caddo, Claiborne, DeSoto, Natchitoches, Red River, Sabine, and Webster.

Region VIII - Monroe

Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, and West Carroll.

a. Community or group homes shall be approved where mandated by courts.

b. The bed-to-population ratio for community and group homes shall not exceed .36 per 1000 population in each service area unless an exception described below is applicable.

i. Beds which are counted shall include:

(a). approved and licensed beds and

(b). approved but not licensed beds.

Beds which are approved in accordance with the policy outlined in §12502.B.2.e are not counted in the bed-to-population ratio.

ii. The bed inventory which will be used to determine the beds to be counted is that report which is current on the date on which the application is deemed complete except as follows: the bed-to-population ratio will be recomputed during the review period only when (1) the report is incorrect due to an error by the department, or (2) bed increases or decreases are reviewed and approved for the area, or (3) fair hearing decisions or judicial decisions are effective prior to the decision on the application.

iii. The population figures to be used are those for the year in which the application is deemed complete. These figures are compiled by the Louisiana State Planning Office and are available through the Facility Need Review Program.

c. Occupancy Rate

i. The average annual occupancy rate in the service area for community homes shall be 80 percent or greater.

ii. The occupancy report used to determine the occupancy for the last four quarters is that report which is current on the date the application is deemed complete except as follows: the occupancy rate will change during the review period only when (1) the report is incorrect due to an error by the department, or (2) bed increases or decreases are reviewed and approved for the area, or (3) fair hearing decisions or judicial decisions are effective prior to the decision on the application.

iii. The average annual occupancy rate in the service area for group homes shall be 85 percent or greater.

The occupancy report used to determine the occupancy rate for the last four quarters is that report which is current on the date the application is deemed complete except as follows: the occupancy rate will change during the review period only when (1) the report is incorrect due to an error by the department, or (2) bed increases or decreases are reviewed and approved for the area, or (3) fair hearing decisions or judicial decisions are effective prior to the decision on the application.

iv. In determining the occupancy rate for community and group homes, beds used in the calculation shall be beds which are approved and licensed.

v. Beds which are approved in accordance with the policy outlined in 12502.B.2.e are not counted in determining the occupancy rate.

d. Exception for High Occupancy Areas

An exception to the availability and utilization of beds criteria may be made when all of the following conditions exist:

i. the statewide bed to population ratio for community and group homes does not exceed .36 per 1000

and

ii. the bed-to-population ratio in the service area for community and group homes is near or exceeds .36 per 1000 population

and

iii. the adjusted occupancy rate in the service area is equal to or exceeds 85 percent;

iv. the adjusted occupancy rate in the service area is calculated using beds which are:

(a) approved and licensed and

(b) approved but not licensed.

v. the adjusted occupancy rate in the service area for the last four quarters will be recalculated to correct any error by the department, or to reflect any increase or decrease in beds in the area which resulted from review decisions, fair hearing decisions or judicial decisions effective prior to the decision on the application;

vi. under this exception, an application for a group or community home may be approved if the adjusted occupancy in the service area is 85 percent or greater. The beds in the application will be immediately calculated into the adjusted occupancy rate; no additional beds can be added until the adjusted occupancy rate is 85 percent or greater.

e. Exception for large residential ICF/MR's (16 or more beds)

i. In accordance with the department's policy of least restrictive environment, there is no currently identified need for additional facilities with 16 or more beds. Therefore, applications for new facilities of 16 or more beds shall not be accepted for review, and applications to increase existing facilities to 16 or more beds shall not be accepted for review. The large ICF/MR's will be subject to the provisions of the Facility Need Review Program for expedited reviews for transactions such as purchases, leases, and changes in ownership.

ii. A facility with 16 or more beds which voluntarily down-sizes its licensed bed capacity in order to establish a group or community home will be exempt from the Facility Need Review application process and from the bed need criteria.

The beds in the facility will be de-licensed upon Medicaid certification of the same number of group or community home beds.

Facilities to whom these provisions apply should contact the regional Office of Mental Retardation in the region where the ICF/MR facility is located. The regional Office of Mental Retardation will approve or disapprove these proposals.

A copy of the application for licensure for the group or community home beds must be submitted to the Facility Need Review program prior to Medicaid certification. The beds will not be enrolled in Medicaid without authorization from the Facility Need Review Program.

Beds in group and community homes which are approved under this exception are not included in the bed-to-population ratio or occupancy data for group and community homes approved under the Facility Need Review Program.

Interested persons may submit written comments to the following address: Carolyn O. Maggio, Acting Director, Box 94065, Baton Rouge, LA 70804-4065. She is the person responsible for responding to inquiries regarding this proposed rule.

David L. Ramsey
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Facility Need Review Rule Change -
Down-sizing of ICF/MR's**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
Implementation of the proposed rule could result in increased state expenditures of \$1,574,628 in FY 89/90; \$3,912,431 in FY 90/91; and \$5,119,019 in FY 91/92. However, the department intends to institute a flat rate payment system which will negate or mitigate the impact. It is intended that this payment system will take effect in FY 89/90.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
Implementation of the proposed rule could increase federal matching funds for Title XIX vendor payments by \$4,174,287 in FY 89/90; \$10,642,744 in FY 90/91; and \$13,924,951 in FY 91/92. However, if the flat rate payment system is implemented, no effect on revised collections is anticipated.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)
Implementation of the proposed rule could result in placement of 375 persons with mental retardation, who currently reside in residential facilities in group or community homes. Benefits for Title XIX recipient care may increase by \$5,748,914 in FY 89/90; \$14,555,175 in FY 90/91; and by \$19,043,971 in FY 91/92. However, if the flat rate payment system is implemented, no cost will result from this rule.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
Implementation of this rule may result in availability of approximately 375 group/community home beds, which should positively affect both competition and employment in the health care industry.

Carolyn Maggio
Acting Director

David W. Hood
Senior Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Hospitals
Office of the Secretary
Bureau of Health Services Financing**

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, proposes to adopt the following rule in the Facility Need Review Program.

Currently, in order for additional Long Term Care beds to be approved for Medicaid enrollment, the overall adjusted occupancy rate in the Planning District must be 95 percent or greater. Thus, if adjusted occupancy in the Planning District is less than 95 percent, an existing facility (licensed and enrolled in Title XIX) which may itself have occupancy in excess of 95 percent and provide high quality of patient care, is denied additional beds.

The Facility Need Review Program determines if additional beds are needed to enroll in Title XIX, and ensures high quality of care in Title XIX enrolled facilities. Since there are no objective or quantitative criteria to assess public support, the department believes that a key indicator of satisfaction of Medicaid recipients in nursing homes is high occupancy. Therefore, the department proposes to allow a licensed enrolled facility which maintains an average annual occupancy level of 99 percent for the four most recent reported quarters, to apply for approval for additional beds to enroll in the Medicaid Program. The department is committed to securing additional beds to meet the needs of Medicaid recipients and ensuring quality of care in Title XIX facilities.

RULE

f. Exceptions for Facilities with High Occupancy

A licensed facility (with approved, enrolled beds) which maintains an average annual occupancy level of 99 percent for the four most recent quarters (as reported in the LTC-2) may apply for approval for additional beds to be enrolled in the Medicaid Program.

In order to be eligible for this exception, the following conditions must be met:

1. Quality of Care

For the last 36 months, compliance history and quality of care performance of the applicant facility must be void of any of the following sanctions:

- a. denial of payment
- b. civil money penalty
- c. court appointment of temporary managers
- d. termination, non-renewal or cancellation of provider agreement and Medicare/Medicaid certification
- e. license revocation

For the last 36 months, the department cannot have initiated termination or non-renewal of a provider agreement or Medicare/Medicaid certification.

