

2017 Regular Session

SENATE BILL NO. 75

BY SENATOR MILLS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH/HOSPITALS DEPT. Provides relative to the health professional licensing boards created within the Louisiana Department of Health. (See Act)

AN ACT

To amend and reenact R.S. 36:259, 801.1(A), the introductory paragraph of 802, and 803, R.S. 37:753(B), (C)(4) and (J), 832(B)(2), 916(B), 962, 1042, 1104(A), (B)(1), and (C), 1174(B), 1263(B), (D) and (E), 1515(A)(2) and (3), (C), (D), (E) and (F), 2102(A), 2353(A)(1), (2) and (3), the introductory paragraph of 2403(B), 2455(B)(1) and (5), 2503(A)(3)(c), 2654(A), (B), (C) and (D), the introductory paragraph of 2704(A), (A)(5), (B) and (C), 2802(A)(1), (C), (D), (E), (F) and (G), 3061(A)(1)(a), the introductory paragraph of 3084(B)(1) and (C), the introductory paragraph of 3201(B)(1) and (B)(1)(c) and (C), the introductory paragraph of 3389(B), 3444(A), (B) and (C), 3463(A), (B) and (E), 3554(A)(1) and (B), 3703(B)(1), and R.S. 49:992(D)(5) and (G), to enact R.S. 36:260, R.S. 37:753(C)(5), 2102(C), 2403(B)(6), 2802(H), 3061(A)(1)(d), 3084(B)(1)(e), 3201(B)(1)(e) and (F), 3389(B)(6), 3554(A)(3), and 3703(B)(8), and to repeal R.S. 37:1263(F) and R.S. 40:5.11(C), (D), (E) and (F), relative to the health profession licensing boards created within the Louisiana Department of Health; to provide for responsibilities of the Louisiana Department of Health; to provide for responsibilities of the health profession licensing boards created within the Louisiana Department of Health; to provide for

1 board membership; to provide for effective dates; and to provide for related matters.

2 Be it enacted by the Legislature of Louisiana:

3 Section 1. R.S. 36:259, 801.1(A), the introductory paragraph of 802, and 803 are
4 hereby amended and reenacted and R.S. 36:260 is hereby enacted to read as follows:

5 §259. Transfer of agencies and functions to Louisiana Department of Health

6 ~~A. Repealed by Acts 2012, No. 811, §17, eff. August 1, 2012.~~

7 ~~B. Repealed by Acts 2016, No. 577, §3, eff. August 1, 2016.~~

8 ~~C. The following agencies, as defined by R.S. 36:3, are transferred to and~~
9 ~~hereafter shall be within the Louisiana Department of Health, as provided in Part II~~
10 ~~of Chapter 22 of this Title:~~

11 ~~(1) Greenwell Springs Hospital (Greenwell Springs)~~

12 ~~(2)-(7) Repealed by Acts 1991, No. 390, §6, eff. Jan. 1, 1992.~~

13 ~~(8) Repealed by Acts 1989, No. 344, §4, eff. June 28, 1989.~~

14 ~~(9) Southeast Louisiana State Hospital (Mandeville)~~

15 ~~(10) East Louisiana State Hospital (Jackson)~~

16 ~~(11) Jonesboro Charity Hospital (Jonesboro)~~

17 ~~(12) Central Louisiana State Hospital (Pineville)~~

18 ~~(13) Pinecrest Supports and Services Center (R.S. 28:22.8(A)(3); R.S.~~
19 ~~28:451.4)~~

20 ~~(14) North Lake Supports and Services Center (R.S. 28:22.8(A)(9); R.S.~~
21 ~~28:451.4)~~

22 ~~(15) Repealed by Acts 2012, No. 232, §3, eff. May 22, 2012.~~

23 ~~(16) The mental health facilities located in New Orleans, Baton Rouge,~~
24 ~~Shreveport, Monroe, Lake Charles, Alexandria, Lafayette, Metairie, Hammond,~~
25 ~~Natchitoches, Ruston, Chalmette, Houma, Harvey, Marksville, Bogalusa, Pineville,~~
26 ~~Many, New Roads, Covington, Crowley, Donaldsonville, Plaquemine, Raceland,~~
27 ~~Leesville, Norco, Mandeville, Ville Platte, Patterson, Tallulah, Columbia, Oakdale,~~
28 ~~and any other state owned or operated facilities as may be hereinafter established~~
29 ~~(R.S. 28:22.4-22.5)~~

