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Executive Orders

EXECUTIVE ORDER DCT 83-10

WHEREAS, Executive Order 82-9 created the Task Force on Municipal Civil Service Laws; and

WHEREAS, the task force has begun its work and needs additional time to properly complete its work;

NOW, THEREFORE, I, DAVID C. TREEN, Governor of the State of Louisiana, by virtue of the authority vested in me by the Constitution and applicable statutes of the State of Louisiana, do hereby extend the termination date to January 15, 1984, unless otherwise extended.

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 the 9th day of June, A.D., 1983.

David C. Treen
Governor of Louisiana

Emergency Rules

DECLARATION OF EMERGENCY

Department of Commerce Racing Commission

The State Racing Commission, pursuant to the authority contained in R.S. 49:953 B, amended as an Emergency Rule LAC 11-6:53.17. The Commission at its meeting of June 24, 1983, by unanimous resolution, made a finding that the public welfare required the amendment of a Rule of racing to provide that the investigation and hearing concerning the alleged use of prohibited medication in a horse which has raced shall mean the stewards hearing following receipt of the report of the state chemist described herein and in Rule 53.15.

Pursuant to R.S. 4:141 et seq. and, particularly, R.S. 4:142 stating the legislative purpose of the racing statute, it is incumbent upon the Louisiana State Racing Commission to amend a Rule of racing so as to define the investigation and hearing referred to in the Rule.

LAC 11-6:53.17 currently reads:

"When a report as described in Section 53.15 is received from the state chemist, the stewards shall conduct an investigation and a hearing. There shall be no ruling and the stable shall remain in good standing pending a ruling by the stewards. However, the horse allegedly to have been administered any such chemical substance or material shall not be allowed to enter in a race during the investigation and hearing.

In the event the horse is claimed in the race in which the

horse ran allegedly with prohibited medication, the new owner may enter and race the horse, however should the horse be claimed thereafter by the same owner who raced the horse, allegedly with prohibited medication, in the previous race in question, the horse shall not be allowed to enter a race during the investigation and hearing concerning the horse in the previous race in question."

AMEND AND READOPT LAC 11-6:53.17 by adding the following sentence: "For the purposes of this Rule 'the investigation and hearing' referred to herein shall mean the steward's hearing following receipt of the report of the state chemist described herein and in Rule 53.15."

Emergency Rule effective date June 24, 1983.

S. M. Delaney
Secretary

DECLARATION OF EMERGENCY

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security has exercised the emergency provisions of the Administrative Procedure Act, R.S. 49:953B, to amend the Title XIX State Plan, Method and Standards for Payment for Medical and Remedial Care and Services - Skilled Nursing and Intermediate Care Facilities. Effective July 20, 1983, Attachment 4.19-D pages 103 and 104, beginning with paragraph number 4 will be revised as follows:

EMERGENCY RULE

4. Per diem rates will be recomputed annually to be effective with the August payment for July services based on cost adjusted reports received by March 31. If the rate calculation is delayed as a result of disallowance appeals, the rate, when set, will be retroactive to payment for July services. The rate in effect will continue to be paid until the new rate is set.

The intent of the regulations is to determine payment rates which recognize differences in costs and yet insure that luxury care and increased costs resulting from inefficient management or paper transactions to inflate costs are not reimbursed with public monies.

The state has chosen a payment procedure that does not include a year end settlement. Rates are determined prospectively with a provision for retroactive adjustment for overpayments and underpayments. Supplemental payments or recoupments will be made back to July based on the difference between the previous rate and the new rate.

This action is necessary to avoid an imminent peril to the health and welfare of recipients residing in long term care facilities as the current policy does not provide for the adequate reimbursement methodology to providers of long term care for their services in the event of an unavoidable delay in determining rates.

Roger P. Guissinger
Secretary

DECLARATION OF EMERGENCY

**Department of Health and Human Resources
Office of Family Security**

The Department of Health and Human Resources, Office of Family Security, has exercised the emergency provisions of the Administrative Procedure Act, R.S. 49:953B, to amend the Title XIX reimbursement methodology for inpatient hospital services effective July 1, 1983 to clarify that Medicare's cost limits (223 limits) are not included as a part of the methodology. This methodology was published as a final Rule in the June 20, 1983 *Louisiana Register* (Volume 9, Number 6, pages 414-415).

This amendment is being published in accordance with the recommendations of the Joint Legislative Subcommittee for Oversight on Health and Welfare in their meeting of June 14, 1983.

This Emergency Rule is necessary to clarify to hospital providers the reimbursement methodology and thereby ensure continued participation. This will prevent imminent peril to the health and welfare of Medicaid recipients by ensuring the continued availability of hospital services.

Roger P. Guissinger
Secretary

DECLARATION OF EMERGENCY

**Department of Urban and Community Affairs
Office of Planning and Technical Assistance**

**EMERGENCY RULE AMENDMENT TO
(JOBS BILL PUBLIC LAW 98-8)
LOUISIANA COMMUNITY DEVELOPMENT BLOCK GRANT
(LCDBG) PROGRAM FINAL STATEMENT**

The Jobs Bill Public Law 98-8 Louisiana Community Development Block Grant Program Final Statement which published in the June 20, 1983, *Louisiana Register* is being amended to include Economic Development (ED) as an eligible type of grant. ED applicants will be rated and ranked in the following manner.

(1) Selection System for Single Purpose Grants. All single purpose applications will be rated and scored in three major categories: General Indicators of Distress (maximum 50 possible points), the Specific Program Category (maximum of 150 possible points), and Indicators of Unemployment (maximum 200 possible points). The total possible points for a single purpose grant is 400 points.

(a) General Indicators of Distress. (50 Points) Each applicant will be rated against all other applicants in each of the following categories:

	Maximum Possible Points
1. Fiscal Distress Indicator	
<u>per capita taxes</u>	
per capita income	20
2. Percentage of Poverty Persons	15
3. Number of Poverty Persons	<u>15</u>
TOTAL POSSIBLE POINTS	50

(2) Fiscal Distress Indicator - per capita taxes/per capita income - 20 points. All applicants are compared in terms of ratio of per capita taxes to per capita income. Individual scores are obtained by dividing each applicant's ratio, by the highest ratio obtained by any applicant and multiplying by 20.

(3) Percentage of Poverty Persons - 15 points. All appli-

cants are compared in terms of the percentage of their population below the poverty level. Individual scores are obtained by dividing each applicant's percentage of persons in poverty by the highest percentage of persons in poverty of any applicant and multiplying by 15.

(4) Number of Poverty Persons - 15 points. All applicants are compared in terms of the number of persons whose incomes are below the poverty level. Individual scores are obtained by dividing each applicant's absolute number of persons in poverty by the greatest number of persons in poverty of any applicant and multiplying by 15.

(b) Each applicant will be rated against all other applicants in each of the following categories:

INDICATORS OF UNEMPLOYMENT		
Indicators	Percent of Unemployed	Number of Unemployed
Short Term	March 1983 *	March 1983 *
Long Term	Average for 1982	Average for 1982

*March, 1983, is the latest finalized month showing unemployment which is available from the Louisiana Department of Labor (DOL).

ASSIGNMENT OF POINTS			
Indicators	Percent of Unemployed	Number of Unemployed	Total
Short Term	70	30	100
Long Term	<u>70</u>	<u>30</u>	<u>100</u>
Totals	140	60	200

***NOTE ON METHODOLOGY**

Since the Louisiana Department of Labor (DOL) does not record unemployment statistics at the municipal level, unemployment data for municipal applicants will therefore have to be estimated.

This will be done by taking the number of employed and unemployed, as determined by 1980 U.S. Census, for each municipality and the Parish in which it is located. Then the assumption was made that the same percentage relationship existed in 1982 and March, 1983, between the municipality's and parish's share of the total figure.

It should be noted that this methodology is the same as that required by the federal government in allocating employment and unemployment figures to the parishes included within an SMSA or Labor Market Area.

(c) Specific Program Criteria. (150 Points) There will be three specific program categories: 1) Economic Development; 2) Public Facilities; and 3) Housing. Each applicant will be rated against all other applicants proposing projects in the same Specific Program Category. The criteria for rating each of the specific programs are as follows:

- 1) ECONOMIC DEVELOPMENT
 - i. PROGRAM IMPACT (Maximum Possible Points - 75)
 - 1) Number of permanent jobs created or retained 30 pts.
 - 2) Private/Public ratio: Firm Private sector financial commitments/LCDBG funds 25 pts.
 - 3) Percent of funds recaptured by unit of local government 20 pts.

A firm financial commitment from the private sector investor will be required upon submission of the application. Any

application lacking a firm financial commitment will not be considered for funding. Each application will be given preliminary points for each of the above items, relative to other applicants' performance for that specific item. Once the preliminary points for all four categories are determined and summed for all applicants, the applicants will again be ranked from highest to lowest number of total preliminary points. The top ranked application will receive 75 points. All other applicants will receive points based on how they score relative to that highest score:

$$\text{Program Impact Points} = \frac{\text{applicant score}}{\text{highest score}} \times 75 \quad (\text{total possible points})$$

If a project creates or retains fewer than 10 permanent jobs, or has a private funds/public funds ratio of less than 2:1, the application will not be considered for funding.

ii. **COST EFFECTIVENESS** (Maximum Possible Points - 25)

This will be calculated by dividing total LCDBG funds used by the number of permanent jobs created or retained to determine LCDBG cost per permanent job created or retained. Raw scores will be arrayed and the top ranked application will receive 25 points. All other applicants will receive points based on how they score relative to the lowest cost per job created:

$$\text{Cost Effective Points} = \frac{\text{lowest cost per job} \times 25}{\text{applicant's cost per job}}$$

If cost per job created or retained exceeds \$20,000, applications will not be considered for funding.

iii. **BENEFIT TO LOW-MODERATE INCOME PERSONS** (Maximum Possible Points - 50)

This will be calculated by determining the number of permanent jobs created or retained that are or will be held by low-moderate income persons (as defined by the State) and dividing that number by the total number of permanent jobs created or retained. The resulting raw scores will be arrayed and the top ranked applicant will receive 50 points. All other applicants will receive points based on how they score relative to that highest score:

$$\text{Low/Mod Benefit Points} = \frac{\text{applicant's score}}{\text{highest score}} \times 50$$

Linton Ardoin
Secretary

Rules

RULE

Department of Agriculture Agricultural Commodities Commission

The Louisiana Department of Agriculture, Louisiana Agricultural Commodities Commission, pursuant to Notice of Intent published on January 20, 1983, and in accordance with the authority granted under R.S. 3:3405 (A) (1) and in Rule 14.6 of the Commission's Rules and Regulations, adopted the following

rates of assessments to be levied at the first point of sale of agricultural commodities:

Rough Rice	\$.005 per hundredweight
Rice	\$.005 per hundredweight
Sugar	\$.005 per hundredweight
Corn	\$.003 per bushel
Soybeans	\$.003 per bushel
Oats	\$.003 per bushel
Milo or sorghum	\$.003 per bushel
Wheat	\$.003 per bushel
Cotton	\$.10 per bale, first 5,000 bales \$.05 per bale, all over 5,000 bales
Canned/frozen fruits/ juices/vegetables	\$.015 per case/carton
Molasses/syrup	\$.05 per 100 gallons
Oil	\$.10 per 100 gallons
Pecans	
Shelled	\$.01 per 30 lb. carton
Unshelled	\$.20 per 130 lb.
Peppers	
Barrels	\$.24 per barrel
Cisterns	\$.20 per cistern

All assessments collected by licensees of the Commission must be remitted to the Commissioner of Agriculture, together with the report form required by the Commission, no later than the fifteenth day of the month following the month in which the assessments are collected.

The above assessments shall remain in effect until changed by the Commission.

Bob Odom
Commissioner

RULE

Department of State Civil Service Board of Ethics for Elected Officials

AMENDMENTS TO ADMINISTRATIVE RULES CHAPTER 4A ADVISORY OPINIONS

4A.1 The Board shall consider requests for advisory opinions filed with it by elected officials and affected persons as provided by Rule 2.2(j). Requests for advisory opinions shall be in writing, state the name and address of the person requesting the advisory opinion, disclose his interest in the question presented, and be signed by the person making the request. Requests also shall state sufficient facts to enable the Board to respond.

4A.2 The Executive Secretary shall cause the date of the receipt to be noted on each request for an advisory opinion. A docket shall be maintained upon which each complaint shall be given an appropriate title and docketed in the order filed.

4A.3 All requests for advisory opinions shall be placed for consideration on the agenda as soon as practicable.

4A.4 All requests for advisory opinions shall be presented by the staff of the Board. Following the presentation, the Board shall decline the request, defer action thereon pending further fact-finding, declare its opinion, or take the request under advisement.

5.1 Any qualified elector of Louisiana may file a written complaint with the Board. The complaint shall be signed under oath by the person filing it. The complaint shall be based on firsthand knowledge or on information and belief. In either event,

such person must be willing to appear before the Board in public hearings to testify in support of his complaint. If the complainant has no firsthand knowledge of the facts, at the outset of the investigation, he must be willing to supply the names of witnesses who have personal knowledge of the facts alleged in the complaint.

6.5 (b) Notice to the public shall be posted in the lobby of the Contractor's Licensing Board Building, 7434 Perkins Road, Baton Rouge, LA.

6.7 (m) When, during the course of a hearing, a ruling by the Board is to be made, the presiding member may rule and his ruling shall constitute that of the Board; provided, that should an objection be made to such ruling, said ruling shall be immediately resolved by a majority vote of those members of the Board present.

6.8 Summary Disposition of Charges

(a) At any time after the filing of charges, any respondent may file with the Board a written request for summary disposition thereof on any of the following grounds:

1. That the Board lacks jurisdiction of the subject matter, or of the respondent.
2. That the charges have not been initiated in the manner prescribed by the Rules.
3. That the charges have become moot.
4. That the charges, if true, would not constitute a violation of the Code.
5. That the time in which to commence action as given in Section 1163 of the Code of Governmental Ethics has passed.
6. That the affidavits and other documents filed in connection with the charges show that there is no genuine issue of material fact, and that the respondent is entitled to summary dismissal as a matter of law.

(b) Any request for summary disposition, when made prior to the date fixed for the hearing, may be supported by sworn affidavits and shall be accompanied by written argument or brief. The Board may require that copies of the motion and affidavits be furnished to opposing parties, and may invite opposing motions and affidavits within a specified time.

* * * * *

9.3.4 The Executive Secretary shall, at the close of each date upon which Campaign Finance Disclosure reports are due, or as soon thereafter as may be practicable, make a determination of the names of those candidates and political committees and other persons required to file such report but who failed to do so, and shall mail to the candidate or committee, by certified mail, a notice of the delinquency of said report. The certified letter shall also contain a list of the date(s) upon which additional reports for the same election, if any, shall be due.

The Executive Secretary shall be required to send only one certified letter containing the notice of delinquency and a notice of subsequent dates upon which additional reports for the same election, if any, shall be due. Said letter shall constitute sufficient notice, and shall so state, for the institution of legal proceedings if at any time a subsequent report for the same election, the due date of which was included in the certified letter, is delinquent. Notwithstanding the above, prior to the institution of legal proceedings under La. R.S. 18:1491.6 D and E or 1495.4 D and E (annual and supplemental reports) the Executive Secretary shall be required to send, by certified mail, to the candidate or political committee a notice of the delinquency of said annual or supplemental report.

If the required report is not filed within ten days of the date of mailing of the certified letter or on the fourth day following the due date for any subsequent report for the same election, the Executive Secretary shall immediately institute legal proceedings in the appropriate court pursuant to the appropriate provisions of the Campaign Finance Disclosure Act. If the required annual or

supplemental report is not filed within ten days of the date of mailing of the certified notice of its delinquency, the Executive Secretary shall immediately institute legal proceedings in the appropriate court pursuant to the appropriate provisions of the Campaign Finance Disclosure Act.

9.3.5 Within 30 days of the receipt of a Campaign Finance Disclosure report, the Executive Secretary shall examine random reports, and upon discovering significant omissions, shall contact, by certified mail, the candidate or political committee filing such report and request an amendment thereto. When the requested amendment has not been received by the Executive Secretary within 10 days after the mailing of such request by certified mail, the Executive Secretary shall immediately institute enforcement proceedings in the appropriate court.

All of the notices referred to above in Rules 9.3.4 or 9.3.5 shall, to the extent postage funds are available, be sent by certified mail return receipt requested. Failure by the Supervisory Committee to notify a candidate, treasurer or chairman of a political committee, or other person required to report as required by the above Rules shall not bar or be a defense to any civil action or criminal prosecution brought against a candidate, treasurer or chairman of a political committee, or other person required to report under the provisions of La. R.S. 18:1481 et seq.

Peter G. Wright
For the Board

RULES

Board of Elementary and Secondary Education

Rule 6.01.13(1)

The Board adopted amendments to Bulletin 1525, *Personnel Evaluation Accountability*, Revised 1981 as submitted by the State Department of Education.

These revisions in their entirety may be seen at the Department of Education, 626 N. 4th St., Baton Rouge, LA 70804.

James V. Soileau
Executive Director

RULE

Office of the Governor

Governor's Special Commission on Education Services

The Governor's Special Commission on Education Services, pursuant to Notice of Intent published in the *Louisiana Register* on June 20, 1983, has adopted Part 177 of Title 45 of the Code of Federal Regulations as published in the *Federal Register* Volume 44, No. 181 dated September 17, 1979 pertaining to the Guaranteed Student Loan Program under provisions of Title IV Part B, of the Federal Higher Education Act of 1965, as amended (20 U.S.C. 1071-1087-4).

Requests for copies may be made to GSCES, P. O. Box 44127, Baton Rouge, Louisiana, 70804.

Richard W. Petrie
Director, Loan/Grant Division

RULE

Department of Health and Human Resources Board of Examiners for Nursing Home Administrators

(Exact Reading)

RULE 5, D (second sentence)

The secretary shall annually, in accordance with the directives of the State Office of the Legislative Auditor, submit the books to a Certified Public Accountant for audit.

RULE 18, A, 2 (first line)

Has willfully or repeatedly violated any of the provisions of the law, code, Rules, or Regulations of the licensing or supervising authority or agency of the State of political subdivision thereof having jurisdiction of the operations and licensing of nursing homes;

RULE 18, A, 9.

Shall have license revoked after a six-month suspension except that the Board may, at its discretion, extend the suspension period upon documentation of extenuating circumstances presented prior to the revocation.

RULE 18, A, 17.

Shall not directly or indirectly condone, direct, or allow actions by his/her subordinates which are in violation of the aforementioned Rules.

RULE 19, B, 1.

The Board, or any person or persons appointed by it for the said purpose, shall hold a preliminary hearing within 90 days of receipt of the written signed complaint. The Board shall receive the preliminary hearing report at the following regularly scheduled or special meeting.

RULE 19, B, 2.

Upon receipt of the preliminary report, the Board may dismiss the charges and take no action thereon, in which event the charges and the order dismissing the charges shall be filed with the Board and all parties involved so notified.

RULE 19, b, 3.

If the Board decides that the charges shall be heard, the Board shall designate a hearing officer to determine the charges and set a time and place for a formal hearing to take place within 60 days.

RULE 20, H.

The role of the hearing officer is to conduct an orderly hearing, take evidence, question witnesses, make finding of fact and conclusions of law and render an opinion to the Board within 10 days of said hearing. The hearing officer shall not be bound by the Rules of evidence in the conduct of a formal hearing, but the determination and recommendations of the hearing officer shall be founded upon sufficient legal evidence to sustain it.

RULE 20, I (first sentence)

Upon the conclusion of a formal hearing, the Board shall, within 10 days take action upon such written findings and determinations as it deems proper, and shall execute an order in writing involving such findings and determinations.

RULE 21, A, 4.

That such applicant for endorsement holds a current license, which is not under suspension or revocation, in at least one other state.

RULE 21, B.

The basic minimum standards for reciprocity are: a Louisiana passing score on the N.A.B. examination or an equivalent, 60 semester hours of academic training from an accredited college or university, and six months in an approved administrator-in-training program. In lieu of an approved A.I.T. program, one year of experience as a full-time practicing nursing home administrator will be considered.

Winborn E. Davis
Executive Secretary

RULE

Department of Health and Human Resources Board of Examiners of Psychologists

The Louisiana State Board of Examiners of Psychologists is adopting a procedure for due process for Ethics Violations. The nature of intent for this action was published in the February 20, 1982, issue of the *Louisiana Register*.

PROCEDURES FOR DUE PROCESS FOR ETHICS VIOLATIONS

I. Applicability.

A. Unethical conduct shall be determined on the basis of the provisions of the Rules and Regulations of the Louisiana State Board of Examiners of Psychologists, Ethical Standards of Psychologists, and other provisions included in the Louisiana Revised Statutes 37:2350 - 37:2368, specifically if a psychologist:

1. Has been convicted of a felony or any offense involving moral turpitude; or

2. Is using any narcotic or any alcoholic beverage to an extent or in a manner dangerous to himself, any other person or to the public, or to an extent that such use impairs his ability to perform the work of a professional psychologist with safety to the public; or

3. Has impersonated another person holding a license as a psychologist or allowed another person to use his/her license; or

4. Has used fraud or deception in applying for a license or in taking an examination provided for in the Act; or

5. Has accepted commissions or rebates or other forms of remuneration for referring clients to other persons; or

6. Has allowed his/her name or license issued under the Act to be used in connection with any person or persons who perform psychological services outside of the area of their training, experience or competence; or

7. Has willfully or negligently violated the Ethical Standards of Psychologists subscribed to by the State Board of Examiners; or

8. Has willfully or negligently violated any of the provisions of the Act.

B. These procedures shall apply only in the consideration of alleged violations by licensed psychologists.

NOTE: The Board will answer complaints regarding the ethical practices of non-licensed persons by making referrals elsewhere when appropriate; for example, to better business bureaus, professional associations, agencies, private legal counsel, or the district attorney of the appropriate judicial district.

C. Complaints may be initiated by any citizen of the state, another licensed psychologist, or by the Board on its own initiative.

II. Procedures for Processing Complaints and Inquiries

A. Upon receipt of complaints or inquiries, the Board will forward its complaint form, which must be satisfactorily completed before the Board takes further immediate action.

1. Anonymous letters of complaint against individuals shall not be recognized as a basis for formal action.

2. If a complaint form is not filed with the Board, no further action is taken unless sufficient information can be clearly determined from written material received by the Board.

3. If the information is insufficient, the Board may request further information by either written correspondence or an informal hearing.

B. All complaints received shall be assigned a sequentially ordered complaint code number which shall be utilized in all official references.

C. At its next regularly scheduled meeting, the Board shall officially receive and act upon all complaints and inquiries received.

D. Upon receipt of the complaint form, the Board shall

determine if the complaint refers to an ethical issue.

E. The identity of all parties to a complaint shall be revealed to the involved parties except if contrary to law.

F. The Board shall inform the complainant of the initial determination.

1. No Action.
2. Informal Inquiry.
3. Informal Hearing.
4. Formal Hearing.

III. Conduct of an Informal Inquiry/Hearing. This is a non-adversarial procedure.

A. Informal inquiry procedures.

1. The licensee shall be given adequate prior notice of the informal inquiry and possible hearing of the issues to be discussed.

Adequate notice includes:

a. Informing the licensee in writing that a complaint has been filed.

b. A short and plain statement of the nature of the complaint.

c. A reference to the particular sections of the statutes, rules, and/or ethical standards of the Board which appear to have been involved.

d. Copies of the law and the rules and regulations of the Board, and

e. A request for the licensee's cooperation in obtaining a full understanding of the circumstances which led to the allegation.

2. The licensee is requested to provide, within 30 days, a written statement giving the licensee's view of the situation which is the subject of the complaint so that the Board may be cognizant of all relevant aspects of the case.

3. Evaluating the findings of the informal inquiry. Upon receipt of a reply from the licensee, the Board shall review the information and determine if a violation may have occurred, and if so, what standard(s) have been violated.

a. If the determination of the Board is that the complaint has no basis in fact, the Board shall so indicate in its proceedings and the complainant and licensee shall be so notified.

b. If the determination of the Board is that the issues raised by the complainant would constitute a violation of standards, the Board shall then determine whether:

- (1) Further investigation by correspondence is indicated.
- (2) Further investigation by an informal hearing is indicated, or
- (3) Institution of formal hearing procedures is indicated.

B. Informal hearing procedures.

The Board shall conduct informal hearings in executive session in accordance with the following:

1. It is expected that the licensee not have an attorney or other advisors present, although it is his right to do so.

2. Witnesses may be called, but are not placed under oath and no subpoenas are issued.

3. Statements made at the informal hearing may not be introduced at a formal hearing unless all parties consent.

4. No transcript of the informal hearing is made.

C. Evaluating the findings of the informal hearing.

1. If the Board decides that the subject of the complaint is a violation of the standards, and the disciplinary proceedings are warranted, the Board shall then determine whether:

- a. The violation merits informal disposition or
- b. A formal hearing will be held.

2. The Board, in determining for informal disposition, shall order actions such as:

a. A settlement between the person making the complaint and the licensee. This settlement shall be written, signed by the licensee and the complainant and submitted to the Board within 30 days of the informal hearing.

b. A consent order describing the disciplinary action which will be taken. A consent order shall be signed by the licensee, the chairman and the vice-chairman of the Board.

D. Refusal to respond or cooperate with the Board.

1. If the licensee does not respond to the original inquiry within 30 days a follow-up letter shall be sent to the licensee by registered or certified mail, return receipt requested.

2. If the licensee 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 licensee's failure to cooperate and shall inform the licensee 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.

E. 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 importance as to warrant completing the investigation in its own right and in the interest of public welfare.

F. If, at any point in the informal proceedings described above, the Board finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, the Board is hereby given authority to obtain a restraining order from a judge of the appropriate court to suspend the license pending formal hearing proceedings for revocation of license or other disciplinary action. This formal hearing shall be promptly instituted.

IV. Conduct of a Formal Hearing.

A. Initiating the Process.

1. The Board initiates a formal hearing by issuing full notice of the hearing. A formal hearing may be the result of a complaint made by any manner specified in the informal procedures.

2. Once full notice of the formal hearing has been served, no Board member or officially designated hearing officer may communicate with any party to a formal hearing or to that party's representative concerning any issue of fact or law involved in that formal hearing.

3. Full Notice.

The written notice shall recite specific acts which the licensee is alleged to have committed and shall assert that those acts violate a statute or rule of the Board.

a. The notice shall include:

(1) A statement of the date, time, place, and nature of the hearing.

(2) A statement of the legal authority and jurisdiction under which the hearing is to be held.

(3) A reference to the particular sections of the statutes, rules or ethical standards involved.

(4) A short and plain statement of the matters asserted which shall be the subject of the hearing.

(5) A statement of the rights of the parties.

b. Notice shall be given to all parties 30 days in advance of the proceedings to allow a reasonable opportunity for preparation.

c. The notice shall be delivered by registered or certified mail, return receipt requested. If the licensee cannot be found by this or other reasonable methods, the Board may hold a hearing in the licensee's absence.

NOTE: It is the licensee's obligation to keep the Board informed of his/her whereabouts.

d. The content of the notice limits the scope of the hearing and of the evidence which may be introduced.

e. If the agency or other party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter, upon application, a more definite and detailed statement shall be

furnished.

4. Designation of Hearing Officer.

a. The hearing officer is responsible for ensuring that the hearing is orderly and fair and that it progresses in an expeditious manner. This officer is empowered to prepare written findings of fact and conclusions which shall be recommended to the Board.

b. The Board shall designate a hearing officer by affirmative vote of three of its members.

c. The hearing officer shall be unbiased and qualified to preside over the case. A designated hearing officer shall withdraw when that officer can not accord a fair and impartial hearing or consideration.

d. Any party may request the disqualification of a hearing officer on the ground of inability to give a fair and impartial hearing by filing an affidavit (which states the specific grounds) within three days of receipt of notice of the designation of the hearing officer. The issue shall be determined promptly by the Board.

e. The hearing officer shall not be a current member of the Board.

B. 1. Discovery.

a. Depositions and Interrogatories of witnesses may be taken and shall be admissible in the proceedings.

b. Evidence which was not made available to both parties at least five days in advance may be barred from introduction.

c. Evidence not within the scope of the notice may be excluded.

d. When the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form.

e. Documentary evidence in possession of the Board may be received in the form of copies or excerpts, or by incorporation by reference.

f. Official notice may be taken of generally recognized technical or scientific psychological facts. However, parties shall be afforded an opportunity to contest the material so noticed.

2. Subpoenas.

The Louisiana Department of Justice Disciplinary Action Manual for Occupational Licensing Boards by William J. Guste, Attorney General, Section 10.2 Subpoena Authority: Boards are empowered by statute to issue subpoenas, and in Louisiana, the statutes allow the Board to issue a subpoena when requested in writing by any party in a contested case.

Either side in a contested hearing may request that a subpoena be issued. It is generally required that the information called for by a subpoena must be reasonable in terms of the amount required and that it must relate to the matter under consideration. A subpoena *duces tecum* should be reasonable in scope and should be limited to documentary material that is relevant to the proceeding.

a. The Board, or its designated hearing officer, may sign and issue subpoenas when requested in writing by any party to a contested case.

b. The information called for by a subpoena shall be reasonable and shall relate to the matter under consideration.

c. Investigative subpoenas are issued at the discretion of the hearing officer.

d. If the person fails to comply with a subpoena, the Board may apply to the judge of the appropriate district court for an attachment as for a contempt.

3. Motions.

a. A request to the Board or the hearing officer by a party for a particular action should be made in the form of a motion.

b. A motion may be made before, during or after a hearing.

c. All motions must be made at an appropriate time.

d. Motions made before or after the hearing shall be made

in writing. Motions made during the course of the hearing may be made orally.

e. Motions are directed to the hearing officer who shall dispose of them appropriately.

f. A party may not submit written proposed findings of fact.

g. The hearing officer may refer a motion to the Board.

C. Formal Hearing Procedures.

1. Conduct of the Hearing.

a. The members of the Board shall be present for the hearing.

b. The hearing will be conducted in accordance with the Administrative Procedure Act, La. R.S. 49:955-966.

(1) Opportunity shall be afforded all parties to respond and present evidence on all issues of fact involved and argument on all issues of law and policy involved and to conduct such cross-examination as may be required for a full and true disclosure of the facts.

(2) Objections to evidentiary offers may be made and shall be noted in the record.

c. The hearing will be open to the public.

2. Order of Proceedings

a. The hearing officer calls the session to order, identifies the case, subject of the case and cites the authority for holding the hearing.

b. The hearing officer asks the parties to identify themselves and their counsel.

c. All testimony shall be given under oath, such oath to be administered by the hearing officer.

d. Customary order of the proceedings should be followed at the discretion of the hearing officer.

3. Evidence.

a. In determining the admissibility of evidence, the hearing officer must follow the rules governing administrative hearings in Louisiana.

b. Constitutional guarantees of due process give the licensee a right to a decision based on evidence presented at the hearing. The hearing officer preparing the recommended decision, shall only consider evidence presented at the hearing or officially noted in the record.

D. The Final Decision of the Board.

1. The Board must determine whether the facts in the case support the charges brought against the licensee. It must determine whether the charges are a violation of La. R.S. 37:2350-68, the Ethical Standards of Psychologists or other rules and regulations of the Board.

2. The Board accepts a proposed order from the hearing officer setting forth the findings of facts and conclusions of the hearing. The Board may adopt such findings and conclusions in whole or in part. Any Board members not present at the hearing must review the record prior to such decision.

3. The decision must be accompanied by a statement of the reasons for the decision and must dispose individually of each issue of fact or law necessary from the hearing officer.

4. The Board's decision shall be based on the evidence and the proposed decision from the hearing officer.

5. The vote of the Board must be recorded and made a part of the decision. A majority vote must be obtained in order for an ethics violation to be judged to have occurred.

6. The Board determines the sanctions appropriate and consistent with law. The Board may decide rather than to revoke or suspend a license, to censure the licensee. The vote for censure is a majority vote.

7. The final decision shall be delivered to each party by registered or certified mail, return receipt requested.

8. The final decision shall be delivered within 30 days of the close of the hearing.

9. The final decision shall become effective 11 days after the receipt of notification of all parties, provided that there is no appeal. Publication shall be withheld until that date.

E. Appeal of Board Decision.

1. A petition by a party for reconsideration of hearing must be in writing and filed with the Board within 10 days after the receipt of the Board's final decision. The petition must set forth the grounds for the rehearing which must be one of the following:

a. The Board's decision is clearly contrary to the law and the evidence.

b. There is newly discovered evidence, which was not available to the licensee at the time of the hearing and which may be sufficient to reserve the Board's action.

c. There is a showing that issues not previously considered ought to be examined in order to dispose of the case properly, or

d. It would be in the public interest to further consider the issues and the evidence.

2. If a petition for reconsideration is denied, a party may proceed to seek judicial review of the decision.

3. Judicial review may be initiated by filing a petition in the appropriate district court within 30 days after mailing of notice of the final decision of the hearing or rehearing.

F. Case Record.

1. A complete case record must be maintained for each formal hearing.

2. The record must be retained until the time for any appeal has expired, or until the appeal has been concluded.

3. The case record shall be composed of all material officially noted.

4. A transcript of the record shall be maintained.

G. Notification of Final Actions.

Upon either completion of the final decision, expiration of the time for any appeal, or conclusion of appeals, the Board shall notify the following of its actions.

1. All licensed psychologists,

2. All affected parties; and all affected professional organizations.

Jimmie D. Cole, Ph.D
Chairman

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security adopts the following Rule, in accordance with 45 CFR 224.51, in the Aid to Families with Dependent Children Program policy on Work/WIN participation. The Aid to Families with Dependent Children Program Manual (15-701, 15-785, 15-839A and 15-903 (1) and (2)) is amended to read as follows:

RULE

15-701 REQUIRED AGE FOR AFDC CHILD

C. Child 16 to 18 Not Attending School

A child 16 to 18, not attending school full-time who is a Mandatory Work or WIN Registrant, meets the condition of age for an AFDC child if he is registered for Work or WIN, participating in the WIN Program or co-operating with Employment Security, has not refused a job offer whether or not from Employment Security, and has not terminated employment or reduced earnings without good cause. (15-903)

15-785 FAILURE TO CO-OPERATE WITH EMPLOYMENT

SECURITY OR TERMINATION OF JOB OR REDUCTION OF EARNINGS WITHOUT GOOD CAUSE

A person who is mandatorily registered but who fails or refuses to appear for an interview requested by Employment Security or refuses a job offer whether or not from Employment Security, or terminates employment or reduces earnings without good cause shall have his needs removed from the certification for three months for the first occurrence and six months for subsequent occurrences.

15-839 COMPUTING COUNTABLE INCOME FOR EMPLOYMENT AND SELF-EMPLOYMENT

A. The Earned Income Disregards (30 and 1/3, child care and standard deduction) shall not apply to the Earned Income of the individual for the month in which an individual has earned income and one of the following conditions applies:

(1) An individual who within 30 days terminated his employment or reduced his earned income without good cause. Persons who are exempt from Work or WIN registration shall be determined to have good cause.

(2) An individual who within 30 days refused without good cause (refer to 15-785) to accept a bonafide offer of employment in which he is able to engage. Persons who are exempt from Work or WIN Registration shall be determined to have good cause.

15-903 AFDC INCLUSION IN CERTIFICATION

Who shall be included in the AFDC certification

(1) The child

A child who meets all eligibility conditions for AFDC shall be certified for AFDC and have his flat grant amount included in the assistance payment budget, except that a child otherwise eligible for AFDC shall not be certified if:

(f) The child between 16 and 18 not attending school is determined to be a mandatory Work or WIN registrant, but without good cause refuses to register for employment.

OR

A child between 16 and 18 who has mandatorily registered for Work or WIN but who fails or refuses without good cause to participate in the program or terminates employment or refuses to accept employment or reduces earnings without good cause. This child cannot be included for a period of three payment months for the first failure or refusal without cause. For each subsequent occurrence, the child cannot be included for a period of six payment months.

(2) Parent(s)

The parent(s) with whom the child lives, whether or not he is the payee of the AFDC grant, shall be included in the AFDC assistance payments budget and have his flat grant amount considered in the AFDC budget plan, except when:

(b) The parent is the applicant or payee and he refuses to assign child support rights to the state, is determined to be a mandatory Work or WIN registrant but without good cause he refuses to register for employment, or refuses to be enumerated.

OR

(c) The parent who is mandatorily registered for Work or WIN but who fails or refuses without good cause to participate in the program or terminates employment or refuses to accept employment or reduces earnings without good cause. This parent cannot be included for a period of three payment months for the first failure or refusal without good cause. For each subsequent occurrence, the parent cannot be included for a period of six payment months.

Roger P. Guissinger
Secretary

RULE

Department of Health and Human Resources Office of Family Security

The Department of Health and Human Resources, Office of Family Security, implements a Rule in the Support Enforcement and Assistance Payments Programs to eliminate double support payments as required by Federal Register Vol. 48, No. 14, dated January 20, 1983, which amends 45 CFR Part 302.32.

RULE

The Support Enforcement Program shall require that any support payment used to determine a family ineligible for AFDC benefits shall also be used to reimburse the AFDC grant for assistance payments made to the family. Such support payments and any subsequent payment received by the Support Enforcement Program shall be used to reimburse the AFDC grant for each month a benefit is paid to the family until such time as AFDC benefits are terminated. Thereafter support payments shall be paid directly to the family through the Support Enforcement Program.

Roger P. Guissinger
Secretary

RULE

Department of Health and Human Resources Office of Management and Finance Division of Policy Planning and Evaluation

Effective July 20, 1983, the Department of Health and Human Resources, Office of Management and Finance, Division of Policy Planning and Evaluation shall implement the following Rule relative to policies and guidelines for capital expenditure reviews under Section 1122 of the Social Security Act.

INTRODUCTION

Section 1122 of the Social Security Act, as amended by Public Law 92-603, the Social Security Amendments of 1972, requires that a health facility which proposes to make a capital expenditure obtain prior approval by a designated planning agency in order to be reimbursed for costs related to the capital expenditure under the Medicare and Medicaid Programs. The purpose of this provision is to assure that Federal funds are not used to support unnecessary capital expenditures by health care facilities.