2. Maximum number of beds

The number of beds for which application may be made is determined by the recommended minimum nurse/patient ratio for the number of licensed beds in the facility; the number of proposed beds may not result in a change in the number of nurses required for the total number of licensed beds plus proposed beds.

ICF FACILITIES

SNF FACILITIES

Beds	Nurses	Beds	Nurses
1-90	3 (excl. Dir. of Nsg.)	1-67	3 (excl. Dir. of Nsg.)
91-110	4	68-82	4
111-130	5	83-97	5
131-150	6	98-112	6
151-170	7	113-127	7
171-190	8	128-142	8
191-210	9	143-157	9
211-230	10	158-172	10
etc.		etc.	

3. Time period and occupancy rate

In order for beds to be added under this exception, the average annual occupancy rate must be at least 99 percent for the four most recent reported quarters (as reported in the LTC-2).

4. Status of approved beds

In order for a facility to apply under this exception, all approved beds must be licensed; in order for a facility to re-apply under this exception, all approved beds must be licensed and must be reflected in the LTC-2 occupancy report for four quarters.

Interested persons may submit written comments to the following address: Carolyn O. Maggio, Acting Director, Box 94065, Baton Rouge, LA 70804-4065. She is the person responsible for responding to inquiries regarding this proposed rule.

A public hearing on this proposed rule will be held on June 7, 1989 in the Second Floor Auditorium, 755 Riverside, Baton Rouge, LA, beginning at 9:30 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing at said hearing.

David Ramsey
Secretary

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Facility Need Review Policy Change

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed rule could result in increased state expenditures of \$90,507 in FY 89/90; \$450,786 in FY 90/91; and \$597,424 in FY 91/92.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed rule could increase federal matching funds for Title XIX vendor payments by \$239,931 in FY 89/90; \$1,226,245 in FY 90/91; \$1,625,136 in FY 91/92.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

Implementation of the proposed rule could result in 243 additional beds over a 3-year period for Title XIX recipients in nursing homes; the need for additional beds is determined by a high occupancy level. Nursing homes which maintain high occupancy and high quality care for a specified period of time will be allowed to add a specific number of beds. Benefits for Title XIX recipients care in nursing homes will increase as follows:

FY 89/90	FY 90/91	FY 91/92
\$330,438	\$1,677,031	\$2,222,560

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

No effect is anticipated; the number of beds is determined by the recommended nurse/patient ratio. The number of additional beds which a qualifying facility may add may not result in an increase in the number of nurses needed for the number of patients (beds).

Carolyn O. Maggio
Acting Director

David W. Hood
Senior Fiscal Analyst

NOTICE OF INTENT

Department of Insurance Insurance Educational Advisory Council

The Insurance Educational Advisory Council of the Department of Insurance advertises its intent to adopt rules regarding the education requirements needed to become eligible to take the insurance agent's examination in the state of Louisiana. The rules will also establish the criteria to be met in order to qualify as an approved education program to provide pre-licensing training for persons seeking to become insurance agents in the state of Louisiana.

Interested parties may submit written comments on the proposed rules until 4:30 p.m., June 17, 1989, at the following address: Joseph Shorter, III, Deputy Commissioner of Management and Finance, Box 94214, Baton Rouge, LA 70804-9214.

A public hearing will be held to obtain comments from interested parties. The public hearing will be held in Baton Rouge, LA at the Insurance Building Hearing Room located at 950 N. Fifth Street at 10:30 a.m. on June 20, 1989.

Douglas D. "Doug" Green
Commissioner

Fiscal and Economic Impact Statement For Administrative Rules

Rule Title: Educational Requirements for Insurance Agents

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the Educational Requirements for Insurance Agents will not result in any additional expenditures for the Department of Insurance. The department through the Insurance Education Advisory Council, whose members serve without compensation, is responsible for establishing Administrative Rules and Regulations. Insurance companies and applicants desiring to obtain an insurance license will be affected by the additional cost of educating representatives of the insurance industry.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the Educational Requirements will generate revenue in the amount of \$7,500 based on review and certification of 30 programs at \$250 each.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

Programs certified will pay a fee of \$250 for its certification. Individuals seeking certification will most likely pay a tuition estimated at \$150 to \$250 to programs offering certification.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The implementation of these rules will create opportunities for proprietary schools to provide services to persons seeking insurance agent licenses. During the fiscal year which ended June 30, 1988, a total of 11,745 agents license examinations were administered. As many as 60 percent of these applicants will be enrolled in an approved

pre-licensing program administered by a privately owned proprietary school which is not affiliated with a company trade association or higher educational institution. The number of jobs created in the private sector can not be determined at this time.

Douglas D. "Doug" Green
Commissioner of Insurance

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT
Department of Natural Resources
Office of Conservation

PL 89-33

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., notice is hereby given that the Louisiana Office of Conservation has initiated rulemaking procedures to adopt Hazardous Liquid Pipeline regulations.

A public hearing will be at 9 a.m. on June 1, 1989, in the Conservation Auditorium, State Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, LA 70804. Interested persons are invited to attend and submit comments on the proposed regulations.

A copy of the proposed regulations may be obtained from the Office of Conservation.

Written comments should be submitted no later than May 31, 1989 to J. Patrick Batchelor, Office of Conservation, Box 94275, Baton Rouge, LA 70804-9275.

This Notice supersedes the Notice of Intent published in the *Louisiana Register* on March 20, 1989.

J. Patrick Batchelor
Commissioner

Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Hazardous Liquids Pipeline

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Regulation of proposed rules will require approximately \$100,000 per year. Requirements would include two Hazardous Liquids Pipeline Inspectors and one Secretary. No state general funds are required. Funding would be a combination of a \$12 per mile pipeline fee and federal funds.

There should be no cost or savings to local governmental bodies as a result of adopting these rules.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The office of conservation estimates over 4,000 miles of regulated liquid lines that would produce approximately \$50,000 in revenue and approximately \$50,000 of federal funding.

The proposed rules do not specifically provide for revenue collections by local governmental bodies.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

These rules only apply to liquid pipelines after they are built or are already in place. There are no applications or permitting fees, only a \$12 per mile fee on pipe in the ground; therefore, cost to the industry would be minimal.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There would be no effect on competition and employment. The primary effect of these rules is to transfer inspection and enforcement of safety regulations from federal domain to state.

J. Patrick Batchelor
Commissioner

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT
Department of Natural Resources
Office of Conservation

Docket No. 89-239

Pursuant to the authority of Chapter 1 of Title 30 (LSA-R.S. 30:21 and 204), the Department of Natural Resources, Office of Conservation, hereby gives notice that a public hearing will be held at 10 a.m. on Thursday, May 25, 1989, in the Conservation Hearing Room located on the first floor of the State Land and Natural Resources Building, 625 North Fourth Street, Baton Rouge, LA, at which time all interested persons will be afforded an opportunity to submit oral or written comments regarding permanent fees or charges which are proposed to be imposed or increased to meet the anticipated office costs for providing state services, through the adoption of Statewide Order No. 29-Q-1.