- 1 ~~(17) Repealed by Acts 2012, No. 232, §3, eff. May 22, 2012.~~
- 2 ~~(18) Repealed by Acts 2012, No. 232, §3, eff. May 22, 2012.~~
- 3 ~~(19) Repealed by Acts 2012, No. 232, §3, eff. May 22, 2012.~~
- 4 ~~(20) Repealed by Acts 2012, No. 232, §3, eff. May 22, 2012.~~
- 5 ~~(21) Northwest Supports and Services Center (R.S. 28:22.8(A)(6); R.S.~~
- 6 ~~28:451.4)~~
- 7 ~~(22) Repealed by Acts 2012, No. 232, §3, eff. May 22, 2012.~~
- 8 ~~(23) Villa Feliciana Medical Complex (R.S. 28:22.7; R.S. 40:2002.4; R.S.~~
- 9 ~~40:2142).~~
- 10 ~~(24) Repealed by Acts 2012, No. 811, §17, eff. July 1, 2012.~~
- 11 ~~(25) Repealed by Acts 2012, No. 232, §3, eff. May 22, 2012.~~
- 12 ~~(26) Repealed by Acts 2012, No. 232, §3, eff. May 22, 2012.~~
- 13 ~~D. The following agencies, as defined in R.S. 36:3, are placed within the~~
- 14 ~~Louisiana Department of Health and shall perform and exercise their powers, duties,~~
- 15 ~~functions, and responsibilities as otherwise provided by law:~~
- 16 ~~(1) Louisiana state office of rural health (R.S. 40:2195.1)~~
- 17 ~~(2) Repealed by Acts 2013, No. 184, §7(B), eff. August 1, 2013.~~
- 18 ~~(3) Louisiana State Child Death Review Panel (R.S. 40:2019)~~
- 19 ~~(4) Marriage and Family Therapy Advisory Committee (R.S. 37:1104)~~
- 20 ~~(Established by the Louisiana Licensed Professional Counselors Board of~~
- 21 ~~Examiners).~~
- 22 ~~(5) Nursing Home Emergency Preparedness Review Committee (R.S.~~
- 23 ~~40:2009.25)~~
- 24 ~~(6) Advisory Committee on Polysomnography (R.S. 37:2861 et seq.)~~
- 25 ~~(7) Louisiana Birth Defects Surveillance System Advisory Board (R.S.~~
- 26 ~~40:31.41 et seq.)~~
- 27 ~~(8) Prescription Monitoring Program Advisory Council (R.S. 40:1001 et seq.)~~
- 28 ~~(9) Health Data Panel (R.S. 40:1173.1 et seq.)~~
- 29 ~~(10) The Louisiana Standards for Water Works Construction, Operation, and~~

1 ~~Maintenance Committee (R.S. 40:4.13).~~

2 E. ~~The following agencies, as defined in R.S. 36:3, are transferred to and~~
3 ~~hereafter shall be within the Louisiana Department of Health, as provided in R.S.~~
4 ~~36:803:~~

5 ~~(1) Louisiana State Board of Nursing (R.S. 37:911 et seq.)~~

6 ~~(2) Louisiana State Board of Dentistry (R.S. 37:751 et seq.)~~

7 ~~(3) Louisiana State Board of Social Work Examiners (R.S. 37:2701 et seq.)~~

8 ~~(4) Louisiana State Board of Optometry Examiners (R.S. 37:1041 et seq.)~~

9 ~~(5) Louisiana State Board of Examiners for Sanitarians (R.S. 37:2101 et seq.)~~

10 ~~(6) Louisiana State Board of Practical Nurse Examiners (R.S. 37:961 et seq.)~~

11 ~~(7) Louisiana Board of Chiropractic Examiners (R.S. 37:2801 et seq.)~~

12 ~~(8) Louisiana State Board of Medical Examiners (R.S. 12:914; R.S. 37:611~~
13 ~~et seq.; R.S. 37:1261 et seq.)~~

14 ~~(9) Louisiana State Board of Embalmers and Funeral Directors (R.S. 37:831~~
15 ~~et seq.)~~