DEFINITIONS

1. Certificate of Need—Louisiana conducts certificate of need reviews in accordance with Section 1122 of the Social Security Act, as amended. This process is required of health care facilities in order to receive full reimbursement under the Medicare and Medicaid Programs. (This should not be confused with state legislated certificate of need programs which Louisiana, at present, does not have enacted.)

2. Division of Policy Planning and Evaluation DPPE—The state agency designated to carry out in Louisiana the provisions of Section 1122 and P.L. 93-641, as amended by P.L. 96-79.

3. Division of Licensing and Certification—That Division of the Department of Health and Human Resources charged with the responsibility of carrying out licensure and certification functions for the State of Louisiana.

4. Hospital—An institution which is engaged in providing to inpatients or to inpatients and outpatients by or under the supervision of physicians, diagnostic services and therapeutic services for medical diagnosis, treatment and care of injured,

disabled, sick or pregnant persons, or rehabilitation services for the rehabilitation of injured, disabled, sick or pregnant persons; such term does include chronic care hospitals, but does not include psychiatric and tuberculosis hospitals.

5. Person—An individual, a trust or estate, a partnership, a corporation (including associations, joint-stock companies, and insurance companies, a state, or a political subdivision or instrumentality (including a municipal corporation) of a state.

6. Psychiatric hospital—An institution which is primarily engaged in providing to inpatients, by or under the supervision of a physician, psychiatric services for the diagnosis and treatment of mentally ill persons.

7. Tuberculosis hospital—An institution which is primarily engaged in providing to inpatients, by or under the supervision of a physician, medical services for the diagnosis and treatment of tuberculosis.

8. Nursing home—A licensed facility that provides nursing care, preventive health, maintenance services, rehabilitative services, and necessary ancillary and supportive social services to persons who, by reason of illness, or physical infirmity or age, are unable to properly care for themselves.

9. Ambulatory surgical facility—A freestanding facility which is not a part of a hospital, and which provides surgical treatment to patients not requiring hospitalization. Such term does not include the offices of private physicians or dentists, whether for individual or group practice.

10. Home Health Agency—A public or private organization, or subdivision thereof, which is primarily engaged in the provision of skilled nursing services and at least one additional therapeutic health service in the place of residence used as a patient's home.

11. Change of Bed Capacity—Any increase or decrease in the licensed bed capacity of a health care facility.

12. Substantial Change in Service—A capital expenditure which results in the addition of a clinically related (i.e., diagnostic, curative, or rehabilitative) service not previously provided in the facility or the termination of such a service which had previously been provided in the facility.

13. Emergency—Means an unforeseen occurrence, condition or mischance or perplexing contingency or complication of circumstances bringing with it destruction or injury of life or property (moveable and immovable) or the imminent threat of such destruction or injury or as the result of an order from any judicial body having jurisdiction therein to take any immediate action which requires construction, repair or acquisition of property or equipment, where the unforeseen occurrence, condition or mischance or perplexing contingency or complication of circumstances or court order will not permit a health care facility in the time necessary for an application for full review under Section 1122.

14. Secretary—As used within the confines of this document, the term secretary refers to the secretary of the United States Department of Health and Human Services or his designee.

REVIEWING AGENCIES

Division of Policy Planning and Evaluation, 333 Laurel Street, Suite 530, Baton Rouge, LA 70801.

Division of Licensing and Certification, 333 Laurel Street, Room 610, Baton Rouge, LA 70801.

Any other agency deemed appropriate by Division of Policy Planning and Evaluation.

RESPONSIBLE AGENCY

The state agency responsible for carrying out Section 1122 provisions in Louisiana is the Division of Policy Planning and Evaluation DPPE, which is the state agency organized under P.L. 93-641, as amended by P.L. 96-79.

FACILITIES INCLUDED

For the purpose of Section 1122, "health care facility" includes hospitals, psychiatric hospitals, tuberculosis hospitals, skilled nursing facilities, kidney disease treatment centers including freestanding hemodialysis units, intermediate care facilities, and ambulatory surgical facilities, but does not include Christian Science sanatoriums operated or listed and certified by the First Church of Christ, Scientists, Boston, Massachusetts. Offices of Physicians are also specifically excluded from such reviews.

EXPENDITURES SUBJECT TO REVIEW

Capital expenditures covered are those which are not properly chargeable as expenses of operation and maintenance and which either

- (1) exceed (\$600,000) OR
- (2) change the bed capacity of the facility OR
- (3) substantially change the services of the facility.

Any questions regarding applicability of expenditures to review should be directed solely to DPPE for an official determination.

When making a determination of the total amount of any capital expenditure discussed herein, DPPE shall consider the cost of studies, surveys, designs, plans, working drawings, specifications and other activities essential to the acquisition, improvement, expansion or replacement of the plant and equipment with respect to which such expenditure is made.

Proposals for the acquisition of facilities or equipment by lease or comparable arrangement or through donation may be subject to review under Section 1122. DPPE should be contacted for a determination of applicability and assistance in computing amounts subject to Section 1122 review.

Section 1122 Certificate of Need approvals can neither be sold or transferred.

EFFECTIVE DATE

Any capital expenditure for which the obligation is incurred by or on behalf of a health care facility after December 31, 1972 is subject to review under these provisions.

EXCLUSIONS

1. A capital expenditure for which an obligation was incurred before January 1, 1973, is not subject to review requirements of Section 1122.
2. Section 1122 permits an exception to any health care facility providing services as of December 18, 1970, which as of that date was committed to a formal plan of expansion or replacement as approved by the facility's board of trustees. This can only occur if the facility spent \$100,000 or more during the three-year period ending December 17, 1970, for preliminary items on the plan including payments for studies, surveys, designs, plans, working drawings, specifications and site acquisition. In such a case, Section 1122 shall not apply to capital expenditures made in conformity with that plan. The exception shall, however, not apply to capital expenditures which are not included in the plan.

PRE-APPLICATION CONFERENCE

Anytime prior to submitting an application for review or a request for an election not to review individuals contemplating a Section 1122 expenditure may request a formal conference with DPPE to discuss the proposed project. A mutually acceptable meeting time and place will be established between the applicant and the agency. Pre-application conferences are encouraged.

ELECTION NOT TO REVIEW

The DPPE at its option, may elect not to review a proposed capital expenditure which has been determined subject to review under Section 1122 of the Social Security Act. The option of election not to review, as permitted by the applicable statute and regulation, is designed to exempt from review a few proposed capital expenditures for which a review is not necessary. In order to

be considered for a DPPE decision for an elect not to review, one of the following criteria must be met:

1. Renovations to meet Life Safety Codes.
2. Capital expenditures for emergency situations.

An applicant proposing a capital expenditure by or on behalf of a health care facility, which expenditure may qualify for election not to review according to the above criteria, must submit in writing to DPPE a request for an elect not to review. After examining the information contained in such request, and any additional information DPPE may request, a determination will be made by DPPE whether or not to elect not to review the proposed expenditure. If DPPE elects not to review the proposed project, all required notifications will contain written reasons for DPPE's determination of election not to review.

If DPPE determines that such proposal shall require full or expedited review, the applicant will be notified of such decision and will be supplied with appropriate application forms to provide information adequate for such review of the proposal.

EXPEDITED REVIEW

The DPPE at its option may elect to perform an expedited review of a proposed capital expenditure which has been determined subject to review under Section 1122 of the Social Security Act. In order to be considered for an expedited review, one of the following criteria must be met:

1. Replacement or modification of equipment with an expenditure in excess of \$600,000.
2. Sale or lease of an existing facility with no change in services or beds.
3. Renovation of an existing facility up to \$1,000,000 that does not result in a change in existing services or beds.
4. A change of 10 licensed beds or 10 percent over a two year period whichever is less.
5. A cost overrun on an initially approved project.
6. Addition of non-medical equipment or purchase of land.
7. Addition of a new service in an existing facility that will not exceed \$600,000.

In order to qualify for an expedited review the project must not be a discrete portion of a larger capital expenditure or phased project.

An applicant proposing a capital expenditure which expenditure may be eligible for an expedited review must submit in writing to DPPE a request for an expedited review. After examination by DPPE a determination will be made whether to proceed with the expedited review process. If DPPE determines the expedited or full review process is applicable, the applicant shall be so notified in writing and provided with the necessary forms to begin the process.

REVIEW PROCEDURES

A. Notification Procedures

1. Any person, agency, organization or health care facility which proposes to make a capital expenditure subject to review under the provisions of Section 1122 of the Social Security Act should submit in writing to DPPE a request for such review. At any time during the review procedure should the contact person for the project change, it is incumbent upon the applicant to notify DPPE of such a change.
2. DPPE will promptly send to the applicant the necessary form(s) in addition to a copy of these policies and guidelines.
3. Upon receipt of the completed form(s), DPPE may make the following determinations:
 - a. The project will require full review, or
 - b. The project will require an expedited review, or
 - c. The project is subject to elect not to review.

4. In the case of a full review being required:

a. DPPE will forward to the proponent a questionnaire and a list of those documents which will be considered in the review;

b. The applicant shall submit the application in triplicate to Division of Policy Planning and Evaluation.

c. The staff of the DPPE shall review the application for completeness within 15 calendar days from date application is received by DPPE. If DPPE fails to mail within such period a written notice advising the applicant that the application is complete or additional information is needed, the application shall be deemed to be complete for the purpose of determining the period of review. Failure of the applicant to respond and provide the information requested within 90 days shall be considered withdrawal of the application; and

d. The applicant may not incur an obligation in less than 60 days from the date the application was considered complete by DPPE. Incumbering an obligation prior to this 60 day time frame may subject the applicant to a timely notice penalty should the project subsequently be approved. Should approval be granted at any time prior to the end of the review period, and obligation may be entered into at that point.

B. Review Procedures

1. When DPPE determines that an application is complete, DPPE shall notify the applicant in writing that the period for review has begun. The review period will not exceed 90 days from the date of receipt of the application if it is declared complete. Or, in the case of an incomplete application, the period for review will not exceed 90 days from the date of receipt of the additional information (if it is determined the additional information completes the application) unless the applicant agrees to a longer period of time.

2. If additional or new information is submitted to DPPE after the review process has begun, DPPE will again deem the application complete or incomplete. If the additional information is allowed, the timetable must be adjusted so that DPPE has 90 days for project review after the receipt of the additional or new information.

3. When the application is determined complete by the DPPE, the DPPE shall issue a press release of its receipt of the completed application through local newspapers, public information channels and professional organizations. Publications to be used in required press releases should include the state journal, the major urban newspaper in the affected service area, the local newspaper in the impacted service area of the projects as specified by the applicant.

4. In the case of applications being subjected to a full review as opposed to an election not to review or expedited review, on the third Wednesday of each month at 10 a.m., the Director of the Division of Policy Planning and Evaluation shall conduct a public hearing at division headquarters. The purpose of this hearing will be to receive written (in duplicate) and oral comments on applications having been declared complete by the Division 15 days prior to the hearing date. Oral presentations shall be limited to an amount of time to be specified by the individual in charge of the hearing at the time of the hearing. The same amount of time will be allowed to those in favor and those opposed to the application. Comments shall be accepted on only those applications which have not previously been reviewed at public hearing. Notice of applications to be considered at each hearing shall be provided to interested parties and professional organizations requesting such notice at least five calendar days prior to each public hearing.

5. DPPE shall send copies of the application to the Division of Licensing and Certification (LIC) solely for review and comments.

6. Findings pursuant to Part B. 5 above shall be received by DPPE within 60 days after start of the review period (or later if mutually agreed upon). In the case of an application which specifies that an obligation to make the capital expenditure will be incurred 60 days after start of the review period, DPPE shall coordinate with LIC to establish a date by which comments will be received by DPPE. Such date should allow sufficient time for LIC review, as well as a period for consideration of those comments. Applicants may request a meeting with DPPE to discuss their application at any time during the course of the review.

7. The DPPE, after having consulted with and taken into consideration written public comments and the comments of LIC shall provide written notification to the proponent that:

a. Such capital expenditure has been determined to be in conformity with the criteria, standards and plans; or

b. Such capital expenditure has been determined not to be in conformity with the criteria, standards and plans; or

c. The failure of the DPPE to provide any such notification within the time limitations set forth below, shall have an effect of a determination by the DPPE that the capital expenditure is in conformity. This step shall be completed not more than 90 days after the date DPPE has received the completed application unless the applicant has indicated an earlier date for obligation of expenditure. (However, a minimum of 60 days from the date DPPE considers the application complete must be allotted for completion of the review. At an applicant's request or concurrence, the review period may be for a longer period of time as agreed.)

Notification in accordance with federal interpretation is deemed to be given upon the date of mailing of such notification by DPPE.

8. Copies of the findings of the DPPE shall also be sent to the other reviewing agencies, interested parties and professional organizations who request such notification and shall be publicized through local newspapers and public information channels in the form of a press release.

C. Expedited Review Procedures

1. In the case of a decision by DPPE to conduct an expedited review, DPPE shall notify the applicant of its decision and forward to the applicant an application which shall be completed and returned to DPPE in duplicate.

2. When DPPE determines that the application is complete, DPPE shall notify the applicant in writing that the period for review has begun. The review period shall not exceed 30 days from date of receipt of the application if it is declared complete. Or, in the case of an incomplete application, the period for review will not exceed 30 days from the date of receipt of the additional information (if it is determined the additional information completes the application) unless the applicant agrees to a longer period of time.

3. If additional information is submitted after the review period has begun, DPPE will again confer and deem the application information complete or incomplete. If the additional information is allowed, the timetable must be adjusted so that DPPE has 30 days for project review after the receipt of the additional or new information.

4. When the application is determined complete by the DPPE, the DPPE shall issue a press release of its receipt of the completed application through local newspapers and public information channels. Publications to be used in required press releases should include the state journal, the major urban newspaper in the affected area, the local newspaper in the impacted service area of the projects as specified by the applicant.

5. The DPPE, after having reviewed the application, shall provide written notification to the proponent that:

a. Such capital expenditures have been determined to be in conformity with the criteria, standards and plans;

b. Such capital expenditure has been determined not to be in conformity with the criteria, standards and plans; or

c. The failure of the DPPE to provide any such notification within the time limitations set forth below, shall have an effect of a determination by the DPPE that the capital expenditure is in conformity. This step shall be completed not more than 30 days after the date DPPE has received the completed application unless at an applicant's request or concurrence, the review period may be for a longer period of time as agreed.

Notification in accordance with federal interpretation is deemed to be given upon the date of mailing of such notification by DPPE.

6. Copies of the findings and recommendations of the DPPE shall also be publicized through local newspapers and public information channels and sent to interested parties and professional organizations who request such notification.

D. Appeal Procedures—In the case of a negative finding, a fair hearing will be offered to the applicant to determine whether the proposed expenditure is consistent with the standards, criteria and plans specified in the applicable statutes. The correctness, completeness, adequacy or appropriateness of the standards, criteria, and plans against which the proposed expenditure was measured are *not* appealable, although the question of DPPE's adherence to its procedures as outlined in the Federal Regulations and State Health Plan and these policies may be considered. The applicant may introduce evidence and argument on the issue of whether exclusion of expenses related to the proposed expenditure would discourage the operation or expansion of the facility or organization or would discourage the operation or expansion of the facility or organization or would otherwise be inconsistent with the effective organization or delivery of health services or the effective administration of Titles XVIII and XIX. Whether a proposed capital expenditure is subject to review under Section 1122 will not be a question in the fair hearing. The applicant is encouraged to retain counsel for this process.

1. Should the applicant wish to appeal, he must respond **in writing** to DPPE not more than 30 days after the date of notification of disapproval requesting a fair hearing on his case or he forfeits his right of appeal. The hearing must begin within 30 days after receipt of the request or later at the option of the applicant. If the applicant requests an extension beyond the required 30 day time frame, the hearing must be finalized not later than six months after the date of the original request for a fair hearing or the decision of DPPE will be considered upheld.

2. DPPE will notify the Hearing Officer who is responsible for conducting the appeal. He will select a hearing date and notify all parties.

3. DPPE will issue a news release of the hearing.

4. The applicant is required to notify the hearing officer in writing at least 10 days in advance of the hearing of those witnesses whom he wishes to be subpoenaed.

5. As soon as possible, but not later than 45 days after the conclusion of the hearing, the Hearing Officer will notify the applicant, DPPE and Regional Health Administrator ("DHHS") of the appeal decision. Notification in accordance with federal interpretation is deemed to be given upon the date of mailing of such notification by the hearing officer. The exclusive options available to the hearing officer are as follows:

a. Uphold the DPPE findings.

b. Overturn the DPPE findings.

c. Revise the DPPE findings.

d. Order further action by DPPE.

6. DPPE will issue a press release of the appeal decision.

7. Copies of the decision shall be sent to interested parties and professional organizations requesting such notification.

RECONSIDERATION BY DPPE

In any case in which the Secretary of the United States Department of Health and Human Services has determined pursuant to a finding by DPPE that a proposed capital expenditure is not in conformity with the standards, criteria or plans and that costs related to such capital expenditure shall not be included in determining Federal reimbursement, the health care facility shall be entitled upon its request to DPPE in the form of revised applications as required in original submission procedures, to a reconsideration by DPPE of such finding whenever:

a. There has been a substantial change (since the previous DPPE finding) in existing or proposed health facilities or services, of the type proposed, in the area served; or

b. There has been a substantial change (since the previous DPPE finding) in the need for health facilities or services, of the type proposed, in the area served, as reflected in the plans, criteria or standards (see Criteria for Section 1122 Reviews); or

c. At least three years have elapsed from the date of the most recent negative finding of DPPE.

If DPPE finds, after such reconsiderations, that the facilities or services provided by the capital expenditure involved are in conformity with the applicable standards, criteria, or plans, and so notifies the Secretary of DHHS, the Secretary will include, in determining future payments under Titles XVIII and XIX, expenses related to such capital expenditure. However, such expenses will be included only for payments following the date of notification to the Secretary of DHHS by DPPE of its reconsideration.

EVIDENCE OF OBLIGATION: TERMINATION OF APPROVAL

Evidence of obligation to make the capital expenditure must be received by DPPE within one year after approval of the project, or the approval will expire. As provided in the regulation, the one year approval period may be extended for up to six months at the discretion of DPPE upon showing one of the following conditions exist:

a. Delays caused by review bodies beyond control of the applicant. This includes delays caused in the process of obtaining financing due to excessive interest rates substantially greater than those projected in the application.

b. An extension may be granted at the discretion of the designated planning agency when refusal of an extension would be detrimental to the best interest of the community involved.

As provided in the regulations, an obligation to make a capital expenditure shall be incurred not more than one year following the date of approval, unless a six month extension has been granted. An obligation shall be deemed to have been incurred by or on behalf of health care facility:

a. When an enforceable contract is entered into by such facility or organization or by a person proposing such capital expenditure on behalf of such facility or organization for the construction, acquisition, lease or financing of a capital asset; or

b. upon formal internal commitment of funds by such facility or organization for a force account expenditure which constitutes a capital expenditure; or

c. In the case of donated property as described in 45 CFR 100.103(b), the date on which the gift is completed in accordance with applicable Louisiana law.

It is the sole responsibility of the proponent to keep DPPE informed of its progress during the one year approval period and to submit documentary evidence as proof that at least one of the above conditions have been fulfilled. The following conditions have been established regarding the acceptance of certain documents as proof of an obligation.

a. In the case of a construction contract, such document must be duly executed by the appropriate parties and filed with DPPE.

b. In the case of a purchase or lease arrangement, a

purchase or lease agreement signed by lessor and lessee must be submitted.

c. In the case of a financial commitment, such commitment must be a documented binding commitment from a lending institution for permanent or interim financing accompanied by an acceptance signature from the proponent. (Loan guarantees do not fulfill the requirements set forth above).

d. In the case of bonds, an obligation is deemed to have been incurred whenever the bonds have received final approval for sale or issuance by either an election or board action of an official public body acting on behalf of a health care facility.

EFFECT OF NEGATIVE RECOMMENDATION

If DPPE recommends that the capital expenditure not be made, the Secretary of DHHS shall, in determining the Federal payments to be made under Titles XVIII, and XIX of the Social Security Act to the health care facility, ordinarily exclude certain expenses related to such capital expenditure. However, if the Secretary, after submitting the matters involved to the National Advisory Council on Health Planning and Development and after taking into consideration the recommendations of DPPE and other reviewing agencies, determines that an exclusion of costs for a capital expenditure would discourage the operation or expansion of a health care facility (or any facility of such an organization) which has demonstrated capability to provide comprehensive health care services efficiently, effectively, and economically or would otherwise be inconsistent with the effective organization and delivery of health services or the effective administration of Titles XVIII, and XIX, he shall include such expenses in Federal payments under such titles.

EFFECT OF FAILURE TO GIVE TIMELY NOTICE OF PROPOSED EXPENDITURE

When DPPE has good cause to believe that an obligation for a capital expenditure has been incurred by or on behalf of a health care facility and that timely notice of at least 60 days was not provided, DPPE shall send written notification to such health care facility, the Secretary and all other agencies deemed appropriate by DPPE of a proposed finding that an obligation for a capital expenditure subject to review has been incurred and that timely notice was not provided. Procedures for processing such a finding shall be according to Section 100.108 (a) of the regulations, and the policy on lack of timely notice as published in the *Federal Register* on January 26, 1977, Vol. 42, No. 17, and on December 16, 1981, Vol. 46, No. 241.

CRITERIA FOR SECTION 1122 REVIEWS

In making recommendations concerning projects reviewed under Section 1122 of the Social Security Act, the review body or agency at each level designated in the review process shall consider, but not be limited to, the following criteria, as required under P.L. 93-641 and 96-79 and implementing rules and regulations:

I. The relationship of the health services being reviewed to the applicable Health Systems Plan, Annual Implementation Plan and the State Health Plan.

II. The relationship of services reviewed to the long range development plan (if any) of the person providing or proposing such services.

III. The need that the population served or to be served by such services has for such services.

For computing the need for beds, computations will be based on the population projections for the anticipated year of opening of the facility which in no case will exceed the ending year of the State Health Plan in effect at the time of review. The Division does not recognize the concept of phasing in beds and all beds shall be considered available as of the projected opening date.

In considering the need for a proposed project, DPPE will review, but not be limited to, the following information:

A. The availability of similar facilities, services and insti-

tutional beds within the service area, including but not limited to:

1. Number of similar facilities, services and beds in the service area.

2. Ratio of institutional beds to the population, as a whole and where appropriate, to age groups.

3. Comparison of service area bed ratio with other health service areas in the state and other relevant areas.

4. Distribution of institutional beds, services, and facilities within the area.

B. Accessibility of the target population of the proposed project to existing and proposed facilities and services. (This would include physical and financial accessibility.)

C. Measures of utilization of existing facilities and services:

1. Admission rates per 1,000 persons.

2. Occupancy rate:

Average Daily Census

Number of beds

Census X 365

3. Length of stay (average):

Annual Admissions

4. Other appropriate utilization material.

D. Projections of utilization.

E. A delineation of the proposed service area.

F. Various projections of bed need.

G. The projected population growth or lack of growth of the proposed service area.

IV. The availability of alternative, less costly, or more effective methods of providing such services.

A. Potential availability of such services.

V. The immediate and long term financial feasibility of the proposal.

VI. The relationship of the services proposed to be provided to the existing health care system of the area in which such services are proposed to be provided.

The DPPE will review, but not be limited to, the following information:

A. Documentation of coordination and/or linkage agreements between the applicant and existing or planned health care institutions and/or providers within the service area.

VII. The availability of resources (including health manpower, management personnel, and funds for capital and operating needs) for the provision of the services proposed to be provided and the availability of alternative uses of such resources for the provision of other health services.

The DPPE will review, but not be limited to, the following information regarding health care staffing:

A. Physicians

a. availability in the service area

b. projected availability in the service area

B. Nursing Personnel

a. availability in the service area

b. projected availability in the service area

c. adequacy of proposed staffing according to required standards.

C. Management and Other Personnel

a. availability in the service area

b. projected availability for the proposal

VIII. The relationship, including the organizational relationship, of the health services proposed to be provided to ancillary or support services.

IX. The special needs and circumstances of those entities which provide a substantial portion or their services or resources, or both, to individuals not residing in the health service areas in which the entities are located or in adjacent health service areas. Such entities may include medical and other health professional schools, multi-disciplinary clinics, and specialty centers.

X. The special needs and circumstances of health main-

tenance organizations for which assistance may be provided under Title XIII of the Act.

XI. The special needs and circumstances of biomedical and behavioral research projects which are designed to meet a national need and for which local conditions offer special advantage.

XII. In the case of a construction project —

A. The cost of methods of the proposed construction, including the costs and methods of energy provision; and

B. The probable impact of the construction project reviewed on the cost of providing health services by the person proposing such construction project.

XIII. In the case of a new facility the applicant must specify the specific site where the facility will be located in addition to a legal property description of the site and must present evidence of ownership or option to acquire such site.

XIV. The applicant shall provide disclosure of those natural persons who are registered agents, directors, officers and principal shareholders of the corporation proposing the capital expenditure.

XV. The extent of cooperation with other facilities in the area; and

XVI. Support of the project by the local community, including health related agencies and professional organizations.

The criteria adopted for reviews in accordance with the above may vary according to the purpose for which a particular review is being conducted or the type of health service reviewed.

In the review of proposed expenditures for new facilities or services, the following general criteria also will be considered:

1. Need
2. Accessibility
3. Availability
4. Financial Feasibility
5. Cost

DATA SOURCES USED IN REVIEWS

Data sources to be used in consideration of full reviews, expedited reviews and election not to reviews shall include, but not be limited to, the following:

A. Information compiled by the DPPE Bureau of Research and Information as published on a quarterly basis.

B. Population projections recognized by the State Planning Office as official projections to be used by DPPE in the conduct of its reviews.

PLEASE BE ADVISED: An approval issued in accordance with Section 1122 of the Social Security Act in no way relieves an applicant of responsibility for fulfilling other state and/or federal requirements.

Notification of intent to make a capital expenditure subject to Section 1122 review should be addressed to DPPE at the address set forth below. Also, questions in regard to applicability of Section 1122 to proposed expenditures or in regard to statewide review policies and procedures should be directed to DPPE.

For assistance in preparing Section 1122 applications contact the Division of Policy Planning and Evaluation, 333 Laurel Street, Suite 530, Baton Rouge, LA 70801, (Phone: 504 342-2001).

Roger P. Guissinger
Secretary

RULE

Department of Health and Human Resources Office of the Secretary

The Department of Health and Human Resources has adopted changes to the foster family care section of the "Rate Setting for Residential Care System Manual." These changes are in accordance with La. R.S. 15:1081 - 1086 and 42 CFR 447.252 through 42 CFR 447.274. These revisions to the manual are necessary to add procedures for payment for the Office of Mental Retardation foster home program.

Amendments to the "Rate Setting Residential Care Manual"

1. Change page 2.2-1, A., first sentence to:
"Board payments are made to foster family homes for clients placed in foster care or substitute family care by the Department."
2. On page 2.2-1, A., add as the second sentence:
"Hereafter, when foster care is used, the phrase encompasses substitute family care."
3. On page 2.2-3 and 2.2-4, change (1) to:
"\$6.21 per day for a child under 6 years of age,"; (2) to "\$7.24 per day for a child between the ages of 6 years and 12 years,"; and (3) to "\$8.27 per day for a client over the age of 13 years." Delete the average monthly payment breakdown for each age group. Delete all of (4). Add "The above cited rates include amounts for food and shelter, clothing, and personal needs."
4. Change page 2.2-6, C.2. to:
"The case worker is responsible for initiating necessary forms for the Regional Service Center business office to generate payment. The forms reflect the amount of board payment authorized. Payment is made retroactive for the prior month and payable no later than the 15th day of the following month. Payment is made effective the first day of placement but not the day of removal. In the event of a transfer from one region to another, there shall be no duplication of payment."
5. On page 2.2-12., E. 1.a., change "child" to "client"
6. Change page 2.2-14, second sentence to:
"Any exceptions to the above stated policy will require approval from State Office, or for the Office of Mental Retardation, approval by the Regional Administrator or his authorized representative."
7. Change page 2.2-15, b. to:
Repayment will normally be accomplished through withholdings from future payments made through the Regional Service Center. If this is not feasible, the Regional Service Center is authorized to accept repayment by check or money order only.
In the event collection of overpayments cannot be accomplished within a reasonable time period as determined by the Regional Service Center, referral shall be made to DHHR Central Collections in accord with agency procedures for such referrals.
8. Change page 2.3-2, 2. to:
A special board rate is authorized by the Substitute Family Case Manager subject to supervisory review. Table 2.3.B is the basis for determining the specific amount of the special board rate. All decisions must be documented on forms prescribed by the Regional Service Center.
Approval for a special board rate is subject to review and renewal at least annually. Approval may be given for less than one year if indicated.
9. Change page 2.4-6, 2. to:
Approval of homes for special use and subsidy is made by the Regional Administrator or authorized representative. Payment procedures are the same as for regular homes with the exception that the rate is \$800 per month in addition to basic room and

board, special board and other expenses for each client. Agreements in keeping with Regional Service Center policies and procedures must be on file.

10. Change page 2.5-11, 2. to:

The substitute family may pay for the purchase or charge items to a personal account. Reimbursement is claimed on forms prescribed by the Regional Service Center; with documentation of all costs in excess of \$1.

Payment may be made directly to third parties when professional services are rendered to a client. Approval of the Regional Administrator or authorized representative is required. No authorization may extend for more than one year. Payment authorizations shall be in keeping with Regional Service Center policies and procedures.

Roger P. Guissinger
Secretary

RULE

Department of Health and Human Resources Office of the Secretary

Effective on publication, the Department of Health and Human Resources will adopt a uniform (regardless of funding source) and minimum standards for residential care and client placing providers in Louisiana.

Specifically excluded from the scope of these proposed standards are Intermediate Care Facilities I and II and Skilled Nursing Facilities, hospitals and quasi-hospital facilities. Specifically, these standards apply to Community Homes (6 beds or less), Group Homes (7 beds to 15 beds), Residential Homes (16 beds or more), Foster Care/Substitute Family Care Homes and Supervised Apartment Living Situations.

These standards are being proposed to comply with the *Gary W. et al vs. State of Louisiana et al*, Civil Action No. 74-2412, and are written in order to comply with the terms of the federal court order and a Memorandum of Agreement between parties of that civil action. The standards apply to all clients in care in the covered facilities mentioned above.

The uniform minimum standards covering residential care providers will replace the residential standards published in 1976 by the Department in an effort to comply with the Gary W. Court Order, entitled, *Standards for Certification of Facilities Where DHHR Funds Are Used to Care for Handicapped Persons* and also the minimum standards published in 1976 by the Division of Family Services to implement the child welfare agency law (LRS 40:1401-1412). The foster home standards replace the standards published in 1976 by the Louisiana Division of Family Services, entitled *Child Placing Agencies*. The standards for Substitute Family Care and Supervised Apartment Living Situations are new.

The set of uniform and minimum standards is too bulky for publication but is available for review at the Division of Licensing and Certification, 333 Laurel Street, Room 620, Baton Rouge, LA. Copies of the standards may be obtained upon written request to Billy W. Brown, Director, Division of Licensing and Certification, Box 3767, Baton Rouge, LA 70821 for a fee of \$5 to cover printing costs, postage and handling.

Roger P. Guissinger
Secretary

RULE

Department of Health and Human Resources Office of the Secretary

The Department of Health and Human Resources has adopted changes to the Other Residential Care section of the "Rate Setting for Residential Care System Manual." These changes are in accordance with La. R.S. 15:1081 - 1086, and 42 CFR 447.252 through 42 CFR 447.274. These revisions to the manual are necessary to clarify sentences or to make minor corrections.

Amendments to the "Rate Setting for Residential Care Manual"

1. Correct, on page 3.3-3, the page references by changing to the following:

- a. (pg. 3.5 - 13)
- b. (pg. 3.5 - 14)
- c. (pg. 3.5 - 20)
- d. (pg. 3.5 - 20)
- e. (pg. 3.5 - 13)
- f. (pg. 3.5 - 14)
- g. (pg. 3.5 - 14)
- h. (pg. 3.5 - 14)
- i. (pg. 3.5 - 14)
- j. (pg. 3.5 - 20)
- k. (pg. 3.5 - 19)

2. Add on page 3.3-6, 1., after the third sentence in the first paragraph (which ends with the words "prior to rate determination,"), the sentences:

"For example, the December, 1981 CPI was 281.5. The December, 1982 CPI was 292.4. The change represented 3.87%. Therefore, inflation could not be set any lower than 1.94% for the state fiscal year of 1983-84."

3. On page 3.3-6, 1, correct the spelling of "aggregate."

4. On page 3.3-6, 1, add as the last sentence:

"Non-inflatable fixed costs include depreciation, interest, amortization, lease costs, rent and management fees."

5. On page 3.3-20 I, change the second paragraph to:

"Any facility not receiving funds from DHHR the entire preceding state fiscal year for services provided, or . . ."

6. On page 3.3-20 I, add to the fourth paragraph:

"A change in ownership is that which is so defined by DHHR's Licensing and Regulation Section."

7. On page 3.5-3, 4., change the first sentence to:

"The attached cost report and budget form will be used by all providers for Title XIX and other facilities receiving State funds."

8. On page 3.5-3, 5., change the last sentence to:

"All providers are required to make these records available upon request to representatives of the State DHHR or Federal DHHS."

9. On page 3.5-3, 7., change the second sentence to:

"Cost data will be appropriately adjusted (as described elsewhere in this manual) for rate setting purposes."

10. On page 3.5-3, 7., add the following address for the Rate Administrator:

"P. O. Box 3776, Baton Rouge, LA 70821."

11. On page 3.5-13, a. (3), add as the last sentence:

"State salaries for this purpose include related benefits."

12. On page 3.5-18 i, change all of i after the title to:

"Any income from such items as sale of medical records, sale of scrap and waste, rental of space, etc. (when the item was included as an allowable cost) shall be offset."

13. On page 3.5-20, change (4) to:

"Remuneration for directors on the facility's Board of Directors. This does not include reimbursement for expenses."

14. On page 3.5-20, add as (10), (11) and (12), the

following:

- (10) Vending machine expenses
- (11) Expenses for gift, flower and coffee shops
- (12) Depreciation of equipment used to secure self-generated revenue.

15. On page 3.5-20, delete the last two sentences under Section 1.

16. On page 3.5-24, add at the end of Section 2., the following:

Depreciation of assets being used by a vendor at the time he enters the program is allowed; this applies even though such assets may be fully or partially depreciated on the vendor's books.

So long as an asset is being used, its useful life is considered not to have ended, and consequently the asset is subject to depreciation based on a revised estimate of the asset's useful life as determined by the Provider and approved by Rate Administration.

For example, if a fifty year old building is used at the time the vendor enters the program, depreciation is allowable on the building even though it has been fully depreciated on the vendor's books. Assuming that a reasonable estimate of the asset's continued life is twenty years (seventy years from the date of acquisition) the vendor may claim depreciation over the next twenty years — if the asset is in use that long — or a total depreciation to the program of as much as twenty-seventieths of the asset's historical cost.

17. On page 3.5-29, add as the last sentence under J: "CPA's may include the standard disclaimers for unaudited statements."

18. On page 3.8-1, change under the first paragraph, the first assurance listed, to:

"that monies allocated and paid to the provider by the Department for services to clients are properly used for the purpose intended as reflected in the cost reports submitted by the provider."

Roger P. Guissing
Secretary

RULE

Department of Health and Human Resources Office of the Secretary

The Department of Health and Human Resources has adopted changes to the Other Residential Care Section of the "Rate Setting for Residential Care System Manual." These changes are in accordance with La. R.S. 15:1081 - 1086, and 42 CFR 447.252 through 42 CFR 447.274.

Amendments to the "Rate Setting for Residential Care Manual"

1. On page 3.3-5, add as the last sentence of the last paragraph: "Non allowable costs as specified in this manual, may be allowed for out of state providers."

2. On page 3.3-8, change Section 2, which is entitled "Sample Computation of Basic Support Rate," to Section 3. Add as the new Section 2, the following:

2. Exception to the Inflation Screen Percentage

An exception to the inflation screen percentage set by the Rate Setting Policy Committee can be granted under the following circumstances:

- A program office negotiates with an ongoing provider for capital improvements or additions.
- The provider submits detailed twelve-month budget

schedules showing incremental costs associated with the improvements or additions and a written justification for the change.

- The program office recommends an exception to the inflation screen percentage. The amount of the exception should correspond to the incremental costs of the change.

- The inflation screen exception request is approved by the Rate Setting Policy Committee.

- The exception is within Title XIX guidelines for Title XIX funded facilities.

3. On page 3.3-16, delete the last paragraph of Section 2.

4. On page 3.5-2, 2. add:

"A penalty of 5% of the total monthly payment for the first month and a progressive penalty of 5% of the total monthly payment for each succeeding month may be imposed for non-compliance."

5. On page 3.8-1, last paragraph, add:

"A maximum penalty of ten percent on the per diem in effect when the error is determined may be imposed."

Roger P. Guissing
Secretary

RULE

Department of Health and Human Resources Office of the Secretary

The Department of Health and Human Resources has adopted changes to the Other Residential Care section of the "Rate Setting for Residential Care System Manual." These changes are in accordance with La. R.S. 15:1081 - 1086, and 42 CFR 447.252 through 42 CFR 447.274. These revisions to the manual are necessary to change the level of care formula.

In addition to the manual pages, the Department of Health and Human Resources will present to the Subcommittee on Oversight in July, 1984 a report on the effect of the Department of Health and Human Resources' rate setting system on both public and private facilities. Subject to the approval of the Louisiana Ethics Commission for Public Employees of placing private provider representatives on the Rate Setting Policy Committee, the Secretary shall appoint two private providers from a list of nominees to serve at the pleasure of the Secretary. Every private provider shall be allowed to make one nomination to the Secretary for appointment to the Rate Setting Policy Committee.

Amendments to the "Rate Setting for Residential Care Manual"

1. On page 3.3-15, b., second sentence, delete the phrase "or only two adjacent levels."

2. On page 3.3-15, c., add after the word "follows:"
"(see exceptions in d.)"

3. On page 3.3-15, change paragraph "d" to Paragraph "e". Create a new paragraph "d" with the following:

"d. An exception to the above adjustments will be made if the level of care is Level V or VI. If the facility is a Level V facility and the median level in its group is Level IV or below, the adjustment will be 15%. If the facility is a Level VI facility and the median level in its group is Level IV or below, the adjustment will be 20%."