Fees being considered for imposition are the following:

1. Application Fees	Proposed Fee
A. Unit Termination	200
B. Substitute Unit Well	200
C. Public Hearing	600
D. Multiple Completion	100
E. Commingle	200
F. Auto. Custody Transfer	200
G. Drill - Non-Commercial Inj. Well	200
H. Drill Commercial Class I Inj. Well	1,000
I. Drill Commercial Class I (Addit. Well)	500
J. Drill Commercial Class II	500
K. Drill Additional Commercial Class II	250
L. Drill Minerals (wells <3,000')	200
M. Drill Minerals (3,000'-10,000')	500
N. Drill Minerals (>10,001')	700
O. Amend Drill Minerals	100
P. Renew Drill Minerals	100
Q. Amend Drill Inj. & Others	100
R. Renew Drill Inj. & Others	100
S. Well Classification (NGPA)	200
T. Surface Mining (Exploration)	50
U. Surface Mining (Dev. Operations)	75
V. Surface Fining (Operations)	1,750
W. Process Form R-4	25
X. Reinstating Suspended R-4	50
Y. Emergency Clearance R-4	50

2. **Regulatory Fees**

A. Class I Injection Well	7,000
B. Type "A" Commercial Facility	5,000
C. Type "B" Commercial Facility	2,500
D. Annual "Inspection" Fee	50*
E. Annual Regulatory Fee Class II	200
F. Oilfield Pits	200
G. Operator Registration	100
* Stripper Wells Exempted	

Persons wishing to obtain copies of the proposed fees or additional information should contact Fritz L. Spencer, Jr. at 504/342-5540. Written comments will be accepted at the Office of Conservation, Box 94275, Baton Rouge, LA 70804-9275, before the close of business hours June 1, 1989.

All parties having interest in the aforesaid shall take notice thereof.

J. Patrick Batchelor
Commissioner

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Statewide Order No. 29-Q-1
Fee Schedule**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no significant additional implementation costs or savings to the state or local governmental agencies, as the proposed Statewide Order is amending existing application and regulatory fees currently being collected by the Office of Conservation. The fees currently being collected by the Office of Conservation will be replaced by those fees as proposed in the subject Statewide Order No. 29-Q-1.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed application and regulatory fees as proposed in the subject Statewide Order No. 29-Q-1 will generate approximately \$6.44 million annually with a net increase of \$609,600

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed application and regulatory fees as proposed in the subject Statewide Order No. 29-Q-1 will require operators of oil, gas, injection wells, commercial oilfield waste disposal facilities and surface coal/lignite mines to pay a total of approximately \$6.44 million annually. Application fees will generate approximately \$2.6 million of the total and regulatory fees will generate approximately \$4.29 million of the total amount. This fee assessment represents an increase of annual costs (operating costs) to the regulated industries of approximately \$609,600. The existing fees produce approximately \$2,514,000 in application fees and \$3,311,970 in regulatory fees.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Adoption of the proposed fees should have little effect on the majority of the regulated industries. Due to the large

number of operators and the varying case-specific economic situations of individual operators, it is impossible to assess this issue.

Mary Mitchell
Undersecretary

David W. Hood
Senior Fiscal Analyst

NOTICE OF INTENT

**Department of Public Safety and Corrections
Office of Motor Vehicles**

License Plates Removed by Dealers
(R.S. 47:505B)

R.S. 47:505(B) authorizes that dealers may remove the license plates from previously owned (used) automobiles received by the dealer for resale.

The following procedures will apply to new and used Louisiana automobile dealers:

(1) The license plate and vehicle identification number must be shown on the invoice transferring same to dealer.

(2) The dealer must remove the license plate immediately upon receiving the vehicle.

(3) The dealer must submit a notarized affidavit attesting to the fact that the plate was removed by the dealer and this affidavit will become a permanent part of the supporting documents for title of that vehicle.

(4) The registration certificate must be surrendered as part of the supporting documents or a duplicate registration must be purchased.

(5) A monthly report with the license plates attached must be sent by the dealer to the Motor Vehicle Office processing the dealer files by the fifth of the following month, listing all plates removed and a complete description of the vehicle including the vehicle identification number.

(6) Upon receipt of the monthly report from the dealer the vehicle record will be checked on the scope and if has not been transferred, the "TR" flag will be set along with a "CP" flag to indicate the plate was cancelled and the vehicle traded to the dealer.

(7) A temporary marker will be issued by the dealer upon sale of the vehicle.

(8) The new owner will purchase a new plate at the time of transfer of the vehicle.

Interested persons may comment regarding these rules to John Politz, Assistant Secretary of Motor Vehicles by calling (504) 925-6335 or write to him at the Office of Motor Vehicles, Box 64886, Baton Rouge, LA 70896.

Rex McDonald
Undersecretary

**Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: License Plate Removal Program**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Costs to the Office of Motor Vehicles to implement will be \$756,000 which will include the increase in printing, postage, license plates and stickers and upgrade of the computer system. There will be no cost to local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Estimated increased revenue collections will be as follows:

State General Fund	\$7,980,000
Local Governments	5,040,000
Office of Motor Vehicles	756,000
Highway Fund #2	504,000

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

Auto dealers will pay \$4.00 for a temporary marker for each traded automobile.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There will be no effect on competition or employment.

Rex McDonald
Undersecretary

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Social Services Office of Community Services Division of Rehabilitation Services

Effective July 20, 1989, the Department of Social Services, Office of Community Services, Division of Rehabilitation Services, will adopt a rule to make the following additions to its policy:

POLICY FOR TRAINING AT A PROPRIETARY SCHOOL

Proprietary School Training

1. Pre-requisite for placing a client in a proprietary school training program. Prior to placing a client in a proprietary training program, the counselor must obtain documentation that the client meets the Occupational Aptitude Pattern (OAP) structure or correlating requirements for the selected vocational goal. The OAP or correlating requirements will be documented using one of the following:

- Psychological testing
- GATB testing
- Vocational assessment (independent of the training facility)

2. If the disability of a severely handicapped client prevents the preceding factors from being applicable, a comprehensive vocational evaluation done by a state or private rehabilitation facility indicating and recommending that the individual has ability to achieve acceptable levels of performance may be used in lieu of the above pre-requisite.

3. The Division of Rehabilitation Services will not sponsor part-time students in proprietary schools unless the following two criteria are met.

- The tuition cost of the part-time study to complete the course does not exceed the tuition cost of regular course participation.
- The severity of the client's disability presents circum-

stances which make full-time participation in the training impossible.

The Louisiana Department of Social Services will conduct public hearings in June, 1989 in the major metropolitan areas of the state on the new rule.

Interested persons may present their views orally or in writing at public hearings for the new rule scheduled as follows:
Monday, June 5, 1989, Baton Rouge, 1:30 p.m., 3rd Floor, Conference Room, Office of Community Services, 1755 Florida Boulevard, Baton Rouge, LA.

Tuesday, June 6, 1989, Shreveport, 1:30 p.m., Room 711, Conference Room, Shreveport Regional Office, 1525 Fairfield, Shreveport, LA.

Wednesday, June 7, 1989, Alexandria, 1:30 p.m., State Office Building, First Floor Conference Room, 900 Murray Street, Alexandria, LA.

Thursday, June 8, 1989, Lafayette, 1:30 p.m., State Office Building, 302 Jefferson Street, Blue Room, First Floor, Lafayette, LA.

Friday, June 9, 1989, New Orleans, 1:30 p.m., Magnolia Room, Fourth Floor, Avenue Building, 2026 St. Charles Avenue, New Orleans, LA.

Copies of the entire rule are available for review at all OCS Division of Rehabilitation Services Regional Offices or may be obtained by contacting: Alton Toms, Director, Division of Rehabilitation Services, Box 94371, 1755 Florida Boulevard, Baton Rouge, LA 70804, Telephone (504) 342-2296.

Written comments on the proposed rule may be submitted prior to July 20, 1989, to: Brenda L. Kelley, Assistant Secretary, Office of Community Services, Box 94367, Baton Rouge, LA 70804.