16 ~~(10) State Board of Examiners of Psychologists (R.S. 37:2351 et seq.)~~

17 ~~(11) Louisiana Board of Examiners for Speech-Language Pathology and~~
18 ~~Audiology (R.S. 37:2650 et seq.)~~

19 ~~(12) Louisiana Board of Veterinary Medicine (R.S. 37:1511 et seq.)~~

20 ~~(13) Board of Examiners for Nursing Facility Administrators (R.S. 37:2501~~
21 ~~et seq.)~~

22 ~~(14) Louisiana Board of Pharmacy (R.S. 37:1161 et seq.; R.S. 51:521 et seq.)~~

23 ~~(16) Louisiana Board for Hearing Aid Dealers (R.S. 37:2441 et seq.)~~

24 ~~(17) Radiologic Technology Board of Examiners (R.S. 37:3200 et seq.)~~

25 ~~(20) Louisiana Physical Therapy Board (R.S. 37:2401 et seq.)~~

26 ~~(21) The Louisiana Licensed Professional Vocational Rehabilitation~~
27 ~~Counselors Board of Examiners (R.S. 37:3441 et seq.)~~

28 ~~(22) Repealed by Acts 2012, No. 811, §1, eff. July 1, 2012.~~

29 ~~(23) The Addictive Disorder Regulatory Authority (R.S. 37:3389).~~

1 ~~(24) Repealed by Acts 2008, No. 534, §4, eff. June 30, 2008.~~

2 ~~(25) Louisiana Behavior Analyst Board (R.S. 37:3701 et seq.)~~

3 ~~F. The following agencies, as defined in R.S. 36:3, previously abolished by~~
 4 ~~the Executive Reorganization Act, and their powers, duties, functions, and~~
 5 ~~responsibilities are transferred to the secretary of the Louisiana Department of Health~~
 6 ~~and shall be exercised and performed as provided in Part IV of Chapter 22 of this~~
 7 ~~Title:~~

8 ~~(1) Louisiana Health and Human Resources Administration (R.S. 46:1751-~~
 9 ~~46:1767, and generally Chapters 1 and 11 of Title 40 and all of Title 46 of the~~
 10 ~~Louisiana Revised Statutes of 1950, except R.S. 46:1601-46:1608) to the extent that~~
 11 ~~the cited provisions provide with respect to agencies or functions placed in or~~
 12 ~~transferred to the Louisiana Department of Health.~~

13 ~~(2), (3) Repealed by Acts 1991, No. 390, §6, eff. Jan. 1, 1992.~~

14 ~~(4) Repealed by Acts 1989, No. 662, §8, eff. July 7, 1989.~~

15 ~~(5) Repealed by Acts 1991, No. 390, §6, eff. Jan. 1, 1992.~~

16 ~~(6) Repealed by Acts 2010, No. 861, §22, eff. August 15, 2010.~~

17 ~~(7) Repealed by Acts 2010, No. 861, §22, eff. August 15, 2010.~~

18 ~~(8) Repealed by Acts 2012, No. 811, §17, eff. July 1, 2012.~~

19 ~~(9) Louisiana State Board of Health and the Louisiana Department of Health~~
 20 ~~and all its subsidiary boards (Such provisions of Title 40 of the Louisiana Revised~~
 21 ~~Statutes of 1950 as are applicable to the abolished board and department)~~

22 ~~(10) Louisiana Narcotics Rehabilitation Commission (R.S. 40:1051 et seq.)~~

23 ~~(11) Repealed by Acts 2010, No. 861, §22, eff. August 15, 2010.~~

24 ~~(12) Repealed by Acts 1991, No. 390, §6, eff. Jan. 1, 1992.~~

25 ~~(13) Repealed by Acts 2010, No. 861, §22, eff. August 15, 2010.~~

26 ~~(14) Repealed by Acts 2010, No. 861, §22, eff. August 15, 2010.~~

27 ~~(15) Repealed by Acts 2012, No. 811, §17, eff. July 1, 2012.~~

28 ~~(16) Anatomical Board (R.S. 17:2271 et seq.)~~

29 ~~(17) Repealed by Acts 2010, No. 861, §22, eff. August 15, 2010.~~

1 ~~(18) Board of Commissioners of the South Louisiana Health Services District~~
2 ~~(R.S. 28:241 et seq.)~~