Roger P. Guissing
Secretary

RULES

**Department of Labor
Office of Labor**

The following Rules and Regulations for the Administration of Job Training Partnership Act (JTPA) by the Office of Labor, Louisiana Department of Labor, were adopted pursuant to the Administrative Procedure Act of Louisiana (R.S. 49:951, et seq.) after a public hearing held thereon on July 8, 1983.

RULE 1. Definitions

MM. "Matching funds" shall include all non-Federal funds, whether in cash or in kind, used in direct support of administration, training, or participant support in programs operated under the Job Training Partnership Act. These matching funds may not include those used as matching funds in any other federally funded program unless such multiple matching is permitted by applicable Federal law or regulations.

RULE 21. Selection of Service Delivery Area Grant Recipient

The Service Delivery Area grant recipient shall be a tax based unit of general or local government.

RULE 21.A Redesignation of Service Delivery Areas

Petitions for redesignation of a Service Delivery Area must be filed with the Governor no later than six months before the beginning of the ensuing program year.

RULE 26. Non-discrimination Procedure

Service Delivery Area grant recipients and subrecipients shall comply with the applicable requirements of 29 CFR 31 and 32.

J. T. Armatta
Assistant Secretary of Labor

RULE

**Department of Natural Resources
Office of Environmental Affairs
Environmental Control Commission**

Under the authority of the Louisiana Environmental Affairs Act, La. R.S. 30:1066 (1) and (8) and 1136 A (1) and (5) and in accordance with the provisions in La. R.S. 49:951 et seq., the Louisiana Environmental Control Commission (ECC) adopted amendments to the Louisiana Hazardous Waste Management Plan (HWMP) at their June 23, 1983 hearing. Prior to the final adoption of the amendments by the Commission, the proposed regulations were forwarded to and found acceptable by the Joint Committees on Natural Resources.

Persons requesting copies and/or further information concerning the HWMP amendments may contact Mary MacDonald, Office of Environmental Affairs, Hazardous Waste Management Division, Box 44066, Baton Rouge, LA 70804-4066, or phone (504) 342-1227.

B. Jim Porter
Assistant Secretary

RULE

**Department of Natural Resources
Office of Environmental Affairs
Environmental Control Commission**

Under the authority of the Louisiana Environmental Affairs Act, La. R.S. 30:1051 et seq. Section 1124 B, and in accordance with the provisions of the Administrative Procedure Act, La. R.S. 49:951 et seq., the Louisiana Environmental Control Commission (ECC) initiated rulemaking procedures to revise the Louisiana Solid Waste Rules and Regulations at its April 28, 1983, meeting. These proposed regulations were forwarded to and found acceptable by the Joint Committee on Natural Resources. A Notice of Intent was published in the May 20, 1983, *Louisiana Register*.

Upon the acceptance by the Joint Committee on Natural Resources, the ECC adopted the amendment at its June 23, 1983, meeting.

Persons requesting copies of the Louisiana Solid Waste Rules and Regulations and/or further information concerning the Rule may contact Barbara Delatte, Office of Environmental Affairs, Solid Waste Management Division, Box 44066, Baton Rouge, LA 70804, or telephone (504) 342-1216.

B. Jim Porter
Assistant Secretary

RULE

**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission**

1983-84 HUNTING SEASONS

The Rules and Regulations contained within this digest have been officially approved and adopted by the Louisiana Wildlife and Fisheries Commission under authority vested by Section 115 of Title 56 of the Louisiana Revised Statutes of 1950 and are considered to be in full force and effect in conjunction with all applicable statutory laws. The Secretary of the Louisiana Department of Wildlife and Fisheries has the authority to close or alter seasons in emergency situations in order to protect fish and wildlife resources.

RESIDENT GAME BIRDS AND ANIMALS

(Shooting hours - one-half hour
before sunrise to one-half hour after sunset)

Also consult Regulation Pamphlet for seasons in specific localities or W.M.A.s.

- QUAIL: Nov. 24-Feb. 28. Daily bag limit 10, Possession 20.
- RABBIT: Oct. 1-Feb. 28. Daily bag limit 8, Possession 16.
- SQUIRREL: Oct. 1-Jan. 15. Daily bag limit 8, Possession 16.
- BEAR: Oct. 15-Oct. 23. One per season (See Schedule).
- DEER: One per day. Six per season (See Schedule and map)
- TURKEY: One per day. Three per season. (See Schedule and map)

**RACCOON AND
OPOSSUM:**

No closed season. Raccoon bag limit, one per person per night. Can be taken only at night by two or more hunters with one or more dogs and one .22 rimfire rifle. Hunting from boats or motor vehicles prohibited. No limit during open trapping season.

CROWS AND BLACKBIRDS: Considered crop depreddators in Louisiana and may be taken any time; no limit.

ARCHERY SEASON: Oct. 1-Jan. 20. Except bucks only until Nov. 1 in Area 1.

COMMERCIAL HUNTING PRESERVES: Oct. 1-Apr. 30. Penraised birds only.

INTENSIVE DEER MANAGEMENT UNITS: Full season; Nov. 5 through the last day of deer season in each particular area. Cooperators failing to comply with specific requirements will be denied opportunity to participate the following year.

HUNTING - GENERAL PROVISIONS

TAKING GAME QUADRUPEDS OR BIRDS from aircraft, automobiles or moving vehicles is prohibited.

MIGRATORY GAME BIRDS - Baiting and live decoys are prohibited. Duck and goose hunters 16 years and older must have a signed federal waterfowl stamp available from any U.S. Post Office. Shotguns larger than 10 gauge or capable of holding more than three shells are prohibited. Plugs used in guns must be incapable of being removed without disassembling gun. No person shall kill or cripple any migratory game bird without making a reasonable effort to retrieve the bird and include it in the daily bag limit. Shooting waterfowl and other migratory game birds from a moving motorboat is prohibited. A craft under power, however, may be used to retrieve dead or cripple birds.

METHODS OF TAKING RESIDENT GAME BIRDS AND QUADRUPEDS - Use of a longbow (including compound bow) and arrow and a shotgun not larger than a No. 10 gauge fired from the shoulder without a rest shall be legal for taking all resident game birds and quadrupeds. Also, the use of a handgun, rifle, and falconry (special permit required) shall be legal for taking all game species except turkey.

Shotguns larger than No. 10 gauge or capable of holding more than three shells prohibited. Plugs used in shotguns must be incapable of being removed without disassembly.

Refer to game schedules contained within these regulations for specific restrictions on the use of firearms and other devices.

OUTLAW BIRDS - Crows, red-winged blackbirds (rice birds), English sparrows, starlings, and (when destructive to crops) grackles and other species of blackbirds.

ENDANGERED SPECIES - Wolf, Florida panther (cougar), brown pelican, southern bald eagle, red cockaded woodpecker, peregrine falcon, and the American ivory-billed woodpecker. Taking or harassment of any of these species is a violation of federal law.

OUTLAW QUADRUPEDS - Holders of a legal hunting license may take coyotes and armadillos year round during legal daylight shooting hours. The running of coyotes with dogs is prohibited in all turkey hunting areas during the open turkey season.

FOXES AND BOBCATS are protected quadrupeds and may be taken only by licensed trappers during the trapping season. Remainder of the year "chase only" permitted by licensed hunters. The running of foxes and bobcats with dogs is prohibited in all turkey hunting areas during the open turkey season.

These regulations are necessary for the proper management of our fur, game and fish in order to assure the trapper, hunter and fisherman a never ending supply of these valuable resources. Conservation laws are designed by the state or federal

government to permit the wise use of our natural resources. Your cooperation is necessary for the success of this conservation program.

1983-84 DEER HUNTING SCHEDULE GENERAL

- A. Bag, one legal deer per day. Six per season.
- B. A legal buck is a deer with visible antler of hardened bony material, broken naturally through the skin. Killing bucks without at least one visible antler as described above and killing doe deer is prohibited except where specifically permitted.
- C. Deer hunting restricted to legal bucks only, except where otherwise permitted.
- D. Either-sex deer is defined as male or female deer. The taking of spotted fawns is prohibited.
- E. Muzzleloaders may be used for all game species in season, however, muzzleloading rifles are prohibited for hunting wild turkey.

F. It is illegal to hunt or shoot deer with firearms smaller than .22 caliber centerfire or a shotgun loaded with anything other than buckshot or rifled slug. Handguns may be used for hunting.

G. Pursuing, driving or hunting of deer with dogs during the still hunting season is prohibited and will be strictly enforced. The training of deer dogs is prohibited in all still hunting areas during still hunting season. Deer hunting with dogs is permitted in all other areas having open deer seasons that are not specifically designated as still hunting only. Use of dogs to trail wounded deer is expressly prohibited in still hunting areas.

H. Areas not specifically designated as open are closed.

I. The running or training of dogs is prohibited in turkey hunting areas during the open turkey season.

J. Archery Season: Still hunting only; Oct. 1-Jan. 20 in all open deer hunting areas, including WMAs. (See schedule). Either-sex deer may be taken in all areas open for deer hunting including WMAs. Where a bucks only season is in progress for gun hunting, archers must conform to the bucks only regulations. Also, archery season restricted on Salvador and Point-Au-Chien WMA's.

BOW AND ARROW REGULATIONS: Hunting arrows for deer must have well-sharpened metal broadhead blades not less than 7/8 inch in width. Bow and arrow fishermen must have a sports fishing license and not carry any arrows with broadhead points unless a big game season is in progress.

IT IS UNLAWFUL:

1. To carry a gun including those powered by air or other means, while hunting with bow and arrow during the special bow and arrow deer season.
2. To have in possession or use any poisoned or drugged arrow, arrows with explosive tips, or any bow drawn, held, or released by mechanical means except as specified by law.
3. To hunt deer with a bow having a pull less than 30 pounds.

K. HUNTER ORANGE: Deer hunters (except on property privately owned and legally posted) must display 400 square inches of "Hunter Orange" material on the head or chest and/or back. Archers are not required to wear "Hunter Orange" if no gun season for deer is in progress. **WARNING:** Deer hunters are cautioned to watch for persons hunting other game or engaged in activities not requiring "Hunter Orange".

L. HUNTING OR DISCHARGED OF FIREARMS: Hunting and/or discharging firearms on public roads or highways is prohibited. Hunting and/or discharging firearms on roads or highways located on public levees or within 100 feet from the center line of such roads or highways is prohibited.

M. TAGS: Any part of the deer, bear or wild turkey subdivided among a group of two or more persons shall have affixed thereto the name, address, and big game license number of

the person killing the deer, bear, or wild turkey. This information shall be legibly written in pen or pencil on any piece of paper or cardboard or any material which is attached or secured to or enclosing the part or parts.

DESCRIPTION OF AREAS

Area 1 - 54 days

9 days still hunting only: Nov. 5-13
10 days with or without dogs: Nov. 25-Dec.4
35 days with or without dogs: Dec. 17-Jan. 20

ALL OF THE FOLLOWING PARISHES ARE OPEN:

Ascension	St. Charles
Assumption	St. Helena
Concordia	St. John
East Baton Rouge	St. James
East Feliciana	St. Mary
Franklin	St. Tammany
Jefferson	Tangipahoa
Iberville	Tensas
Lafourche	Terrebonne
Madison	Washington
Orleans	West Baton Rouge
Plaquemines	West Feliciana

Pointe Coupee

PORTIONS OF THE FOLLOWING PARISHES ARE ALSO OPEN:

Avoyelles - East of La. 29 and 115 lying south of Red River.
Catahoula - East of Boeuf and Ouachita Rivers. South and east of La. 8 from Ouachita River west.
East Carroll - That portion lying south of La. 877 and 580 and west of U. S. 65.
Evangeline - East of Ville Platte between La. 29 and U. S. 167.
Iberia - East of U. S. 90 and south of La. 14.
Lafayette - East of U. S. 167 and U. S. 90.
LaSalle - East of Whitehall lying north of U. S. 84 and south of La. 8. Also the area south of La. 28 and east of Saline Bayou.
Livingston - ALL EXCEPT that portion east of La. 447 from I-12 southward to La. 16, east of La. 16 from Port Vincent to French Settlement North of La. 444 from French Settlement to Horse Bluff Landing Road to Tickfaw River, west of Tickfaw River from Horse Bluff Landing northwest to I-12, south of I-12 from Tickfaw River to La. 447.
Richland - The small portion east of La. 17 and south of U. S. 80.
St. Landry - East of La. 29 in the northwestern portion; and also east of U. S. 167 southward.
St. Martin - Upper - East of U.S. 90. Lower ALL.
Vermilion - South of La. 14.
West Carroll - That portion south of La. 877.

EXCEPT STILL HUNTING ONLY IN PORTIONS OF THE FOLLOWING PARISHES:

East Feliciana - East of Thompson Creek from the Mississippi State line to La. 10. North of La. 10 from Thompson Creek to La. 67 at Clinton, West of La. 67 from Clinton to Mississippi State line. South of Mississippi State line from La. 67 to Thompson Creek. Also that portion of East Baton Rouge and East Feliciana Parishes east of La. 67 from La. 64 north to La. 959, south of La. 959 to La. 63, west of La. 63 to Amite River West of Amite River southward to La. 64, north of La. 64 to La. 37 at Magnolia, east of La. 37 northward to La. 64 at Indian Mound, north of La. 64 from Indian Mound to La. 67.

Plaquemines - East of the Mississippi River from the termination of La. 39 on the northern boundary of Bohemia WMA to the lower end of the parish, west of the Mississippi River between

the Mississippi River Levee and the back levee from Port Sulphur to Empire and from lower Doullut Canal or Empire-Gulf Waterway to the lower end of the parish.

Richland and Franklin - South and west of La. 4 and La. 578 to La. 17, west of La. 17 to U. S. 80, south of U. S. 80 and east of La. 137 and La. 15 to Big Creek, east of Big Creek and Boeuf River to Deer Creek, north of Deer Creek to La. 15, West of La. 15 to La. 562, north of La. 562 to Parish Roads 2281 and 2206, east of Parish Roads 2281 and 2206 to Tensas River, west of Tensas River to La. 4.

St. Landry - Those lands surrounding Thistlethwaite WMA bounded north and east by La. 359, west by La. 10, and south by La. 103, which has the same season as Thistlethwaite WMA.

St. John - South of Pass Manchac from Lake Pontchartrain to U. S. 51, east of U. S. 51 from Pass Manchac to La. 638 (Frenier Beach Road). North of La. 638 from U. S. 51 to Lake Pontchartrain. West of Lake Pontchartrain from La. 638 to Pass Manchac.

Washington and St. Tammany - Thirty days Nov. 5-13, and Dec. 31-Jan. 20. - East of La. 21 from the Mississippi state line southward to the Bogue Chitto River, north of the Bogue Chitto River from La. 21 eastward to the Pearl River Navigation Canal, east of the Pearl River Navigation Canal southward to the West Pearl River, north of the West Pearl River from the Pearl River Navigation Canal to Holmes Bayou, west of Holmes Bayou from the West Pearl River northward to the Pearl River, west of the Pearl River from Holmes Bayou northward to the Mississippi state line, south of the Mississippi state line from the Pearl River westward to La. 21. Also that portion of St. Tammany Parish north of La. 22 from U. S. 190 to La. 1077, east of La. 1077 northward to U. S. 190, south and west of U. S. 190 from La. 1077 to La. 22.

West Feliciana - West of Thompson Creek to Illinois-Central Railroad, north of Illinois-Central Railroad to Parish Road #7, east of Parish Road #7 to the junction of U. S. 61 and La. 966, east of La. 966 from U. S. 61 to Chaney Creek, south of Chaney Creek to Thompson Creek.

EITHER SEX HUNTING

ASCENSION:

Four days, Nov. 12 and Nov. 25-27, in that portion of the parish lying west of the Mississippi River.

ASSUMPTION, IBERIA, JEFFERSON, LAFOURCHE, ORLEANS, PLAQUEMINES, ST. CHARLES, ST. JAMES, ST. JOHN, ST. MARTIN (lower), ST. MARY and TERREBONNE:

Four days, Nov. 12 and Nov. 25-27.

AVOYELLES:

One day: Nov. 25, in that portion bounded on the north and east by the Atchafalaya and Red Rivers, on the south by La. 1 from Simmesport to Marksville, and on the west by La. 115, from Marksville to Red River. EXCEPT that portion surrounding Pomme de Terre WMA, bounded on the north, east and south by La. 451 and on the west by La. 1 which shall be BUCKS ONLY.
CONCORDIA, MADISON and TENSAS:

Three days; Nov. 12 and Nov. 25-26 EXCEPT ten days Nov. 25-Dec. 4, in those portions known as Paw-Paw Island, Togo Island, Sargents Point and Louisiana lands on Diamond Island.
EAST CARROLL:

Three days, Nov. 12 and Nov. 25-26 in that portion south of La. 877 and La. 580 and west of U. S. 65.

EAST FELICIANA, EAST BATON ROUGE and ST. TAMMANY:

Two days, Nov. 25 and 26 in all of the above parishes EXCEPT that portion of St. Tammany Parish east of La. 59 from Mandeville north to La. 36 in Abita Springs, south of La. 36 in Abita Springs eastward to La. 41 at Hickory, west of La. 41 from

Hickory southward to U. S. 11 at Pearl River, west of U. S. 11 from Pearl River southward to U. S. 190 in Slidell, north of U. S. 190 from Slidell west to La. 59 in Mandeville, which shall be for bucks only.

EVANGELINE:

Four days; Nov. 12 and Nov. 25-27 in that portion east of Ville Platte, south of La. 29 and north of U. S. 167.

FRANKLIN:

Two days; Nov. 12 and 25, east of La. 17, south of Martin Road 5530, west of Bayou Macon, and Cutt-Off No. 3, north of Parish Road 5504 (Bakers Road).

IBERIA:

(See ASSUMPTION)

IBERVILLE:

West of Mississippi River. Four days; Nov. 12 and Nov. 25-27.

JEFFERSON and LAFOURCHE:

(See ASSUMPTION)

PLAQUEMINES:

(See ASSUMPTION)

POINTE COUPEE:

Two days, Nov. 12 and Nov. 25, in that portion of the parish bounded on the west by La. 10, from the St. Francisville Ferry to La. 1 at New Roads, and by La. 1 south from New Roads to its junction with La. 78 at Parlange, and by La. 78 south to its junction with U. S. 190 at Livonia, and by La. 411 south from Livonia to its junction with the Iberville Parish line, bounded on the south by the Iberville-West Baton Rouge Parish line and on the east and north by the Mississippi River.

Four days, Nov. 12 and Nov. 25-27 in the remainder of the parish.

ST. CHARLES, ST. JAMES and ST. JOHN:

(See ASSUMPTION)

ST. LANDRY:

One day, Nov. 25, in that portion surrounding Thistlethwaite WMA bounded north and east by La. 359, west by La. 10 and south by La. 103.

Four days, Nov. 12 and Nov. 25-27, in all the parish EXCEPT that portion surrounding Thistlethwaite WMA as described above and those portions of the parish west of U. S. 167.

ST. MARTIN (upper):

Four days, Nov. 12 and Nov. 25-27 in all of Upper St. Martin east of the West Atchafalaya Floodway Levee.

Two days, Nov. 12 and Nov. 25 in that portion bounded on the north by I-10, on the west by the Missouri Pacific Railroad, on the south by La. 96, and on the east by the West Atchafalaya Protection Levee.

ST. MARTIN (lower), ST. MARY and TERREBONNE:

(See ASSUMPTION)

VERMILION:

Four days, Nov. 12 and Nov. 25-27, in that portion lying south of La. 14.

WEST BATON ROUGE:

Four days, Nov. 12 and Nov. 25-27, in that portion bounded on the north by I-10, on the east by Bayou Choctaw from I-10 to the Texas Pacific Railroad, and by the Texas Pacific Railroad from Bayou Choctaw to the Iberville line, and on the south and west by the Iberville line.

Two days, Nov. 12 and Nov. 25 in the remainder of the parish.

WEST FELICIANA:

Five days, Nov. 25-29 in that portion west of the eastern right-of-way boundary of the abandoned L & A Railroad Grade from St. Francisville to Como Bayou, south of Como Bayou westward to the Mississippi River, east of main channel of the Mississippi River from Como Bayou southward to La. 10, west of

La. 10 from main channel of Mississippi River to St. Francisville.

Three days, Nov. 25-27 in the remainder of the parish.

Four days, Nov. 12 and Nov. 25-27 in that portion known as Raccourci Island.

ALSO, three days, Nov. 12 and Nov. 25-26 in that portion known as Turnbull Island.

Area 2, - 45 days

19 days still hunting only:

Nov. 5-23

13 days with or without dogs:

Nov. 25-Dec. 4

13 days with or without dogs:

Dec. 17-Jan. 1

ALL OF THE FOLLOWING PARISHES ARE OPEN:

Bienville	Lincoln
Bossier	Morehouse
Caddo	Natchitoches
Caldwell	Red River
Claiborne	Sabine
DeSoto	Union
Grant	Webster
Jackson	Winn

PORTIONS OF THE FOLLOWING PARISHES ARE ALSO OPEN:

Allen - North of U. S. 190.

Avoyelles - West of La. 29 and 115 and north of Red River.

Beauregard - That portion north of U. S. 190 and east of U. S. 171-190 to Longville, south of Longville Gravel Pit Road to La. 113, east of La. 113 and north of La. 394 to U. S. 171-190. East of U. S. 171-190 to junction of La. 112 and south of La. 112 and 113.

Catahoula - West of Boeuf and Ouachita Rivers, and north and west of La. 8 from Ouachita River west.

Evangeline - ALL EXCEPT that portion east of Ville Platte between La. 29 and U. S. 167.

Jefferson Davis - North of U. S. 190.

LaSalle - ALL EXCEPT that area east of Whitehall lying north of U. S. 84 and south of La. 8. Also EXCEPT that portion south of La. 28 and east of Saline Bayou.

Ouachita - ALL EXCEPT still hunting only in that portion south of U. S. 80 and east of Ouachita River.

Rapides - North of La. 465, to junction of La. 121, East of La. 121 and La. 112 to Union Hill and all south of La. 113 to Vernon line.

Richland - West of Bayou Macon and north of U. S. 80 and also west of La. 137 and 15 and Big Creek southward from U. S. 80. EXCEPT still hunting only in that portion of parish south of U. S. 80 and west of La. 137 and La. 15, and also that portion east of La. 133 and north of U. S. 80.

St. Landry - That portion west of La. 29. South and west of U. S. 167 and north of U. S. 190.

Vernon - East and south of La. 113, north of La. 465, west of La. 117 from Kurthwood to Leesville, and north of La. 8 from Leesville to Texas line.

West Carroll - ALL EXCEPT that portion south of La. 877. EXCEPT STILL HUNTING ONLY IN PORTIONS OF THE FOLLOWING PARISHES:

Morehouse - That portion east of La. 133, north of La. 134, and east of La. 138 and U. S. 165.

Ouachita - That portion south of U. S. 80 and east of the Ouachita River.

Richland - That portion south of U. S. 80 and west of La. 137 and La. 15 and ALSO that portion east of La. 133 and north of U. S. 80.

West Carroll - ALL EXCEPT that portion south of La. 877.

EITHER SEX HUNTING

BIENVILLE, BOSSIER, CADDO, CLAIBORNE, DESOTO,

WINN, GRANT, JACKSON, NATCHITOCHEs, RAPIDES, RED RIVER, SABINE, UNION, VERNON and WEBSTER:

Two days, Nov. 12 and Nov. 25.

ALLEN:

Two days, Nov. 12 and Nov. 25 in those portions west of U. S. 165.

BEAUREGARD:

Two days, Nov. 12 and Nov. 25 in that portion within Area 2.

CALDWELL:

One day, Nov. 12, west of Ouachita River southward from Ouachita line to Columbia, west of U. S. 165 from Columbia southward.

LINCOLN, OUACHITA, and RICHLAND:

One day, Nov. 12, in all these parishes.

MOREHOUSE:

One day, Nov. 12 in that portion of the parish west of U. S. 165 and La. 133.

OUACHITA:

(See LINCOLN)

RICHLAND:

(See LINCOLN)

Area 3 - 45 days

19 days still hunting only: Nov. 5-23
10 days with or without dogs: Nov. 25-Dec. 4
16 days with or without dogs: Dec. 17-Jan. 1

PORTIONS OF THE FOLLOWING PARISHES ARE OPEN:

Beauregard - West of La. 27 northward to DeRidder and south of U. S. 190 and west of La. 111.

Calcasieu - West of La. 27 and north of U. S. 90 from Sulphur to Texas State Line.

EITHER SEX HUNTING

PORTIONS OF THE FOLLOWING PARISHES ARE OPEN:

Beauregard and Calcasieu:

Two days, Nov. 12 and 25 in those portions of the foregoing parishes within Area 3.

Area 4-45 days

19 days still hunting only: Nov. 5-23
10 days still hunting only: Nov. 25-Dec. 4
16 days still hunting only: Dec. 17-Jan. 1

ALL OF CAMERON PARISH IS OPEN:

PORTIONS OF THE FOLLOWING PARISHES ARE ALSO OPEN:

Acadia - South of U. S. 190.

Allen - South of U. S. 190.

Beauregard - South of U. S. 190 to Ragley; west of U. S. 171-190 from Ragley to Longville; north of Longville Gravel Pit Road to La. 113; west of La. 113 and south of La. 394 to U. S. 171-190; west of U. S. 171-190 to the junction of La. 112. North and west of La. 112 and 113; also east of La. 27 northward to DeRidder and north of U. S. 190 and east of La. 111.

Calcasieu - East of La. 27 and south of U. S. 90 from Sulphur to Texas state line.

Iberia - West of U. S. 90 and north of La. 14.

Jefferson Davis - South of U. S. 190.

Lafayette - West of U. S. 167 and U. S. 90.

Rapides - South of La. 465 to Junction of La. 121, west of La. 121 and La. 112 to Union Hill, and north of La. 113 to Vernon Parish line.

St. Landry - West of U. S. 167 and south of U. S. 190.

St. Martin - West of U. S. 90.

Vermilion - North of La. 14.

Vernon - West and north of La. 113, south of La. 465, east of La. 117 from Kurthwood to Leesville, and south of La. 8 from Leesville to Texas state line.

EITHER SEX HUNTING

PORTIONS OF THE FOLLOWING PARISHES ARE OPEN:

ALLEN, BEAUREGARD, CALCASIEU, JEFFERSON DAVIS, RAPIDES and VERNON:

Two days, Nov. 12 and Nov. 25 in those portions of the foregoing parishes within Area 4.

Area 5 - 33 days

17 days with or without dogs: Nov. 25-Dec. 11

16 days with or without dogs: Dec. 17-Jan. 1

PORTIONS OF EAST CARROLL ARE OPEN:

East Carroll - All north of La. 877 and La. 580 and east of U. S. 65.

EITHER SEX HUNTING

EAST CARROLL:

Five days, Nov. 25-29 in that portion east of the main line Mississippi River levee, including Henderson Island, Willow Point, Newman Towhead and Duncanby Towhead.

Area 6 - 19 days

9 days still hunting only: Nov. 5-Nov. 13

10 days with or without dogs: Nov. 25-Dec. 4

ALL OF ST. BERNARD PARISH IS OPEN.

EITHER SEX HUNTING

ST. BERNARD:

One day, Nov. 12, in all St. Bernard Parish.

1984 TURKEY SEASON SCHEDULE GENERAL

Daily limit one gobbler, three per season. Still hunting only. Dogs, baiting, electronic calling devices and live decoys are illegal. Turkeys may be hunted with shotguns using shot not larger than size No. 2 and longbows and arrows but by no other means. Shooting turkeys from moving or stationary vehicles is prohibited. Running or training dogs is prohibited in any turkey hunting area during the open turkey season.

Turkey baiting is hereby defined as the placing or distributing of harvested grain such as, but not limited to, corn, wheat or milo in such a manner so as to constitute a lure or attraction to any area where hunters are attempting to take turkeys.

A person shall be deemed to be hunting over bait if he is in the act of hunting (calling or in a blind) within one hundred yards of a baited site. A baited site is only and specifically that immediate area where bait is deposited.

Any area where a hunter or hunters are found hunting or attempting to take turkeys over bait during the open turkey hunting season shall be immediately closed to hunting by posting signs circumscribing the bait site by a distance of 100 yards in all directions from the bait site. The signs shall read "Posted — Baited Area — Closed to Hunting". The area shall remain closed until all bait has been removed and for ten days afterward.

TURKEY SEASON

Open Only in the Following Areas

Area A - 23 days, March 31-Apr. 22.

ALL OR PORTIONS OF THE PARISHES DESCRIBED AS FOLLOWS ARE OPEN:

Bienville - East of La. 7

Caldwell - West of Ouachita River southward to U. S. 165 at Columbia; east of U. S. 165 from Columbia to La. 4; south of La. 4 and west of Boeuf River, east and north of La. 126, also south and west of La. 127.

Catahoula - West of Boeuf River to Ouachita River, west of Ouachita River southward to La. 8 at Harrisonburg and north of La. 8 to La. 126; north and east of La. 126.

Claiborne - All of Claiborne Parish east of U. S. 79.

Jackson - ALL.

LaSalle - That area north of U. S. 84 and west of La. 127 to the Caldwell Parish line, ALSO north and east of La. 126 between Rosefield and Holm.

Lincoln - ALL.

Natchitoches - ALL north of U. S. 84 EXCEPT that area south of La. 156, west of Saline Bayou and Saline Lake and East of La. 9 from U. S. 84 to Creston.

Ouachita - ALL west of Ouachita River.

Red River - ALL north of U. S. 84 and east of La. 7.

Union - ALL.

Webster - ALL of Webster Parish east of U. S. 79 and La. 7 from Minden southward to Bienville line.

Winn - All north of U. S. 84 EXCEPT a small portion east of Sikes lying south of La. 126 and north of La. 127, which is CLOSED.

Area B - 37 days. Mar. 17-Apr. 22.

PORTIONS OF THE FOLLOWING PARISHES ARE OPEN:

Catahoula, Concordia, Franklin, Madison, and Tensas - South of U. S. 80 from Mississippi River to La. 17, east of La. 17 and La. 15 from Delhi to Winnsboro to Clayton; west of U. S. 65 from Clayton to junction of La. 128, north of La. 128 to St. Joseph; west and north of La. 605, 604, and 3078 northward to Port Gibson Ferry. Including all lands in Tensas and Madison Parishes lying east of the main channel of the Mississippi River.

Area C - 37 days. Mar. 17-Apr. 22.

ALL OR PORTIONS OF THE FOLLOWING PARISHES DESCRIBED AS FOLLOWS ARE OPEN:

East Baton Rouge - All north of I-12 to Junction with I-10, north of I-10 to Mississippi River.

East Feliciana - ALL.

Livingston - North of I-12.

St. Helena - ALL.

St. Tammany - ALL.

Tangipahoa - ALL.

Washington - ALL.

West Feliciana - All east of the Mississippi River.

Area D - 37 days. Mar. 17-Apr. 22.

Within Pointe Coupee, Iberville and upper St. Martin bounded on the north by La. 1 and the North Morganza Floodway Levee; on the south by I-10; on the east by the East Atchafalaya Basin Protection Levee; and on the west by the Atchafalaya River.

Area E - 31 days. Mar. 31-Apr. 30.

Within East Carroll lying east of the main line (New) Mississippi River Levee from the Arkansas state line to the Madison Parish line, EXCEPT those areas east of the main channel of the Mississippi River known as Willow Point, Henderson Island, Newman Towhead and Duncanby Towhead which shall have 37 days, Mar. 17-April 22.

Area F - 23 days, Mar. 17-April 8.

PORTIONS OF THE FOLLOWING PARISHES ARE OPEN:

Ascension

Iberville

Assumption

West Baton Rouge

North of La. 70 from La. 1 to the East Atchafalaya Basin Protection Levee, east of the East Protection Levee northward to the town of Pigeon, east of La. 75 from Pigeon to La. 77 at Indian Village, East of La. 77 to I-10, South of I-10 to La. 1, south and west of La. 1 from I-10 to La. 70.

Area G - 23 days. Mar. 17-Apr. 8

PORTIONS OF THE FOLLOWING PARISHES ARE OPEN:

West Feliciana - That portion known as Raccourci Island.

Pointe Coupee - That portion south of La. 10 & La. 1 from Morganza to New Roads. West of La. 1 from New Roads to

Parlange Lane and La. 78. West of La. 78 from La. 1 to U. S. 190 at Livonia. East of La. 77 and 10 from Livonia to Morganza, and east of La. 1 and La. 418 northward from Morganza to La. 15. Area H - 23 days. Mar. 17-Apr. 8

That portion of St. Landry, bounded on the north by U. S. 190, on the east by the Atchafalaya River, on the south by the St. Landry Parish line and on the west by the Grimmet Canal and Bayou Fardoche.

Area I - 16 days. Mar. 17-Apr. 1.

PORTIONS OF THE FOLLOWING PARISHES ARE OPEN:

Allen

Calcasieu

Beauregard

Jefferson Davis

South of La. 26 from Oberlin to U. S. 171, west of U. S. 165 from Oberlin to Kinder, north and west of La. 383 from Kinder to La. 3059, north of La. 3059 from La. 383 westward to U. S. 171, east of U. S. 171 to La. 26.

Area J - 37 days. Mar. 17-Apr. 22.

ALL OR PORTIONS OF THE PARISHES DESCRIBED AS FOLLOWS ARE OPEN:

Allen - West of U. S. 165 southward to La. 26, North of La. 26.

Beauregard - North and west of U. S. 190 and north of La. 26.

DeSoto - South of U. S. 84 from Bayou Pierre to La. 175 at Mansfield, and east of La. 175 southward to La. 177, north and west of La. 177 from La. 175 to Bayou Pierre.

Grant - ALL.

LaSalle - That portion south of U. S. 84 lying east of Little River and Castor Creek and west of La. 127 from Little River to U. S. 84.

Natchitoches - All south of U. S. 84 EXCEPT those portions lying between U. S. 84 and Red River from Campti Northward and north of La. 174 from Bayou Pierre toward Pleasant Hill, and also EXCEPT that portion north of La. 6 from Natchitoches to La. 485, east and south of La. 485 from La. 6 to Powhatan, west of La. 1 from Powhatan to Natchitoches, which are closed. Also, that portion north of U. S. 84 that lies south of La. 156, west of Saline Bayou and Saline Lake and east of La. 9 from U. S. 84 to Creston IS OPEN.

Rapides - North of La. 28 from Saline Bayou to Alexandria, west of U. S. 165 from Alexandria southward.

Red River - South of U. S. 84 from Red River at Coushatta westward to Bayou Pierre.

Sabine - South of La. 174 at Toledo Bend Lake to U. S. 171 at Converse, west and south of U. S. 171 to La. 175 at Many, east of La. 175 from Many northward to Pleasant Hill and south of La. 174 from Pleasant Hill eastward.

Vernon - All.

Winn - All south of U. S. 84.

BEAR SEASON

Nine days: Oct. 15-23 with or without dogs. Taking cub bears is prohibited. That part of the Atchafalaya Floodway in portions of St. Landry, St. Martin, Iberville, and Pointe Coupee. Bounded on the north by La. 10, and the east by East Atchafalaya Basin Protection Levee, on the south by I-10, and on the west by West Atchafalaya Basin Protection Levee.

SPECIAL INCLUSION FOR DEPARTMENT ACTION

(Not to be printed in brochure)

LOUISIANA ARMY AMMUNITION PLANT, Minden, Louisiana, Webster Parish.

Deer: Either-sex deer shall be legal throughout the entire Area 2 season or portions thereof as permitted by the base commander.

All Other
Game: Same as outside season or portions thereof
as permitted by the base commander.
BARKSDALE AIR FORCE BASE, Bossier City, Louisiana,
Bossier Parish.

Deer: Either-sex deer shall be legal throughout
the entire Area 2 season or portions thereof
as permitted by the base commander.

All Other
Game: Same as outside season or portions thereof
as permitted by the base commander.
AVERY ISLAND, Iberia Parish

Deer: Either-sex deer shall be legal throughout
the entire scheduled Area I season.

1983-84
WILDLIFE MANAGEMENT AREA REGULATIONS
GENERAL

The following Rules and Regulations concerning the management, protection and harvest on wildlife management areas have been officially approved and adopted by the Louisiana Wildlife and Fisheries Commission in accordance with the authority provided in Louisiana Revised Statutes of 1950, Section 109 of Title 56. Failure to comply with these regulations will subject individual to citation and/or expulsion from the management area.

Wildlife management area seasons can be altered or closed anytime by the Department in emergency situations (floods, fires or other critical circumstances).

Lands within WMA boundaries will have same seasons and regulations as the management area with which they are associated.

Dumping garbage or trash on WMAs except in designated locations is prohibited.

Disorderly conduct or hunting under influence of alcoholic beverages, chemicals and other similar substances is prohibited.

Deer seasons are for legal buck deer unless otherwise specified.

Requests for WMA maps may be directed to any district office: P. O. Box 915, Minden, 71055; P. O. Box 4004, Monroe, 71211; P. O. Box 278, Tioga, 71477; P. O. Box 426, Ferriday, 71334; 1213 North Lakeshore Drive, Lake Charles, 70601; P. O. Box 585, Opelousas, 70570; P. O. Box 15570, Baton Rouge, 70895; or 400 Royal Street, New Orleans, 70130.

PERMITS

DAILY: When required, may be obtained at the permit stations on or near each WMA. Hunters must check out daily one-half hour after the end of legal shooting time.

SEASON: Basic resident and non-resident hunting licenses serve as season permits on WMAs when required, EXCEPT additional permits required on Ft. Polk and Peason Ridge WMAs. Persons under 16 and those 60 or over need no season permits EXCEPT on Peason Ridge WMA and Fort Polk WMA. When permits are required, hunters may enter an area one hour before legal shooting time and must be off the area one-half hour after legal shooting time EXCEPT when daily permits are required and otherwise specified.

TRAPPING: Permits to take furbearers from WMAs may be obtained at district offices. No trapping is allowed on Alexandria State Forest. Other special trapping exceptions are listed under

respective WMA season schedules. Unless otherwise noted, WMA trapping seasons are the same as outside seasons. All traps must be run daily. Traps with teeth are illegal. Each trapper must submit an annual trapping report to the district office where his permit was obtained. Non-compliance will result in forfeiture of trapping privileges on the WMAs.

RACCOON
HUNTING:

Raccoon hunters must submit an annual report of their kill to the district office where their permit was obtained. Non-compliance will result in forfeiture of hunting privileges on the WMAs.