May Nelson
Secretary

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: Training in a Proprietary School

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated implementation costs or savings.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The Division of Rehabilitation Services has sufficient funds to provide client services (including proprietary school training) as Act 19 was approved by the Louisiana Legislature.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The Division of Rehabilitation Services has sufficient funds to provide client services (including proprietary school training) as Act 19 was approved by the Louisiana Legislature.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no proposed change in competition and employment in the public and private sectors.

Alton Toms
Director

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Social Services Office of Community Services Division of Rehabilitation Services

The Louisiana Division of Rehabilitation Services has completed preparation of the three-year State Plan for Rehabilitation Services.

Title I of the Rehabilitation Act of 1973, as amended, authorizes a grant-in-aid program, vocational rehabilitation, to support services to individuals with handicaps to assist them in obtaining suitable employment. Title VI, Part C of the Act also authorizes a grant-in-aid program, supported employment, to provide training and traditionally time limited post-employment services leading to supported employment for individuals with severe handicaps. In order for the state of Louisiana to participate in both of these programs, Louisiana must submit to the Rehabilitation Services Administration (RSA) an approvable Title I State Plan for a three-year period with revisions as warranted. No federal funds or other benefits can be made available under these programs unless the Title I State Plan and its Title VI, Part C supplement are consistent with applicable statutory and regulatory requirements.

The Louisiana Department of Social Services will conduct public hearings on the submission of this three-year State Plan in June, 1989 in the major metropolitan areas of the State. Public Hearings for the three-year Division of Rehabilitation Services State Plan are scheduled as follows:

Monday, June 5, 1989, Baton Rouge, 10 a.m., 3rd Floor Conference Room, Office of Community Services, 1755 Florida Boulevard, Baton Rouge, LA.

Tuesday, June 6, 1989, Shreveport, 10 a.m., Room 711, Conference Room, Shreveport Regional Office, 1525 Fairfield, Shreveport, LA.

Wednesday, June 7, 1989, Alexandria, 10 a.m., State Office Building, First Floor Conference Room, 900 Murray Street, Alexandria, LA.

Thursday, June 8, 1989, Lafayette, 10 a.m., State Office Building, 302 Jefferson Street, Blue Room, First Floor, Lafayette, LA

Friday, June 9, 1989, New Orleans, 10 a.m., Magnolia Room, Fourth Floor, Avenue Building, 2026 St. Charles Avenue, New Orleans, LA.

All interested persons will be afforded an opportunity to submit data, views or arguments, orally or in writing, at said hearing. Copies of the rule will be available at one of the nine Division of Rehabilitation Services' Regional Offices.

May Nelson
Secretary

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: State Plan for Rehabilitation Services

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated implementation costs or savings.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The Division of Rehabilitation Services has sufficient funds to provide client services and administer the program as Act 19 was approved by the Louisiana Legislature.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The Division of Rehabilitation Services has sufficient funds to provide client services and administer the program as Act 19 was approved by the Louisiana Legislature.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no proposed change in competition and employment in the public and private sectors.

Alton Toms
Director

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Social Services Office of Community Services Division of Rehabilitation Services Commission for the Deaf

Effective July 20, 1989, the Louisiana Commission for the Deaf proposes to amend the Rules of Operation of the commission to include the Telephone Access Program Board, to amend the composition of the Commission's Executive Committee and to amend the parliamentary procedures for the commission.

These proposed amendments have been developed in accordance with R.S. 46:2351-2354, enacted by Act 629 of the 1980 Regular Session of the Legislature, as amended by Act 662 of the 1985 Regular Session of the Legislature, as amended by Act 660 of the 1988 Regular Session of the Legislature. These amendments become effective subsequent to adoption by the Louisiana Commission for the Deaf and will form the basis for future activities of the Telephone Access Program Board.

Public Hearings on the proposed amendments to the Rules of Operation of the Louisiana Commission for the Deaf are scheduled as follows:

June 7, 1989, Ruston, 10 a.m., Conference Room, Center for Rehabilitation Sciences and Biomedical Engineering, 711 South Vienna, Ruston, LA.

June 9, 1989, Baton Rouge, 10 a.m., Louisiana State School for the Deaf, (Auditorium), 2888 Brightside Lane, Baton Rouge, LA.

All interested persons will be afforded an opportunity to submit data, views or arguments, orally or in writing, at said hearing. A complete copy of these amendments are available by contacting Daniel D. Burch, Interim Executive Director, Louisiana Commission for the Deaf, Box 3074, Baton Rouge, LA 70821, or calling (504) 769-8160, (V/TDD).

May Nelson
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules**

Rule Title: Amendments to LCD Rules of Operation

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
There is no anticipated implementation costs or savings.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The Division of Rehabilitation Services has sufficient funds for the Louisiana Commission for the Deaf and the Telephone Access Program Board as Act 19 was approved by the Louisiana Legislature.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)
The Division of Rehabilitation Services has sufficient funds for the Louisiana Commission for the Deaf and the Telephone Access Program Board as Act 19 was approved by the Louisiana Legislature.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
There is no proposed change in competition and employment in the public and private sectors.

Alton Toms
Director

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Social Services
Office of Eligibility Determinations**

The Department of Social Services, Office of Eligibility Determinations, proposes to adopt the following rule in the Refugee Cash Assistance Program.

This policy change is mandated by federal regulations as published in the Federal Register of Friday, February 3, 1989, Vol. 54, No. 22, pages 5463-5483.

Proposed Rule

Effective July 1, 1989, Refugee Cash Assistance recipients who have been in the United States more than six months shall be required to monthly report.

Interested persons may submit written comments to the following address: Howard L. Prejean, Assistant Secretary, Office of Eligibility Determinations, Box 94065, Baton Rouge, LA 70804-4065. He is the person responsible for responding to inquiries regarding this proposed rule.

A public hearing on the proposed rule will be held June 7, 1989, in the Second Floor Auditorium, 755 Riverside, Baton Rouge, LA beginning at 9:30 a.m. All interested persons will be afforded an opportunity to submit data, views or arguments, orally or in writing, at said hearing.

May Nelson
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules**

Rule Title: RCA Recipients in Monthly Reporting

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The implementation cost is negligible. There are 48 Refugee Cash Assistance (RCA) recipients. Of these, at most, only 24 would be required to monthly report. The RCA program is 100 percent federally funded.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
There is no effect on revenue collections.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)
There is no cost or economic benefit.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
There is no effect on competition and employment.

Howard L. Prejean
Assistant Secretary

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission**

Title 76

WILDLIFE AND FISHERIES

Part VII. Fishing and Other Aquatic Life

In accordance with Act 301 of the 1987 Louisiana Legislature, it is the intent of the Wildlife and Fisheries Commission to declare June 10 and 11, 1989 as Free Recreational Fishing Days in Louisiana to coincide with National Fishing Week June 5-11. On the two above mentioned free fishing days, residents and non-residents may exercise the privilege of a licensed recreational fisherman without purchase of any otherwise necessary recreational fishing license.

Interested parties may submit their views in writing to Bob Dennie, Information and Education Director, Louisiana Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898.

Virginia Van Sickle
Secretary

**Fiscal and Economic Impact Statement
For Administrative Rules**

Rule Title: Free Fishing Days

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
As part of the Free Fishing Days, National Fishing Week program, fishing clinics for children will be staged across the

state. Implementation cost for the clinics will be absorbed under the existing education program of the department.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule is estimated to have no negative effect on revenue collections. Hopefully, it will promote sales of fishing license, but to what extent is unknown.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule will have no cost or economic benefits to affected persons.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule will have no effect on competition and employment.