3 ~~(19) Repealed by Acts 2012, No. 811, §17, eff. July 1, 2012.~~

4 ~~(20) Nursing Home Advisory Committee (R.S. 40:2009.1)~~

5 ~~(21) Hospital Licensing Council (R.S. 40:2108)~~

6 ~~G. The State Board of Electrolysis Examiners (R.S. 37:3051 et seq.) is placed~~
7 ~~within the Louisiana Department of Health and shall exercise and perform its~~
8 ~~powers, duties, functions, and responsibilities in the manner provided for agencies~~
9 ~~transferred in accordance with the provisions of R.S. 36:803.~~

10 ~~H. The Governor's Council on Physical Fitness and Sports (R.S. 40:2451 et~~
11 ~~seq.) is placed within the Louisiana Department of Health and shall exercise and~~
12 ~~perform its powers, duties, functions, and responsibilities in the manner provided for~~
13 ~~agencies transferred in accordance with the provisions of R.S. 36:802.~~

14 ~~I. The following agencies, as defined in R.S. 36:3, are placed within the~~
15 ~~Louisiana Department of Health and shall exercise and perform their powers, duties,~~
16 ~~functions, and responsibilities in the manner provided for agencies transferred in~~
17 ~~accordance with the provisions of R.S. 36:802.~~

18 ~~(1) Repealed by Acts 2001, No. 197, §2.~~

19 ~~(2) Acts 2009, No. 438, §8(B), eff. August 15, 2009.~~

20 ~~(3) Commission on Perinatal Care and Prevention of Infant Mortality (R.S.~~
21 ~~40:2018)~~

22 ~~(4) Repealed by Acts 2012, No. 811, §17, eff. July 1, 2012.~~

23 ~~(5) Water Supply and Sewerage Systems Certification Committee (R.S.~~
24 ~~40:1141 et seq.)~~

25 ~~(6) Repealed by Acts 1995, No. 185, §3.~~

26 ~~(7) Repealed by Acts 1989, No. 662, §12, eff. Aug. 15, 1989.~~

27 ~~(8) Repealed by Acts 1989, No. 352, §3; Acts 1989, No. 662, §8, eff. July 7,~~
28 ~~1989.~~

29 ~~J.(1) The Louisiana Emergency Response Network Board (R.S. 40:2841 et~~

1 ~~seq.) is placed within the Louisiana Department of Health and shall exercise and~~
2 ~~perform its powers, duties, functions, and responsibilities in the manner provided for~~
3 ~~agencies transferred in accordance with R.S. 36:801.1.~~

4 ~~(2) The Louisiana Emergency Response Network Board shall be a separate~~
5 ~~budget unit within the Louisiana Department of Health.~~

6 ~~K. The Medicaid Pharmaceutical and Therapeutics Committee (R.S.~~
7 ~~46:153.3) is placed within the Louisiana Department of Health and shall perform and~~
8 ~~exercise its powers, duties, functions, and responsibilities as provided by law.~~

9 ~~L.(1) The Louisiana Developmental Disabilities Council (R.S. 28:750 et seq.)~~
10 ~~is placed within the Louisiana Department of Health and shall exercise and perform~~
11 ~~its powers, duties, functions, and responsibilities in the manner provided for agencies~~
12 ~~transferred in accordance with the provisions of R.S. 36:801.1. The council shall~~
13 ~~have full appointing authority for all personnel purposes.~~

14 ~~(2) The regional and state advisory councils for the community and family~~
15 ~~support system (R.S. 28:824(J)) are placed within the Louisiana Department of~~
16 ~~Health and shall exercise and perform their powers, duties, functions, and~~
17 ~~responsibilities as provided by or pursuant to law.~~

18 ~~M. Repealed by Acts 2013, No. 184, §2(B), eff. August 1, 2013.~~

19 ~~N. The advisory council for the program of early identification of hearing~~
20 ~~impaired infants (R.S. 46:2261 et seq.) is placed within the Louisiana Department~~
21 ~~of Health and shall exercise and perform its powers, duties, functions, and~~
22 ~~responsibilities as provided by or pursuant to law.~~