COMMERICAL
FISHING:

Permits are required of all commercial fishermen using Red River, Grassy Lake, Pearl River, Pomme de Terre, Three Rivers, and Spring Bayou WMAs. Drag seines (except minnow seines) are prohibited. Commercial fishing is prohibited during regular waterfowl season on Grand Bay, Silver Lake, and Lower Sunk Lake on Three Rivers WMA. Non-compliance with permit regulations will result in revocation of commercial fishing privileges.

SPORT-
FISHING:

Sport fishing and frogging are permitted on WMAs when in compliance with current laws and regulations EXCEPT nighttime frogging prohibited on Salvador, Point-Au-Chien and Ouachita W.M.A.s.

FIREARMS

Firearms having live ammunition in the chamber, magazine, cylinder, or clip when attached to firearms, are not allowed in vehicles on WMA. Firearms may not be carried on any area before or after permitted hours except in authorized camping areas.

Firearms are not permitted on WMAs during closed seasons, EXCEPT on designated shooting ranges.

Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists (see respective WMA season schedule).

Loaded firearms are not permitted near WMA check stations.

Rifles and handguns larger than .22 caliber rimfire, shotgun slugs, or shot larger than No. 2 cannot be carried onto any WMA except during deer season.

Target shooting and other forms of practice shooting are prohibited on WMAs EXCEPT as otherwise specified.

Discharging of firearms on or hunting from improved roads or their rights-of-way is prohibited.

METHODS OF TAKING GAME

Organized drivers and standers making use of noises or noisemaking devices are not permitted on WMAs.

Baiting is prohibited on all WMAs (Hogs included).

Unmarked hogs may be taken on certain WMAs only during prescribed seasons and only with guns or bow and arrow legal for specified seasons in progress. Proper licenses and permits are required for hunting the game species for which the area is open at the time.

Hunters who kill deer on WMAs where daily permits are required must have deer checked at the check station.

Deer hunting on WMAs is restricted to still hunting only. No WMA will be open for deer during early still hunt season unless specified in the regulation pamphlet.

Construction of and hunting from permanent tree stands or permanent blinds on WMAs prohibited.

Tree climbing spurs are also prohibited. Any permanent stand or permanent blind will be destroyed.

A permanent blind or stand is defined as any structure and/or material, including vegetation, used for concealment while hunting, that is not completely dismantled or removed from the wildlife management area daily.

All waterfowl hunters must dismantle blind and remove decoys within 30 minutes after close of shooting hours on each respective area. Unattended decoys will be confiscated and forfeited to the Department of Wildlife and Fisheries and disposed of by the Department. This action is necessary to prevent preemption of hunting space.

Hunters shall not hunt, take, or pursue game birds or animals from vehicles on any WMA.

The use of horses and mules prohibited for hunting on WMAs, EXCEPT for quail hunting.

All hunters EXCEPT waterfowl hunters (including archers and small game hunters) on WMAs must display 400 square inches of "Hunter Orange" during open gun season for deer. ALSO all non-hunters afield during hunting seasons are encouraged to display "Hunter Orange".

ARCHERY SEASON FOR DEER: Still hunting only. The entire archery season is open to either-sex deer, EXCEPT archers must abide by bucks only and other restrictions when bucks only gun seasons are in progress and EXCEPT archery season is closed on certain WMAs during the muzzleloader hunts and archery season restricted on Point-Au-Chien and Salvador WMAs.

MUZZLELOADER SEASON FOR DEER: December 3-4 on Fort Polk, Spring Bayou, West Bay, and Pearl River. December 10-11 on Bodcau, Pearl River, Ouachita, and Sabine; Either sex, season permit. Legal muzzleloader firearms are single barralled rifles, .44 caliber minimum, or shotguns 10 gauge or less, either of which must load exclusively from the muzzle, use black powder or approved substitute only, take single ball or slug only, have exposed percussion caps or flintlock, and be fitted only with iron sights.

CAMPING

Camping on WMAs, including trailers, houseboats, recreation vehicles, and tents is permitted only in designated areas and for a period not to exceed 16 consecutive days; camping area use limited exclusively to outdoor recreational activities.

Houseboats are prohibited from overnight mooring within WMAs except on streambanks adjacent to Department-owned boat launching ramps, and/or designated camping areas.

On Atchafalaya Delta WMA and Pass-A-Loutre WMA, camp boats may be moored in specially designated areas throughout the waterfowl season. At all other times of the year mooring period limited to a period not to exceed 16 consecutive days.

No refuse or garbage may be dumped from these boats while vessel is within the WMA boundary.

Firearms may not be kept loaded or discharged in a camping area.

Campsites must be cleaned by occupants prior to leaving and all refuse placed in designated locations.

Non-compliance with camping regulations will subject occupant to immediate expulsion and/or citation.

Damage to or removal of trees, shrubs, and wild plants on WMAs without prior approval is prohibited.

Swimming prohibited within 100 yards of boat launching ramps.

DOGS

Except for bird hunting, duck hunting, raccoon hunting, and rabbit hunting, when allowed, having or using dogs on any WMA is prohibited. Only recognizable breeds of bird dogs and retrievers are permitted for quail and migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on WMAs having experimental rabbit seasons.

VEHICLES

Vehicles having wheels with a wheel-tire combination having a radius of 17 inches or more from the center of the hub (measured horizontal to ground), are prohibited on specified WMAs.

Airboats, aircraft, and hover craft are prohibited on all WMAs.

Driving or parking vehicles on food or cover plots and strips is prohibited.

Motorized vehicles including ATVs, ATCs, and motorcycles, are restricted entirely to roads designated on WMA maps.

1983-84 SEASON

WILDLIFE MANAGEMENT AREAS HUNTING SCHEDULE

1. ALEXANDRIA STATE FOREST (Owner — Office of Forestry-DNR-7,875 Acres):

Deer: Nov. 12-16 bucks only, Season Permit.
Nov. 25-26 either-sex, Daily Permit.

Squirrel & Rabbit: Same as outside EXCEPT closed during either-sex gun hunts for deer and EXCEPT still hunt only.

Quail, Woodcock, & Doves: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

2. ATCHAFALAYA DELTA (Owner — State of Louisiana-125,000 Acres):

Migratory Game Bird Hunting Only: Same as outside.
Rabbits: May be taken with beagles same as outside season EXCEPT closed during duck season.

3. ATTAKAPAS (Owner — State of Louisiana-25,500 Acres):

Deer: Nov. 25 either-sex, Season Permit.
Nov. 26-Dec. 4 and Dec. 26-Jan. 15 bucks only, Season Permit.

Squirrel & Rabbit: Same as outside EXCEPT closed during either-sex gun hunts for deer and EXCEPT still hunt only.

Woodcock: Same as outside.
Waterfowl: Same as outside EXCEPT hunting after 2 p.m. prohibited.

Unmarked Hogs: May be taken during deer season only by properly licensed deer hunters with guns or bow and arrow.

Trapping: Same as outside EXCEPT permit required from area supervisor or Opelousas District Office.

4. BILOXI (Owner — Biloxi Marsh Land Corporation-39,583 Acres):

Deer: Nov. 25-Dec. 4 bucks only, Season Permit, Still Hunt Only.
 Rabbit: Oct. 1-Jan. 8 Still Hunt Only.
 All Other Game: Same as outside EXCEPT still hunt only and morning hunting only for waterfowl (closed 12 noon).

5. BODCAU (Owner — U. S. Army Corps of Engineers-32,471 Acres):

Deer: Same as outside EXCEPT still hunt only. And EXCEPT Nov. 12 and Nov. 25 either-sex, Season Permit.
 Muzzle-loader: Dec. 10-11 Either-Sex, Season Permit.
 All Small Game: Same as outside EXCEPT still hunt only and EXCEPT bird dogs and retrievers allowed.
 Waterfowl: Same as outside EXCEPT hunting after 2 p.m. prohibited. No vehicles allowed on slopes of dams and levees.
 Unmarked Hogs: May be taken during deer season only by properly licensed deer hunters and with gun and bow and arrow.

6. BOEUF (Department Owned-38,403 Acres)

Deer: South of Bayou LaFourche Cut-Off Nov. 25 either-sex, Daily Permit. Nov. 26-27 bucks only, Season Permit. Dec. 17-Jan. 1 bucks only, Season Permit. North of Bayou LaFourche Cut-Off Nov. 25-27, Dec. 17-Jan. 1 bucks only, Season Permit.
 Squirrel & Rabbit: Oct. 1-Nov. 20 and Dec. 3-11 Still Hunt Only, EXCEPT beagles permitted for rabbit Jan. 21-Feb. 5 EXPERIMENTAL.
 Waterfowl: Same as outside EXCEPT hunting after 2 p.m. prohibited and EXCEPT waterfowl season closed during either-sex gun hunt for deer.
 Quail & Woodcock: Same as outside EXCEPT closed during either-sex gun hunts for deer.
 Turkey: South of La. 4, Mar. 17-Apr. 8, Gobblers Only.
 Raccoon: EXPERIMENTAL, Nov. 5-13 taking permitted, Feb. 6-27 (Chase Only) taking prohibited. Permit required from Ferriday District Office.
 Trapping: Dec. 1-Jan. 15 Permit required from Ferriday District Office.

Free-ranging livestock not permitted south of Bayou LaFourche Cut-Off in fenced areas. ALSO, unmarked hogs may be taken by all properly licensed hunters during seasons with gun or bow and arrow south of Bayou LaFourche Cut-Off.

Encased or broken down firearms and any game harvested may be transported through the area by the most direct route, provided that no other route exists.

Vehicles having wheels with a wheel-tire combination having a radius of 17 inches or more from the center of the hub (measured horizontal to the ground) are prohibited.

7. BOHEMIA (Owner — Orleans Levee District-33,000 Acres):

Deer: Nov. 12-13 and Nov. 25-27, Dec. 10-11

either-sex, Daily Permit. Dec. 24-Jan. 8 bucks only, Season Permit.

Squirrel: Same as outside EXCEPT closed during either-sex gun hunts for deer. Still hunt only.

Rabbit: Same as outside EXCEPT closed during either-sex gun hunts for deer North of Bayou Lamoque, still hunt only EXCEPT beagles permitted Jan. 10-Feb. 28 on entire area. EXPERIMENTAL.

Snipe & Dove: Same as outside EXCEPT closed north of Bayou Lamoque during either-sex gun hunts for deer.

Waterfowl: Same as outside EXCEPT morning hunting only (closes 12 noon).

Crawfish: No more than 100 pounds per party per day.

8. BOISE VERNON (Owned — Boise-Southern Company-54,269 Acres):

Deer: Nov. 5-23 bucks only, Season Permits. Nov. 25-27 either-sex, Daily Permit.

Squirrel & Rabbit: Same as outside EXCEPT, still hunt only and EXCEPT closed during either-sex gun hunts for deer.

Quail, Woodcock, & Dove: Same as outside EXCEPT closed during either sex-gun hunts for deer.

Turkey: Same as outside. Gobblers only.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

9. CITIES SERVICE (Owner — Cities Service Oil Company, et al-16,714 Acres):

Deer: Nov. 5-23 and Nov. 26-29 bucks only, Season Permit. Nov. 25 either-sex, Season Permit.

Squirrel & Rabbit: Oct. 1-Nov. 20 and Dec. 10-18, still hunt only. Beagles permitted for rabbit hunt Feb. 4-12 EXPERIMENTAL.

Quail, Woodcock, & Dove: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Turkey: Apr. 7-22. Gobblers Only.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Trapping: Dec. 1-Jan. 15. Permit required from Monroe District Office.

Raccoon: EXPERIMENTAL, Permit required from Monroe District Office. Oct. 1-30 (Chase Only) taking prohibited. Jan. 28-Feb. 5 taking permitted.

10. CONCORDIA (Owner — Fisher Lumber Corporation-1,030 Acres):

Deer: Nov. 25-Dec. 4 and Dec. 31-Jan. 15 bucks only, Season Permit.

Squirrel & Rabbit: Same as outside EXCEPT still hunting only.

Waterfowl: Same as outside EXCEPT hunting after 2 p.m. prohibited.

Trapping: Dec. 1-Jan. 15. Permit required from Fer-riday District Office.

Encased or broken down firearms and any game harvested may be transported through the area by the most direct route, provided no other route exists.

Vehicles having wheels with a wheel-tire combination having a radius of 17 inches or more from the center of the hub (measured horizontal to the ground) are prohibited.

11. FORT POLK (Owner — U. S. Army and U. S. Forest Service -109,855 Acres):

DAILY military clearance required to hunt any game. All hunting except either-sex deer hunting available by self clearing permit system. Registration for use of self clearing permit required once per year at Building #8601, North Fort Polk. Either-sex deer season daily

permits available at daily permit stations. Trappers must also register at Building #8601 and use self clearing system.

Deer: Nov. 5-23 bucks only, Season Permit.
Nov. 25-27 either-sex, Daily Permit.

Muzzle-loader: Dec. 3-4, either-sex, Special Permit, Building #8601. A selected portion of the area to be open.

Special archery regulations for Cantonment Areas, check locally at Building #8601. Either-sex deer legal Oct. 1-Jan. 20. Remainder of WMA restricted to bucks only when bucks only gun season is in progress.

Squirrel & Rabbit: Same as outside EXCEPT still hunt only, and shotguns only permitted and EXCEPT closed during either-sex gun hunts for deer. Hunter Orange must be worn when bucks only gun hunts for deer are in progress.

Quail, Woodcock, & Dove: Same as outside season EXCEPT closed during either-sex gun hunts for deer. No member of a party engaged in bird hunting shall use or have in his possession a rifle, shotgun slugs, or shotgun shell larger than No. 6.

Turkey: Same as outside season. Gobblers only.
Waterfowl: Same as outside EXCEPT closed during all either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Unmarked Hogs: May be taken during deer season only by properly licensed deer hunters with gun or bow and arrow.

12. GEORGIA-PACIFIC (Owner — Georgia-Pacific Corporation, et al-28,000 Acres):

Deer: Nov. 5-23 and Nov. 26-29 bucks only, Season Permit.
Nov. 25 either-sex, Daily Permit

Squirrel & Rabbit: Oct. 1-Nov. 20 and Dec. 10-18 Still Hunt Only.

Quail, Woodcock, & Dove: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Trapping: Dec. 1-Jan. 22 Permit from Monroe District Office required.

Raccoon: EXPERIMENTAL. Permit from Monroe District Office required.

Oct. 1-30 (Chase Only) taking prohibited.

Feb. 4-12 taking permitted

SPECIAL REGULATION: Company Pond Road is treated as a state or parish road. Hunters may transport guns along this road if broken down or encased when gun only season is in progress on outside.

13. GRASSY LAKE (Department Owned-13,297 Acres):

Deer: Nov. 25 either-sex, Daily Permit.
Nov. 26-27 and Dec. 31-Jan. 15 bucks only, Season Permit.

Squirrel & Rabbit: Same as outside EXCEPT closed during either-sex gun hunts for deer and still hunting only. Beagles permitted for rabbits Jan. 21-29 EXPERIMENTAL.

Woodcock: Same as outside.
Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Sport Fishing: Same as outside EXCEPT permitted only after 2 p.m. during waterfowl season, on Smith Bay and Grassy Lake proper.

Commercial Fishing: Permitted EXCEPT on Smith Bay and Grassy Lake proper on Saturday and Sunday and during waterfowl season. Permits available from area supervisor or Opelousas District Office.

Unmarked Hogs: May be taken during deer season only by properly licensed deer hunters with gun or bow and arrow.

ALL FREE RANGING LIVESTOCK PROHIBITED.

Raccoon: EXPERIMENTAL Nov. 5-13 permits available at Spring Bayou WMA headquarters.

Vehicles having wheels with a wheel-tire combination having a radius of 17 inches or more from the center of the hub (measured horizontal to the ground) are prohibited.

14. JACKSON-BIENVILLE (Owner — Willamette Industries, Continental Can Co., et al-30,845 Acres):

Deer: Nov. 25-Dec. 4 either-sex, Daily Permit.
Dec. 17-24 bucks only, Season Permit.

All Small Game: Same as outside EXCEPT still hunt only and closed during either-sex gun hunts for deer.

Turkey: Same as outside. Gobblers Only.
Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Trapping: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Unmarked Hogs: May be taken during deer season only by properly licensed deer hunters, with gun or bow and arrow.

15. JOYCE (Department Owned-13,569 Acres):

Deer: Dec. 17-Jan. 20 bucks only, still hunt only, Season Permit.

Waterfowl: Same as outside EXCEPT closed 12 noon.

- Snipe, Rail, & Gallinule: Same as outside season.
- Squirrel: Oct. 1-Dec. 11 Still Hunt Only.
- Archery: Same as outside season.
- Trapping: Same as south zone season. Permit required from area supervisor or Baton Rouge District Office.
- Rabbit: Same as outside, still hunt only.
16. LOGGY BAYOU (Department Owned-3,600 Acres):
- Deer: Nov. 25-27 bucks only, Season Permit (gun hunt)
- Archery: Oct. 1-Jan. 20 bucks only during gun hunts for deer.
- All Small Game: Same as outside EXCEPT closed during gun hunts for deer and still hunt only.
- Waterfowl: Same as outside EXCEPT hunting after 2 p.m. prohibited and EXCEPT closed during ALL gun hunts for deer.
17. MANCHAC (Department Owned-8,325 Acres):
- Deer: Jan. 7-20 still hunt only, bucks only, Season Permit.
- Squirrel: Oct. 1-Dec. 11, still hunt only.
- Snipe, Rail & Gallinule: Same as outside season.
- Waterfowl: Same as outside EXCEPT closed 12 noon.
- Rabbits: Same as outside EXCEPT may be hunted with beagles all day after the last day of waterfowl season, EXPERIMENTAL.
18. OUACHITA (Department Owned-3,125 Acres):
- Deer: Nov. 25 either-sex, Daily Permit.
Nov. 5-13, Nov. 26-29, and Dec. 24-Jan. 1 bucks only, Season Permit.
- Muzzle-loader: Dec. 10-11 either-sex, Season Permit.
- Archery: Closed during muzzleloader season.
- Waterfowl: Same as outside EXCEPT hunting after 2 p.m. prohibited, EXCEPT closed during either-sex gun hunts for deer.
- Squirrel & Rabbit: Oct. 1-Dec. 4 still hunt only, EXCEPT closed during either-sex gun hunts for deer.
- Woodcock: Same as outside season, EXCEPT closed during either-sex gun hunts for deer.
- Trapping: Dec. 1-Jan. 15. Permit from Monroe District Office Required.
- Raccoon: EXPERIMENTAL. Permit from Monroe District Office Required.
Oct. 1-30 (Chase Only) taking prohibited.
Jan. 28-Feb. 5, taking permitted.
- Vehicles having wheels with a wheel-tire combination having a radius of 17 inches or more from the center of the hub (measured horizontal to the ground) are prohibited. EXCEPT as otherwise provided all night time activities prohibited.
19. PASS-A-LOUTRE (Department Owned-66,000 Acres):
- Waterfowl Hunting Only: Same as outside.
- Rabbits: May be taken with beagles same as outside season EXCEPT closed during duck season.
20. PEARL RIVER (Department Owned-26,716 Acres):
- Deer: Nov. 25-27 either-sex, Daily Permit.
- Dec. 17-Jan. 20 bucks only, Season Permit.
- Muzzle-loader: Dec. 3-4 and Dec. 10-11, Either-sex, Season Permit.
- Archery: Closed during muzzleloader season.
- Squirrel & Rabbit: Oct. 1-Nov. 20 and Dec. 3-11, still hunt only. Closed during muzzleloader season.
- Snipe, Woodcock, Rail & Gallinule: Same as outside EXCEPT closed during muzzleloader hunts for deer and EXCEPT snipe, rail and gallinule hunting permitted south of I-10 only.
- Turkey: Mar. 24-Apr. 22 Gobblers Only.
- Waterfowl: Same as outside EXCEPT morning hunting only (closes 12 noon) and closed during either-sex gun hunt for deer.
100 pounds per party per day limit.
- Crawfish: Commercial Fishing: Permit from Baton Rouge District Office or area supervisor required.
- Raccoon: EXPERIMENTAL. Oct. 15-Nov. 1 and Feb. 4-Feb. 19. Permit from Baton Rouge District Office or area supervisor required.
- Unmarked Hogs: May be taken during deer season only by properly licensed hunter, with gun or bow and arrow.
- Old Hwy. 11 will be closed when river gauge at Pearl River, Louisiana reaches 16.5 feet.
- Trapping: Dec. 1-Feb. 15. For permit information contact Baton Rouge District Office or area supervisor.
- No Hunting in vicinity of Nature Trail. Observe no hunting signs. Rifle Range open only at approved times. Contact Baton Rouge District Office.
21. PEASON RIDGE (Owner — U. S. Army-33,488 Acres):
- Daily military clearance required to hunt any game. All hunting except either-sex deer hunting available by self clearing permit system. Registration for use of self clearing permit required once per year at Building #8601, North Fort Polk. Either-sex deer season daily permits available at daily permit stations. Trappers must also register at Building #8601 and use self clearing system.
- Deer: Nov. 5-23 bucks only, Season Permit.
Nov. 25-27 either-sex, Daily Permit.
- Squirrel & Rabbit: Same as outside EXCEPT still hunt only and shotguns only permitted and EXCEPT closed during either-sex gun hunts for deer. Hunter Orange must be worn when bucks only gun hunts for deer are in progress.
- Quail, Woodcock, & Dove: Same as outside EXCEPT closed during either-sex gun hunts for deer.
- Turkey: Same as outside. Gobblers Only.
- Unmarked Hogs: May be taken by properly licensed hunters only during deer seasons with gun or bow and arrow.
22. POINTE-AU-CHIEN (Department Owned-28,244 Acres):
- Morning hunting only (Closed 12 Noon) on ALL GAME.

Deer: Nov. 25-27 and Dec. 17-24 bucks only. Still Hunt Only

All Other Game: Same as outside. Still Hunt Only. Beagles permitted for rabbit hunting same as outside season EXCEPT closed during duck season. EXPERIMENTAL.

Mudboats with inboard engines larger than 25 h.p. prohibited in interior ditches.

ALL night time activities prohibited on area from 30 minutes after sundown to 30 minutes before sunrise.

Deer: Nov. 25-27 and Dec. 31-Jan. 15 bucks only, Season Permit. Still Hunt Only.

Waterfowl & Snipe: Same as outside EXCEPT hunting after 2 p.m. prohibited.

Squirrel & Rabbit: Same as outside EXCEPT still hunting only. EXCEPT Beagles permitted for rabbits Jan. 21-29, EXPERIMENTAL.

Woodcock: Same as outside.

Commercial Fishing: Permitted Monday through Friday. Permits available from area supervisor or Opelousas District Office.

Vehicles having wheels with a wheel-tire combination having a radius of 17 inches or more from the center of the hub (measured horizontal to the ground) are prohibited.

23. RED RIVER (Department Owned-16,604 Acres; U. S. Corps of Engineers-11,717 Acres):

Deer: Nov. 25 either-sex, Daily Permit. Nov. 26-27 and Dec. 31-Jan. 15 bucks only, Season Permit.

Squirrel & Rabbit: Oct. 1-Nov. 20 and Dec. 3-11 still hunt only.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunt for deer and hunting after 2 p.m. prohibited.

Woodcock: Same as outside EXCEPT closed during either-sex gun hunt for deer.

Raccoon: EXPERIMENTAL. Permit required from Ferriday District Office Nov. 5-13 Taking permitted and Feb. 6-27 (Chase Only) taking prohibited.

Trapping: Dec. 1-Jan 15. Permit Required from Ferriday District Office.

Vehicles having wheels with a wheel-tire combination having a radius of 17 inches or more from the center of the hub (measured horizontal to the ground) are prohibited.

Unmarked

Hogs: May be taken by properly licensed hunters only during deer season with gun or bow and arrow. No hunting allowed in restricted areas.

Encased or broken down firearms and any game harvested may be transported through the area by the most direct route provided that no other route exists.

Free-ranging livestock Not Permitted in Area.

24. RUSSELL SAGE (Department Owned-17,220 Acres):

Deer: Nov. 25-26 either-sex, Daily Permit. Nov. 5-13, Nov. 27-29 and Dec. 17-Jan. 1 bucks only, Season Permit.

Squirrel & Rabbit: October 1-Dec. 4 still hunt only. Closed

during either-sex gun hunts for deer. Beagles permitted for rabbits Feb. 4-12, EXPERIMENTAL.

Dove & Woodcock: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Turkey: Apr. 7-22. south of U. S. 80 only.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Trapping: Dec. 15-Jan. 29 Permit from Monroe District Office Required. No trapping in waterfowl refuge.

Raccoon: EXPERIMENTAL. Permit from Monroe District Office Required. Oct. 1-30 (Chase Only) taking prohibited. Dec. 3-11 taking permitted.

Crawfish: 100 pounds per party per day limit.

NOTE: ALL regulations on Chauvin Tract on U. S. 165 north same as outside, EXCEPT STILL HUNT ONLY. No permanent tree stands allowed. Vehicles having wheels with a wheel-tire combination having a radius of 17 inches or more from the center of the hub (measured horizontal to the ground) are prohibited. 25. SABINE (Owner — International Paper Company, Boise Southern Co., et al-14,780 Acres):

Deer: Nov. 5-23 bucks only, Season Permit. Nov. 25-27 and Dec. 3-4 either-sex, Daily Permit.

Muzzle-loader: Dec. 10-11 either-sex, Season Permit.

Archery: Closed during muzzleloader season.

Squirrel & Rabbit: Same as outside EXCEPT still hunt only and EXCEPT closed during either-sex gun hunts for deer.

Quail, Woodcock, & Dove: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Unmarked

Hogs: May be taken by properly licensed deer hunters only during deer season with gun or bow and arrow.

26. SABINE ISLAND (Owner — State of Louisiana and Calcasieu Parish School Board-8,103 Acres):

ALL seasons same as outside EXCEPT still hunting only and morning hunting only for waterfowl (Closes 12 Noon). Sabine Island boundaries are Sabine River on the west, Cut-Off Bayou on the north, and Old River and Big Bayou on the south and east.

27. SALINE (Department Owned-60,276 Acres):

Deer: Nov. 25 either-sex, Daily Permit. Nov. 26-27 and Dec. 31-Jan. 15 bucks only, Season Permit.

Squirrel & Rabbit: Oct. 1-Nov. 20 and Dec. 3-11 still hunting only. Beagles permitted for rabbits, Jan. 21-Feb. 5, EXPERIMENTAL.

Woodcock: Same as outside, EXCEPT closed during either-sex gun hunts for deer.

Turkey: Mar. 17-Apr. 15. Gobblers Only.

Waterfowl: Same as outside season EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Trapping: Dec. 1-Jan. 15 Permit Required from Ferriday District Office.

Raccoon: EXPERIMENTAL Nov. 5-13 Taking permitted; Feb. 6-27 (Chase Only) taking prohibited, Permit Required from Ferriday District Office.

Unmarked Hogs: May be taken by all properly licensed hunters during open hunting season with gun or bow and arrow in fenced-in areas south and east of Hwy. 28. Also, free ranging livestock not permitted in area south and east of Hwy. 28.

Encased or broken down firearms and any game harvested may be transported through the area by the most direct route, provided that no other route exists. No hunting allowed in research areas. Trapping prohibited in greentree reservoir.

Vehicles having wheels with a wheel-tire combination having a radius of 17 inches or more from the center of the hub (measured horizontal to the ground) are prohibited.

28. SALVADOR (Department Owned-30,600 Acres):

Morning Hunting Only (closed 12 Noon) on ALL game.

Deer: Nov. 25-27 and Dec. 17-24 bucks only. Still Hunt Only. Archery season same dates as duck season.

All Other Game: Same as outside, still hunt only. Beagles permitted for rabbit hunting same as outside EXCEPT closed during duck season. EXPERIMENTAL.

Boats powered by internal combustion engines having horsepower rating above 25 h.p. are permitted only in oil company access canals; Louisiana Cypress Canal, the Netherlands ponds including the West Canal; Lakes - "Baie Des Chactas" and "Baie du Cabanage"; and the Rathborne access ditch. All night time activities prohibited on area from 30 minutes after sundown to 30 minutes before sunrise, including frogging.

29. SICILY ISLAND HILLS (Department Owned-6,179 Acres):

Deer: Nov. 25-Dec. 4 and Dec. 31-Jan. 15 bucks only, Season Permit. Still Hunt Only.

Squirrel & Rabbit: Oct. 1-Nov. 20 and Dec. 3-11 Still Hunt Only. Beagles permitted for rabbits Jan. 21-Feb. 5, EXPERIMENTAL.

Quail & Woodcock: Same as outside.

Waterfowl: Same as outside EXCEPT hunting after 2 p.m. prohibited.

Trapping: Dec. 1-Jan. 15. Permit Required from Ferriday District Office.

Vehicles having wheels with a wheel-tire combination having a radius of 17 inches or more from the center of the hub (measured horizontal to the ground) are prohibited.

Encased or broken down firearms and any game harvested may be transported through the area by the most direct route provided that no other route exists.

30. SODA LAKE (Owner — Caddo Levee District-1,300 Acres):

All Game: Same as outside EXCEPT still hunting only, EXCEPT hunting for waterfowl after 2 p.m. prohibited.

31. SPRING BAYOU (Department Owned-11,678 Acres):

Deer: Nov. 25 either-sex, Daily Permit.
Nov. 26-27 and Dec. 26-Jan. 15 bucks only, Season Permit.

Muzzle-loader: Dec. 3-4 either-sex, Season Permit.

Archery: Closed during muzzleloader season.

Squirrel & Rabbit: Oct. 1-Nov. 20, still hunt only. Beagles permitted for rabbits Jan. 21-29, EXPERIMENTAL.

Woodcock: Same as outside EXCEPT closed during muzzleloader season and either-sex gun hunts for deer.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

Raccoon: EXPERIMENTAL, Nov. 5-13 taking permitted. Permits available at WMA headquarters.

Commercial Fishing: Permitted Monday through Friday. Permits available from area supervisor or Opelousas District Office. Closed during waterfowl season.

No hunting allowed in headquarters area.

Unmarked

Hogs: May be taken by properly licensed deer hunters only during deer seasons with gun or bow and arrow.

Only overnight campers allowed in the improved Boggy Bayou Camping area after 10 p.m. Water skiing permitted only in Old River and Grand Lac.

Sport

Fishing: Permitted only after 2 p.m. during waterfowl season.

Vehicles having wheels with a wheel-tire combination having a radius of 17 inches or more from the center of the hub (measured horizontal to the ground) are prohibited.

32. THISTLETHWAITE (Owner — Thistlethwaite Heirs-11,100 Acres):

Deer: Nov. 25 either-sex, Daily Permit.
Nov. 26-27 and Dec. 26-Jan. 15 bucks only, Season Permit.

Squirrel & Rabbit: Oct. 1-31 Still Hunt Only.

Woodcock: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited. No early teal season.

Unmarked

Hog: May be taken during deer season only by properly licensed deer hunters with gun or bow and arrow.

ALL motorized vehicles restricted to improved roads only.

ALL hunters must enter and leave through main gate only.

33. THREE RIVERS (Department Owned-23,222 Acres; U. S. Corps of Engineers-1,085 Acres):

Deer: Nov. 25 either-sex, Daily Permit.
Nov. 26-27 and Dec. 31-Jan. 15 bucks only, Season Permit.

Squirrel & Rabbit: Oct. 1-Nov. 20 and Dec. 3-11 Still Hunt Only.

Quail, Snipe & Woodcock: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting

RULE

**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission**

The Louisiana Wildlife and Fisheries Commission, at its meeting held in Baton Rouge, Louisiana on June 28, 1983 adopted the following Rule.

WHEREAS, Nantachie Lake is a relatively small impoundment (1,500 acres) utilized primarily by recreational fishermen who seek largemouth bass, crappie and bluegill, and

WHEREAS, the commercial fish population in the lake is extremely low and presently cannot and does not support a commercial fisheries, and

WHEREAS, past studies have demonstrated detrimental effects that can occur on game fish populations with the use of commercial fish netting in small impoundments such as Nantachie Lake, and

WHEREAS, the Grant Parish Police Jury and the Nantachie Lake Commission have requested the removal of netting.

THEREFORE BE IT RESOLVED, the Louisiana Wildlife and Fisheries Commission hereby prohibits the use of netting in Nantachie Lake, Grant Parish, Louisiana.

Jesse J. Guidry
Secretary

**Notices
of
Intent**

NOTICE OF INTENT

**Department of State Civil Service
State Civil Service Commission**

Notice is hereby given that the State Civil Service Commission, under the authority conferred by Article X, Section 10(A)(1) of the Constitution of Louisiana, will conduct a public hearing on August 2, 1983 at 9:30 a.m. in the Hearing Room on the Twelfth Floor of the Republic Towers Building at 5700 Florida Boulevard in Baton Rouge, LA, to consider the following amendment to Civil Service Rule 1.39.2.

PROPOSED RULE

1.39.2 'State Service', for the purposes of layoff and layoff avoidance measures, means the total length of Classified State Service in the equivalent full-time years, months, and days as an employee of a State agency or agencies subject to the following:

(a) Periods of time *not* counted as Classified State Service under this definition for the purposes of layoff and layoff avoidance shall be:

1. All leave without pay not expressly authorized in Subsection (b)9 of this Rule.
2. State Service earned after January 1, 1983, but before the effective date of retirement by a rehired State retiree.
3. Unclassified State Service acquired after January 1, 1983, subject to the provisions of Subsection (b) of this Rule.
4. Classified State Service obtained after January 1, 1983, on a restricted or provisional appointment if such an appointment was *not* converted to a probational or job appointment.

- after 2 p.m. prohibited.
- Raccoon: EXPERIMENTAL. Permit required from Ferriday District Office Nov. 5-13 Taking permitted and Feb. 6-27 (Chase Only) taking prohibited.
- Trapping: Dec. 1-Jan. 15, Permit Required from Ferriday District Office.
Free Ranging Livestock Not Permitted.
- Unmarked Hogs: May be taken by all properly licensed hunters during open seasons with gun or bow and arrow.

Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists.

Vehicles having wheels with a wheel-tire combination having a radius of 17 inches or more from the center of the hub (measured horizontal to the ground) are prohibited.

34. UNION (Owner — Manville Forest Products Corporation, et al-12,397 Acres):

- Deer: Nov. 5-23 bucks only, Season Permit.
Nov. 25-Dec. 4 either-sex, Daily Permit.
- Squirrel & Rabbit: Oct. 1-Nov. 20 and Dec. 10-18 Still Hunt Only. EXCEPT Beagles permitted for rabbits Feb. 4-12, EXPERIMENTAL.

Quail, Woodcock, & Dove: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Trapping: Dec. 10-Feb. 3. Permit required from Monroe District Office.

Waterfowl: Same as outside EXCEPT closed during either-sex gun hunts for deer and hunting after 2 p.m. prohibited.

FERAL HOGS NOT LEGAL GAME

35. WEST BAY (Owner — Boise Southern Company, Kirby Lumber Co., Quatre-Parish Company, et al-55,185 Acres):

- Deer: Nov. 5-9 bucks only, Season Permit.
Nov. 25-27 either-sex, Daily Permit.
- Muzzle-loader: Dec. 3-4 either-sex, Season Permit.
- Archery: Closed during muzzleloader season.

Squirrel & Rabbit: Same as outside EXCEPT Still Hunt Only and closed during either-sex gun hunts for deer.

Quail & Woodcock: Same as outside EXCEPT closed during either-sex gun hunts for deer.

Turkey: Mar. 17-Apr. 1. Gobblers Only.

36. WISNER (Owner — Edward Wisner Donation Advisory Committee-21,621 Acres):

Rabbit: Same as outside EXCEPT closed during waterfowl season and beagles permitted Oct. 1-Feb. 28, EXPERIMENTAL.

All Other Game: Same as outside EXCEPT still hunting only and morning hunting only for waterfowl (Closes 12 Noon).

Jesse J. Guidry
Secretary

5. Classified or Unclassified State Service on a part-time intermittent (i.e., when actually employed - WAE) appointment, if such service was acquired after January 1, 1983.

(b) Periods of time counted as Classified State Service under this definition for the purpose of layoff or layoff avoidance measures are the following:

1. All time spent on any type of classified appointment prior to January 1, 1983.

2. Classified State Service obtained after January 1, 1983, on probational, job and permanent appointments and on restricted or provisional appointments that were converted to probational or job appointments, subject to the provisions of Subsection (a) 5 of this Rule.

3. Absence from State Service of not more than one year as the result of a layoff of an employee with permanent status.

4. Any military service that interrupts classified employment, including military service consisting of active duty in the armed forces of the United States for not more than six years of voluntary service or an indefinite period of involuntary service, subject to the provisions of Rule 17.21(a).

5. Separations of not more than thirty days from the Classified State Service, except that no breaks between emergency and/or restricted and/or multiple restricted appointments count.

6. Unclassified State Service acquired by an unclassified employee relative to his being brought into the Classified Service under Rule 8.27.

7. Periods of time that the layoff avoidance measures stipulated in Rules 17.5(c), 17.12 and 17.13 are in effect for full-time employees shall count as full-time employment.

8. All authorized leave with pay.

9. Authorized leave without pay under the following conditions:

a. Any leave without pay taken prior to January 1, 1983.

b. Leave without pay up to 30 days, if taken after January 1, 1983, during one continuous occurrence and limited to one occurrence within a 12 consecutive month period.

c. To hold an unclassified office, job or position with the State.

d. For service in the military as stipulated in Subsection (b)4 of this Rule.

e. If authorized for educational purposes and approved by the Director. Such education must be required by the agency, pertinent to the job or needs of the agency, and full-time as defined by the educational institution attended, except that a final semester's work toward a degree need not be full-time.

(c) All periods of Classified State Service not expressly excluded or included in these Rules shall be submitted to the Director for a ruling.

Written comments will be accepted by Herbert Sumrall, Director, Department of State Civil Service, Box 44111, Baton Rouge, LA 70804 up to and including August 1, 1983.

All interested persons will be afforded an opportunity to submit data, views or arguments, orally at the public hearing.