Wade Byrd
Assistant Director

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et. seq.) the Louisiana Wildlife and Fisheries Commission has developed proposed open seasons, rules and regulations for hunting resident game quadrupeds and birds during the period October 1, 1989 to April 30, 1990. This action is exempt from legislative oversight and adoption will be at a public hearing on May 4, 1989 at University Center, University of New Orleans, New Orleans, LA. A subsequent hearing will be held in July to ratify the proposal. Authority to establish rules is vested in the commission by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950. The secretary of the Department of Wildlife and Fisheries has the authority to close seasons or alter any rule or regulation in emergency situations to protect the wildlife resources of the state.

In general, proposals include open hunting season dates, bag limits for resident game quadrupeds and birds, legal methods of taking game species and rules and regulations for department controlled wildlife management areas. A summary of the 1989-90 hunting seasons and bag limits for resident game species follows:

SUMMARY OF 1989-90 HUNTING SEASON REGULATIONS

Quail: Nov. 23-Feb. 28. Daily bag limit 10, possession 20.
Rabbit: October 7-Feb. 28. Daily bag limit 8, possession 16.
Squirrel: Oct. 7-Jan. 14. Daily bag limit 8, possession 16.
Deer: One per day. 6 per season

Area 1 - 56 days

9 days still hunt only: Nov. 18-26
7 days still hunt only: Dec. 2-8 (muzzleloader only)
40 days with or without dogs: Dec. 9-Jan. 17

Area 2 - 56 days

23 days still hunt only: Nov 4-26

7 days still hunt only: Dec. 2-8 (muzzleloader only)
26 days with or without dogs: Dec. 9-Jan. 3

Area 3 - 56 days

23 days still hunt only: Nov. 4-26
7 days still hunt only: Dec. 2-8 (muzzleloader only)
26 days still hunt only: Dec. 9-Jan. 3

Area 4 - 46 days

9 days still hunt only: Nov. 18-26
7 days still hunt only: Dec. 2-8 (muzzleloader only)
30 days still hunt only: Dec. 9-Jan. 7

Area 5 - 16 days

9 days still hunt only: Nov. 18-26
7 days still hunt only: Dec. 2-8 (muzzleloader only)

Turkey: One per day. 3 per season

Area A - 30 days. Mar. 31-Apr. 29

Area B - 37 days. Mar. 17-Apr. 22

Area C - 9 days. Apr. 21-29

A more detailed copy of the proposed rules and regulations will be available upon request at the address listed below.

Interested parties may submit their views in writing to Hugh A. Bateman, Administrator, Game Division, Louisiana Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

Virginia Van Sickle
Secretary

Fiscal and Economic Impact Statement For Administrative Rules Rule Title: R.S. 56:115

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Establishment of hunting regulation is an annual process. The only real cost of implementing the proposed rule, aside from staff time, is the production of the regulation pamphlet. The department has developed a method to produce the regulation pamphlet at no cost to the department resulting in a net saving to the state.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Projected hunting license fee collection for FY 89-90 is approximately \$4,200,000. A new muzzleloader license is included in the proposal and will result in an increase of about \$80,000 over FY 88-89. Failure to adopt rule changes would result in no hunting season established and a loss of these funds.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

Hunting in Louisiana generates in excess of \$150,000,000 annually through the commercial sales of outdoor-related equipment. Closure of hunting seasons would result in loss of funds generated by the hunting public to commercial operation.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no realistic method by which this department can estimate the effects of hunting regulations on employment or competition.

Hugh A. Bateman
Administrator, Game Division

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT
Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Pursuant to the authority granted under Louisiana Revised Statutes, Title 56, Section 22, the Louisiana Wildlife and Fisheries Commission hereby expresses intent to prohibit the use of fish nets (gill nets, trammel nets, hoop nets, fish seines) in Lake Bistineau, Bossier and Webster Parishes, Louisiana. The net ban will become effective August 1, 1989.

Interested persons may submit written comments on the proposed rule until 4:30 p.m., July 14, 1989 at the following address: Virginia Van Sickle, Secretary, Louisiana Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA, 70898.

Virginia Van Sickle
Secretary

Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Lake Bistineau Netting Prohibition

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will have no implementation costs. Enforcement of the proposed rule will be carried out using the existing staff. Bossier and Webster Parish Enforcement Agents are presently employed to patrol Lake Bistineau as part of their routine duties.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will have no impact on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule will have no costs and/or economic benefits to directly affected persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule will have no impact on competition and employment in the public and private sectors.

Jerry E. Clark
Assistant Secretary

John R. Rombach
Legislative Fiscal Officer

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby expresses intent to adopt rules and regulations governing the seizure, forfeiture and disposition of quadrupeds, birds, fish, nets and other equipment. Authority for adoption of this rule is included in R.S. 56:60.

The proposed rules may be reviewed at the Department of Wildlife and Fisheries, 2000 Quail Drive, Baton Rouge, LA or at the Office of the State Register, 900 Riverside North, Baton Rouge, LA.

Interested persons may submit written comments on the proposed rule at the following address: Captain Russell Coates, Enforcement Division, Louisiana Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000.

Virginia Van Sickle
Secretary

Fiscal and Economic Impact Statement
For Administrative Rules
Rule Title: Seizure and Forfeiture Rules

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no state or local governmental implementation costs.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no change in revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

Since this rule provides for seizure and forfeiture of equipment used by violators of game and fish laws, there will be a direct economic impact upon the violators, the magnitude of which is directly dependent upon the equipment used in the actual violation. The result will be a loss to the violator equal to the value of the equipment, or more dollars spent in the local economy if the violator replaces the forfeited equipment.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There will be no effect on competition and employment.

Winton J. Vidrine
Chief of Enforcement Division

John R. Rombach
Legislative Fiscal Officer

Potpourri

POTPOURRI

Department of Agriculture and Forestry Horticulture Commission

The next retail floristry examinations will be given at 10 a.m. daily at Delgado Community College in New Orleans, LA. The deadline for getting in application and fee is June 30, 1989. All applications and fees must be in the Horticulture Commission office no later than 4:30 p.m. on the deadline date. The test dates will be July 17-21, 1989.

Further information concerning examinations may be obtained from Craig M. Roussel, Director, Horticulture Commission, Box 3118, Baton Rouge, LA 70821-3118, phone (504) 925-7772.

Bob Odom
Commissioner

POTPOURRI

Department of Agriculture and Forestry Office of Agricultural and Environmental Sciences Crop Pests and Diseases

QUARANTINE

In accordance with LAC 7:XV.9509, we are hereby publishing a "Supplement to the 1989 Quarantine Listing for Sweet Potato Weevil (*Cylas formicarius*, *elegantulus*, Sum.)"

A. In the State of Louisiana

1. The following area is a non-sweet potato area: Those portions of the parish of Bienville as follows: The property of R. P. Thomas in the Southeast Corner of Section 23, Township 18 North, Range 7 West; and all properties within a one-mile radius thereof.

Date: May 8, 1989

John W. Impson
State Entomologist

Bob Odom
Commissioner

POTPOURRI

Department of Economic Development Office of Financial Institutions

ABC Financial Services, Inc., has applied for a license as a limited function financial institution pursuant to R.S. 6:451.

The primary place of business of ABC Financial Services, Inc. is 3116 Williams Boulevard, Kenner, LA 70065.

Any person wishing to comment on this application may file his or her comments in writing with the Louisiana Office of Financial Institutions, Box 94095, Baton Rouge, LA 70804-9095. A request for a hearing must be received by the Office of Financial Institutions by 4:45 p.m., May 31, 1989. Those sections of the application deemed public by the commissioner of financial institutions are subject to inspection by the public during the regular hours of 8 a.m. to 4:45 p.m., Monday through Friday, at the location of the Office of Financial Institutions, 8401 United Plaza Boulevard, Suite 200, Baton Rouge, LA.