23 ~~O. The Louisiana Commission on Addictive Disorders (R.S. 46:2500 et seq.)~~
24 ~~is placed within the Louisiana Department of Health and shall exercise and perform~~
25 ~~its powers, duties, functions, and responsibilities in the manner provided for agencies~~
26 ~~transferred in accordance with the provisions of R.S. 36:914.~~

27 ~~P. The Physician Assistants Advisory Committee (R.S. 37:1270.1) is placed~~
28 ~~within the Louisiana Department of Health and shall exercise and perform its~~
29 ~~powers, duties, functions, and responsibilities in the manner provided for agencies~~

1 ~~transferred in accordance with the provisions of R.S. 36:914.~~

2 ~~Q. The Louisiana State Board of Examiners in Dietetics and Nutrition (R.S.~~
3 ~~37:3081 et seq.) is placed within the Louisiana Department of Health and shall~~
4 ~~exercise and perform its powers, duties, functions, and responsibilities in the manner~~
5 ~~provided for agencies transferred in accordance with R.S. 36:803.~~

6 ~~R. Repealed by Acts 2013, No. 184, §4(B), eff. August 1, 2013.~~

7 ~~S. The Louisiana Commission for the Deaf (R.S. 46:2351 et seq.) is hereby~~
8 ~~placed within the Louisiana Department of Health and shall perform and exercise its~~
9 ~~powers, duties, functions, and responsibilities as provided for agencies transferred~~
10 ~~as provided in R.S. 36:802.~~

11 ~~T. The Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board~~
12 ~~(R.S. 46:2631 et seq.) is hereby placed within the Louisiana Department of Health~~
13 ~~and shall exercise and perform its powers, duties, functions, and responsibilities in~~
14 ~~the manner provided for agencies transferred in accordance with the provisions of~~
15 ~~R.S. 36:901 et seq.~~

16 ~~U. The Louisiana Access to Better Care Medicaid Insurance Demonstration~~
17 ~~Project Oversight Board (R.S. 46:160.1 et seq.) is placed within the Louisiana~~
18 ~~Department of Health and shall exercise and perform its powers, duties, functions,~~
19 ~~and responsibilities in the manner provided for agencies transferred in accordance~~
20 ~~with the provisions of Part III of Chapter 22 of this Title.~~

21 ~~V. Repealed by Acts 2010, No. 743, §10(B), eff. July 1, 2010~~

22 ~~W. The Louisiana Board of Wholesale Drug Distributors (R.S. 37:3461 et~~
23 ~~seq. shall be placed within the Louisiana Department of Health and shall exercise~~
24 ~~and perform its powers, duties, functions, and responsibilities in the manner provided~~
25 ~~for agencies transferred in accordance with the provisions of R.S. 36:803.~~

26 ~~X. Repealed by Acts 2016, No. 614, §8B, eff. August 1, 2016.~~

27 ~~Y. Repealed by Acts 2015, No. 411, §4, eff. July 1, 2015.~~

28 ~~Z. Repealed by Acts 1991, No. 390, §6, eff. Jan. 1, 1992.~~

29 ~~AA. Repealed by Acts 2001, No. 1185, §8, eff. July 1, 2001.~~

1 ~~BB. The following agencies, as defined in R.S. 36:3, are placed within the~~
2 ~~Louisiana Department of Health and shall perform and exercise their powers, duties,~~
3 ~~functions, and responsibilities in the manner provided for agencies transferred in~~
4 ~~accordance with the provisions of R.S. 36:914:~~

5 ~~(1) Respiratory Care Advisory Committee (R.S. 37:3356 et seq.)~~

6 ~~(2) The Louisiana Advisory Committee on Populations and Geographic~~
7 ~~Regions With Excessive Cancer Rates (R.S. 40:1299.90.1):~~

8 ~~(3) The Fluoridation Advisory Board (R.S. 40:5.11(C)-(F)).~~

9 ~~CC. The Louisiana Board of Massage Therapy (R.S. 37:3551 et seq.) is~~
10 ~~placed within the Louisiana Department of Health and shall exercise and perform its~~
11 ~~powers, duties, functions, and responsibilities in the manner provided for agencies~~
12 ~~transferred in accordance with R.S. 36:803.~~