Herbert Sumrall
Director

NOTICE OF INTENT

Department of State Civil Service

State Civil Service Commission

Notice is hereby given that the State Civil Service Commission, under the authority conferred by Article X, Section 10(A)(1) of the Constitution of Louisiana, will conduct a public hearing on August 2, 1983 at 9:30 a.m. in the Hearing Room on the Twelfth Floor of the Republic Towers Building at 5700 Florida Boulevard in Baton Rouge, LA, to consider the following amendment to Civil Service Rule 6.26.

PROPOSED RULE

6.26 Exceptions to Eligibility for Overtime Payment.

(a) Except as otherwise required under the provisions of Federal Rules, statutes, regulations and judicial decisions relating to minimum wages, the provisions of Rule 6.25(b) and (c) shall not apply to any employee in the Classified Service:

1. While he is performing civilian duty, under the administrative supervision of one other than his appointing authority, during an officially declared national, regional, or local emergency.

2. While he is "on call" away from his post of duty.

3. While he is attending or traveling to or from conventions, workshops, seminars, training courses, study groups, and related activities.

4. While he is performing duty pursuant to a determination made by his appointing authority under the provisions of Rule 11.29(g).

(b) Except as otherwise required under the provision of Federal Rules, statutes, regulations and judicial decisions relating to minimum wages, Rule 6.25(b) shall not apply to employees serving on a part-time or intermittent basis except when a part-time employee or intermittent employee is required by the appointing authority to work over 40 hours in a seven-day workweek period. Holidays, leave, and other time off are not counted as hours worked.

(c) Acting upon the recommendation of the Director the Commission may exempt, with such conditions and exceptions as it deems appropriate, specific classes of positions from the provisions of Subsection (b) 1 of Rule 6.25.

Written comments will be accepted by Herbert Sumrall, Director, Department of State Civil Service, Box 44111, Baton Rouge, LA 70804 up to and including August 1, 1983.

All interested persons will be afforded an opportunity to submit data, views or arguments, orally at the public hearing to be held for the purpose of adoption of this Rule at the Department of State Civil Service, 5700 Florida Blvd., Republic Tower Building, 12th floor at 9:00 a.m., Tuesday, August 2, 1983.

Herbert Sumrall
Director

NOTICE OF INTENT

Department of State Civil Service

State Civil Service Commission

Notice is hereby given that the State Civil Service Commission, under the authority conferred by Article X, Section 10(A)(1) of the Constitution of Louisiana, will conduct a public hearing on August 2, 1983 at 9:30 a.m. in the Hearing Room on the twelfth floor of the Republic Towers Building at 5700 Florida Boulevard in Baton Rouge, LA, to consider the following amendment to Civil Service Rule 15.10(c).

Proposed Rule:

15.10 Modification of Personnel Actions.

(c) No removal, demotion or reduction in pay of a per-

manent employee may be rescinded or modified without approval of the Commission nor may any disciplinary action which is the subject of an appeal be rescinded or modified without approval of the Commission.

Current Rule:

“15.10 Modification of Personnel Actions.

(c) No removal, demotion or reduction in pay of a permanent employee may be rescinded or modified without approval of the Commission.”

Written comments will be accepted by Laura D. Holmes, Appeals Section, Department of State Civil Service, Box 44111, Baton Rouge, LA 70804 up to and including August 1, 1983.

All interested persons will be afforded an opportunity to submit data, views or arguments, orally at the public hearing.

Herbert L. Sumrall
Director

NOTICE OF INTENT

Department of State Civil Service State Civil Service Commission

Notice is hereby given that the State Civil Service Commission, under the authority conferred by Article X, Section 10(A)(1) of the Constitution of Louisiana, will conduct a public hearing on August 2, 1983 at 9:30 a.m. in the Hearing Room on the Twelfth Floor of the Republic Towers Building at 5700 Florida Boulevard in Baton Rouge, LA, to consider the following amendment to Civil Service Rule 6.28.

PROPOSED RULE

6.28 Pay Adjustments Required by Action of Director/Commission.

This Rule shall be applied in establishing the pay of an employee whose rate of pay must be changed or established as a result of the reallocation of his position to a class having a lower pay range; the assignment of the class of the position occupied by the employee to a different pay range; a title change; the establishment of a pay plan; or the position occupied by an employee is declared to be in the State Classified service.

(a) Employees entering the classified service because their positions have been declared to be in the classified service shall have their pay established as follows:

1. On or before the date of appointment, the Director shall establish the employee's eligibility for pay at the step in the range for the class to which his position has been allocated for which he would have attained eligibility under the provisions of Rule 6.15, had his position been in the State Classified service during his prior service. This rate shall be referred to as his true rate of pay and may be moved upward as the employee attains eligibility for pay increases under other provisions of these Rules.

2. If the employee's current rate of pay is less than the minimum rate for the class to which his position has been allocated, his rate of pay shall be set at least at the minimum rate and may be set at any higher rate up to and including his true rate.

3. If the employee's current rate of pay exceeds his true rate, his pay shall be frozen at that current rate for a period of 24 months commencing from the date of appointment in the classified service or until his true rate exceeds his current rate.

4. If, during the 24 month period, the employee's true rate exceeds his current rate, his pay may be increased to his true rate. If, at the end of the 24 month period the employee's current rate still exceeds his true rate, his pay shall be reduced to his true rate. Thereafter, his pay shall be governed by other applicable Rules.

(b) The rate of pay for employees whose positions have

been reallocated to a class having a lower pay range or whose class of positions has been assigned to a lower pay range shall have their pay established as follows:

1. If the employee's current rate of pay exceeds the maximum for the class to which his position has been allocated or the range to which the class of his position has been assigned, his pay shall be frozen at that rate for a period of 24 calendar months or until his true rate exceeds his current rate. The employee's true rate of pay shall be the maximum rate of the new range and shall serve as the base rate for any pay eligibility calculations. If, during the 24 month period, his true rate exceeds his current rate, his pay may be increased to his true rate. If, at the end of the 24 month period, his current rate still exceeds his true rate, his pay shall be reduced to his true rate. Thereafter, his pay shall be governed by other applicable Rules.

2. If the employee's current rate of pay falls within the range specified for the class to which his position has been allocated but does not correspond with a step in the range, his pay shall be frozen at his current rate until the employee's next merit step increase eligibility date, at which time his pay shall be adjusted to the step in the range which most closely approximates his current rate of pay without reducing it. If his current rate corresponds with one of the rates in the new range, the pay shall be established at that step. Thereafter, his pay shall be governed by other applicable Rules.

(c) When a Pay Plan is established or a range is changed upward, each employee occupying affected positions shall have his pay established as follows:

1. The rate of pay of any employee that is less than the minimum rate for the range prescribed for his class, shall forthwith be increased to such rate.

2. The rate of pay of any employee that is on a specified step in the range prescribed for his class shall not necessarily be changed by reason of the new range.

3. The rate of pay of an employee that falls between the minimum and maximum of the range prescribed but not corresponding with any step, shall be advanced to the next higher such step.

4. The rate of pay of an employee who is earning a salary in excess of the minimum for his class may be increased to a step in the new range no higher than the corresponding step he occupied at the time the range changed.

(d) The 24 month period limitation on the frozen rate of pay in sections (a) and (b) of this Rule may be extended by the Commission upon written request and justification by the appointing authority.

Written comments will be accepted by Herbert Sumrall, Director, Department of State Civil Service, Box 44111, Baton Rouge, LA 70804 up to and including August 1, 1983.

All interested persons will be afforded an opportunity to submit data, views or arguments, orally at the public hearing.

Herbert Sumrall
Director

NOTICE OF INTENT

Department of Culture, Recreation and Tourism Office of Cultural Development Division of the Arts

In accordance with the provisions of LRS 49:951, et seq., the Administrative Procedure Act, and the authority given in Act 265 of 1977, notice is hereby given that the State Division of the

Arts, an agency in the Office of Cultural Development, an office of the Louisiana Department of Culture, Recreation and Tourism, intends to amend the 1983-84 program guidelines for the funding and administration of the state's arts grant program.

Copies of the complete set of proposed changes in the program guidelines are available for public inspection at the offices of the Division of the Arts at 666 North Foster Drive, Baton Rouge, LA. The proposed revisions of the 1983-84 grant guidelines for 1984-85 consist of: Changing deadlines and requirements for submitting applications for grants-in-aid, including a change from two to one deadline per year for Sponsorship applications; changing the name from "Sponsorship" to "Presenter" program and adding a new professional advisory panel for reviewing Presenter applications; adding a new Folklife Program; changing base of allowable request under Block Grant Program to 25 percent of organization's prior year actual income instead of prior year actual expenditures; establishing a set amount of \$5,000 for each artist fellowship under newly specified categories; adding a "State-Local Partnership Program" under Special Services; and other minor changes of a technical nature to clarify and/or improve narrative in current guidelines.

Interested persons may submit written comments to the proposed guidelines changes to Al Head, Division of the Arts, Box 44247, Baton Rouge, LA 70804 before August 3, 1983.

Mrs. Lawrence H. Fox
Secretary

Fiscal and Economic Impact Statement for Administrative Rules

Rule Title: Arts Grant Program Guidelines

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There will be no additional costs or savings to the agency to implement the proposed changes. However, \$100,000 in state matching funds will be needed to match the \$100,000 in Federal funds (anticipated per year for three years to implement the proposed State-Local Partnership program). The \$100,000 in state funds will be self-generated via voluntary contributions from tax payers as a result of the Arts Tax Check-off Statute effective January, 1984. The \$100,000 in state (i.e. self-generated) funds and the \$100,000 in federal funds must be matched by a minimum of \$200,000 in local funds raised by eligible applicants. It is anticipated that the Department of Culture, Recreation and Tourism will not incur any other costs as a result of the Partnership Program or other Rule changes.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

It is anticipated that the necessary state match of \$100,000 will be generated from the tax check-off provision and that the necessary local match (in excess of \$350,000) is accounted for by commitments or letters of intent. The local matching funds will not be collected by this agency or flow through the state budget, but is a direct result of incentive provided by the new State-Local Partnership concept.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

No projected costs to affected groups, but by adopting the proposed guideline changes, potential applicants will be able to determine if they are eligible to apply and the conditions under which they may apply. Being informed of the

proposed changes could eliminate waste of time and effort possibly resulting from submitting erroneous grant applications and should help affected groups in their programmatic and financial planning for arts activities in 1984-85.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect anticipated.

Stephen Perry
Deputy Secretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

Board of Elementary and Secondary Education

The State Board of Elementary and Secondary Education intends to adopt the following as policy:

1. An amendment to Board Policy 3.03.02.a under Attendance Policy to read as follows: "The effective date of enrollment shall be the first day of attendance, and this day shall be counted for reporting purposes."

2. An amendment to Board Policy 3.03.10.e, Post-secondary Cooperative Education Guidelines for Postsecondary Schools, Page 4, No. 2 to read: "The cooperative education program shall include a minimum of six hours each week of related classroom instruction and a minimum of 15 hours per week of on-the-job training. The student who successfully completes both phases will earn the appropriate credits for his/her training not to exceed the maximum of 30 clock hours per week."

3. *State Plan for Nutrition Education and Training Programs*, 1984.

Interested persons may comment on the proposed policy change and/or additions, in writing, until 4:30 p.m., August 3, 1983 at the following address: State Board of Elementary and Secondary Education, Box 44064, Capitol Station, Baton Rouge, LA 70804.

James V. Soileau
Executive Director

Fiscal and Economic Impact Statement for Administrative Rules

Rule Title: Policy 3.03.02. a.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There will be no costs or savings to the agency.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There will be no effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

There will be no costs or benefits to affected groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment.

George B. Benton, Jr.
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
for Administrative Rules**

Rule Title: Postsecondary Cooperative Education Rules

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There will be no costs or savings to the agency.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There will be no effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

There will be no costs and benefits to affected groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment.

George B. Benton, Jr.
Deputy Superintendent

Mark C. Drennen
Legislative Fiscal Officer

**Fiscal and Economic Impact Statement
for Administrative Rules**

Rule Title: State Plan 1984

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

Current projections for FY84 are based on the assumption that federal funding will be received through the Nutrition Education and Training Program. If this program is not funded for FY 83-84, then the budget would be approximately \$104,500 less, which would be in the categories of operating expenses and professional services.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

Adoption of the state plan will allow receipt of available federal funds for this program.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

There would be no estimated cost effect on the recipient agencies. Teachers, food service personnel, and children would receive training and materials in the area of nutrition education.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There is no estimated impact on competition and employment in the public and private sectors as a result of this action.

George B. Benton, Jr.
Deputy Superintendent

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Office of the Governor
Facility Planning and Control
Architects Selection Board**

Pursuant to the provisions of Act 721, 1975 Regular Legislative Session (R.S. 38:2310 through R.S. 38:2316, Revised Statutes of 1950) effective date, September 12, 1978, the Louisiana Architects Selection Board, hereinafter referred to as Board, has promulgated such Rules and procedures as it deemed necessary

to carry out the provisions of the said statutes. These Rules are established by the Board, and are subject to change by said Board, in accordance with the Administrative Procedure Act.

The Louisiana Architects Selection Board wishes to amend their Rules as follows:

ARTICLE I

Name

The name of this Board is the "LOUISIANA ARCHITECTS SELECTION BOARD", hereinafter referred to as "Board", and its domicile shall be in Baton Rouge, Louisiana.

ARTICLE II

Authority

The Louisiana Architects Selection Board shall be organized in accordance with the provisions of Act 721, 1975 Regular Legislative Session (R.S. 38:2310 through R.S. 38:2316, Revised Statutes of 1950) effective date September 12, 1975, as amended by Act 525, 1976 Regular Legislative Session.

ARTICLE III

Objective

The objective of this Board is to provide a system for the procurement of services rendered by architects, licensed to practice in the State of Louisiana, that is impartial, equitable and in the best public interest of the citizens of Louisiana.

ARTICLE IV

Members

Section 1. The Board shall be composed of seven members, serving terms in accordance with the provisions of the authority stated in Article II.

Section 2. Any member desiring to resign from the Board shall submit his resignation in writing by registered mail, to the Governor of Louisiana and the President of State Board of Architectural Examiners, with copies addressed to the Chairman of the Board. The effective date of resignation shall be the date of registered mailing to the Governor's office.

Section 3. The filling of a Board vacancy for the unexpired term due to resignation, or death, or removal from office by just cause, shall be made in accordance with the provisions of the authority stated in Article II.

ARTICLE V

Officers

Section 1. The Officers of this Board shall be a Chairman and a Secretary, elected by the Board at the first regular meeting following each January 1st and July 1st.

Section 2. The duties of the Chairman shall be as follows:

- a. Be the presiding officer at meetings of the board.
- b. Call meetings of the Board.
- c. Coordinate the activities of the Board.
- d. Appoint all committees and serve as an ex-officio member thereof.
- e. Be responsible for implementing all orders and resolutions of the Board.
- f. Have the authority to issue the Official Advertisement of the intent of an agency to contract for Design Services.

Section 3. The duties of the Secretary shall be as follows:

- a. In the event of absence or incapacity of the Chairman, assume his duties as outlined above.
- b. Authenticate by his signature when necessary all acts, orders and proceedings of the Board, including the minutes.
- c. Tabulate and record the results of all balloting at the meetings.

ARTICLE VI

Meetings

Section 1. A regular meeting of the Board shall be held on the last Friday of January and July, in the State Capitol Building.

Section 2. Special meetings may be called by the Chairman or shall be called upon the written request of a simple majority of the total membership of the Board. Except in cases of emergency,

at least three days notice shall be given for special meetings.

Section 3. A simple majority of all members of the Board shall constitute a quorum.

Section 4. All meetings shall be held in public.

ARTICLE VII

Committees

Committees, standing or special, shall be appointed by the Chairman of the Board as he shall deem necessary to carry on the work of the Board.

ARTICLE VIII

Parliamentary Authority

The Rules contained in the current edition of "Robert's Rules of Order Newly Revised" shall govern the Board except as modified herein or as provided for in Article X "Amendments to Rules".

ARTICLE IX

Voting

Only the votes of members present at the meeting shall be counted in the Board's official actions. Proxy votes are not allowed.

ARTICLE X

Amendments to Rules

These Rules may be amended in accordance with the Louisiana Administrative Procedure Act.

ARTICLE XI

Application

Section 1. Any applicant (proprietorship, partnership, corporation or joint venture of any of these) meeting the requirements of Title 38 of the Louisiana Revised Statutes of 1950, R.S. 38:2310 through R.S. 38:2316, may submit an application for selection consideration for a particular project upon which Official Advertisement has been published. The information submitted shall contain data concerning its experience, previous projects undertaken, present state projects now being performed, scope and amount of work on hand, and any other information that the Board deems appropriate.

Section 2. The Louisiana Architects Selection Board adopts the use of Form LA-1 as the format for submitting a firm's experiences to the Board. In this Form LA-1, the principal listed in 2A, shall be defined as follows: "Principal: a licensed architect who has the right and authority to exercise control over the project; who shares in profits, losses, and responsibility for incurred liabilities". The Board has the right to require proof of compliance with the above definition.

Section 3. Consultants may be listed at the option of the applicant.

Section 4. All applications to be considered shall be received by the Board at the office of Facility Planning and Control during the time prescribed in the advertisement.

Section 5. The Board may, at its option and with the concurrence of the Division of Administration and the User Agency, conduct design competitions in accordance with nationally accepted professional standards. Final selection of the applicant from among the competition submissions will be made within 30 days of deadline date of receipt of the entries. No closed competitions will be allowed.

ARTICLE XII

Selection

Section 1. After the deadline for applications, the office of Facility Planning and Control shall forward copies of the applications together with any available description of the job to the Board members.

Section 2. The selection procedure shall be as follows:

a. User Agency shall give scope of project and make recommendations with supporting data, of a firm or firms for the project under

consideration.

b. Discussion of applications and recommendation by the Board members.

c. The Board shall then take a vote. Each Board member present shall by written ballot vote for up to three applicants. This vote is a weighted vote, first choice 3 points, second choice 2 points, third choice 1 point.

d. The Secretary shall tabulate these ballots aloud and report to the Board the results of the balloting.

e. The two applicants receiving the most votes shall be considered nominated, then be voted on by written ballot, each Board member - one vote.

f. The results of this balloting shall be announced by the Secretary. The applicant selected must receive a majority vote.

g. In case of a tie for nomination, there shall be a run-off election to reduce the nominees to two in accordance with procedures prescribed in "c" of this section.

h. In case no applicant receives a majority vote for selection, a discussion will be held, and new balloting for selection shall take place.

i. The selection of an architect by the Board shall be final unless formal charges of having submitted false information required by R.S. 38:2313 are made against the selected architect by Facility Planning and Control in writing with proper accompanying documentation to the Selection Board members and the selected architect within seven days of the selection. When a formal charge is made, the Selection Board shall within 10 calendar days hold a hearing at which time the evidence of false information shall be presented and the selected architect shall be given opportunity to present rebuttal. If the Board determines that the charges of false information are not sufficiently documented, the selection shall become final. If the Board determines that the information was false, the application will be rejected and the project readvertised. The applicant shall be allowed to reapply.

ARTICLE XIII

Severability

If any provision or item of these Rules or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of these Rules which can be given effect without the invalidated provisions, items, or applications and to this end the provisions of these Rules are hereby declared severable.

ARTICLE XIV

Information

Any person may obtain information concerning the Board, its Rules, regulations and procedures from the Board's secretary at the office of Facility Planning and Control, Office of the Governor, P. O. Box 44095, Capitol Station, Baton Rouge, Louisiana 70804. Requests for information shall be made verbally or in writing. There may be a nominal fee charged to defray the cost of information furnished. Said fee shall be set by Facility Planning and Control, with the approval of the Board.

ARTICLE XV

Emergency Procedures

The Louisiana Architects Selection Board has adopted the following Rules governing the selection of architects for emergency projects effective August 20, 1981:

1. Notification of emergency to the Division of Administration by the User Agency is received.

2. Chairman of the Board is notified by the Division of Administration that an emergency does exist.

3. The Chairman of the Board then:

a. Authorizes the advertisement; and,

b. Sets date for meeting for selection within 72 hours after advertisement is printed, not including Saturdays, Sundays and holidays.

4. Meeting will convene at 10:00 a.m. on the day designated pursuant to 3(b) above to receive applications.

5. Applications will be distributed as the first order of business.

6. Meeting will then adjourn and reconvene one hour later (11:00 a.m.) after review of applications and then selections shall be made.

ARTICLE XVI

Communications with Applicant Firms

No member of the Board shall communicate in any manner concerning a project application with any representative of an applicant firm or anyone communicating on behalf of an applicant firm. This restriction shall apply from the time advertisement of a project begins until the opening of the Board meeting at which the project application will be considered.

ARTICLE XVII

All Rules or parts of Rules previously adopted by this Board are hereby repealed and superseded.

Interested parties may contact Mrs. Kathy B. Cox, Secretary, Louisiana Selection Boards, 13th Floor Republic Tower Building, Baton Rouge, LA, phone 922-0126, for information.

Charles E. Schwing
Chairman

**Fiscal and Economic Impact Statement
for Administrative Rules**

Rule Title: Rules of the Louisiana Architects Selection Board

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There is no estimated implementation costs (savings) to the Agency.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There will be no effect on revenues.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

It is felt that these changes in the Rules will give all applicants more equitable consideration.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition or employment.

Charles E. Schwing
Chairman

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Office of the Governor
Division of Administration**

Notice is hereby given that the Office of the Governor, Division of Administration intends to adopt Rules for Internal Guidelines for State Central Purchasing as follows:

INTERNAL GUIDELINE NO. A-1

Situation: Tie bids have been received by a purchasing agent

Policy: Tie Bids should be broken by:
Purchasing Agent I up to \$1,000
Purchasing Agent II over \$1,000 to \$5,000
Assistant Director over \$5,000 to \$10,000
Director over \$10,000
The tie bid should be awarded to the vendor who is

the best bidder. This would include consideration of such factors as terms, proximity, past performance, delivery, in-state company, completeness of bid proposal and possible equalization of award on this bid proposal.

Comments: Tie bid over \$10,000 must be reported to the Attorney General.

INTERNAL GUIDELINE NO. A-2

Situation: A performance bond is desirable or required on a procurement.

Policy: Unless the law requires a specific amount, the policy will be as follows:

If the total value of the contract is between \$10,000, the performance bond requirement should be 100 percent of the total amount.

If the total value of the contract is between \$10,000 and \$40,000, the performance bond requirements should be \$10,000.

If the total value of the contract is over \$40,000, the performance bond requirement should be 25 percent of the total amount.

If performance bond has been required, this requirement cannot be waived. The bonding company must be licensed to do business in Louisiana with all fees current.

Comments: Titles 38 and 43 require specific amounts for performance bonds. Performance bonds undetermined amounts should not be required in I.T.B.

INTERNAL GUIDELINE NO. A-3

Situation: Only one bid is received in response to a bid solicitation.

Policy: Bid should be analyzed to determine:
1. Were proper bidders solicited?
2. Were prices competitive?
3. Were specifications open?

Comments: Review should be done within delegated authority.
INTERNAL GUIDELINE NO. C-1

Situation: Review of contracts.

Policy: All contracts should be reviewed annually. Review should include at a minimum:

1. Dollar volume must be at least \$5,000. Contracts under \$5,000 require approval by the director or the assistant director in his absence.

2. Misuse—is contract being misused by agencies?

3. Prices—are prices competitive with other states and other vendors?

4. Terms and conditions—is there a need to alter?

5. Contract items not being used should be deleted from contract.

6. Conversion—Possibility of converting from brand name to competitive contract.

Initial review should be by the purchasing agent/buyer, secondary review by purchasing agent II and approval by the assistant director and the director.

Comments: For competitive or brand name contracts.

INTERNAL GUIDELINE NO. C-2

Situation: Adding to existing contracts and methods for establishing new contracts.

Policy: 1. **BRAND NAME CONTRACTS**
A. Addition of an item to an existing contract may be made upon receipt of one letter of request from an agency if it is determined that sufficient usage would justify the addition.

B. Creation of a new brand name contract may be made upon receipt of three letters from three separate state agencies. Feasibility questionnaires may be needed to clarify information.

2. COMPETITIVELY BID CONTRACTS

A. Addition of an item cannot be done without competitive bidding. Usually this would be done at the end of the contract year.

B. A new competitively bid contract can be originated if an agency can demonstrate sufficient justification for a competitively bid contract. Normally, we could circulate a questionnaire to all state agencies to see if there is sufficient potential usage.

3. AGENCY CONTRACTS

Same as 2 B, except commodities are peculiar to one agency, and no questionnaire would be circulated.

Comments:

INTERNAL GUIDELINE NO. C-3

Situation: Notification of cancellation of contracts.

Policy: A minimum of 30 days written notice to contract holder is required.

When converting from a brand name to a competitive contract, the brand name contract should be maintained until the effective date of competitive contract, if possible.

Notice of cancellation should be sent by certified mail, return receipt requested.

Comments: A contract which is allowed to expire (due to lack of usage, etc.) would not require minimum of 30 days written notice to contract holder. Notice is mandatory only when cancellation takes place prior to expiration.

INTERNAL GUIDELINE NO. C-4

Situation: Equipment maintenance where contract vendor may be different from the previous vendor.

Policy: If no contract exists for maintenance, maintenance must be bid.

If brand name contract exists for maintenance, agencies can either use brand name contract or bid the maintenance at the agency level in accordance with PPM 51, revised, and current Executive Orders.

If a competitive contract exists for maintenance, it must be used.

Comments:

INTERNAL GUIDELINE NO. T-1

Situation: A bid has been received that changes F.O.B.-Agency to F.O.B.-Another Point.

Policy: F.O.B.-Another Point is not acceptable unless it is the only bid meeting all other I.T.B. requirements and is acceptable to the using agency, and the agency is willing to be responsible if lost in shipment. Purchase order should state "Prepay freight and add to invoice."

Comments: Approval from agency should be in writing. See T-2.

INTERNAL GUIDELINE NO. T-2

Situation: All bids are **equally** flawed or the only bid received is flawed (i.e. no literature submitted, F.O.B. shipping point, etc.).

Policy: If all bids are equally flawed or the only bid received is flawed, then bid(s) can be re-evaluated for an award without the necessity of rebidding.

Comments:

INTERNAL GUIDELINE NO. T-3

Situation: I.T.B. states that illustrations and literature must be

submitted with bid.

Policy: This requirement cannot be waived.

Comments: This condition should not be used unless special circumstances require it. The proper condition to use for normal requirement "If bidding other than specified, submit illustrations and descriptive literature with bid." If only acceptable bid, see T-2.

INTERNAL GUIDELINE NO. T-4

Situation: A bid has been received by the state, but the bid is a copy and not an original.

Policy: To be acceptable, the bid must have:

1. An original signature (not a copy of a signature) or the bid must contain other signed material indicating the bidder's intent to be bound.

2. A copy of the State's terms and conditions attached.

If this bid is the only bid meeting specifications, either or both the above informalities may be waived with the approval of the director or his designee.

An explicit written and signed agreement by vendor, agreeing to the terms and conditions of the I.T.B., must be received.

Comments:

INTERNAL GUIDELINE NO. T-5

Situation: A bid has been received by the state, but the bid has not been signed.

Policy: Unsigned bids will not be accepted, unless it is the only usable bid received, and it has been approved by the assistant director.

Comments: If the unsigned bid is accompanied by another document with the bidder's signature, it may be accepted. If the unsigned bid is approved, then a signed statement must be secured indicating that the vendor will be bound by the laws of Louisiana and the terms and conditions of the I.T.B. (See T-4).

INTERNAL GUIDELINE NO. T-7

Situation: A bid has been received in which a vendor bids units or packaging different from what was specified.

Policy: To be acceptable, it must be clear what is being bid and verifiable by extension. Furthermore, the units or packaging must be acceptable for the intended use. Under no circumstances will a unit price be altered or corrected. If, however, it is determined that the unit or packaging change has given the bidder an unfair pricing advantage (due to lower packaging cost, etc.), the purchasing agent/buyer should reject the bid for that item.

Comments: It is the responsibility of the purchasing agent/buyer to make a determination on whether a packaging advantage exists.

INTERNAL GUIDELINE NO. T-6

Situation: A bid has been received with price alterations which are not initialed.

Policy: It should be determined that the alteration was done by the person submitting the bid and not by another person.

Comments: This determination should be obtained in writing.

INTERNAL GUIDELINE NO. T-8

Situation: I.T.B. states "bidder must specify brand, model, and number bid", but the bidder failed to give this information.

Policy: These requirements cannot be waived.

Comments: If this is the only acceptable bid, see T-2.

INTERNAL GUIDELINE NO. T-9

Situation: A bid has been received but the bidder has failed to

indicate brand, model, and number bid by filling in a blank space provided for this information.

Policy: It will be assumed that the bidder is bidding as specified, but this should be verified in writing before issuing the purchase order.

Comments: If it is mandatory that a bidder fill in the space with brand, model and number, then this cannot be waived. (See T-8 and T-2.)

INTERNAL GUIDELINE NO. T-10

Situation: A bid has been received which states terms are C.O.D.

Policy: C.O.D. is not acceptable unless it's the only bid meeting all other I.T.B. requirements. Vendor should be contacted to see if he will change his terms to Net 30. If not, agency may agree to C.O.D. terms.

Comments: Approval from agency should be in writing.

INTERNAL GUIDELINE NO. T-11

Situation: 1. I.T.B. requires vendor to visit jobsite and provides a signature line for agency certification that jobsite was inspected by vendor. Vendor failed to get agency's signature.

2. I.T.B. requires vendor to visit jobsite but does not require agency certification.

Policy: The certification technicality can be waived if the agency will document to State Purchasing that vendor did visit the jobsite prior to bid opening.

In both situations, if vendor fails to visit jobsite prior to the bid opening, bid must be rejected.

Comments:

INTERNAL GUIDELINE NO. T-12

Situation: Bidder has submitted bid with additional terms and conditions which conflict with terms contained in I.T.B.

Policy: Bid is a qualified bid and must be rejected if other acceptable bids are received.

If bid is the only one of the several bids received meeting specifications, or if all bids received are equally flawed, then it may be possible to negotiate removal of terms which conflict with those in the I.T.B.

If the bidder submits **with his bid** a signed statement that his terms and conditions are null and void, and that he agrees that the laws of the State of Louisiana and the requirements of the I.T.B. will apply, then his bid would be considered fully responsive to the I.T.B.

Comments: See also T-2.

If only one bid is received, see A-3.

INTERNAL GUIDELINE NO. T-13

Situation: A bidder submits a bid with only a unit price but placed in the extended amount column.

Policy: If it is clear and obvious that the intent of the bidder was to bid a unit price, the bid may be accepted.

Comments:

INTERNAL GUIDELINE NO. T-14

Situation: A bidder has submitted a bid but has not returned all pages of the bid proposal.

Policy: If the pages not returned contain pertinent and specific requirements or legal terms and conditions of the bid, this could not be considered an informality and cannot be waived. If the missing pages contain non-critical information, the informality can be waived. However, if the bid proposal specifically stated "all pages must be returned", no waiver can be granted and bid must be rejected.

Comments: If only acceptable bid, see T-2.

If bid is a copy, see T-4.

INTERNAL GUIDELINE NO. T-15

Situation: Addendum to bid proposal has been mailed out, but a bidder has not attached this to his bid.

Policy: If the bid indicated in some way that the addendum has been received, it may be accepted. If it cannot be determined that the bidder received the addendum, the bid may not be accepted. If more than one bidder apparently did not receive the addendum, this could be cause for rejection of the entire bid and re-advertisement.

Comments:

INTERNAL GUIDELINE NO. T-16

Situation: A bid has been submitted to the state, but not on the proper form.

Policy: If the state's terms and conditions have not been accepted by the vendor, the bid is not acceptable. If the bid in question is the only bidder meeting specifications, an attempt to get the vendor's acceptance of the state's terms and conditions is allowable. If the vendor will not agree to acceptance of the state's terms and conditions, the bid is not acceptable unless the Attorney General's Office has approved.

Comments: Before Attorney General's approval is sought, every effort should be exhausted to reach mutually acceptable terms. Vendor should put in writing that he is accepting Louisiana Terms and Conditions.

See also T-12.

INTERNAL GUIDELINE NO. T-17

Situation: I.T.B. states a "sample must be submitted with bid." Vendor bidding as specified did not submit a sample.

Policy: This requirement cannot be waived.

Comments: This condition should not be used unless circumstances require it. The proper condition to use under normal circumstances is "If bidding other than specified, samples are to be submitted." If only acceptable bid, see T-2.

INTERNAL GUIDELINE NO. T-18

Situation: A bid has been received after the time specified.

Policy: Late bids cannot be accepted. If the bid was delayed in some way by the Division of Administration, this could be cause for cancellation of bid proposal and re-advertisement.

Comments:

INTERNAL GUIDELINE NO. U-1

Situation: Agency requisitions emergency purchase but has not provided adequate justification.

Policy: Agency must be contacted immediately requesting proper justification. If justification does not meet requirements of Section IV, Paragraph B of the Rules and Regulations, purchase should be handled in normal manner by soliciting competitive bids.

Approval must be obtained from director or his designee for emergency procurements.

Comments:

INTERNAL GUIDELINE NO. U-2

Situation: Agency submits requisition requesting "no substitute" (Proprietary).

Policy: Letter of justification should be submitted with requisition and must be approved by the director or his designee. Requisitions without proper justification for proprietary specifications will be returned to the agency.

Comments: See Rules and Regulations, Section 10 E 2 (c).

INTERNAL GUIDELINE NO. U-3

Situation: Agency submits requisition without clear or detailed specifications or otherwise improperly prepared specifications.

Policy: Requisition should be returned to the agency outlining necessary information required for bidding.

Comments: Transmittal should be prepared and forwarded to purchasing agent II for approval.

INTERNAL GUIDELINE NO. U-4

Situation: Agency requests purchase order cancellation or change when items are no longer needed.

Policy: Agency should attach vendor's written acceptance to agency's request for cancellation or change.

Comments: Purchase order changes or cancellations on orders issued by State Purchasing must be through the State Purchasing Office and not directly by agency with vendor.

INTERNAL GUIDELINE NO. U-5

Situation: Agency requisitions emergency purchase and has provided justification.

Policy: A recommendation should be made by the buyer/purchasing agent to the director or the assistant director, in the director's absence, whose approval is required. Approval should indicate method of purchase, i.e. telephone quotes, 10-day bid, etc. Justification must meet requirements of Section IV, Paragraph B of the Rules and Regulations.

Comments: Follow current Executive Order if possible. An approval on emergency purchases, to be handled at agency level, should be recorded by the director or assistant director for future verification.

INTERNAL GUIDELINE NO. U-6

Situation: Agencies seeking to purchase items covered by a statewide competitive contract and requesting that the agency not use the contract.

Policy: All exceptions shall be approved by the director or his designee. The following exceptions are the only ones which may be considered.

1. Functional Differences, for example:

a. Size available is not suitable because of space limitations.

b. Compatibility with existing equipment.

c. Products available will not meet agency's needs.

2. Agency's need is so small that it cannot use the minimum order quantity in the contract.

3. Delivery of contract item does not meet agency's urgent requirement.

Comments: A lower local price is not justification for exception. The contract vendor has guaranteed prices for a year and is delivering the item to the agency.

When a minimum is established, agencies may purchase up to minimum in accordance with current Executive Order within agency's delegated authority.

When no minimum is established, agencies must use contract, except in an emergency situation as defined by Section IV of the Purchasing Rules and Regulations.

INTERNAL GUIDELINE NO. V-1

Situation: Bidder wishes to withdraw his bid after bid opening, but before purchase order is issued.

Policy: Request must be in writing on a timely basis and justified. If no bid bond has been required, bid may be withdrawn without penalty. If bid bond has been required, no relief can be granted and bond must be forfeited if vendor does not perform, unless director

authorizes otherwise.

Comments:

INTERNAL GUIDELINE NO. V-2

Situation: Bidder wishes to withdraw his bid before bid opening.

Policy: Request must be in writing and received prior to bid opening time. Bid must be retained by State Purchasing in the file.

Comments: Bid should remain unopened, attached to letter, and kept in files.

INTERNAL GUIDELINE NO. V-3

Situation: Bidder wishes to withdraw his bid after purchase order has been issued to him.

Policy: Request must be in writing and with sufficient justification and must be timely (i.e. no later than 10 days after mailing of purchase order to vendor). If request is not timely, bid may not be withdrawn. If bidder refuses to deliver, this could be cause for repurchase and surcharge to the bidder for the difference in cost or for removal from bidders list or other legal remedies. Approval or denial of request must be made by director or his designee.

Comments: See R.S. 39:1661.

INTERNAL GUIDELINE NO. V-4

Situation: Vendor is suspended or debarred.

Policy: Suspended—If that vendor has existing contracts, he shall retain those contracts. If he fails to honor his contractual obligations, he will be cancelled as a vendor for only the specific contracts which he fails to honor.

If contracts are bid during the period of suspension, then no award shall be made to the suspended vendor.

If a contract is bid by a prime contractor and a suspended vendor is listed as a supplier, then the prime contractor shall be notified that his supplier has been suspended and, therefore, must be removed from the prime contractor's list or suppliers.

Debarred—The vendor will be removed from bidder's list and cannot bid on future requirements until debarment is ended. Effect on existing contracts will be specified in the debarment order.

Comments: See R.S. 39:1672

Interested persons may submit in writing comments concerning the Rules for Internal Guidelines to Linda Alwood, Division of Administration, Box 44095, Baton Rouge, LA 70804 on or before August 3, 1983.

Linda E. Alwood
Assistant Commissioner

**Fiscal and Economic Impact Statement
for Administrative Rules**

Rule Title: Internal Guidelines

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There will be no implementation cost to the agency

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There will be no estimated effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

There will be no estimated cost and benefits to affected groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment.

Hugh M. Carleton
Director

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Family Security**

The Department of Health and Human Resources, Office of Family Security, proposes to implement the following Rule in the AFDC Program. This proposed Rule is authorized in accordance with 45 CFR 233.10 (b) (2) (ii).

PROPOSED RULE

A natural but not legal incapacitated father who lives with his AFDC child shall be included in the AFDC certification as an AFDC parent. Such recipient shall be entitled to Medicaid benefits.

Interested persons may submit written comments through August 4, 1983, at the following address: R. K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for inquiries regarding the proposed Rule. A copy of this notice is available for review in each parish Office of Family Security.