Commissioner Fred C. Dent is the person responsible for responding to inquiries concerning the proposed application.

Fred C. Dent
Commissioner

POTPOURRI

Department of Natural Resources Fishermen's Gear Compensation Fund

In accordance with the provisions of the Fishermen's Gear Compensation Fund, R.S. 56:700.1, notice is given that seven claims amounting to \$17,181.11 were received during the month of April, 1989. During the same month, 15 claims in the amount of \$34,820.34 were paid, no claims were approved, and one claim was denied.

Pursuant to the provisions of Act 33 of 1988, the following claims with the Fishermen's Gear Compensation Fund have been validated by the Fund's hearing examiner and the secretary of DNR will approve payment, effective June 1, 1989.

Written comments from interested parties may be addressed to: Department of Natural Resources, Fishermen's Gear Compensation Fund, Box 94396, Baton Rouge, LA 70804, and must be received on or before May 30, 1989.

Claim No. 88-89-140

Irene E. Phan, 649 Ronson Dr., Kenner, LA 70065, SSN 586-32-4647, Drum Bayou, St. Bernard. Amount \$5000

Claim No. 88-89-258

Warren Thibodeaux, 8922 Dinkins St., New Orleans, LA 70127, SSN 439-50-1569, Breton Sound, St. Bernard. Amount \$850

Claim No. 88-89-208

Barry Schaferkotter, 800 N. Cumberland, Metairie, LA 70003, SSN 438-62-5086, Lake Pontchartrain, Jefferson. Amount \$1843.20

Claim No. 88-89-23

Larry J. Savoie, Sr., 103 East 161 St., Galliano, LA 70354, SSN 434-50-9035, Parking Lot, Terrebonne. Amount \$4676.56

Claim No. 88-89-238

Voyager Marine, Inc., 710 W. Pine, Erath, LA 70533, Fed ID# 72-0928227, Gulf of Mexico, Loran 26911.0 46964.2, Cameron. Amount \$1822.77

Claim No. 88-89-244

Jimmy Toups, Box 22, Galliano, LA 70354, SSN 436-50-7394, Loran 29053.4 46833.6, Plaquemines. Amount \$4400.25

Claim No. 88-89-273
W.H. Blanchard Inc., Rt. 1 Box 153D, Galliano, LA 70354, Fed ID# 72.0828368, Loran 27559.7 46923.8, St. Mary. Amount \$979.90

Claim No. 88-89-75
Ronald P. Scheuermann, Jr., 616 Francis St., Marrero, LA 70072, SSN 434-17-5951, Lake Borgne, St. Bernard. Amount \$545.82

Claim No. 88-89-204
Richard N. Luscly, Rt. 1 Box 710 Reggio, St. Bernard, LA 70085, SSN 436-78-5336, Bayou Mulatto, St. Bernard. Amount \$3508.32

Claim No. 88-89-108
Joseph Gary Verdin, Box 4 Dulac Lane, Dulac, LA 70353, SSN 436-68-5612, Bayou Brule, Jefferson. Amount \$3964.42

Claim No. 88-89-147
Henry Fazende, Box 451 B, Barataria, LA 70036, SSN 437-18-4306, Gulf of Mexico, Jefferson. Amount \$1190.84

Claim No. 88-89-232
Malcolm J. Assevado, Box 2204 Pecan Ave., St. Bernard, LA 70085, SSN 437-84-2717, Loran 29021.8 46950.9, St. Bernard. Amount \$1863.08

Claim No. 88-89-301
Captain Ray, Inc., Box 218 A, Rt. 5, Cut Off, LA 70345, Fed ID# 72-08304992, Lake Raccourci, Lafourche. Amount \$822.33

Claim No. 88-89-224
Conrad J. Nunez, Rt. 8 Box 585, Lake Charles, LA 70605, SSN 435-64-9609, Gulf of Mexico, Cameron. Amount \$635.50

Claim No. 88-89-309
Daniel Bruce, Rt. 1 Box 254, Galliano, LA 70354, SSN 439-68-4862, Gulf of Mexico, Lafourche. Amount \$2275

Claim No. 88-89-290
Robert Guena, Rt. 1 Box 793, St. Bernard, LA 70085, SSN 438-58-5622, Oak River Bay, Plaquemines. Amount \$716.95

Claim No. 88-89-324
Daniel Bruce, Rt. 1 Box 254, Galliano, LA 70354, SSN 439-68-4862, Gulf of Mexico, Lafourche. Amount \$3112.42

Claim No. 88-89-275
Donald J. Parker, 775 Ruth Dr., Avondale, LA 70094, SSN 437-52-5639, Lake Pontchartrain, New Orleans. Amount \$1462.49

Claim No. 88-89-271
Herman J. Theriot, Rt. 2 Box 842-D, Chauvin, LA 70344, SSN 439-68-4789, Vermilion Bay, St. Mary. Amount \$884.53

Claim No. 88-89-293
Jerome Michael Boudwin, 4356 Hwy. 56, Houma, LA 70363, SSN 435-98-7335, Gulf of Mexico, St. Mary. Amount \$1693.12

Claim No. 88-89-277
Alex LeGros, 150 Channel Drive, Hackberry, LA 70645, SSN 433-82-5824, Loran 26704.3 46993.6, Cameron. Amount \$3220.80

Claim No. 88-89-222
Robert McKoin, Jr., Box 327, Grand Chenier, LA 70643, SSN 435-13-1167, Loran 26889.3 46969.6, Cameron. Amount \$1802.91

Claim No. 88-89-223
Robert McKoin, Jr., Box 327, Grand Chenier, LA 70643, SSN 435-13-1167, Loran 26824.5 46975.4, Cameron. Amount \$2309.25

Claim No. 88-89-278
Roland E. Navarro, 2220 Maureen Ln., Meraux, LA 70075, SSN 433-26-7109, Loran 28966.5 46919.9, Plaquemines. Amount \$3691.30

Claim No. 88-89-285
Jimmy Menesses, 2501 Farmsite Rd., Violet, LA 70092, SSN 439-72-3391, Mississippi River Gulf Outlet, St. Bernard. Amount \$5674.50

Claim No. 88-89-284
LCH. Capt. Henry, Inc., Rt. 2 Box 228, Cut Off, LA 70345, Fed ID# 72-0944422, Cameron. Amount \$2976.19

Claim No. 88-89-457
Jessie J. Voisin, 5112 Grand Caillou Rd., Houma, LA 70363, SSN 436-80-0623, Vermilion Bay, St. Mary. Amount \$840.55

Claim No. 88-89-180
Master George, 763 Ave. B, Westwego, LA 70094, Fed ID# 72-0884874, Gulf of Mexico, Loran 27251.0 46935.0, Cameron. Amount \$3000

Claim No. 88-89-283
Miss Santrina, Inc., Rt. 1 Box 509-D, Lafitte, LA 70067, Fed ID# 72-0859586, Loran 28196.4 46823.6, Terrebonne. Amount \$5000

Claim No. 88-89-257
Loyde Duncan, Box 181, Boothville, LA 70038, SSN 434-46-5114, Buttermilk S-E Pass, Loran 29050.9 46796.8, Plaquemines. Amount \$546

Claim No. 88-89-342
John Domingo, Jr., 2024 Kingbird Blvd., St. Bernard, LA 70085, SSN 434-24-5408, Loran 29008.1 46872.7, Plaquemines. Amount \$1447.63