13 ~~DD. The Clinical Laboratory Personnel Committee (R.S. 37:1311 et seq.) is~~
14 ~~placed within the Louisiana Department of Health under the jurisdiction of the~~
15 ~~Louisiana State Board of Medical Examiners and shall perform and exercise its~~
16 ~~powers, duties, functions, and responsibilities in the manner provided for agencies~~
17 ~~transferred in accordance with R.S. 36:919.2.~~

18 ~~EE. The Louisiana Licensed Professional Counselors Board of Examiners,~~
19 ~~R.S. 37:1101 et seq., is hereby placed within the Louisiana Department of Health and~~
20 ~~shall perform and exercise its powers, duties, functions, and responsibilities in the~~
21 ~~manner provided for agencies transferred in accordance with the provisions of R.S.~~
22 ~~36:803.~~

23 ~~FF. The Medical Education Commission (R.S. 17:1519.8) is placed within~~
24 ~~the Louisiana Department of Health and shall exercise and perform its powers,~~
25 ~~duties, functions, and responsibilities in the manner provided for agencies transferred~~
26 ~~in accordance with the provisions of Part III of Chapter 22 of this Title:~~

27 ~~GG. The Louisiana Emergency Medical Services Certification Commission~~
28 ~~(R.S. 40:1231 et seq.) is placed within the Louisiana Department of Health and shall~~
29 ~~perform and exercise its powers, duties, functions, and responsibilities in the manner~~

1 ~~provided for agencies transferred in accordance with R.S. 36:919.4.~~

2 ~~HH. Repealed by Acts 2006, No. 713, §4, eff. July 1, 2006.~~

3 ~~H. Repealed by Acts 2010, No. 743, §10(B), eff. July 1, 2010~~

4 ~~JJ. Repealed by Acts 2008, No. 815, §5.~~

5 ~~KK. Repealed by Acts 2008, No. 815, §5.~~

6 ~~LL. Repealed by Acts 2005, No. 428, §3, eff. July 1, 2005.~~

7 ~~MM. The Louisiana Medical Disclosure Panel (R.S. 40:1299.39.6) is placed~~
8 ~~within the Louisiana Department of Health and shall exercise and perform its~~
9 ~~powers, duties, functions, and responsibilities in the manner provided for agencies~~
10 ~~transferred in accordance with the provisions of R.S. 36:802.~~

11 ~~NN. The Louisiana Sickle Cell Commission (R.S. 40:2018.3) is placed within~~
12 ~~the Louisiana Department of Health and shall exercise and perform its powers,~~
13 ~~duties, functions, and responsibilities as provided by or pursuant to law.~~

14 ~~OO. The Louisiana Obesity Prevention and Management Commission (R.S.~~
15 ~~40:2018.4) is placed within the Louisiana Department of Health and shall exercise~~
16 ~~and perform its powers, duties, functions, and responsibilities as provided by or~~
17 ~~pursuant to law.~~

18 **A. The following agencies, as defined in R.S. 36:3, are transferred to and**
19 **hereafter shall be within the Louisiana Department of Health, as provided in**
20 **R.S. 36:803:**

21 **(1) Louisiana State Board of Dentistry (R.S. 37:751 et seq.)**

22 **(2) Louisiana State Board of Nursing (R.S. 37:911 et seq.)**

23 **(3) Louisiana State Board of Practical Nurse Examiners (R.S. 37:961 et**
24 **seq.)**

25 **(4) Louisiana State Board of Embalmers and Funeral Directors (R.S.**
26 **37:831 et seq.)**

27 **(5) Louisiana State Board of Optometry Examiners (R.S. 37:1041 et seq.)**

28 **(6) Louisiana Licensed Professional Counselors Board of Examiners**
29 **(R.S. 37:1101 et seq.)**