Roger P. Guissing
Secretary

**Fiscal and Economic Impact Statement
for Administrative Rules**

**Rule Title: AFDC - natural but not legal
incapacitated father**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

The estimated implementation costs to the agency is:

	FY 83-84	FY 84-85	FY 85-86
State	(\$ 5,535.57)	(\$ 6,629.81)	(\$ 6,629.81)
Federal	\$17,089.77	\$20,347.25	\$20,347.25
TOTAL	\$11,554.20	\$13,717.44	\$13,717.44

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

The implementations of the proposed policy would result in an increase in Federal funds.

FY 83-84 - \$17,089.77 FY 84-85 - \$20,347.25 FY 85-86 - \$20,347.25

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

Approximately 33 recipients per month will receive increased medical benefits.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There is no effect on competition and employment.

R. K. Banks
Assistant Secretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Family Security**

The Department of Health and Human Resources, Office of Family Security, proposes to adopt the following Rule in the Medical Assistance Program.

Proposed Rule

Effective September 1, 1983, the Department of Health and Human Resources, Office of Family Security, amends the current limit on outpatient hospital services from three per year per recipient to the following limits for the specified Title XIX outpatient hospital services:

(1) Emergency room services - three emergency room visits per year per recipient;

(2) Rehabilitation services - number of visits in accordance with a rehabilitation plan prior authorized by the Medical Review Section of the Office of Family Security;

(3) Clinic services - physician services provided in a clinic in an outpatient hospital setting shall be considered physician services, not outpatient services, and shall be included in the limit of twelve physician visits per year per recipient; and

(4) All other outpatient services, including therapeutic and diagnostic radiology services, chemotherapy, hemodialysis and laboratory services, shall have no limit imposed other than the medical necessity for the service.

The above proposed changes are necessary to bring the Medical Assistance Program's Title XIX State Plan into concurrence with procedures for reimbursing outpatient hospital services to meet the medical needs of Medicaid recipients and are in accordance with federal requirements specified in 42 CFR 440.200 - 440.230 and 42 CRR 447.321. A recent review of the three outpatient visit limit indicated that the limit was hindering some recipients from receiving adequate necessary medical care.

A copy of this proposed Rule and its fiscal and economic impact statement is available for review in each parish in the local Office of Family Security.

Interested persons may submit written comments on the proposed policy through August 5, 1983, at the following address: R. K. Banks, assistant secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries about this proposed Rule.

Roger P. Guissing
Secretary

**Fiscal and Economic Impact Statement
for Administrative Rules**

**Rule Title: Change in Limits for
Outpatient Hospital Services**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

As the proposed changes are being made to bring the Title XIX State Plan into compliance with reimbursement procedures in effect prior to the January, 1983 enforcement of the three outpatient visits limit on all outpatient services as a result of a recent review by the Health Care Financing Administration, Dallas Regional Office, no significant fiscal impact is predicted. The slight increase in cost for additional laboratory and X-ray services was included in the requested budget for FY 83-84. The change in reimbursement for physician services in a clinic shall be balanced by the in-

clusion of clinic physician services in the physician services limit to twelve physician visits per year per recipient and shall be reimbursed under the Physician's Program.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

No effect on revenue collections is anticipated. However, if the proposed change is not implemented, there could be a loss of federal financial participation on outpatient claims exceeding the limit of three outpatient visits per year per recipient.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

Recipients in need of laboratory and diagnostic radiology services shall be able to receive more than three such services per year. This will allow those recipients who exceed this limit to have these services reimbursed by Medicaid. However, an individual cost cannot be determined as it is dependent on the individual need for such services.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect on competition and employment is anticipated.

R. K. Banks
Assistant Secretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Family Security**

The Department of Health and Human Resources, Office of Family Security, proposes the following Rule, effective September 1, 1983.

PROPOSED RULE

The Department of Health and Human Resources, Office of Family Security, proposes to continue the suspension of homemaker services. Homemakers services were provided under the approved waiver document (section 2176 of Public Law 97-35) which implemented Home and Community Based Services. The suspension shall remain in effect until June 30, 1984.

The original Rule suspending homemaker services effective March 1, 1983 through August 31, 1983, was published in the *Louisiana Register* on February 20, 1983, in Volume 9, Number 2, page 64.

Interested persons may submit written comments through August 5, 1983 at the following address: R. K. Banks, assistant secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding this proposed Rule. A copy of this proposed Rule and its fiscal and economic impact statement is available for review in each parish in the local office of Family Security.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
for Administrative Rules**

**Rule Title: Elimination of Title XIX Reimbursement for
Homemaker Services until June 30, 1984**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO

AGENCY - (Summary)

	FY 83-84	FY 84-85	FY 85-86
	(62.2 FFP)	(61.55 FFP)	(61.55 FFP)
State	(\$19,022,349)	(\$20,861,486)	(\$22,947,635)
Federal	(\$31,301,324)	(\$33,394,654)	(\$36,734,118)
	(\$50,323,673)	(\$54,256,140)	(\$59,681,753)

Funding for implementation of the Homemaker Program reimbursements was not included in the FY 83-84 budget. Therefore, these savings have already been anticipated by the department.

If this Rule is not implemented, OFS estimates that it would be required to provide Title XIX homemaker services to 7,441 clients during 1983-84 at a cost of \$50,323,673. This estimate is based on several assumptions:

1. OHD currently provides Title XX homemaker services. For 1983-84, OHD projects that 10,622 clients will be served at a cost of \$4,609,346. If the homemaker program is transferred to Title XIX, OFS assumes that only 7,441 of the 10,622 clients would be eligible for Title XIX services.

2. OFS further assumes that none of the 7,441 clients eligible for Title XIX are currently receiving benefits under Title XIX. Therefore, a cost of \$25,026,761 in other Title XIX benefits (excluding homemaker services) has been calculated. This represents an average cost per client of \$3,363 for this group, compared to an average cost of approximately \$1,750 per client for all Title XIX recipients.

3. OFS assumes that the cost of providing homemaker services alone under Title XIX would range from \$730 per month to \$1,600 per month. This represents a total cost of \$24,296,912 for 1983-84. The monthly cost of providing homemaker services through Title XX contracts is estimated to be approximately \$188 per month.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

Federal revenues will be reduced by the following amounts FY 83-84 - \$31,301,324; FY 84-85 - \$33,394,654; FY 85-86 - \$36,734,118.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

LTC facility providers may be affected by this proposed action because some individuals may decide to accept the community based services rather than institutionalization in a long term care facility. However, no costs or benefits to affected groups can be estimated at this time because statistics are not available to substantiate the number of eligible recipients who would choose community based services rather than long term care services.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

This proposed Rule would create greater competition among providers of long term care services based on this provision of alternative services.

R. K. Banks
Assistant Secretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Family Security**

The Department of Health and Human Resources, Office of Family Security, proposes to adopt the following Rule in the

PROPOSED RULE

The Department of Health and Human Resources, Office of Family Security shall discontinue reimbursement for inpatient and outpatient services to hospitals participating as emergency access only hospitals in the Title XIX Medical Assistance Program effective September 1, 1983. An emergency access only hospital is defined as a hospital enrolled as a Title XIX provider for emergency services only.

Title XIX reimbursement for inpatient and outpatient hospital services shall be limited to hospitals enrolled as a Title XIX full access hospital. A full access hospital is defined as a hospital which accepts Medicaid assignment for any Medicaid recipient.

This change is being made as a result of an assessment finding by the Health Care Financing Administration that the agency was out of compliance in regard to provisions of services by emergency access hospitals.

A copy of this proposed Rule and its fiscal and economic impact statement is available for review in each parish in the local Office of Family Security.

Interested persons may submit written comments on the proposed policy through August 5, 1983, at the following address: R. K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries about this proposed Rule.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
for Administrative Rules**

**Rule Title: Discontinuance of Reimbursement to
Emergency Access Hospitals**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
AGENCY - (Summary)**

It is estimated that the proposed Rule will result in a savings to the agency of \$47,864 in FY 83-84, 84-85, 85-86. This is the result of savings in administrative costs for additional staff to review and authorize all claims for services by emergency access only hospitals. No additional savings for reimbursement for actual services is anticipated as these services shall be provided by full access hospitals.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS -
(Summary)**

It is estimated that the proposed Rule will result in a decrease in federal funds due to the decrease in expenditures and the concomitant reduction in federal financial participation. Estimated reductions are as follows: \$35,298 in FY 83-84; FY 84-85, and FY 85-86.

**III. ESTIMATED COSTS AND BENEFITS TO AFFECTED
GROUPS - (Summary)**

Hospitals participating as Title XIX emergency access only hospitals shall no longer be reimbursed for emergency services to Medicaid recipients. Such hospitals have the option of enrolling as Medicaid full access hospital. Costs to the individual hospitals vary depending on the number of Medicaid recipients provided emergency services. Recipients shall utilize only full access hospitals.

**IV. ESTIMATED EFFECT ON COMPETITION AND EM-
PLOYMENT - (Summary)**

No effect on competition and employment is anticipated as a result of the proposed Rule.

R. K. Banks
Assistant Secretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Family Security**

The Department of Health and Human Resources, Office of Family Security, proposes the following Rule:

PROPOSED RULE

Effective August 20, 1983, Title XIX reimbursement will no longer be made for the following drugs, deemed "less than effective", as of August 20, 1983:

Trade Name	Active Ingredient	Dosage Form/Route	Firm
Androyd	Oxymetholone	Tab/oral	Warner-Lambert Co. Parke-Davis
Anadrol	Oxymetholone	Tab/oral	Syntex
Dianabol	Methandrostenolone	Tab/oral	Ciba
Dipyridamole	Dipyridamole	Tab/oral	Lemmon
Forhista	Dimethindene Maleate	SRT/oral	Ciba
Isosorbide Dinitrate	Isosorbide Dinitrate	Tab/subl Tab/oral SRT/oral	Bolar
Methandrostenolone	Methandrostenolone	Tab/oral	Bolar Par
Methylandrostenediol	Methandriol	Susp/IM	Maury Biologicals
Pyribenzamine and Ephedrine	Ephedrine Sulfate Tripeleminamine Hydrochloride	Tab/oral	Ciba

This action is necessary because Section 2103 of the "Omnibus Budget Reconciliation Act of 1981" (P.L. 97-35) prohibited the use of Federal funds, therefore discontinuing reimbursement, under Medicare Part B and Medicaid for expenses incurred on or after October 1, 1981, for drugs identified in Section 2103. Identical products made by manufacturers not shown on the list are also excluded from payment for all drugs with the exception of Dipyridamole and Isosorbide Dinitrate. Payment will be withheld for Isosorbide Dinitrate and Dipyridamole for only the manufacturer identified by name on this list. The preclusion of payment for identical, similar, or related products will not be applied in the case of isosorbide dinitrate and dipyridamole.

Lists of drugs deemed "less than effective" and identical, similar and related were published in the Louisiana Register on November 20, 1981, September 20, 1982, and February 20, 1983.

Interested persons may submit written comments through August 5, 1983, at the following address: R. K. Banks, assistant secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding this proposed Rule. A copy of this proposed Rule and its fiscal and economic impact statement is available for review in each parish in the local office of Family Security.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
for Administrative Rules**

**Rule Title: "Less than Effective"
Drugs (DESI Drugs)**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
AGENCY - (Summary)**

The amount of costs or savings resulting from this

proposed Rule cannot be determined because it is not known whether physicians will continue to prescribe drugs which will be deleted from the list or switch to drugs which are covered by the program, but which may or may not be more expensive than drugs removed from coverage.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

The effect on collections of federal Title XIX (Medicaid) revenues is dependent on costs or savings achieved, which cannot be estimated at this time. (see I. above)

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

Only in those cases where physicians continue to prescribe drugs on the list will there be a cost to recipients.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There is no effect on competition and employment.

R. K. Banks
Assistant Secretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Family Security**

The Department of Health and Human Resources, Office of Family Security, proposes to amend the Title XIX State Plan. Effective September 1, 1983, Attachment 3.1-A, Item 12 a, Page 2 a., will include paragraph (i), as follows:

PROPOSED RULE

(i) Effective September 1, 1983, manufacturers introducing new drug entities will be required to submit drug information to the Medical Assistance Program for consideration of coverage of the drugs.

Drug entities available prior to September 1, 1983, will continue to be covered. Prior to September 1, 1983, new drug entities have been automatically covered by the program unless they are in one of the pharmacological categories of drugs not covered by the program.

A public hearing has been scheduled for Monday, August 8, 1983, at 9:30 a.m. in the State Land and Natural Resources Building, Mineral Board Hearing Room, 625 N. Fourth Street, Baton Rouge, LA 70802.

Interested persons may submit written comments through August 5, 1983, at the following address: R. K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding the proposed Rule. A copy of this proposed Rule and its fiscal and economic impact statement is available for review in each parish in the local Office of Family Security.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
for Administrative Rules
Rule Title: Limitation of Coverage of
New Drug Entities**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There will be a potential savings to the agency as a

result of the proposed change as follows, based on 1 percent of total program cost:

	FY 83-84 (62.2 FFP)	FY 84-85 (61.55 FFP)	FY 85-86 (61.55 FFP)
State	(\$324,790.08)	(\$330,375.09)	(\$330,375.09)
Federal	(\$534,442.92)	(\$528,857.91)	(\$528,857.91)
TOTAL	(\$859,233.00)	(\$859,233.00)	(\$859,233.00)

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

The savings achieved will result in decreased federal Title XIX (Medicaid) revenues as follows: \$534,443 for 1983-84 and \$528,858 for 1984-85 and 1985-86.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

Recipients will be required to bear the cost of new drug entities until such time as the Department approves the drug entities for payment.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment.

R. K. Banks
Assistant Secretary

Jean S. Vandal
Legislative Fiscal Analyst

*May 20,
1983*

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Family Security**

The Department of Health and Human Resources, Office of Family Security, proposes the following Rule:

PROPOSED RULE

Effective for services beginning September 1, 1983, the Title XIX (Medicaid) State Plan, Attachment 3.1-A, Item 12.a 6. will be amended to revise and expand the State's program of maximum allowable costs for multiple-source drugs. This program is known as the Louisiana Maximum Allowable Cost (LMAC) Program. This Rule establishes maximums for the costs of certain drugs which shall be reimbursed under Title XIX. The state established MAC for these drugs shall be applicable unless a lower Federal MAC for the respective products is established.

The cost reimbursable in the MAP for any drug listed on the generic formulary shall not exceed: (1) the Louisiana Maximum Allowable Cost (LMAC), (2) a Federal Maximum Allowable Cost (MAC), or (3) the estimated acquisition cost (EAC) of the product dispensed, whichever is lower.

The LMAC replace the methodology currently used in the Pharmacy Program to determine allowable costs and is as follows:

(1) The wholesale cost of a specific strength/unit of a drug by a single manufacturer, labeler, etc., is the average wholesale cost of that drug as listed in the most current edition of American Druggist Blue Book/or its revisions, hereinafter referred to as the Blue Book.

(2) The list is the DHHR, MAP listing of drugs, by generic name, by strength/unit and dosage which are reimbursable with a LMAC.

(3) Estimated acquisition cost (EAC) is the agency's best estimate of what providers are generally paying for a drug. The basis for determining the EAC will be the current American Druggist Blue Book and its revisions. The agency has determined that the EAC is the LMAC or the Blue Book cost if less.

(4) The LMAC, determined and calculated for a multiple

source drug (as defined in 42 CFR 447.332), is the median wholesale price of a drug for a specific strength/unit. The median wholesale price is determined by listing the wholesale price for a drug for a specific strength/unit for each readily available manufacturer, labeler, etc., and taking the median of those wholesale prices. (One-half of the manufacturers etc., will be above the median price and one-half of the manufacturers will be below the median price.)

All LMAC costs will be computed as described above. The LMAC costs may be adjusted by the agency based on changes in the availability and Estimated Acquisition Costs (EAC) of the drugs. Any LMAC cost revisions will be based on The American Druggist Blue Book Data Center information. Such LMAC cost revisions will be sent to pharmacist and physician providers on a timely, monthly basis, beginning October 1, 1983 and continuing thereafter. A complete LMAC cost list will be distributed to physician and pharmacist providers annually beginning July 10, 1984.

The list was determined by a study of the availability of drugs in the Louisiana Medical Assistance Program (MAP) for the purpose of determining reasonable estimated acquisition costs of drugs to allow for the effective and efficient administration of the MAP.

The proposed LMAC limits shall be applicable for the specified drugs unless the prescriber has certified, in his own

handwriting, that a specified brand is medically necessary for the recipient. In no case may a recipient be required to provide payment for any difference in a prescription price that may occur with implementation of the LMAC limit, nor may OFS use a cost which exceeds the established maximums except as specified below.

This program shall track Health and Human Services regulations regarding exceptions to their MAC limitations. The specific guidelines regarding procedures for such exceptions provide that:

- (a) the certification must be in the physician's handwriting;
- (b) the certification may be written directly on the prescription or on a separate sheet which is attached to the prescription;
- (c) a standard phrase written on the prescription, such as "brand necessary" will be acceptable;
- (d) a printed box on the prescription blank that could be checked by the physician to indicate brand necessity is unacceptable;
- (e) a handwritten statement transferred to a rubber stamp and then stamped on the prescription blank is unacceptable.

Maximum Allowable Costs (MAC's) for reimbursement under Title XIX are proposed as follows on those multiple-source drugs specified:

DRUG NAME	STRENGTH/UNIT	POSAGE FORM
ACETAMINOPHEN COMBINATION		TABLET
ACETAMINOPHEN	300.000 MG	
CODEINE	30.000 MG	
ACETAMINOPHEN COMBINATION		TABLET
ACETAMINOPHEN	300.000 MG	
CODIENE	60.000 MG	
ACETAMINOPHEN COMBINATION		SOLUTION
ACETAMINOPHEN	125.000 MG	
CODEINE PHOSPHATE	12.000 MG	
ACETAZOLAMIDE	125.000 MG	TABLET
ACETAZOLAMIDE	250.000 MG	TABLET
ALLOPURINOL	100.000 MG	TABLET
ALLOPURINOL	300.000 MG	TABLET
AMINOPHYLLINE	105.000 MG/5ML	SOLUTION
AMINOSALICYLATE SODIUM	500.000 MG	TABLET
AMITRIPTYLINE HCL	10.000 MG	TABLET
AMITRIPTYLINE HCL	25.000 MG	TABLET
AMITRIPTYLINE HCL	50.000 MG	TABLET
AMITRIPTYLINE HCL	75.000 MG	TABLET
AMITRIPTYLINE HCL	100.000 MG	TABLET
AMITRIPTYLINE HCL	150.000 MG	TABLET
AMOXICILLIN TRIHYDRATE	125.000 MG/5ML	SUSPENSION
AMOXICILLIN TRIHYDRATE	250.000 MG	CAPSULE
AMOXICILLIN TRIHYDRATE	250.000 MG/5ML	SUSPENSION
AMOXICILLIN TRIHYDRATE	500.000 MG	CAPSULE
AMPICILLIN SODIUM	1.000 G	INJECTION
AMPICILLIN SODIUM	2.000 G	INJECTION
AMPICILLIN SODIUM	250.000 MG	INJECTION
AMPICILLIN SODIUM	500.000 MG	INJECTION
AMPICILLIN TRIHYDRATE	125.000 MG/5ML	SUSPENSION
AMPICILLIN TRIHYDRATE	250.000 MG	CAPSULE
AMPICILLIN TRIHYDRATE	250.000 MG/5ML	SUSPENSION
AMPICILLIN TRIHYDRATE	500.000 MG	CAPSULE
BELLADONNA COMBINATION		CAPSULE
BELLADONNA ALKALOIDS		
PHENOBARBITAL	15-20 MG	
BELLADONNA COMBINATION		TABLET
BELLADONNA ALKALOIDS		
PHENOBARBITAL	15-20 MG	
BUTALBITAL COMBINATION		CAPSULE
BUTALBITAL		
ASPIRIN		
CAFFEINE		

DRUG NAME	STRENGTH/UNIT	DOSAGE FORM
BUTALBITAL COMBINATION		TABLET
BUTALBITAL		
ASPIRIN		
CAFFEINE		
CALCIUM CHLORIDE	100.000 MG/1ML	INJECTION
CALCIUM LACTATE	300.000 MG	TABLET
CALCIUM LACTATE	600.000 MG	TABLET
CARISOPRODOL	350.000 MG	TABLET
CEFAZOLIN SODIUM	1.000 G	INJECTION
CEPHRADINE	250.000 MG	CAPSULE
CEPHRADINE	250.000 MG/5ML	SUSPENSION
CEPHRADINE	500.000 MG	CAPSULE
CHLORAL HYDRATE	250.000 MG	CAPSULE
CHLORAL HYDRATE	500.000 MG	CAPSULE
CHLORAL HYDRATE	500.000 MG/5ML	SOLUTION
CHLOROTHIAZIDE	250.000 MG	TABLET
CHLOROTHIAZIDE	500.000 MG	TABLET
CHLORPHENIRAMINE MALEATE		INJECTION
	10.000 MG/1ML	
CHLORPROMAZINE HCL	10.000 MG	TABLET
CHLORPROMAZINE HCL	25.000 MG	TABLET
CHLORPROMAZINE HCL	25.000 MG/1ML	INJECTION
CHLORPROMAZINE HCL	50.000 MG	TABLET
CHLORPROMAZINE HCL	100.000 MG	TABLET
CHLORPROMAZINE HCL	100.000 MG/1ML	SOLUTION
CHLORPROMAZINE HCL	200.000 MG	TABLET
CHLORTHALIDONE	25.000 MG	TABLET
CHLORTHALIDONE	50.000 MG	TABLET
CHLORTHALIDONE	100.000 MG	TABLET
CLOTRIMAZOLE	1.000 %	CREAM
CLOTRIMAZOLE	1.000 %	CREAM
CLOTRIMAZOLE	1.000 %	SOLUTION
CLOTRIMAZOLE	100.000 MG	SUPPOSITORY
CLOXACILLIN	500.000 MG	CAPSULE
CLOXACILLIN SODIUM	125.000 MG/5ML	SOLUTION
CLOXACILLIN SODIUM	250.000 MG	CAPSULE
CODEINE PHOSPHATE COMBINATION		TABLET
CODEINE PHOSPHATE	15.000 MG	
ACETAMINOPHEN	300.000 MG	
CODEINE PHOSPHATE COMBINATION		TABLET
CODEINE PHOSPHATE	15.000 MG	
ASPIRIN	300.000 MG	
CODEINE PHOSPHATE COMBINATION		TABLET
CODEINE PHOSPHATE	30.000 MG	
ACETAMINOPHEN	300.000 MG	
CODEINE PHOSPHATE COMBINATION		TABLET
CODEINE PHOSPHATE	30.000 MG	
ASPIRIN	300.000 MG	
CODEINE PHOSPHATE COMBINATION		TABLET
CODEINE PHOSPHATE	60.000 MG	
ACETAMINOPHEN	300.000 MG	
CODEINE PHOSPHATE COMBINATION		TABLET
CODEINE PHOSPHATE	60.000 MG	
ASPIRIN	300.000 MG	
COLCHICINE	500.000 MCG	TABLET
COLCHICINE	600.000 MCG	TABLET
COPPER CHLORIDE	400.000 MCG/1ML	INJECTION
COPPER SULFATE	2.000 MG/1ML	INJECTION
CORTISONE ACETATE	5.000 MG	TABLET
CORTISONE ACETATE	10.000 MG	TABLET
CORTISONE ACETATE	25.000 MG	TABLET
CORTISONE ACETATE	25.000 MG/1ML	INJECTION
CORTISONE ACETATE	50.000 MG/1ML	INJECTION
CYANOCOBALAMIN	1.000 MG/1ML	INJECTION
CYANOCOBALAMIN	100.000 MCG/1ML	INJECTION
CYPROHEPTADINE HCL	2.000 MG/5ML	SOLUTION
CYPROHEPTADINE HCL	4.000 MG	TABLET
DEXAMETHASONE	.500 MG/5ML	SOLUTION
DEXAMETHASONE	1.500 MG	TABLET
DEXAMETHASONE	4.000 MG	TABLET
DEXAMETHASONE	250.000 MCG	TABLET
DEXAMETHASONE	500.000 MCG	TABLET
DEXAMETHASONE	750.000 MCG	TABLET
DEXAMETHASONE SODIUM PHOSPHATE	4.000 MG/1ML	INJECTION

DRUG NAME	STRENGTH/UNIT	DOSAGE FORM
DICLOXACILLIN SODIUM	250.000 MG	CAPSULE
DICLOXACILLIN SODIUM	500.000 MG	CAPSULE
DICYCLOMINE HCL	10.000 MG	CAPSULE
DICYCLOMINE HCL	10.000 MG/5ML	SOLUTION
DICYCLOMINE HCL	20.000 MG	TABLET
DIETHYLSTILBESTROL	1.000 MG	TABLET
DIETHYLSTILBESTROL	5.000 MG	TABLET
DIGITALIS	100.000 MG	TABLET
DIGITOXIN	50.000 MCG	TABLET
DIGITOXIN	100.000 MCG	TABLET
DIGITOXIN	150.000 MCG	TABLET
DIGITOXIN	200.000 MCG	TABLET
DIGOXIN	50.000 MCG/1ML	SOLUTION
DIGOXIN	100.000 MCG/1ML	INJECTION
DIGOXIN	125.000 MCG	TABLET
DIGOXIN	250.000 MCG	TABLET
DIGOXIN	250.000 MCG/1ML	INJECTION
DIGOXIN	500.000 MCG	TABLET
DIPHENHYDRAMINE HCL	12.500 MG/5ML	SOLUTION
DIPHENHYDRAMINE HCL	25.000 MG	CAPSULE
DIPHENHYDRAMINE HCL	50.000 MG	CAPSULE
DIPHENHYDRAMINE HCL	50.000 MG/1ML	INJECTION
DIPHENOXYLATE HCL COMBINATION		TABLET
DIPHENOXYLATE HCL	2.500 MG	
ATROPINE SULFATE	25.000 MCG	
DIPIVEFRIN HCL	.100 %	SOLUTION
DIPYRIDAMOLE	25.000 MG	TABLET
DIPYRIDAMOLE	50.000 MG	TABLET
DIPYRIDAMOLE	75.000 MG	TABLET
DISULFIRAM	250.000 MG	TABLET
DISULFIRAM	500.000 MG	TABLET
DOXEPIN HCL	10.000 MG	CAPSULE
DOXEPIN HCL	10.000 MG/1ML	SOLUTION
DOXEPIN HCL	25.000 MG	CAPSULE
DOXEPIN HCL	50.000 MG	CAPSULE
DOXEPIN HCL	75.000 MG	CAPSULE
DOXEPIN HCL	100.000 MG	CAPSULE
DOXEPIN HCL	150.000 MG	CAPSULE
ECHOTHIOPHATE IODIDE	.030 %	SOLUTION
ECHOTHIOPHATE IODIDE	.060 %	SOLUTION
ECHOTHIOPHATE IODIDE	.125 %	SOLUTION
ECHOTHIOPHATE IODIDE	.250 %	SOLUTION
EPHEDRINE SULFATE	25.000 MG	CAPSULE
EPHEDRINE SULFATE	50.000 MG	CAPSULE
EPHEDRINE SULFATE SYRUP	20.000 MG/5ML	SOLUTION
EPINEPHRINE HCL	1.000 MG/1ML	INJECTION
EPINEPHRINE HCL	100.000 MCG/1ML	INJECTION
ERGOCALCIFEROL	8000.000 U/1ML	SOLUTION
ERGOCALCIFEROL	25000.000 U	CAPSULE
ERGOCALCIFEROL	50000.000 U	CAPSULE
ERGOTAMINE TARTRATE	2.000 MG	SOLUBLE TABLET
ERYTHROMYCIN	250.000 MG	ENTERIC COATED TABLET
ERYTHROMYCIN ETHYLSUCCINATE	400.000 MG/5ML	SUSPENSION
ERYTHROMYCIN STEARATE	250.000 MG	TABLET
ERYTHROMYCIN STEARATE	500.000 MG	TABLET
ESTROGENS CONJUGATED	1.250 MG	TABLET
ESTROGENS CONJUGATED	2.500 MG	TABLET
ESTROGENS CONJUGATED	300.000 MCG	TABLET
ESTROGENS CONJUGATED	625.000 MCG	TABLET
FERROUS GLUCONATE	300.000 MG	TABLET
FERROUS SULFATE	125.000 MG/1ML	SOLUTION
FERROUS SULFATE	220.000 MG/5ML	SOLUTION
FERROUS SULFATE	300.000 MG	ENTERIC COATED TABLET
FERROUS SULFATE	300.000 MG	TABLET
FLUOCINOLONE ACETONIDE	.010 %	CREAM
FLUOCINOLONE ACETONIDE	.010 %	SOLUTION

DRUG NAME	STRENGTH/UNIT	DOSAGE FORM
FLUOCINOLONE ACETONIDE	.025 %	CREAM
FLUOCINOLONE ACETONIDE	.025 %	OINTMENT
FLUOXYMESTERONE	5.000 MG	TABLET
FLUOXYMESTERONE	10.000 MG	TABLET
FLUPHENAZINE HCL	2.500 MG	TABLET
FLUPHENAZINE HCL	5.000 MG	TABLET
FOLIC ACID	1.000 MG	TABLET
FOLIC ACID	400.000 MCG	TABLET
FOLIC ACID	800.000 MCG	TABLET
FUROSEMIDE	10.000 MG/1ML	INJECTION
FUROSEMIDE	20.000 MG	TABLET
FUROSEMIDE	40.000 MG	TABLET
FUROSEMIDE	80.000 MG	TABLET
GENTAMICIN SULFATE	.300 %	SOLUTION
GENTAMICIN SULFATE	40.000 MG/1ML	INJECTION
GLUTETHIMIDE	500.000 MG	CAPSULE
GLUTETHIMIDE	500.000 MG	TABLET
GRISEOFULVIN	250.000 MG	CAPSULE
GRISEOFULVIN	500.000 MG	TABLET
GUANETHIDINE MONOSULFATE COMBINATION		TABLET
GUANETHIDINE MONOSULFATE	10.000 MG	
HYDROCHLOROTHIAZIDE	25.000 MG	
GUANETHIDINE SULFATE	10.000 MG	TABLET
GUANETHIDINE SULFATE	25.000 MG	TABLET
HEPARIN SODIUM	100.000 U/1ML	INJECTION
HEPARIN SODIUM	1000.000 U/1ML	INJECTION
HEPARIN SODIUM	5000.000 U/1ML	INJECTION
HEPARIN SODIUM	10000.000 U/1ML	INJECTION
HEPARIN SODIUM	20000.000 U/1ML	INJECTION
HEPARIN SODIUM	40000.000 U/1ML	INJECTION
HYDRALAZINE HCL	10.000 MG	TABLET
HYDRALAZINE HCL	25.000 MG	TABLET
HYDRALAZINE HCL	50.000 MG	TABLET
HYDRALAZINE HCL COMBINATION		TABLET
HYDRALAZINE HCL	25.000 MG	
HYDROCHLOROTHIAZIDE	15.000 MG	
HYDROCHLOROTHIAZIDE	25.000 MG	TABLET
HYDROCHLOROTHIAZIDE	50.000 MG	TABLET
HYDROCHLOROTHIAZIDE	100.000 MG	TABLET
HYDROCHLOROTHIAZIDE COMBINATION		TABLET
HYDROCHLOROTHIAZIDE	25.000 MG	
RESERPINE	125.000 MCG	
HYDROCORTISONE	10.000 MG	TABLET
HYDROCORTISONE	20.000 MG	TABLET
IBUPROFEN	400.000 MG	TABLET
IDOXURIDINE	.100 %	SOLUTION
IMIPRAMINE HCL	10.000 MG	TABLET
IMIPRAMINE HCL	25.000 MG	TABLET
IMIPRAMINE HCL	50.000 MG	TABLET
ISONIAZID	100.000 MG	TABLET
ISONIAZID	300.000 MG	TABLET
ISOPROTERENOL HCL	.250 %	SOLUTION
ISOSORBIDE DINITRATE	2.500 MG	SOLUBLE TABLET
ISOSORBIDE DINITRATE	5.000 MG	SOLUBLE TABLET
ISOSORBIDE DINITRATE	5.000 MG	TABLET
ISOSORBIDE DINITRATE	10.000 MG	TABLET
ISOSORBIDE DINITRATE	20.000 MG	TABLET
LEVODOPA	100.000 MG	CAPSULE
LEVODOPA	250.000 MG	CAPSULE
LEVODOPA	500.000 MG	CAPSULE
LEVOTHYROXINE SODIUM	25.000 MCG	TABLET
LEVOTHYROXINE SODIUM	50.000 MCG	TABLET
LEVOTHYROXINE SODIUM	100.000 MCG	TABLET
LEVOTHYROXINE SODIUM	125.000 MCG	TABLET

DRUG NAME	STRENGTH/UNIT	DOSAGE FORM
LEVOTHYROXINE SODIUM	150.000 MCG	TABLET
LEVOTHYROXINE SODIUM	175.000 MCG	TABLET
LEVOTHYROXINE SODIUM	200.000 MCG	TABLET
LEVOTHYROXINE SODIUM	300.000 MCG	TABLET
LIDOCAINE HCL	1.000 %	INJECTION
LIDOCAINE HCL	2.000 %	INJECTION
LIDOCAINE HCL	20.000 MG/1ML	INJECTION
LIDOCAINE HCL	40.000 MG/1ML	INJECTION
LINDANE	1.000 %	SOLUTION
LINDANE	1.000 %	SUSPENSION
LITHIUM CARBONATE	300.000 MG	CAPSULE
LITHIUM CARBONATE	300.000 MG	TABLET
MAGNESIUM SULFATE	500.000 MG/1ML	INJECTION
MANGANESE CHLORIDE	100.000 MCG/1ML	INJECTION
MANGANESE SULFATE	100.000 MCG/1ML	INJECTION
MECLIZINE	12.500 MG	TABLET
MECLIZINE	25.000 MG	TABLET
MEDROXYPROGESTERONE ACETATE	100.000 MCG/1ML	INJECTION
MEDROXYPROGESTERONE ACETATE	10.000 MG	TABLET
METAPROTERENOL SULFATE	10.000 MG	TABLET
METAPROTERENOL SULFATE	10.000 MG/5ML	SOLUTION
METAPROTERENOL SULFATE	20.000 MG	TABLET
METAPROTERENOL SULFATE	650.000 MCG	AEROSOL
METHENAMINE MANDELATE	1.000 G	ENTERIC COATED TABLET
METHENAMINE MANDELATE	500.000 MG	ENTERIC COATED TABLET
METHENAMINE MANDELATE	500.000 MG/5ML	SUSPENSION
METHOCARBAMOL	500.000 MG	TABLET
METHOCARBAMOL	750.000 MG	TABLET
METHYLPHENIDATE HCL	5.000 MG	TABLET
METHYLPHENIDATE HCL	10.000 MG	TABLET
METHYLPHENIDATE HCL	20.000 MG	TABLET
NITROFURANTOIN	50.000 MG	TABLET
NITROFURANTOIN	50.000 MG	CAPSULE
NITROFURANTOIN	100.000 MG	CAPSULE
NITROFURANTOIN	100.000 MG	TABLET
NITROGLYCERIN	2.000 %	OINTMENT
NITROGLYCERIN	2.500 MG	EXTENDED RELEASE CAPSULE
NITROGLYCERIN	6.000 MG	EXTENDED RELEASE CAPSULE
NITROGLYCERIN	6.500 MG	EXTENDED RELEASE CAPSULE
NITROGLYCERIN	9.000 MG	EXTENDED RELEASE CAPSULE
NITROGLYCERIN	150.000 MCG	SOLUBLE TABLET
NITROGLYCERIN	300.000 MCG	SOLUBLE TABLET
NITROGLYCERIN	400.000 MCG	SOLUBLE TABLET
NITROGLYCERIN	600.000 MCG	SOLUBLE TABLET
NORETHINDRONE	350.000 MCG	TABLET
NYSTATIN	100000.000 U	SUPPOSITORY
NYSTATIN	100000.000 U/1G	OINTMENT
NYSTATIN	100000.000 U/1ML	SUSPENSION
NYSTATIN	500000.000 U	TABLET
OXACILLIN SODIUM	1.000 G	INJECTION
OXACILLIN SODIUM	2.000 G	INJECTION
OXACILLIN SODIUM	250.000 MG	CAPSULE
OXACILLIN SODIUM	250.000 MG/5ML	SOLUTION
OXACILLIN SODIUM	500.000 MG	INJECTION
OXACILLIN SODIUM	500.000 MG	CAPSULE
PANCREATIN TRIPLE STRENGTH	300.000 MG	ENTERIC COATED TABLET
PAPAVERINE HCL SUSTAINED ACTION	150.000 MG	CAPSULE
PAREGORIC		TINCTURE
PENICILLIN G	400.000 U	TABLET
PENICILLIN G	500.000 U	TABLET
PENICILLIN G POTASSIUM	20000000.000 U	INJECTION
PENICILLIN G POTASSIUM BUFFERED	5000000.000 U	INJECTION
PENICILLIN G POTASSIUM BUFFERED	20000000.000 U	INJECTION