Claim No. 88-89-196
Cheremie Webb, Jr., 1983 La. Hwy. 1, Grand Isle, LA 70358, SSN 434-64-6082, East Bay, Plaquemines. Amount \$1457.45

Claim No. 88-89-195
Cheremie Webb, Jr., 1983 La. Hwy. 1, Grand Isle, LA 70358, SSN 434-64-6082, East Bay, Plaquemines. Amount \$1457.45

Claim No. 88-89-252
Tilman Melancon, 2406 W. Main St., Cut Off, LA 70345, SSN 434-76-4718, Gulf of Mexico, Loran 27470.1 46943.3, Vermilion. Amount \$703.86

Claim No. 88-89-256
Wesley Perez, 2220 Pecan Ave., St. Bernard, LA 70085, SSN 438-74-9452, Lake Borgne, St. Bernard. Amount \$4065.95

Claim No. 88-89-230
Mervin Rapp, Sr., Box 668, Boothville, LA 70038, SSN 434-52-5066, Delta Bend, Plaquemines. Amount \$26,000

Claim No. 88-89-337
Joey Sevin, Star Route Box 512, Chauvin, LA 70344, SSN 439-11-1974, Atchafalaya Bay, St. Mary. Amount \$934.96

Claim No. 88-89-266
Kenneth Rodriguez, 1218 St. Ferdinand St., Apt. B, New Orleans, LA 70117, SSN 433-54-7017, Lake Pontchartrain, New Orleans. Amount \$946.95

Claim No. 88-89-298
Gary Terrebonne, Sr., Box 380 Larose, Larose, LA

70373, SSN 437-64-4833, Lake Raccourci, Lafourche. Amount \$1132

Claim No. 88-89-300

Thomas Matherne, Sr., Box 435 A, Barataria, LA 70036, SSN 433-68-6934, Gulf of Mexico, Lafourche. Amount \$2444.20

Claim No. 88-89-294

Thomas Matherne, Sr., Box 435 A, Barataria, LA 70036, SSN 433-68-6934, Gulf of Mexico, Lafourche. Amount \$2444.20

Claim No. 88-89-166

Rene Martinez, Rt. 1 Box 806, St. Bernard, LA 70085, SSN 436-19-0624, Bayou Lery, St. Bernard. Amount \$510

Claim No. 88-89-173

Al J. Pierron, Box 373, Chauvin, LA 70344, SSN 436-15-9369, Four League Bay, St. Mary. Amount \$756.50

Claim No. 88-89-253

Charles Robin III, 1941 Russell Dr., St. Bernard, LA 70085, SSN 435-13-0292, Black Bay, Plaquemines. Amount \$5000

Claim No. 88-89-336

Steven Adams, Box 392 Hwy. 301, Barataria, LA 70036, SSN 437-92-4085, Gulf of Mexico, Terrebonne. Amount \$616.10

Claim No. 88-89-328

James Cucurullo, 1813 Manor Hgts. Dr., Marrero, LA 70072, SSN 436-66-4833, Barataria Waterway, Lafitte. Amount \$5000

Claim No. 88-89-321

Ernest Ruttley, Jr., Box 423 1/2 Barataria, Barataria, LA 70036, SSN 439-21-3664, Wine Island Pass, Terrebonne. Amount \$616.10

Claim No. 88-89-362

David Johnson, 1820 Linda Lou Dr., St. Bernard, LA 70085, SSN 438-86-3501, Black Bay, Plaquemines. Amount \$1617

Claim No. 88-89-323

Robin Palmisano, 5121 Mt. Shasta Lane, Marrero, LA 70072, SSN 437-37-5489, Garden Island Bay, Plaquemines. Amount \$1096.07

Claim No. 88-89-227

Lester B. Schellinger, Jr., Rt. 6 Box 257, Chef Hwy., New Orleans, LA 70129, SSN 439-68-8383, Lake Borgne, Loran 28833 47012, St. Bernard. Amount \$649.94

Claim No. 88-89-332

W.H. Blanchard, Inc. Rt. 1 Box 153 D Galliano, LA 70354, Fed ID# 72-0828368, Loran 27600 46921, St. Mary. Amount \$812.80

Claim No. 88-89-302

Roland Navarro, 3209 Bayou Rd. St. Bernard, LA 70085, SSN 43-90-0651, Loran 27497 46920, Vermilion. Amount \$4025.14

Claim No. 88-89-319

Walter Tatantino, 1409 Chickasaw St. Metairie, LA 70005, SSN 436-62-3658, Loran 29050 46798, Plaquemines. Amount \$1380

Claim No. 88-89-357

Wayne Boudwin, 4354 Hwy. 56, Houma, LA 70363, SSN 438-25-3159, Loran 46831 27995, Terrebonne. Amount \$1030.63

Claim No. 88-89-320

Kenneth J. Robin, Rt. I Box 584, St. Bernard, LA

70085, SSN 436-60-4254, Black Bay, Plaquemines. Amount \$3473.60

Claim No. 88-89-365

Michael Comardelle, 226 Wade St., Luling, LA 70070, SSN 439-68-5995, Red Pass, Plaquemines. Amount \$3250.25

Claim No. 88-89-359

Thomas Pacaccio, Box 1133, Grand Isle, LA 70358, SSN 436-60-2796, Mississippi Gulf Outlet, St. Bernard. Amount \$1919

Claim No. 88-89-360

Gene Alonzo, Rt. I Box 545 G, Hopedale, LA 70085, SSN 433-74-1546, Eloi Bay, St. Bernard. Amount \$2106.76

Raymond W. Stephens, Jr.
Secretary

POTPOURRI

Department of Natural Resources Office of Conservation Injection and Mining Division

DOCKET NUMBER UIC 89-10

In accordance with the laws of the state of Louisiana, and with particular reference to the provisions of LRS 30:4, notice is hereby given that the commissioner of conservation will conduct a public hearing at 6 p.m., Tuesday, June 20, 1989, in the Police Jury Meeting Room on the Third Floor of the Acadia Parish Courthouse, located on Court Circle Parkerson Street in Crowley, LA.

At such hearing the commissioner of conservation or his designated representative will hear testimony relative to the application of Desormeaux Enterprises, Inc., Box 1406, Jennings, LA 70546. The applicant intends to construct and operate a commercial nonhazardous oilfield waste storage and disposal facility in Section 32, Township 10 South, Range 2 West, Acadia Parish, LA.

Prior to authorizing the use of this facility for disposal of nonhazardous oilfield waste, the commissioner of conservation must find that the applicant has met all the requirements of Statewide Order No. 29-B (August 1, 1943, as amended).

The application is available for inspection by contacting Carroll D. Wascom, Office of Conservation, Injection and Mining Division, Room 253 of the Natural Resources Building, 625 North Fourth Street, Baton Rouge, LA, or by visiting the Acadia Parish Police Jury Office in Crowley, LA. Verbal information may be received by calling Mr. Wascom at 504/342-5515.

All interested persons will be afforded an opportunity to present data, views or arguments, orally or in writing, at said public hearing. Written comments which will not be presented at the hearing must be received no later than 5 p.m., June 27, 1989, at the Baton Rouge Office. Comments should be directed to: Office of Conservation, Injection and Mining Division, Box 94275, Baton Rouge, LA 70804, Re: Docket No. UIC 89-10, Commercial Disposal Facility, Acadia Parish.

J. Patrick Batchelor
Commissioner

POTPOURRI

**Department of Natural Resources
Office of Conservation
Injection and Mining Division**

DOCKET NUMBER UIC 89-11

In accordance with the laws of the state of Louisiana, and with particular reference to the provisions of LRS 30:4, notice is hereby given that the commissioner of conservation will conduct a public hearing at 6 p.m., Thursday, June 22, 1989, in Room 202 on the second floor of the old Thibodaux Courthouse located on the corner of Green and West Third Street in Thibodaux, LA.