- 1 **(7) Louisiana Board of Pharmacy (R.S. 37:1161 et seq.; R.S. 51:521 et**
2 **seq.)**
- 3 **(8) Louisiana State Board of Medical Examiners (R.S. 12:914; R.S.**
4 **37:611 et seq.; R.S. 37:1261 et seq.)**
- 5 **(9) Louisiana Board of Veterinary Medicine (R.S. 37:1511 et seq.)**
- 6 **(10) Louisiana State Board of Examiners for Sanitarians (R.S. 37:2101**
7 **et seq.)**
- 8 **(11) State Board of Examiners of Psychologists (R.S. 37:2351 et seq.)**
- 9 **(12) Louisiana Physical Therapy Board (R.S. 37:2401 et seq.)**
- 10 **(13) Louisiana Board for Hearing Aid Dealers (R.S. 37:2441 et seq.)**
- 11 **(14) Board of Examiners for Nursing Facility Administrators (R.S.**
12 **37:2501 et seq.)**
- 13 **(15) Louisiana Board of Examiners for Speech-Language Pathology and**
14 **Audiology (R.S. 37:2650 et seq.)**
- 15 **(16) Louisiana State Board of Social Work Examiners (R.S. 37:2701 et**
16 **seq.)**
- 17 **(17) Louisiana Board of Chiropractic Examiners (R.S. 37:2801 et seq.)**
- 18 **(18) State Board of Electrolysis Examiners (R.S. 37:3051 et seq.)**
- 19 **(19) Louisiana State Board of Examiners in Dietetics and Nutrition (R.S.**
20 **37:3081 et seq.)**
- 21 **(20) Radiologic Technology Board of Examiners (R.S. 37:3200 et seq.)**
- 22 **(21) The Addictive Disorder Regulatory Authority (R.S. 37:3389)**
- 23 **(22) The Louisiana Licensed Professional Vocational Rehabilitation**
24 **Counselors Board of Examiners (R.S. 37:3441 et seq.)**
- 25 **(23) Louisiana Board of Wholesale Drug Distributors (R.S. 37:3461 et**
26 **seq.)**
- 27 **(24) The Louisiana Board of Massage Therapy (R.S. 37:3551 et seq.)**
- 28 **(25) Louisiana Behavior Analyst Board (R.S. 37:3701 et seq.)**
- 29 **B. The following agencies, as defined in R.S. 36:3, are placed within the**

1 Louisiana Department of Health and shall perform and exercise their powers,
2 duties, functions, and responsibilities as otherwise provided by law:

3 (1) Louisiana state office of rural health (R.S. 40:2195.1)

4 (2) Louisiana State Child Death Review Panel (R.S. 40:2019)

5 (3) Marriage and Family Therapy Advisory Committee (R.S. 37:1104)

6 (Established by the Louisiana Licensed Professional Counselors Board of
7 Examiners)

8 (4) Nursing Home Emergency Preparedness Review Committee (R.S.
9 40:2009.25)

10 (5) Advisory Committee on Polysomnography (R.S. 37:2861 et seq.)

11 (6) Louisiana Birth Defects Surveillance System Advisory Board (R.S.
12 40:31.41 et seq.)

13 (7) Prescription Monitoring Program Advisory Council (R.S. 40:1001 et
14 seq.)

15 (8) Health Data Panel (R.S. 40:1173.1 et seq.)

16 (9) The Louisiana Standards for Water Works Construction, Operation,
17 and Maintenance Committee (R.S. 40:4.13)

18 (10) Medicaid Pharmaceutical and Therapeutics Committee (R.S.
19 46:153.3)

20 (11) The advisory council for the program of early identification of
21 hearing impaired infants (R.S. 46:2261 et seq.)

22 (12) Louisiana Obesity Prevention and Management Commission (R.S.
23 40:2018.4)

24 (13) Louisiana Sickle Cell Commission (R.S. 40:2018.3)

25 (14) Physician Assistants Advisory Committee (R.S. 37:1270.1)

26 (15) Governor's Council on Physical Fitness and Sports (R.S. 40:2451 et
27 seq.)