DRUG NAME	STRENGTH/UNIT	DOSAGE FORM
PENICILLIN G PROCAINE	30000.000 U/1ML	INJECTION
PENICILLIN G PROCAINE	50000.000 U/1ML	INJECTION
PENICILLIN G PROCAINE	60000.000 U/1ML	INJECTION
PENICILLIN V POTASSIUM	125.000 MG/5ML	SOLUTION
PENICILLIN V POTASSIUM	250.000 MG	TABLET
PENICILLIN V POTASSIUM	250.000 MG/5ML	SOLUTION
PENICILLIN V POTASSIUM	500.000 MG	TABLET
PENTAERYTHRITOL TETRANITRATE	10.000 MG	TABLET
PENTAERYTHRITOL TETRANITRATE	20.000 MG	TABLET
PHENAZOPYRIDINE HCL	100.000 MG	TABLET
PHENAZOPYRIDINE HCL	200.000 MG	TABLET
PHENOBARBITAL	15.000 MG	TABLET
PHENOBARBITAL	30.000 MG	TABLET
PHENOBARBITAL	60.000 MG	TABLET
PHENOBARBITAL	100.000 MG	TABLET
PHENOBARBITAL COMBINATION		TABLET
PHENOBARBITAL	15.000 MG	
HYOSCYAMINE SULFATE	100.000 MCG	
ATROPINE SULFATE	20.000 MCG	
SCOPOLAMINE HYDROBROMIDE	6.000 MCG	
PHENOBARBITAL COMBINATION		SOLUTION
PHENOBARBITAL	15.000 MG	
HYOSCYAMINE SULFATE	100.000 MCG	
ATROPINE SULFATE	20.000 MCG	
SCOPOLAMINE HYDROBROMIDE	6.000 MCG	
ALCOHOL	23.000 %	
PHENOBARBITAL ELIXIR	20.000 MG/5ML	SOLUTION
PHENOBARBITAL SODIUM	125.000 MG/1ML	INJECTION
PHENYL BUTAZONE	100.000 MG	CAPSULE
PHENYL BUTAZONE	100.000 MG	TABLET
PHENYTOIN SODIUM	50.000 MG/1ML	INJECTION
PHYSOSTIGMINE SULFATE	.250 %	ointment
PHYTONADIONE	10.000 MG/1ML	INJECTION
PILOCARPINE HCL	.500 %	SOLUTION
PILOCARPINE HCL	.500 %	VISCOUS SOLUTION
PILOCARPINE HCL	1.000 %	SOLUTION
PILOCARPINE HCL	1.000 %	VISCOUS SOLUTION
PILOCARPINE HCL	2.000 %	SOLUTION
PILOCARPINE HCL	2.000 %	VISCOUS SOLUTION
PILOCARPINE HCL	3.000 %	SOLUTION
PILOCARPINE HCL	3.000 %	VISCOUS SOLUTION
PILOCARPINE HCL	3.000 %	VISCOUS SOLUTION
PILOCARPINE HCL	4.000 %	SOLUTION
PILOCARPINE HCL	4.000 %	VISCOUS SOLUTION
PILOCARPINE HCL	4.000 %	SOLUTION
PILOCARPINE HCL	5.000 %	SOLUTION
PILOCARPINE HCL	6.000 %	SOLUTION
PIPERAZINE HEXAHYDRATE CITRATE	500.000 MG/5ML	SOLUTION
POTASSIUM CHLORIDE	2.000 MEQ/1ML	INJECTION
POTASSIUM CHLORIDE	6.700 MEQ/5ML	SOLUTION
POTASSIUM CHLORIDE	13.300 MEQ/5ML	SOLUTION
POTASSIUM CHLORIDE	750.000 MG	EXTENDED RELEASE TABLET
POTASSIUM GLUCONATE	6.700 MEQ/5ML	SOLUTION
PREDNISONE	5.000 MG	TABLET
PREDNISONE	10.000 MG	TABLET
PREDNISONE	20.000 MG	TABLET
PREDNISONE	50.000 MG	TABLET
PROBENECID	500.000 MG	TABLET
PROCAINAMIDE HCL	250.000 MG	CAPSULE
PROCAINAMIDE HCL	375.000 MG	CAPSULE
PROCAINAMIDE HCL	500.000 MG	CAPSULE
PROCHLORPERAZINE EDISYLATE	5.000 MG/1ML	INJECTION
PROCHLORPERAZINE MALEATE	5.000 MG	TABLET
PROCHLORPERAZINE MALEATE	10.000 MG	TABLET
PROCHLORPERAZINE MALEATE	25.000 MG	TABLET
PROMETHAZINE HCL	6.250 MG/5ML	SOLUTION
PROMETHAZINE HCL	12.500 MG	TABLET

DRUG NAME	STRENGTH/UNIT	DOSAGE FORM
PROMETHAZINE HCL	25.000 MG	TABLET
PROMETHAZINE HCL	25.000 MG/5ML	SOLUTION
PROMETHAZINE HCL	50.000 MG	TABLET
PROPANTHELINE BROMIDE	15.000 MG	TABLET
PROPOXYPHENE COMBINATION		CAPSULE
PROPOXYPHENE HCL	65.000 MG	
ASPIRIN		
CAFFEINE		
PROPOXYPHENE COMBINATION		CAPSULE
PROPOXYPHENE HCL	65.000 MG	
ACETAMINOPHEN	650.000 MG	
PROPOXYPHENE COMBINATION		TABLET
PROPOXYPHENE HCL	65.000 MG	
ACETAMINOPHEN	650.000 MG	
PROPYLTHIOURACIL	50.000 MG	TABLET
QUINIDINE SULFATE	100.000 MG	TABLET
QUINIDINE SULFATE	200.000 MG	TABLET
QUINIDINE SULFATE	300.000 MG	TABLET
RESERPINE	100.000 MCG	TABLET
RESERPINE	250.000 MCG	TABLET
RESERPINE COMBINATION		TABLET
RESERPINE	100.000 MCG	
HYDRALAZINE HCL	25.000 MG	
HYDROCHLOROTHIAZIDE	15.000 MG	
SODIUM CHLORIDE	2.000 MEQ/1ML	INJECTION
SODIUM CHLORIDE	4.000 MEQ/1ML	INJECTION
SODIUM FLUORIDE	2.200 MG	TABLET
SPIRONOLACTONE	25.000 MG	TABLET
SPIRONOLACTONE COMBINATION		TABLET
SPIRONOLACTONE	25.000 MG	
HYDROCHLOROTHIAZIDE	25.000 MG	
SULFACETAMIDE SODIUM	10.000 %	OINTMENT
SULFACETAMIDE SODIUM	15.000 %	SOLUTION
SULFACETAMIDE SODIUM	30.000 %	SOLUTION
SULFAMETHOXAZOLE COMBINATION		SUSPENSION
SULFAMETHOXAZOLE	200.000 MG	
TRIMETHOPRIN	40.000 MG	
SULFAMETHOXAZOLE COMBINATION		TABLET
SULFAMETHOXAZOLE	400.000 MG	
TRIMETHOPRIN	80.000 MG	
SULFAMETHOXAZOLE COMBINATION		TABLET
SULFAMETHOXAZOLE	800.000 MG	
TRIMETHOPRIN	160.000 MG	
SULFANILAMIDE COMBINATION		SUPPOSITORY
SULFANILAMIDE	1.000 G	
AMINACRINE HCL	15.000 MG	
ALLANTOIN	150.000 MG	
SULFANILAMIDE COMBINATION		CREAM
SULFANILAMIDE	15.000 %	
AMINACRINE HCL	.200 %	
ALLANTOIN	1.500 %	
SULFATHIAZOLE COMBINATION		CREAM
SULFATHIAZOLE	3.400 %	
SULFACETAMIDE	2.900 %	
SULFABENZAMIDE	3.700 %	
UREA	.600 %	
SULFINPYRAZONE	100.000 MG	TABLET
SULFINPYRAZONE	200.000 MG	CAPSULE
SULFISOXAZOLE	500.000 MG	TABLET
TERBUTALINE SULFATE	2.500 MG	TABLET
TERBUTALINE SULFATE	5.000 MG	TABLET
TETRACYCLINE HCL	125.000 MG/5ML	SUSPENSION
TETRACYCLINE HCL	250.000 MG	CAPSULE
TETRACYCLINE HCL	500.000 MG	CAPSULE
TETRACYCLINE HCL	10.000 MG	TABLET
THIORIDAZINE HCL	15.000 MG	TABLET
THIORIDAZINE HCL	25.000 MG	TABLET
THIORIDAZINE HCL	50.000 MG	TABLET
THIORIDAZINE HCL	100.000 MG	TABLET
THIORIDAZINE HCL	150.000 MG	TABLET
THIORIDAZINE HCL	200.000 MG	TABLET

DRUG NAME	STRENGTH/UNIT	DOSAGE FORM
THYROGLOBULIN	30.000 MG	TABLET
THYROGLOBULIN	60.000 MG	TABLET
THYROGLOBULIN	100.000 MG	TABLET
THYROGLOBULIN	200.000 MG	TABLET
THYROID	15.000 MG	TABLET
THYROID	30.000 MG	TABLET
THYROID	60.000 MG	ENTERIC COATED TABLET
THYROID	60.000 MG	TABLET
THYROID	100.000 MG	TABLET
THYROID	125.000 MG	TABLET
THYROID	125.000 MG	ENTERIC COATED TABLET
THYROID	200.000 MG	TABLET
THYROID	250.000 MG	TABLET
THYROID	300.000 MG	TABLET
TOLBUTAMIDE	250.000 MG	TABLET
TOLBUTAMIDE	500.000 MG	TABLET
TRIAMCINOLONE ACETONIDE	.025 %	CREAM
TRIAMCINOLONE ACETONIDE	.025 %	OINTMENT
TRIAMCINOLONE ACETONIDE	.500 %	OINTMENT
TRIAMCINOLONE ACETONIDE	.100 %	CREAM
TRIAMCINOLONE ACETONIDE	.500 %	OINTMENT
TRIAMCINOLONE ACETONIDE	.500 %	CREAM
TRIAMCINOLONE ACETONIDE	40.000 MG/1ML	INJECTION
TRIHENXYPHENIDYL HCL	2.000 MG	TABLET
TRIHENXYPHENIDYL HCL	2.000 MG/5ML	SOLUTION
TRIHENXYPHENIDYL HCL	5.000 MG	TABLET
TRIMETHOPRIM COMBINATION		SUSPENSION
TRIMETHOPRIM	40.000 MG	
SULFAMETHOXAZOLE	200.000 MG	
VITAMIN A	25000.000 U	CAPSULE
VITAMIN A	50000.000 U	CAPSULE

A public hearing on this proposed Rule has been scheduled for Monday, August 8, 1983, at 9:30 a.m. in the State Land and Natural Resources Bldg., Mineral Board Hearing Room, 624 N. Fourth St., Baton Rouge, Louisiana 70802.

Interested persons may submit written comments through August 5, 1983, at the following address: R. K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding the proposed Rule. A copy of this proposed Rule and its fiscal economic impact statement is available for review in each parish in the local office of Family Security.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
for Administrative Rules
Rule Title: Implementation of
State Maximum Allowable Costs
for Multiple Source Drugs**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

It is anticipated that the proposed Rule will result in a savings to the Medical Assistance Program. The breakdown of federal and state funds is as follows:

	FY 83-84 (62.2 FFP)	FY 84-85 (61.55 FFP)	FY 85-86 (61.55 FFP)
State	(\$2,414,051.00)	(\$2,908,441.10)	(\$2,908,441.10)
Federal	(\$3,978,556.00)	(\$4,785,847.30)	(\$4,785,847.30)
TOTAL	(\$6,392,607.00)	(\$7,694,288.40)	(\$7,694,288.40)

DHHR estimates that \$69,948,105 in funding would be necessary to maintain the Pharmacy program at the 1982-83 level for 1983-84. The savings achieved for 1983-84 by this Rule is estimated to be \$6,392,607 plus \$859,233 under a companion Rule limiting coverage of new drug entities, for a total savings of \$7,251,840. If these Rules are implemented and this amount of savings achieved, \$62,696,265 will be needed for the Pharmacy program in 1983-84.

The 1983-84 General Appropriations Bill has been amended to add \$11,130,000 to the Pharmacy programs, which had been funded at \$41,477,613. Assuming this amendment is not vetoed, available funding for 1983-84 is \$52,607,613. This amount is \$10,088,652 short of program needs and additional cost containment measures may be necessary to limit expenditures to available funding levels.

Another amendment, also subject to veto, added an additional \$10 million to the Pharmacy program. However, this amendment makes expenditure of these funds contingent on revenues which are not currently projected to be available in 1983-84.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

The savings achieved will result in decreased federal Title XIX (Medicaid) revenues as follows: \$3,978,556 for 1983-84 and \$4,785,847 for 1984-85 and 1985-86.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

The proposed Rule will result in some providers of those drugs with a maximum allowable cost incurring decreased reimbursement for those specified drugs whose costs exceed the MAC limit when prescriptions are filled and certification of medical necessity of the specific brand was not included. Costs to individual providers cannot be predicted as

this is dependent on the numbers of such prescriptions dispensed.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect on competition and employment is anticipated as a result of the proposed Rule.

R. K. Banks
Assistant Secretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Family Security**

The Department of Health and Human Resources, Office of Family Security, proposes to implement the following payment standard for one-person certifications in the General Assistance Program. This proposed Rule is submitted to formally adopt an emergency Rule published June 20, 1983, Vol. 9, No. 6 in the *Louisiana Register*.

PROPOSED RULE

The flat grant amount that shall be included in the payment budget for all one-person certifications in the General Assistance Program is as follows:

A. For Parishes other than those specified in B. below: \$72

B. For Orleans, Jefferson, St. Bernard, and East Baton Rouge Parishes: \$79

Interested persons may submit written comments on this proposed Rule through August 5, 1983 at the following address: R. K. Banks, Assistant Secretary, Office of Family Security, Box 44065, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries regarding this proposed Rule.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
for Administrative Rules**

Rule Title: Revision of GA Flat Grant Amounts

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There are no administrative costs anticipated for this proposed Rule. A Rule published June 20, 1983 in the *Louisiana Register* had the effect of reducing benefits to General Assistance recipients from \$91 per month to \$66 per month in non-urban parishes and from \$128 per month to \$72 per month in urban parishes. This reduction was based on an overall cut in General Assistance funding from \$4,032,000 in 1982-83 to \$3,656,872 in 1983-84. The Rule published herein will restore a portion of that cut by raising benefits to \$72 in non-urban parishes and \$79 in urban parishes. According to revised estimates by DHHR, this increase can be granted within the existing \$3.6 million appropriation level.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There is no effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

Benefits to one person certifications will increase under this proposed Rule by approximately 8%.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There is no effect on competition and employment.

R. K. Banks
Assistant Secretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Family Security**

The Department of Health and Human Resources, Office of Family Security, proposes to adopt the following Rule in the Medical Assistance Program.

Proposed Rule

The Department of Health and Human Resources, Office of Family Security shall amend the Title XIX reimbursement methodology for inpatient hospital services to clarify that Medicare's cost limits (223 limits) are not being included as part of the methodology. This methodology was published as a final Rule in the June 20, 1983 *Louisiana Register* (Vol. 9, Number 6, pages 414-415).

This amendment is being published in accordance with the recommendations of the Joint Legislative Subcommittee for Oversight on Health and Welfare in their meeting of June 14, 1983. An Emergency Rule implementing the above amendment is being published in the same issue of the *Louisiana Register* to assure compliance with the above recommendation concurrently with the July 1, 1983 implementation of the change in reimbursement methodology for inpatient hospital services.

A copy of this proposed Rule and its fiscal and economic impact statement is available for review in each parish in the local Office of Family Security.

Interested persons may submit written comments on the proposed policy through August 5, 1983, at the following address: R. K. Banks, assistant secretary, Office of Family Security, Box 44054, Baton Rouge, LA 70804. He is the person responsible for responding to inquiries about this proposed Rule.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
for Administrative Rules**

**Rule Title: Title XIX Inpatient Hospital
Reimbursement Methodology**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There is no implementation cost for this Rule change as it only clarifies the policy which was previously published as a final Rule on June 20, 1983. The original fiscal impact statement published with the Notice of Intent in the May 20, 1983 *Louisiana Register* (Volume 9, Number 5, page 358) remains unchanged as no costs limits were included in calculating this original impact statement.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

No effect on revenues is anticipated as a result of this Rule change.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

The above Rule change will be of benefit to providers of Title XIX inpatient hospital services as this will assure providers that the Medicare cost limits are not being tracked by Medicaid. This will ensure continued participation of some providers who might otherwise withdraw from the program and thereby also benefit Title XIX recipients of hospital services.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

No effect on competition and employment is anticipated.

R. K. Banks
Assistant Secretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Health Services and Environmental Quality**

Effective July 20, 1983, the Department of Health and Human Resources, Office of Health Services and Environmental Quality, Food and Drug Control Unit, in order to implement the provisions of LSA R.S. 40:627-628 proposes to adopt general Rules and Regulations pertaining to foods, drugs, cosmetics and prophylactic devices by creating the following regulations and by codifying these regulations in accordance with the codification system in the "State of Louisiana Food, Drug and Cosmetic Laws and Regulations", dated September, 1968 (the "Red Book"); proposed as follows:

2.210 Definitions.

(a) "Advertisement" includes all representations of fact or opinion disseminated to the public in any manner or by any means other than by the labeling.

(b) "Cosmetic" includes all substances and preparations intended for cleaning, altering the appearance of or promoting the attractiveness of a person. The term includes soaps only when medicinal or curative qualities are claimed by the use, thereof.

(c) "Device" includes all devices intended for use in diagnosis, treatment, cure or prevention of disease in man or beast or intended to affect the structure or any function of the body.

(d) "Drug" includes all substances and preparations recognized in the official compendium as defined in the State Food, Drug and Cosmetic Law. It includes all substances and preparations intended for use in the diagnosis, treatment, cure or prevention of disease in man or beast, and all substances and preparations other than food and cosmetics, intended to affect the structure or any function of the body.

(e) "Food" includes all substances and preparations used for or entering into the composition of food, drink, confectionery, chewing gum or condiment for man or beast.

(f) "Label" means the principal display or display of written, printed or graphic matter upon any food, drug, cosmetic or device or the immediate container, thereof, or upon the outside container or wrapper, if any, of the retail package of any food, drug, cosmetic or device.

(g) "Labeling" includes all labels and other written, printed and graphic matter in any form whatsoever accompanying any food, drug, cosmetic or device.

(h) "Medical opinion" means the opinion, within their respective fields, of the practitioners of any branch of the medical profession, the practice of which is licensed by law in this State.

(i) "Patent or proprietary medicine" means any drug or drug product covered by a patent from the U. S. Patent Office in Washington, D.C. and/or products sold under proprietary marks or trademarks with a distinctive device or brand to designate the source of origin.

(j) "Scientific opinion" means the opinion, within their respective fields, of competent pharmacologists, physiologists or toxicologists (LSA R.S. 40:602(12)).

(k) "Examination and investigation fee", as required by LSA R.S. 40:628, shall be referred to as registration fee.

(l) "Safe" means that a product under the conditions of its intended use is not dangerous to the health of man or animal.

2.211 Registration Provisions.

In accordance with the provisions of LSA R.S. 40:627, each manufacturer, packer or proprietor of processed foods, proprietary or patent medicines, prophylactic devices and cosmetics in packaged form shall register each separate and distinct product annually with the Louisiana Food and Drug Control Unit/OHSEQ/DHHR.

2.212 Notice of Renewal, Application for Registration, Firm Name.

Each firm which is required to register products shall be notified at least 30 days in advance of the expiration date for the current Certificate of Registration. Notification shall be made in letter form and shall include the appropriate application for registration. Application for registration must be made in the name of the firm appearing on the labels.

2.213 Safety and Efficacy.

Products containing new ingredients cannot be registered unless the application for registration is supported by full reports of investigations which have been made to show whether or not such product is safe for use and, if a drug or device, is effective in use. Such information will not be required; however, if the product has been approved by the U. S. Food and Drug Administration and the application for registration is supported by a copy of that approval.

2.214 Reserved.

2.215 Penalty.

All firms must apply for annual registration of their products. The Certificates of Registration shall expire twelve (12) months from the date of issuance. Any applications received in the Food and Drug Control Unit Office more than forty-five (45) days after expiration of the previous certificate shall be assessed a penalty fee of one-hundred dollars (\$100). Each failure to register a separate and distinct product shall constitute a separate violation. No firm shall be assessed more than five-hundred dollars (\$500) in any one calendar year (LSA R.S. 40:627(D)).

2.216 Registration Fees and Penalty Fee Assessment.

In accordance with the provisions of LSA 40:627 and 628, the following fees are to accompany registration applications and product labels. Penalty fees shall be assessed as follows:

No. of Products	Type of Certificate	Registration Fee	Penalty Fee
1	A	\$ 2.50	\$100
2	B	\$ 5.00	\$200
3	C	\$ 7.50	\$300
4	Maximum	\$10.00	\$400
5 or More	Maximum	\$10.00	\$500

2.217 Registration of New Firms.

Firms which have not previously registered with the Food and Drug Control Unit/OHSEQ/DHHR shall meet the requirements of Parts 2.212 - 2.216 of this regulation except that applications for registration must be received within 45 days of notification and a penalty fee will be assessed for applications received thereafter.

Interested persons may submit written comments on the proposed Rule within 15 days of the date of publication at the following address: Sarah M. Braud, M.D., acting assistant secretary, Office of Health Services and Environmental Quality, Room 513, State Office Building, 325 Loyola Ave., Box 60630, New Orleans, LA 70160, Phone: 504/568-5052 (LINC: 621-5052).

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
for Administrative Rules**

**Rule Title: Registration of Food, Drugs,
Cosmetics & Devices**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
AGENCY - (Summary)**

There will be no implementation costs (savings) to the Agency.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS -
(Summary)**

There should be an increase on revenue collection due to the penalty provisions for late registration; however, it is impossible to anticipate this effect due to no previous experience with late registration fees.

**III. ESTIMATED COSTS AND BENEFITS TO AFFECTED
GROUPS - (Summary)**

The action should have no significant affects upon firms who are already registering their products with the Food and Drug Control Unit and doing so on time. Firms filing applications for registration more than 45 days after expiration of the previous certificate will be assessed a penalty fee of \$100 per product with a maximum of \$500 per firm.

**IV. ESTIMATED EFFECT ON COMPETITION AND EM-
PLOYMENT - (Summary)**

There will be no effect on competition and employment.

Sarah M. Braud, M.D.
Acting Assistant Secretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Health Services and Environmental Quality**

The Louisiana Department of Health and Human Resources, Office of Health Services and Environmental Quality (DHHR/OHSEQ) proposes to adopt a revised version of the Louisiana Sanitary Code. This revised version restates the provisions therein in clearer, less vague terms. Reflecting the legislative intent as per LSA-R.S. 40:4, as amended by Act 619 of 1982, it contains a more consistent numbering system, has grammatical and stylistic changes, and generally updates the Code.

This is a second notice and includes the changes which resulted from public comment.

The areas covered by the Code are as follows:

**STATE OF LOUISIANA SANITARY CODE
TABLE OF CONTENTS**

Chapter I	General Provisions
Chapter II	The Control of Diseases
Chapter III	The Control of Rabies
Chapter IV	Lead Poisoning Control
Chapter V	Disease Vector Control
Chapter VI	Manufacturing, Processing, Packing and Holding of Food, Drugs and Cosmetics
Chapter VII	Milk, Milk Products and Manufactured Milk Products
Chapter VIII	Frozen Desserts
Chapter IX	Seafood (Marine and Fresh Water Animal Food Products)
Chapter X	Game Bird and Small Animal Slaughter and Processing
Chapter XI	Animals and Animal Diseases: Rendering of Animals
Chapter XII	Water Supplies
Chapter XIII	Sewage and Refuse Disposal
Chapter XIV	Plumbing
Chapter XV	Hotels, Lodging Houses, Boarding Houses
Chapter XVI	Camps
Chapter XVII	Public Buildings and Schools
Chapter XVIII	Jails, Prisons and other Institutions of Detention or Incarceration
Chapter XIX	Hospitals, Ambulatory Surgical Centers, Renal Dialysis Centers
Chapter XX	Nursing Homes
Chapter XXI	Day Care Centers and Residential Facilities
Chapter XXII	Retail Food Establishments: Markets
Chapter XXIII	Eating and Drinking Establishments
Chapter XXIII A	Festivals and Fairs
Chapter XXIV	Artificial Swimming Pools and Natural or Semi-Artificial Swimming or Bathing Places
Chapter XXV	Mass Gatherings
Chapter XXVI	Burial, Transportation, Disinterment or Other Dispositions of Dead Human Bodies

A new chapter (Chapter XXIII A) entitled "Festivals and Fairs" was added to the Code. It was recognized that this type of event required special regulations different from those previously defined in Chapter XXIII, "Eating and Drinking Establishments". As a separate chapter, this information will be more readily accessible to interest groups.

**CHAPTER XXIII A
FESTIVALS AND FAIRS**

23A:001 DEFINITIONS: Unless otherwise specifically provided herein, the following words and terms used in this Chapter of the Sanitary Code, and all other Chapters which are adopted or may be adopted, are defined for the purpose thereof as follows:

FESTIVALS or FAIRS shall mean a gathering of persons for an event such as a bazaar, carnival, circus, public exhibition or other similar gathering for the purpose of celebration, competition, entertainment, distributing or selling of foods or goods, exhibition, religious activity, or other such purposes, which will operate for only a temporary period in any one location.

MULTI-SERVICE ARTICLES shall mean reusable articles for the service of foods made of smooth, impervious material and approved by the State Health Officer.

SINGLE-SERVICE ARTICLES shall mean cups, con-

tainers, lids, closures, plates, knives, forks, spoons, stirrers, paddles, straws, napkins, wrapping materials, toothpicks and small articles intended for one-time, one-person use and then discarded.

TEMPORARY FOOD SERVICE shall mean a food service that operates for a period of time of not more than fourteen consecutive days in conjunction with a single event in a single location such as, but not limited to a festival or fair.

23A:002 Any festival or fair serving food shall comply with the following sections regulating temporary food service.

PART I: TEMPORARY FOOD SERVICE REGULATIONS

23A:003 GENERAL. The State Health Officer may impose requirements in addition to those named below to protect against health hazards related to the operation of the temporary food service, may prohibit the sale of some or all potentially hazardous foods, and when no health hazard will result, may waive or modify requirements of the Code.

23A:004 PERMITS. No person shall operate a temporary food service who does not have a valid permit issued to him by the State Health Officer on Form LHS 16. Permits are not transferable and shall be posted in the temporary food service.

23A:005 RESTRICTED OPERATIONS. Only those potentially hazardous foods requiring limited preparation, such as hamburgers and frankfurters that only require seasoning and cooking, shall be prepared or served on site. The preparation or service of other potentially hazardous foods, including pastries filled with cream or synthetic cream, custards, and similar products, seafood, and salads or sandwiches containing meat, poultry, eggs or fish is prohibited unless prepared at a site approved by the State Health Officer.

23A:006 FOOD PROTECTION.

23A:006-1 TEMPERATURE CONTROL. All potentially hazardous foods shall be maintained at a temperature of 45°F or below or at a temperature of 140°F or above at all times.

23A:006-2 CROSS CONTAMINATION. Cooked food shall be protected from contamination by raw foods or items coming in contact with raw foods. The re-use of containers made of paper, wood, wax or plastic coated cardboard is prohibited. Containers made of glass, metal or hard plastic may be re-used only after they are sanitized in accordance with Chapter 23, Section 23:051 or 23:052.

23A:006-3 EFFECTIVE SHIELDS. Food shall be protected from contamination by consumers and other contaminating agents. Effective shields shall be provided, as necessary, to prevent contamination.

23A:007 ICE. Ice that is consumed or that contacts food shall be made under conditions meeting the requirements of this regulation. The ice shall be obtained only in chipped, crushed, or cubed form and in single-use safe plastic or wet-strength paper bags filled and sealed at the point of manufacture. The ice shall be held in these bags until it is dispensed in a way that protects it from contamination.

23A:008 EQUIPMENT.

23A:008-1 Equipment shall be located and installed in a way that prevents food contamination and that may be easily cleaned.

23A:008-2 Food-contact surfaces of equipment shall be protected from contamination by consumers and other contaminating agents. Effective shields for such equipment shall be provided, as necessary, to prevent contamination.

23A:009 FOOD SERVICE ARTICLES

23A:009-1 MULTI-SERVICE ARTICLES. Multi-service articles shall be constructed and repaired with safe materials, including finishing materials; shall be corrosion resistant and non-absorbent; and shall be smooth, easily cleanable, and durable under conditions of repeated use. Multi-service articles shall be

washed, rinsed, and sanitized according to Chapter XXIII, either Sections 23:051 and 23:053 or 23:052 and 23:053.

23A:009-2 SINGLE-SERVICE ARTICLES. All temporary food services without effective facilities for cleaning and sanitizing tableware shall provide only single-service articles for use by the consumer. Single-service articles shall be made from clean, sanitary, safe materials. Equipment, utensils, and single-service articles shall not impart odors, color, or taste, nor contribute to the contamination of food. The re-use of single-service articles is prohibited.

23A:010 WATER. Enough potable water shall be available at the food service for food preparation, for cleaning and sanitizing utensils and equipment, and for handwashing. A heating facility capable of producing enough hot water for these purposes shall be provided on the premises.

23A:011 WET STORAGE. Storage of package food in contact with water or undrained ice is prohibited. Sandwiches shall not be stored in direct contact with ice.

23A:012 WASTE. All sewage, including liquid waste, shall be disposed of in a public or individual system approved by the State Health Officer (see Chapter XIII).

23A:013 GARBAGE CONTAINERS. Approved, covered garbage containers shall be provided and shall be emptied as necessary. All single-service utensils, napkins, waste paper, and other similar refuse, shall be disposed of according to Chapter XIII, Part 2 of this Code.

23A:014 HANDWASHING. A convenient handwashing facility with hot and cold water through a mixing valve shall be available for employee handwashing.

23A:015 FLOORS. Floors should be constructed of concrete, asphalt, tight wood, or other similar cleanable material kept in good repair. Dirt, gravel, wood chips, shells, or other suitable materials effectively treated to control dust may be used when graded to drain.

23A:016 WALLS AND CEILINGS. Walls and ceilings made of wood, canvas, or other material that protects the food preparation and serving areas should be provided.

PART 2: OTHER REGULATIONS

23A:017 PERMITS. No person shall operate a festival or fair in Louisiana until a valid permit has been issued to him by the State Health Officer on Form LHS 16. Such application shall be made not less than two days in advance of the date on which said festival or fair intends to open. Prior to being issued such a permit, the owner or operator shall present satisfactory evidence that said festival or fair will be operated in compliance with these regulations. Application for such permit shall be made in writing and shall state the exact location of said show, the probable duration of stay, the proposed source of water supply and the proposed method of sewage and garbage disposal.

23A:018 INSPECTION OF LOCATION. The State Health Officer shall promptly inspect the proposed location of any festival or fair to determine the suitability of the location and its sanitary condition. If the location or manner of operation is found to be hazardous or potentially hazardous to the public health, or to the health of those engaged in conducting the event, he shall cause the event to be moved or the manner of its operation to be changed or that it be closed.

23A:019 LOCATION SATISFACTORY. If the State Health Officer is satisfied after inspection that the proposed location will not be a source of danger to the health of the community or to those engaged in conducting the festival or fair, he shall issue, in writing, the necessary permit, provided he may revoke the permit for cause.

23A:020 CARETAKER REQUIRED. The owner, manager or operator of any festival or fair shall detail one person who

shall be responsible for the sanitary condition of the show and for notifying the parish health unit of his name.

23A.021 MAINTENANCE OF GROUNDS. The grounds on which festivals and fairs are located shall at all times be kept in a clean and sanitary condition. When finally vacated, grounds shall be left in a clean and sanitary condition.

The following minor changes were also made in Chapters II, XVIII, XXIV, and XXVI.

CHAPTER II THE CONTROL OF DISEASES

2:003 Add Acquired Immune Deficiency Syndrome (AIDS) to the list of reportable diseases.

CHAPTER XVIII JAILS, PRISONS AND OTHER INSTITUTIONS OF DETENTION OR INCARCERATION

18:007 Add the following to the end of the sentence: "except in padded cells".

18:008 Same as 18:007

18:010 Bathing Facilities: Change the number of facilities required from "1 for 15" to "1 for 20".

18:012 Change "18 hours" to "72 hours".

18:018 Insert - "Beds" at beginning of the sentence.

18:021 Delete

CHAPTER XXIV ARTIFICIAL SWIMMING POOLS AND NATURAL OR SEMI-ARTIFICIAL SWIMMING OR BATHING PLACES

Add the following Section:

24:009 Temperatures. The water in any swimming pool shall not be artificially heated to a temperature above 80°F (27°C). The temperature of the air at any artificially heated indoor swimming pool should not become more than 8°F (4° - 5°C) warmer nor more than 2°F (1°C) colder than the water in the pool at anytime the pool is in use.

CHAPTER XXVI BURIAL, TRANSPORTAION, DISINTERMENT OR OTHER DISPOSITION OF DEAD HUMAN BODIES

Substitute the current sections of this chapter with the following as indicated:

26:003-1 Embalming of dead human bodies shall be performed in accordance with LSA-R.S. 37:831-861 relating to embalming.

26:003-2 If the body is to be held longer than 30 hours, it shall be embalmed. If the body is not embalmed, it shall be buried, cremated, or otherwise disposed of within 30 hours after death or as soon as possible after its release to the authorized licensed funeral establishment. If a dead human body is to be held longer than 30 hours in the custody of a Louisiana licensed hospital, Louisiana medical school, the Louisiana Anatomical Board or a certified coroner, it shall be refrigerated at all times at a temperature not to exceed 45°F prior to its release to the authorized licensed funeral establishment for final disposition under LSA-R.S. 37, Chapter 10.

26:004 No new funeral establishments shall hereafter be constructed nor major alterations be made to existing funeral establishments without the prior written approval of, and unless in accordance with the plumbing plans and specifications approved in advanced by the State Health Officer.

Add the following Section:

26:007 The State Health Officer reserves the right to prescribe additional requirements regarding transportation and handling of dead human bodies in accordance with the general powers and jurisdiction, where cases warrant such, pursuant to LSA-R.S. 40:5.

Sarah M. Braud, M.D., Acting Assistant Secretary of the Office of Health Services and Environmental Quality is the person responsible for inquiries regarding the Rule. Address comments to her at the Office of Health Services and Environmental Quality, Box 60630, Room 513, New Orleans, LA 70160, or call (504) 568-5050 or LINC 621-5050.

Sarah M. Braud, M.D.
Acting Assistant Secretary

Fiscal and Economic Impact Statement for Administrative Rules Rule Title: Sanitary Code

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

It is anticipated that \$20,000 will be spent on printing of the Code. No additional funds will be required to implement the revised Sanitary Code at the current level of effort.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There will be no effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

There will be no anticipated costs to affected groups. Users of the code will benefit from the clarifications that have been made since they will be able to better understand the requirements.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment as this revised Code does not affect the job market.

Sarah M. Braud, M.D.
Acting Assistant Secretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

Department of Health and Human Resources Office of Health Services and Environmental Quality Committee of Certification

Effective December 31, 1983, the Department of Health and Human Resources, Office of Health Services and Environmental Quality, Division of Environmental Services, pursuant to LSA-R.S. 40:1148 proposes to implement changes in the requirements for re-certification as a "water and/or sewerage works operator" so as to require at least 16 hours of approved training in a two-year period in each field in which certified (water or sewerage); and, further, to provide that renewal fees will be collected on a two-year basis, at the same annual rates as are currently in effect (\$5 per examination, as set forth in Volume 8, *Louisiana Register*, page 343).

The proposed Rule, as recommended by the Committee of Certification, will read as follows:

A. Recertification Requirements — Effective December 31, 1983, and pursuant to LSA-R.S. 40:1148, the following Rules and Regulations are hereby adopted prescribing skills, knowledge, education, experience and training that an operator in responsible charge must demonstrate for proper supervision of the various water and sewerage facilities; namely, water production, water

distribution, water treatment, sewage collection, and/or sewage treatment and disposal.

Examples of operator training courses include, but are not limited to:

a. Annual Short Course of the Louisiana Conference on Water Supply, Sewage and Industrial Waste.

b. Regional one to two day conferences sponsored and/or co-sponsored by the Louisiana Conference on Water Supply, Sewerage and Industrial Wastes.

c. American Water Works Association, Annual Conferences Technical Sessions, Seminars and Workshops.

d. Southwest Section, American Water Works Association, Annual Conference, Technical Sessions, Seminars and Workshops.

e. College or University and Vocational-Technical Sponsored Water and/or Wastewater Courses.

f. Water Pollution Control Federation, Annual Conference, Regional Meetings, Technical Sessions, Seminars and Workshops.

g. Louisiana Water Pollution Control Association, Regional Meetings, Technical Sessions, Seminars and Workshops.

h. Louisiana Rural Water Association, Regional Meetings, Technical Sessions, Seminars and Workshops.

i. Regional Meetings, Technical Sessions, Seminars, Workshops and/or Training Programs, sponsored and/or co-sponsored by the Office of Health Services and Environmental Quality.

j. Water and/or Wastewater Operator Training Courses approved for certification examinations by the Committee of Certification.

B. Training Requirements — In order to qualify for recertification in any and all classes, all operators of water and sewage works shall demonstrate that they have met all training requirements prescribed by the Committee of Certification. The operator must accumulate at least 16 hours of approved training in a two-year period in each field for which he is certified (water or sewerage). Approved training is defined as the completion of any of the training courses listed in I.C.3.a, et seq., of this Rule.

C. Fees — Pursuant to LSA-R.S. 40:1148 and LSA-R.S. 40:1142 (F), fees shall be collected as follows:

1. Operator examination fee will continue to be \$5 per examination, as per Volume 8, *Louisiana Register* page 343.

2. Fees, in addition to the examination fee, shall be:

a. Collected for issuance, renewal and/or reciprocation of certificates. The amount of fee is based on the number of certificates held in each field of water and/or sewerage, and the fee is calculated separately for water and sewerage. A \$10 fee is required for certification in the first category in water and/or sewerage and an additional \$2 is required for each added category.

For example:

	WATER	SEWERAGE
1 category	\$10	\$10
2 categories	12	12
3 categories	14	14
4 categories	—	16

b. Communities, municipalities, utilities and/or corporations may elect to utilize a flat fee system regarding their employees' certifications. For a fee of \$50 per year for either field of water or sewerage or \$100 per year for both, all eligible operators may be certified, either initially or renewed. In addition to the flat fee, there will be a \$2 per certificate charge for each certificate issued. In the instance of the flat fee, the individual operators will not be billed, however, all such recording of the operators at each facility will be the responsibility of the principal of the organization and shall be submitted with each renewal (flat fee) payment.

C. Duplicate certificates will be issued for a fee of \$2 per certificate.

d. Effective December 31, 1983, water and wastewater operator certificates will be renewed on a two-year basis, with the fees remaining at the same annual rates as are currently in effect but collected every two years.

For example:

	ANNUAL RATE		EACH TWO YEARS	
	Water	Sewerage	Water	Sewerage
Flat Fee	\$50	\$50	\$100	\$100
1 category	10	10	20	20
2 categories	12	12	24	24
3 categories	14	14	28	28
4 categories	—	16	—	32

In addition to payment of the prescribed fee, the applicant must enumerate and certify that he/she has attended at least 16 hours of approved operator training courses for each field in which certified, during the previous two-year period. Failure to attend the required training or failure to furnish the required information shall constitute grounds for refusal to renew the certificate.