At such hearing the commissioner of conservation or his designated representative will hear testimony relative to the application of Newpark Environmental Services, Inc., Box 54024, Lafayette, LA 70505. The applicant intends to construct and operate a commercial nonhazardous oilfield waste transfer station facility in Section 10/15, Township 23 South, Range 22 East, Lafourche Parish, LA.

Prior to authorizing the use of this facility for storage of nonhazardous oilfield waste, the commissioner of conservation must find that the applicant has met all the requirements of Statewide Order No. 29-B (August 1, 1943, as amended).

The application is available for inspection by contacting Carroll D. Wascom, Office of Conservation, Injection and Mining Division, Room 253 of the Natural Resources Building, 625 North Fourth Street, Baton Rouge, LA, or by visiting the Lafourche Parish Council Office in Thibodaux, LA. Verbal information may be received by calling Mr. Wascom at 504/342-5515.

All interested persons will be afforded an opportunity to present data, views or arguments, orally or in writing, at said public hearing. Written comments which will not be presented at the hearing must be received no later than 5 p.m., June 29, 1989, at the Baton Rouge Office. Comments should be directed to: Office of Conservation, Injection and Mining Division, Box 94275, Baton Rouge, LA 70804, Re: Docket No. UIC 89-11, Commercial Oilfield Waste, Transfer Station Facility, Lafourche Parish.

J. Patrick Batchelor
Commissioner

POTPOURRI

**Department of Natural Resources
Office of Conservation
Injection and Mining Division**

DOCKET NUMBER UIC 89-12

In accordance with the laws of the state of Louisiana, and with particular reference to the provisions of LRS 30:4, notice is hereby given that the commissioner of conservation will conduct a public hearing at 6 p.m., Monday, June 26, 1989, in the Police Jury Meeting Room on the Second Floor of the Jefferson Davis Parish Courthouse, 300 State Street, Jennings, LA.

At such hearing the commissioner of conservation or his designated representative will hear testimony relative to the application of Campbell Wells Corporation, Box 1467, Jennings, LA 70546. The applicant intends to amend an existing permit

for a commercial nonhazardous oilfield waste treatment and disposal facility in Section 12, Township 10 South, Range 2 West, Jefferson Davis Parish, LA.

Prior to authorizing the amendment of this commercial facility permit, the commissioner of conservation must find that the applicant has met all the requirements of Statewide Order No. 29-B (August 1, 1943, as amended).

The application is available for inspection by contacting Carroll D. Wascom, Office of Conservation, Injection and Mining Division, Room 253 of the Natural Resources Building, 625 North Fourth Street, Baton Rouge, LA, or by visiting the Jefferson Davis Parish Police Jury Office in Jennings, LA. Verbal information may be received by calling Mr. Wascom at 504/342-5515.

All interested persons will be afforded an opportunity to present data, views or arguments, orally or in writing, at said public hearing. Written comments which will not be presented at the hearing must be received no later than 5 p.m., July 3, 1989, at the Baton Rouge Office. Comments should be directed to: Office of Conservation, Injection and Mining Division, Box 94275, Baton Rouge, LA 70804, Re: Docket No. UIC 89-12, Commercial Disposal Facility, Jefferson Davis Parish.

J. Patrick Batchelor
Commissioner

POTPOURRI

**Department of Revenue and Taxation
Tax Commission**

Pursuant to R.S. 47:1837 the following is the result of the Tax Commission's measurement of the level of appraisal and/or assessment and the degree of uniformity of the assessment for Residential Properties (Improvements only) in each parish throughout the state for the year 1988. This data shall constitute prima facie evidence of the uniformity or lack of uniformity with constitutional and/or statutory requirements for each parish in the state.

PARISH	MEAN (%)	MEDIAN (%)	COEFFICIENT OF DISPERSION (%)
Acadia	9.6	9.8	7.2
Allen	8.2	8.0	10.1
Ascension	9.5	9.7	12.2
Assumption	9.4	9.4	9.3
Avoyelles	9.1	9.0	6.4
Beauregard	9.3	9.0	5.1
Bienville	8.9	9.0	13.3
Bossier	9.5	9.4	16.7
Caddo	10.1	9.9	19.5
Calcasieu	9.4	9.5	14.3
Caldwell	8.9	8.9	14.4
Cameron	9.1	9.2	14.3
Catahoula	10.8	10.7	9.9
Claiborne	9.2	9.0	9.4
Concordia	9.3	9.3	7.0
DeSoto	9.8	9.6	8.4
East Baton Rouge	10.4	10.1	19.4
East Carroll	8.9	9.4	12.4
East Feliciana	9.6	9.9	12.7

PARISH	MEAN (%)	MEDIAN (%)	COEFFICIENT OF DISPERSION (%)
Evangeline	9.2	9.4	5.3
Franklin	9.8	9.8	10.6
Grant	9.2	9.4	7.3
Iberia	9.7	9.7	6.1
Iberville	9.6	9.6	11.5
Jackson	9.8	10.0	8.2
Jefferson	10.3	10.0	17.7
Jefferson Davis	9.7	9.6	10.2
Lafayette	8.7	9.1	12.7
Lafourche	9.4	9.2	9.0
LaSalle	9.1	9.2	7.5
Lincoln	9.5	9.6	9.4
Livingston	8.4	8.4	12.4
Madison	10.2	10.0	19.8
Morehouse	9.7	9.8	5.8
Natchitoches	9.8	9.6	7.2
Ouachita	9.5	9.7	15.5
Plaquemines	9.5	9.6	4.2
Pointe Coupee	9.7	9.9	5.4
Rapides	9.5	9.9	12.1
Red River	8.5	8.6	14.3
Richland	9.7	9.9	15.3
Sabine	9.9	10.7	14.0
St. Bernard	8.3	8.5	10.0
St. Charles	8.3	8.4	9.3
St. Helena	8.6	8.7	23.3
St. James	6.3	6.2	12.9
St. John the Baptist	9.1	9.3	8.8
St. Landry	10.0	9.9	8.3
St. Martin	9.5	9.4	3.5
St. Mary	9.5	9.5	7.6
St. Tammany	9.2	9.3	17.8
Tangipahoa	9.5	9.5	5.6
Tensas	9.1	9.0	8.4
Terrebonne	9.2	9.4	9.0
Union	9.5	9.5	7.1
Vermilion	9.0	9.1	11.5
Vernon	9.3	9.1	12.4
Washington	8.6	8.4	16.9
Webster	9.1	9.3	7.4
West Baton Rouge	9.5	9.5	4.5
West Carroll	9.8	9.8	6.8
West Feliciana	9.8	9.9	7.5
Winn	9.6	9.0	14.1

Mary K. Zervigon
Chairman

POTPOURRI

Department of Social Services Office of Community Services

The Department of Social Services, Office of Community Services, published a notice of intent in the *Louisiana Register*, Vol. 15, No. 4, April 20, 1989, on page 336. The notice related the department's intent to apply for federal Social Services Block Grant (SSGB) funds for Fiscal Year 1989-90 and described opportunities for public review and comment, including a schedule of public hearings, on the State's SSBG Intended Use Report for FY 1989-90.

As an addendum to the notice of intent, the department further announces that post expenditure reports for the SSBG program for state fiscal years 1986-87 and 87-88 are available for public review at the Office of Community Services, 1755 Florida Boulevard, Baton Rouge, LA.

May Nelson
Secretary

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