Certificates shall be valid only so long as the holder uses reasonable care, judgment, and knowledge in the performance of his/her duties. No certificate will be valid if obtained or renewed through fraud, deceit, or the submission of inaccurate qualification data.

Interested persons may submit written comments on the proposed changes in the regulations of the Committee of Certification within 15 days of this date of publication, at the following address: Dr. Sarah M. Braud, Assistant Secretary and State Health Officer, Office of Health Services and Environmental Quality, Department of Health and Human Resources, Box 60630, New Orleans, LA 70160.

Roger P. Guissing
Secretary

Fiscal and Economic Impact Statement for Administrative Rules

Rule Title: Training Requirements for the Certification of Water Supply and Sewerage Work Operators

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There will be no expected increase in costs to the Agency to implement this Rule change. It is expected, however, that there will be undetermined savings to the Agency (by billing the certified operators once each two years) in terms of man-hours, computer time, supplies and postage that will be involved.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

Revenue collections will be impacted in that certificate renewal fees will be collected once each two years, although at the same annual rates as are currently in effect. While total revenues collected will remain the same, renewals will be collected for a two-year period instead of annually, as are currently in effect.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

The cost to the affected groups should be minimal as compared with the benefits that will be realized by the certificants. While the change in the Rule regarding the training requirement does not require a direct expenditure of funds it will require a certified operator to accumulate a minimum

amount of approved training during a two year period. Training of operators is directly related to savings in operation and maintenance costs of facilities that these trained individuals operate. The expenditure of funds that might be involved in attaining the training requirement would actually be an investment that would more than adequately be recovered by having properly trained personnel.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

It is difficult to estimate the effect that this training requirement will have on competition and employment of certified operators. It is expected that the requirement in and of itself would have no adverse effect on competition and employment. Further, the requirement of mandatory training prior to re-certification should result in a better trained work-force.

Sarah M. Braud, M.D. Jean S. Vandal
Asst. Secretary and Legislative Fiscal Analyst
State Health Officer

NOTICE OF INTENT

**Department of Health and Human Resources
Office of Human Development**

As provided for in the Appropriations Act of the 1983 Louisiana Legislature, the Department of Health and Human Resources, Office of Human Development, proposes to adopt the following Rule changes which increases (as shown) the fees or rates paid for the following Title XX Vendor Payment Day Care Services:

	Licensed Day Care Centers		Approved Day Care Homes	
	Old Rate	New Rate	Old Rate	New Rate
Monthly	\$138.60	\$154.00	\$92.40	\$103.18
Daily	6.30	7.00	4.20	4.69
Hourly	.90	1.00	.60	.67

Interested persons may submit written comments on the proposed changes through August 5, 1983 at the following address: Arthur J. Dixon, Assistant Secretary, Office of Human Development, Box 44367, Baton Rouge, LA 70802. He is the person responsible for responding to inquiries about the proposed Rule.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
for Administrative Rules**

**Rule Title: Title XX Vendor Payment Day Care
Rate Increase**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

This rate increase will cost an additional \$958,034 in FY 83-84. This amount was included in the agency's FY 83-84 appropriations.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There will be no effect on revenue collections.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

These rate increases will benefit both Title XX Vendor Payment Day Care Facilities and children served by these facilities.

Day Care Facilities will benefit by rates being brought closer to the actual cost they incur in the provision of services.

The children served will benefit by virtue of the facilities being more financially capable of providing quality services.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

Competition is not a factor in that the rates of private

day care facilities have risen with inflation.

This rate increase will help to insure that Title XX Vendor Payment Day Care Facilities are able to retain or employ the specified number of employees.

Arthur J. Dixon
Assistant Secretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Department of Health and Human Resources
Office of the Secretary**

The Department of Health and Human Resources, Women's Advocacy Bureau, intends to adopt a fee schedule for the Teen Parent Center program as mandated by federal regulations as published in the *Federal Register*, Vol. 47, No. 40, Monday, March 1, 1982, pg. 8682.

In accordance with Title XX of the Public Health Services Act (42 U.S.C. 3002) administered through United States Government, Department of Health and Human Services, Office of Adolescent Pregnancy Programs, all Teen Parent Center clients must be charged a fee for services provided. In accordance with this act, the following policy is being proposed for adoption. The policy and fee schedule are as follows:

Fee Policy — All persons receiving services from the Teen Parent Center shall be assessed a fee for each service received. The intake and initial assessment are not considered services. The fee for each service is based on the actual cost to the program incurred in the provision of that service.

Fee Adjustment Schedule — The fee adjustment schedule is designed to provide for proportional payment for each service based on the family's ability to pay. Three variable figures are utilized in calculating the schedule: (1) state median income as promulgated annually by the Secretary of the United States Department of Health and Human Services; (2) family size; and (3) cost of service provided.

Persons whose gross family income is less than one-half the current state median income adjusted for family size will not be responsible for payment of services. Persons whose gross family income is more than 150 percent of the current state median income adjusted for family size will be charged the full cost of services provided. Between these two levels, fees will be adjusted in accordance with the following formula:

Gross Family Income as a Percent of Median Income Adjusted for Family Size	Fee as a Percent of Cost
50 - 55%	4%
55 - 60%	5%
60 - 65%	6%
65	8%
70	10%
75	12%
80	14%
85	17%
90	20%
95	23%
100	26%
105	30%
110	35%
115	40%
120	45%
125	52%
130	60%
135	70%
140	80%
145	90%
150	100%

TEEN PARENT CENTER

FEE ADJUSTMENT SCHEDULE

Percent Median Income	ANNUAL GROSS FAMILY INCOME BY NUMBER IN FAMILY								% of Cost Paid	Basic Service	Employment Counseling & Job Placement
	2	3	4	5	6	7	8	9+			
50	5,614	6,935	8,256	9,576	10,897	12,218	13,718	15,218	4	2.00	2.00
55	6,175	7,628	9,081	10,534	11,987	13,440	14,940	16,440	5	2.00	2.00
60	6,736	8,322	9,907	11,492	13,077	14,662	16,162	17,662	6	3.00	3.00
65	7,298	9,015	10,732	12,449	14,166	15,884	17,384	18,884	8	3.00	4.00
70	7,859	9,708	11,558	13,407	15,256	17,105	18,605	20,105	10	5.00	5.00
75	8,421	10,402	12,383	14,365	16,346	18,327	19,827	21,327	12	5.00	6.00
80	8,982	11,095	13,209	15,322	17,436	19,549	21,049	22,549	14	6.00	6.00
85	9,543	11,789	14,034	16,280	18,525	20,771	22,271	23,771	17	7.00	8.00
90	10,105	12,482	14,860	17,237	19,615	21,993	23,493	24,993	20	9.00	9.00
95	10,666	13,176	15,685	18,195	20,705	23,214	24,714	27,214	23	10.00	11.00
100	11,227	13,869	16,511	19,153	21,795	24,436	25,936	27,436	26	11.00	12.00
105	11,789	14,563	17,337	20,110	22,884	25,658	27,158	28,658	30	13.00	14.00
110	12,350	15,256	18,162	21,068	23,974	26,880	28,380	29,880	35	15.00	16.00
115	12,912	15,950	18,988	22,026	25,064	28,102	29,602	31,102	40	17.00	18.00
120	13,473	16,643	19,813	22,983	26,153	29,324	30,824	32,324	45	19.00	21.00
125	14,034	17,337	20,639	23,941	27,243	30,545	32,045	33,545	52	22.00	24.00
130	14,596	18,030	21,464	24,899	28,333	31,767	33,267	34,767	60	26.00	28.00
135	15,157	18,723	22,290	25,886	29,423	32,980	34,489	35,989	70	30.00	32.00
140	15,718	19,417	23,115	26,814	30,512	34,211	35,711	37,211	80	34.00	37.00
145	16,280	20,110	23,941	27,772	31,602	35,433	36,933	38,433	90	39.00	41.00
150	16,841	20,804	24,767	28,729	32,692	36,054	38,154	39,654	100	43.00	46.00

Program Services — Program services are divided into two general categories: 1) BASIC SERVICES, and 2) EMPLOYMENT SERVICES. Each of the two large groups are subdivided into the individual services that may be provided to clients. The following is a listing of the groupings and the codes assigned to each service for recording purposes.

BASIC SERVICES	EMPLOYMENT SERVICES
1001 Individual Counseling/referrals	2001 Job Preparation Workshop Sessions
1002 Group Counseling/referrals	2002 Employment Counseling referrals
1003 Family Counseling/referrals	2003 Employment Referrals (beyond first five)
1004 Educational Workshop Sessions	2004 Job Placement

Determination of Fees/Income Verification — All clients whose gross family income is above the minimum indicated on the fee adjustment schedule shall pay a fee for each service provided. The determination of fees will be made during the intake procedures or as soon as verification of income information is obtained. In the case of clients who are unemancipated minors, the income information is to be obtained (or verified if provided by minor) from the parents or legal guardian. This can be done by telephone, however the record should reflect the name of the person providing the information. If income information cannot be obtained by telephone, the Income Verification Form is given to the applicant, completed by the parents or legal guardian and returned to the Center. The intake worker will use the fee adjustment schedule to determine the fee once this information is received. The parents will then be informed of the fee by the intake worker. The completed intake form and/or the income verification form will become a part of the permanent record and a ledger card will be given to the secretary/fee clerk, noting the fee rate.

Collection of Fees — During the intake procedure either the client and/or the parent or guardian of the client will be informed that fees will be paid upon delivery of service. The clients will be instructed to see the secretary/fee clerk prior to leaving the center. The secretary/fee clerk will note payment on the client's ledger card or bill the client in the event that payment is not received. Billing will occur on a monthly basis.

All fees collected will be held by the secretary/fee clerk in a locked box until delivery to the Women's Advocacy Bureau accountant. This shall be the first working day of the month or when \$50 is accumulated, whichever comes first.

Waiver of Fees — It is imperative that clients understand that no services will be refused due to inability to pay. The following circumstances warrant fee waiver: lack of income over last three months, payment of unusually high medical bills or death of income provider. This information will be obtained during the intake and noted on the Fee Determination Form and on the client's ledger card.

In the event that the client refuses to pay or is unable to pay, the Payment Agreement form is completed. The ledger card will reflect the client's ability or willingness to pay. If no payment can be collected, no billing will be necessary. For clients whose circumstances provide for them to pay less than the required amount, they will be billed for the full amount with all payments received recorded on the ledger card.

Changes in Fees — The client is to be informed that the secretary should be notified of any change which may later occur in income, employment or family composition which might result in a change in the adjusted fee. The secretary shall also conduct a periodic check every 90 days with each client to determine any change in factors including cost changes, which would cause change in the fee and adjusted fee. The counselor assigned to the

case is also responsible for notifying the secretary of such changes as they occur. The secretary is to adjust the fee appropriately in accordance with the fee adjustment schedule. The adjusted fee must be approved by the center director and is indicated by her initial on the ledger card.

Interested persons may submit written comments on the proposed changes within 15 days of publication at the following address: Pat Evans, Director, Women's Advocacy Bureau, Office of Management and Finance, Department of Health and Human Resources, Box 1943, Baton Rouge, Louisiana, 70821.

Roger P. Guissinger
Secretary

**Fiscal and Economic Impact Statement
for Administrative Rules
Rule Title: Proposed Fee Schedule for
Teen Parent Center**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)
There will be no implementation cost to the agency.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)
It is estimated that \$936 will be collected annually. The majority of the clients utilizing the Teen Parent Center are economically disadvantaged and fall below the level of income requiring payment of fees.
- III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)
The majority of the clients will not be affected by the fee schedule due to income level and family size.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)
There will be no effect on competition and employment.

Pat Evans
Director

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

**Department of Natural Resources
Office of Environmental Affairs
Environmental Control Commission**

Under the authority of the Louisiana Environmental Affairs Act, La. R.S. 30:1051 et seq. Section 1124 B, and in accordance with the provisions of the Administrative Procedure Act, La. R.S. 49:951 et seq., the Louisiana Environmental Control Commission (ECC) gives notice that it initiated rulemaking procedures to amend Section 6.4.5.B.3. of the Louisiana Solid Waste Rules and Regulations at its June 23, 1983, meeting. The proposed amendment is being forwarded to the Joint Committee on Natural Resources for acceptance. After review of the proposed amendment by the Joint Committee, the Commission shall consider its adoption at its meeting to be held at 9 a.m. on Thursday, September 22, 1983, in the Mineral Board Hearing Room, State Lands and Natural Resources Building, 625 North Fourth Street, Baton Rouge, Louisiana.

The proposed amendment will reduce by one-half the annual permit maintenance fees charged to operators of solid

waste disposal facilities which are not typed as industrial solid waste disposal facilities.

PROPOSED AMENDMENT

6.4.5.B.3 - Fees for other types of solid waste sites shall be calculated according to the following schedule:

- a. Base Fee - \$250.
- b. Weight Fee - \$0.025/ton of solid waste which exceeds 75,000 tons/year of solid waste received for disposal at the site.
- c. Volume Fee - \$0.01/cubic yard of compacted solid waste which exceeds 250,000 cubic yards/year of compacted solid waste received for disposal at the site.

Note: Each cubic yard of uncompacted solid waste shall be divided by a factor of three to arrive at a density equivalent to that of compacted solid waste.

- d. Maximum Annual Permit Maintenance Fee - \$2,500.
- e. The calculated weight fee or volume fee shall be added to the Base Fee to determine the total Annual Permit Maintenance Fee.

f. Publicly operated water supply treatment plant sludge facilities and domestic sewage sludge facilities, and agricultural sludge facilities, shall be assessed the Base Fee only, not to exceed a total of \$250 per entity or community.

All interested persons are invited to submit written comments, speak at the public hearing, or both, concerning the action proposed above. Any comments received in person or by mail prior to the public hearing will be considered by the Commission before making the final decision on the proposed action. All comments and requests to speak at the hearing should be submitted to Mrs. Theresa Walters, Clerk to the Environmental Control Commission, Box 44066, Baton Rouge, LA 70804.

Persons requesting copies and/or further information concerning the draft proposed revisions may contact John Koury, Administrator, Solid Waste Management Division, Box 44066, Baton Rouge, LA 70804 or telephone (504) 342-1216. The draft amendment is also available for inspection until 4:30 p.m., September 21, 1983, at the State Lands and Natural Resources Building, 625 North Fourth Street, Seventh Floor reception area, Baton Rouge, LA from 8:00 a.m. until 4:30 p.m.

B. Jim Porter
Secretary

Fiscal and Economic Impact Statement for Administrative Rules

Rule Title: Solid Waste Rules and Regulations

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There will be no additional implementation costs or savings to the agency as a result of this Rule change being that the Department of Natural Resources already has funds budgeted for this purpose. (i.e. \$897,200 in FY 83-84 and \$1,125,000 in FY 84-85).

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

There is only a small percentage of sites in the Solid Waste Program that will be affected by the Rule change, so the effect on revenues collected by this Department should be minimal.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

The proposed amendment would benefit local government, operators of certain agricultural waste disposal sites and commercial operators of solid waste disposal sites

which do not handle industrial solid waste by reducing by one-half the annual permit maintenance fees these groups would have to pay to the Department of Natural Resources.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment as a result of this Rule change.

Jerry D. Hill
Undersecretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

Department of Natural Resources Office of the Secretary Fishermen's Gear Compensation Fund

In accordance with Louisiana Revised Statutes 49:951 et seq., the Administrative Procedure Act and Louisiana Revised Statutes 56:700.1 through 46:700.5, the Fishermen's Gear Compensation Fund, notice is hereby given by the Department of Natural Resources that the balance in the Fishermen's Gear Compensation Fund has reached less than \$100,000, and as provided in R.S. 56:700.2, an additional fee will be assessed on August 20, 1983. The fee will be in the amount of \$200 per state mineral lease and \$200 per state right-of-way. The fee will apply to all leases and rights-of-way located in the Coastal Zone of Louisiana.

Any questions or comments relative to this fee should be directed to Edward M. Wagner, Jr., Administrator, Fishermen's Gear Compensation Fund, Box 44124, Capitol Station, Baton Rouge, LA 70804, telephone (504) 342-4600, and should be received by August 10, 1983.

Frank P. Simoneaux
Secretary

Fiscal and Economic Impact Statement for Administrative Rules

Rule Title: Fishermen's Gear Compensation Fund Fee Assessment

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

There will be no anticipated increase in either costs or savings to the Department of Natural Resources as a result of this Rule change.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

This additional assessment of \$200 will generate approximately \$400,000 based on presently active state mineral leases and pipeline right-of-way grants.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

The assessment will affect the petroleum exploration and transmission industry. Failure to assess the funds will result in the Fishermen's Gear Compensation Fund program not functioning as intended by the legislature (i.e., for the payment of fishermen's damaged gear claims).

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

There will be no effect on competition and employment.

Frank P. Simoneaux
Secretary

Jean S. Vandal
Legislative Fiscal Analyst

NOTICE OF INTENT

Department of Urban and Community Affairs Office of Planning and Technical Assistance

Louisiana Community Development Block Grant (LCDBG) Program Jobs Bill

On June 20, 1983, the LCDBG Jobs Bill's "Final Statement" was published as an Emergency Rule on page 390 in the *Louisiana Register*. Also, an amendment to this Rule will be published as an Emergency Rule in the July 20, 1983, *Louisiana Register*. These publications will be considered the Proposed Final Statement and our office requests public comment until August 9, 1983. Comments shall be made in writing to: Ms. Gayle Joseph, Assistant Secretary, Department of Urban and Community Affairs, Office of Planning and Technical Assistance, Box 44455, Baton Rouge, LA 70804.

Linton Ardoin
Secretary

Fiscal and Economic Impact Statement for Administrative Rules Rule Title: HUD Jobs Bill PL 98-8

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO AGENCY - (Summary)

It is estimated that \$49,507 of matching general funds will be required to support the proportional share of administrative costs. DUCA anticipates that of the \$6.1 million grant approximately \$99,014 will be used for administrative costs (i.e. personal services and operating expenses). DUCA is requesting state general funds of \$49,507 for the matching portion to fund 5 additional temporary employees. However, the administration has not decided at what level the request for additional employees and funding will be granted.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS - (Summary)

An additional \$6,142,000 in federal funds is anticipated to be received through DUCA and distributed to municipalities and parishes.

III. ESTIMATED COSTS AND BENEFITS TO AFFECTED GROUPS - (Summary)

These funds will be awarded to municipalities and parishes based on a modified rating and ranking system developed for the CDBG Block Grant. Significant relief to those areas with surplus labor sources should result. No definite benefits can be determined until funds are received by local municipalities.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT - (Summary)

This program, coupled with funding from other federal sources under PL 98-8, should materially relieve the state burden of unemployment compensation and create labor markets.

Gayle Joseph
Assistant Secretary

Mark C. Drennen
Legislative Fiscal Officer

Committee Reports

COMMITTEE REPORT

House of Representatives House Natural Resources Committee Oversight Review

Pursuant to the provisions of R.S. 49:968, the House of Representatives Natural Resources Subcommittee on Oversight met on June 23, 1983, and reviewed certain changes in state regulations proposed by the Louisiana Department of Natural Resources for which Notice of Intent was published in the June 20, 1983, *Louisiana Register* with the following results:

1) Proposed amendment to the La. Air Quality Regulations and the State Implementation Plan.

Approved by a vote of 5-0.

Arthur W. Sour, Jr.
Chairman

COMMITTEE REPORT

House of Representatives House Natural Resources Committee Oversight Review

Pursuant to the provisions of R.S. 49:968, the House of Representatives Natural Resources Subcommittee on Oversight met on June 9, 1983, and reviewed certain changes in state regulations proposed by the Louisiana Department of Natural Resources for which Notice of Intent was published in the May 20, 1983, *Louisiana Register* with the following results:

1) Proposed amendment to the Hazardous Waste Management Plan to provide the state with the necessary regulations to demonstrate equivalence to the federal hazardous waste permit program.

Approved by a vote of 5-0.

Arthur W. Sour, Jr.
Chairman

COMMITTEE REPORT

House of Representatives House Natural Resources Committee Oversight Review

Pursuant to the provisions of R.S. 49:968, the House of Representatives Natural Resources Subcommittee on Oversight met on June 9, 1983, and reviewed certain changes in state regulations proposed by the Louisiana Department of Natural Resources for which Notice of Intent was published in the May 20, 1983, *Louisiana Register* with the following results:

1) Proposed amendment to the La. Solid Waste Rules and Regulations to provide more precise instructions to the regulated community and more precise standards to regulate industrial solid waste facilities.

Approved by a vote of 7-0.

Arthur W. Sour, Jr.
Chairman

COMMITTEE REPORT
House of Representatives
House Natural Resources Committee
Oversight Review

Pursuant to the provisions of R.S. 49:968, the House of Representatives Natural Resources Subcommittee on Oversight met on June 16, 1983, and reviewed certain changes in state regulations proposed by the Louisiana Department of Wildlife and Fisheries for which Notice of Intent was published in the May 20, 1983, *Louisiana Register* with the following results:

1) Proposed Rules for the setting of the fall season for hunting resident game birds, deer, turkey, bear, and a description of the areas where they may be taken.

Approved by a vote of 5-0.

Arthur W. Sour, Jr.
Chairman

Potpourri

POTPOURRI
Department of Agriculture
Horticulture Commission

The next retail floristry examinations will be given at 9 a.m. and 2 p.m. daily at the State Office Building, 122 St. John, Monroe, LA, on August 16, 17, 18, and 19, 1983. The deadline for getting in application and fee is July 31, 1983.

Further information concerning examinations may be obtained from Dan Devenport, Director, Horticulture Commission, Box 44517, Capitol Station, Baton Rouge, LA 70804, phone (504) 925-7772.

Bob Odom
Commissioner

POTPOURRI
Department of Health and Human Resources
Office of Family Security

The Department of Health and Human Resources, Office of Family Security, is making the following changes in proposed rulemaking which it had previously published:

(1) Generic Drug Formulary - The Notice of Intent, published in the May 20, 1983, *Louisiana Register* (Volume 9, Number 5, pages 359-370) initiating this change is being withdrawn. No Final Rule will be published.

(2) CAP Reimbursement Rates for Home Health Providers - The Final Rule published in the June 20, 1983 *Louisiana Register* (Volume 9, Number 6, page 414) initiating this change will remain in effect only until September 30, 1983. A Notice of Intent outlining alternate changes in reimbursement to Home Health Providers will be published in a later issue of the *Louisiana*

Register.

The above changes in proposed rulemaking are being made at the recommendation of the Joint Legislative Subcommittee on Oversight for Health and Welfare in their meeting of June 14, 1983.

Roger P. Guissinger
Secretary

POTPOURRI
Department of Natural Resources
Fishermen's Gear Compensation Fund Claims

In accordance with the provisions of the Fishermen's Gear Compensation Fund, Louisiana Revised Statutes 56:700.1 through 56:700.5, and in particular Section 700.4 thereof; regulations adopted for the fund as published in the *Louisiana Register* on August 20, 1980; and also the Rules of the Secretary of this Department, notice is hereby given that eight completed claims amounting to \$19,746.11 were received during the month of June, 1983. Three claims amounting to \$4,276.04 were paid during the month of June, 1983.

Public hearings to consider completed claims have been scheduled as follows:

Tuesday, August 2, 1983 at 10:30 a.m. in the L.S.U. Cooperative Extension Service Office, Greater Lafourche Port Commission Building, Highway 308, Galliano, LA.

Claim No. 82-619

Jimmy Gisclair, of Galliano, LA, while trawling on the vessel "Tee Mack", in Deep Bayou, between Lake Raccourci and Little Lake, Lafourche Parish, encountered a broken piling on August 16, 1982, at approximately 9 a.m., causing loss of his 51-foot balloon trawl and hardware.

Amount of claim: \$762.34.

Claim No. 82-620 (Rescheduled)

Lawrence Charpentier, of Rt. 2, Box 534-A, Cut Off, LA, while trawling on the vessel "Thunder Bay", in Breton Sound at LORAN-C coordinates of 29,070.0 and 46,936.7, Plaquemines Parish, encountered an unidentified submerged obstruction, on August 17, 1982, at approximately 3 a.m., causing loss of his try net, doors and tickler chain.

Amount of claim: \$1,139.65.

Claim No. 82-790

Joseph A. Cheramie, of East 100th Street, Cut Off, LA, while trawling on the vessel "Cathy Cheramie", in the Gulf of Mexico, at LORAN-C coordinates of 28,261.9 and 46,822.5, Lafourche Parish, encountered an unidentified submerged obstruction, on December 13, 1982, at approximately 9 a.m., causing damage to his trawl and hardware.

Amount of claim: \$797.11.

Claim No. 83-813 (Rescheduled)

Sidney J. Theriot, Jr., of Star Route, Box 105, Chauvin, LA, while trawling on the vessel "Non 'c Jerry", in Lake Pelto at Wine Island Pass, Terrebonne Parish, encountered a submerged channel marker, on November 24, 1982, at approximately 11:30 a.m., causing loss of his 50-foot trawl, boards and cable.

Amount of claim: \$1,697.90.

Claim No. 83-814 (Rescheduled)

Lloyd Theriot, of Star Route, Box 30, Chauvin, LA, while trawling on the vessel "Miss Meme", in the Gulf of Mexico, approximately two miles west of Wine Island Pass, Terrebonne Parish, encountered a submerged pipe or piling, on January 16, 1983, at approximately 8 a.m., causing loss of his 50-foot trawl and hardware.

Amount of claim: \$848.

Claim No. 83-816 (Rescheduled)

Gelpi Cheramie, of the Joseph Cheramie Corporation, Cut Off, LA, while trawling on the vessel "Joseph Cheramie", in the Gulf of Mexico at LORAN-C coordinates of 28,441.1 and 46,838.5, Lafourche Parish, encountered an unidentified submerged obstruction, on January 10, 1983, at approximately 3 a.m., causing damage to one 55-foot trawl and loss of one 55-foot trawl and one 16-foot try net.

Amount of claim: \$1,677.59.

Claim No. 83-854

Houston Trahan, of Star Route, Box 513, Chauvin, LA, while trawling on the vessel "Rebecca Lynn", in the north end of Lake Barre, Terrebonne Parish, encountered an unidentified submerged obstruction, on April 20, 1983, at approximately 10 a.m., causing damage to his vessel.

Amount of claim: \$2,575.

Claim No. 83-865

Daniel Charpentier, of Rt. 2, Box 565, Cut Off, LA, while trawling on the vessel "Joan of Ark", in the Gulf of Mexico near Shell Key at LORAN-C coordinates of 27,457.6 and 46,913.7, Iberia Parish, encountered an unidentified submerged obstruction, on May 8, 1983, at approximately 8 a.m., causing loss of his 62-foot trawl and hardware.

Amount of claim: \$1,109.12.

Wednesday, August 3, 1983 at 11 a.m. in the L.S.U. Cooperative Extension Office, Cameron Parish Courthouse in Cameron, LA, to consider payment of the following claims against the fund:

Claim No. 82-710

Gerald LeBlanc, of Lafitte, LA, while trawling on the vessel "Lydia Marie", in the Gulf of Mexico out of Quatre Bayou Pass at approximate LORAN-C coordinates of 28,630.2 and 46,866.6, Plaquemines Parish, encountered an unidentified submerged obstruction, on October 21, 1982, causing damage to his trawl boards.

Amount of claim: \$795.

Claim No. 83-827 (Rescheduled)

Phillip Cantrelle and Wayne Duhon, of Lake Arthur, LA, while trawling on the vessel "Swamp Witch", in the Gulf of Mexico at LORAN-C coordinates of 11,049.8 and 26,895.5, Cameron Parish, encountered an unidentified submerged obstruction, on February 12, 1983, at approximately 12:30 p.m., causing loss of their 60-foot trawl and hardware.

Amount of claim: \$1,008.24.

Claim No. 83-830

Joe Gaspard, of Rt. 1, Box 87, Cameron, LA, while trawling on the vessel "Captain Blackie", in the Gulf of Mexico, 5/8 miles east of the Calcasieu Ship Channel and two miles from the beach, Cameron Parish, encountered an unidentified submerged obstruction, on January 19, 1983, at approximately 11 a.m., causing damage to his 45-foot trawl.

Amount of claim: \$347.40.

Claim No. 83-834 (Rescheduled)

Phillip Cantrelle and Wayne Duhon, of Lake Arthur, LA, while trawling on the vessel "Swamp Witch", in the Gulf of Mexico, two to two and a half miles from the beach, and three to five miles east of the Calcasieu Ship Channel, Cameron Parish, encountered a submerged catwalk, on February 25, 1983, at approximately 6 a.m., causing loss of his 60-foot balloon trawl and tickle chain.

Amount of claim: \$958.24.

Claim No. 83-842

James L. Terrio, Sr., of T & T Trawlers, Inc., Lafitte, LA, while returning from fishing on the vessel "Master Brandon", in Belle Pass, Belle Pass Southwest of Bayou Fourchon, Lafourche Parish, encountered an unidentified submerged obstruction, on

January 14, 1983, at approximately 3 p.m., causing damage to his vessel.

Amount of claim: \$5,000.

Claim No. 83-851

Tony Porche, of Rt. 1, Box 91, Cameron, LA, while trawling on the vessel "Devil", in the Gulf of Mexico, 1/4 mile west of the Calcasieu Ship Channel and 3/8 mile from the beach, Cameron Parish, encountered a submerged boat rigging, on April 17, 1983, at approximately 1 p.m., causing damage to his trawl.

Amount of claim: \$160.

Claim No. 83-852

Ernest Cantrelle, Sr., of Lafitte, LA, while trawling on the vessel "Hustler", in the Gulf of Mexico at LORAN-C coordinates of 27,560.0 and 46,914.5, Iberia Parish, encountered an unidentified submerged obstruction, on April 14, 1983, at approximately 5:34 p.m., causing loss of his 57-foot trawl and hardware.

Amount of Claim: \$1,789.65.

Claim No. 83-855

Albert L. Darda, Sr., of Lafitte, LA, while enroute to trawling on the vessel "Misty Morn", in the Houma Navigation Canal, Terrebonne Parish, encountered an unidentified submerged obstruction, on April 22, 1983, at approximately 5 p.m., causing damage to his vessel.

Amount of claim: \$14,584.01.

Claim No. 83-871

Bennie A. Trosclair, of 4936 Alexis Drive, Marrero, LA, while trawling on the vessel "Lady Nellie", in the Gulf of Mexico near Barataria Pass at LORAN-C coordinates of 28,575.3 and 46,859.8, Jefferson Parish, encountered an unidentified submerged obstruction, on May 14, 1983, at approximately 8 a.m., causing loss of his 40-foot trawl.

Amount of claim: \$475.

Tuesday, August 16, 1983 at 10:30 a.m., in the Lafitte City Hall, Lafitte, LA, to consider payment of the following claims against the fund:

Claim No. 82-527 (Rescheduled)

The boat crew for Charles S. Wallace, III, Inc., of Mandeville, LA, while menhaden fishing on the vessel "Sea Charger", in Breton Sound one mile west-southwest of Battledore Reef, Plaquemines Parish, encountered an unidentified submerged obstruction, on June 16, 1982, at approximately 8:50 a.m., causing damage to his menhaden net.

Amount of claim: \$6,048.

Claim No. 82-528

The boat crew for Louisiana Bunkers, Inc. of Mandeville, LA, while menhaden fishing on the vessel "Sea Chief", in Breton Sound east of Bayou Bio and west of Raccoon Point, Plaquemines Parish, encountered a submerged pipe, on June 11, 1982, causing damage to his menhaden net.

Amount of claim: \$1,729.71.

Claim No. 82-530

The boat crew for Plaquemine Bunkers, Inc. of Mandeville, LA, while menhaden fishing on the vessel "Sea Bee", in Breton Sound near the Black Bay wells, Plaquemines Parish, encountered a submerged pipeline, on June 16, 1982, causing damage to his menhaden net.

Amount of claim: \$4,905.41.

Claim No. 82-668 (Rescheduled)

Jerry P. Bourgeois, of 537 Debbie Drive, Westwego, LA, while returning from fishing on the vessel "Tiger Man", in Bayou St. Denis southeast of Bayou Cutler, Jefferson Parish, encountered an unidentified submerged obstruction, on September 3, 1982, at approximately 10:45 a.m., causing damage to his vessel.

Amount of claim: \$1,264.56.

Wednesday, August 17, 1983 at 11 a.m. in the Com-

mission Council Building, Belle Chasse, LA to consider payment of the following claims against the fund:

Claim No. 83-838

George C. Reno, of Venice, LA, while trawling on the vessel "Tidewater Red" in East Bay at LORAN-C coordinates of 28,927.2 and 46,777.1, Plaquemines Parish, encountered an unidentified submerged obstruction, on March 11, 1983, at approximately 7:30 a.m., causing damage to his trawl.

Amount of claim: \$84.

Claim No. 83-839

Bruce Guerra, of St. Bernard, LA, while trawling on the vessel "Mr. Farbriciano", in Eloi Bay west of Deadman Island, St. Bernard Parish, encountered a submerged metal object, on January 27, 1983, at approximately 10:30 a.m., causing damage to his vessel.

Amount of claim: \$894.73.

Claim No. 83-839

Anthony Guerra, Jr., of Braithwaite, LA, while returning from trawling on the vessel "Shenandoah", in Bar Gardene, Plaquemines Parish, encountered a submerged barge, on February 5, 1983, at approximately 3 p.m., causing damage to his motor.

Amount of claim: \$687.94.

Claim No. 83-848

Harry Joseph Frickey, of Venice, LA, while gill netting on the vessel "LA 9675-AD", in a canal west of Cockler Point between East Bay and Southwest Pass, Plaquemines Parish, encountered a submerged pipeline, on March 28, 1983, at approximately 12 noon, causing damage to his outboard motor.

Amount of claim: \$821.08.

Any written objections to these claims must be received by the close of business the day prior to the hearings, addressed to: Frank P. Simoneaux, Secretary, Department of Natural Resources, Box 44396, Capitol Station, Baton Rouge, LA 70804.

At the hearings, any person may submit evidence on any phase of the claim.

Frank P. Simoneaux
Secretary

POTPOURRI

Department of Natural Resources Office of Conservation Underground Injection Control Division

DOCKET NUMBER UIC 83-12

In accordance with the laws of the State of Louisiana, and with particular reference to the provisions of La. R.S. 30:4, notice is hereby given that the Commissioner of Conservation will conduct a public hearing at 11 a.m., Thursday, August 25, 1983, in the Police Jury Meeting Room located on the third floor of the Acadia Parish Courthouse, Crowley, Louisiana.

At such hearing, the Commissioner of Conservation or his designated representative will hear testimony relative to the application of Guillory Tank Truck Services, Inc., of Eunice, Louisiana, prepared by Newpark Waste Treatment Systems, Inc., of Metairie, Louisiana. The applicant intends to modify, and upgrade to permanent status, an existing interim permit for land treatment of oil-base as well as water-base drilling fluids at their facility in Section 5, Township 7 South, Range 1 West, Acadia Parish, Louisiana, near the town of Eunice.

Prior to authorizing the use of this facility for treatment and

disposal of 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 notifying Carroll D. Wascom at the Office of Conservation, Underground Injection Control (UIC) Division, Room 228, of the Natural Resources Building, 625 North Fourth Street, Baton Rouge, Louisiana.

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., September 1, 1983, at the Baton Rouge Office. Comments should be directed to: Commissioner of Conservation, Box 44275, Baton Rouge, LA 70804-4275, Re: Docket No. UIC 83-12, Commercial Land Treatment Facility, Acadia Parish.

Patrick H. Martin
Commissioner

POTPOURRI

Department of Natural Resources Office of Conservation Underground Injection Control Division

DOCKET NUMBER UIC 83-11

In accordance with the laws of the State of Louisiana, and with particular reference to the provisions of La. R.S. 30:4, notice is hereby given that the Commissioner of Conservation will conduct a public hearing at 11 a.m., Wednesday, August 24, 1983, in the Plaquemines Parish Commission Council Meeting Room located in the Plaquemines Parish Courthouse, Pointe a la Hache, Louisiana.

At such hearing the Commissioner of Conservation or his designated representative will hear testimony relative to the application of Newpark Waste Treatment Systems, Inc., of 2900 Ridgeway Drive, Metairie, Louisiana 70002. The applicant intends to operate a commercial oilfield waste treatment and disposal facility in Township 21 South, Range 31 East, Plaquemines Parish, Louisiana, near the town of Venice.

Prior to authorizing the use of this facility for treatment and disposal of 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 notifying Carroll D. Wascom at the Office of Conservation, Underground Injection Control (UIC) Division, Room 228, of the Natural Resources Building, 625 North Fourth Street, Baton Rouge, Louisiana.

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., August 31, 1983, at the Baton Rouge Office. Comments should be directed to: Commissioner of Conservation, Box 44275, Baton Rouge, LA 70804-4275, Re: Docket No. UIC 83-11, Commercial Treatment Facility, Plaquemines Parish.

Patrick H. Martin
Commissioner

POTPOURRI

**Department of Natural Resources
Office of Conservation
Underground Injection Control Division**

DOCKET NUMBER UIC 83-10

In accordance with the laws of the State of Louisiana, and with particular reference to the provisions of La. R.S. 30:4, notice is hereby given that the Commissioner of Conservation will conduct a public hearing at 7 p.m., Tuesday, August 23, 1983, in the Grand Caillou Recreation Center located in Dulac, Louisiana.

At such hearing the Commissioner of Conservation or his designated representative will hear testimony relative to the application of Newpark Waste Treatment Systems, Inc., of 2900 Ridgelake Drive, Metairie, Louisiana 70002. The applicant intends to operate a commercial oilfield waste treatment and disposal facility in Section 9, Township 20 South, Range 12 East, Terrebonne Parish, Louisiana, near the town of Dulac.

Prior to authorizing the use of this facility for treatment and disposal of 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 notifying Carroll D. Wascom at the Office of Conservation, Underground Injection Control (UIC) Division, Room 228, of the Natural Resources Building, 625 North Fourth Street, Baton Rouge, Louisiana.

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., August 30, 1983, at the Baton Rouge Office. Comments should be directed to: Commissioner of Conservation, Box 44275, Baton Rouge, LA 70804-4275, Re: Docket No. UIC 83-10, Commercial Treatment Facility, Terrebonne Parish.

Patrick H. Martin
Commissioner

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