28 (16) Commission on Perinatal Care and Prevention of Infant Mortality
29 (R.S. 40:2018)

- 1 (17) Water Supply and Sewerage Systems Certification Committee (R.S.
2 40:1281.1 et seq.)
- 3 (18) Louisiana Commission for the Deaf (R.S. 46:2351 et seq.)
- 4 (19) Louisiana Medical Disclosure Panel (R.S. 40:1157.2)
- 5 (20) Respiratory Care Advisory Committee (R.S. 37:3356 et seq.)
- 6 (21) The Louisiana Advisory Committee on Populations and Geographic
7 Regions With Excessive Cancer Rates (R.S. 40:1105.12)
- 8 (22) Medical Education Commission (R.S. 17:1519.12)
- 9 (23) Louisiana Access to Better Care Medicaid Insurance Demonstration
10 Project Oversight Board (R.S. 46:160.1 et seq.)
- 11 (24)(a) The Louisiana Emergency Response Network Board (R.S.
12 40:2841 et seq.)
- 13 (b) The Louisiana Emergency Response Network Board shall be a
14 separate budget unit within the Louisiana Department of Health.
- 15 (25)(a) The Louisiana Developmental Disabilities Council (R.S. 28:750
16 et seq.). The council shall have full appointing authority for all personnel
17 purposes.
- 18 (b)The regional and state advisory councils for the community and
19 family support system (R.S. 28:824(J))
- 20 (26) Anatomical Board (R.S. 17:2271 et seq.)
- 21 (27) Board of Commissioners of the South Louisiana Health Services
22 District (R.S. 28:241 et seq.)
- 23 (28) Nursing Home Advisory Committee (R.S. 40:2009.1)
- 24 (29) Hospital Licensing Council (R.S. 40:2108)
- 25 (30) Traumatic Head and Spinal Cord Injury Trust Fund Advisory
26 Board (R.S. 46:2631 et seq.)
- 27 (31) Clinical Laboratory Personnel Committee (R.S. 37:1311 et seq.)
- 28 (32) Louisiana Emergency Medical Services Certification Commission
29 (R.S. 40:1131 et seq.)

1 **(33) Louisiana Narcotics Rehabilitation Commission (R.S. 40:1051 et**
2 **seq.)**

3 **(34) Louisiana State Board of Health and the Louisiana Department of**
4 **Health and all its subsidiary boards (Such provisions of Title 40 of the**
5 **Louisiana Revised Statutes of 1950 as are applicable to the abolished board and**
6 **department)**

7 **C. The following agencies, as defined by R.S. 36:3, are transferred to and**
8 **hereafter shall be within the Louisiana Department of Health, as provided in**
9 **Part II of Chapter 22 of this Title:**

10 **(1) East Louisiana State Hospital (Jackson)**

11 **(2) Central Louisiana State Hospital (Pineville)**

12 **(3) Pinecrest Supports and Services Center (R.S. 28:22.8(A)(1); R.S.**
13 **28:451.4)**

14 **(4) North Lake Supports and Services Center (R.S. 28:22.8(A)(3); R.S.**
15 **28:451.4)**

16 **(5) The mental health facilities located in New Orleans, Baton Rouge,**
17 **Shreveport, Monroe, Lake Charles, Alexandria, Lafayette, Metairie, Hammond,**
18 **Natchitoches, Ruston, Chalmette, Houma, Harvey, Marksville, Bogalusa,**
19 **Pineville, Many, New Roads, Covington, Crowley, Donaldsonville, Plaquemine,**
20 **Raceland, Leesville, Norco, Mandeville, Ville Platte, Patterson, Tallulah,**
21 **Columbia, Oakdale, and any other state-owned or operated facilities as may be**
22 **hereinafter established (R.S. 28:22.4-22.5)**

23 **(6) Northwest Supports and Services Center (R.S. 28:22.8(A)(2); R.S.**
24 **28:451.4)**

25 **(7) Villa Feliciana Medical Complex (R.S. 28:22.7; R.S. 40:2002.4; R.S.**
26 **40:2142).**

27 **§260. Health profession licensing boards; legislative intent; powers; duties;**
28 **budget**

29 **A. The legislature finds and declares that the health profession licensing**

1 boards established within the Louisiana Department of Health in R.S. 36:259(A)
2 were created for the sole purpose of ensuring the health, safety and welfare of
3 the public receiving health care services from individuals that are appropriately
4 trained and duly licensed in Louisiana by their respective board. It is the intent
5 of the legislature that boards do not act autonomously from the department, but
6 rather in partnership with the department and in a manner that best serves the
7 public and the licensees under their jurisdiction. To that end, the legislature
8 finds and declares that consumers of this state shall have a more integrated role
9 in the governance of the health profession licensing boards, licensees in this
10 state shall have a fair and impartial adjudicatory hearing before an independent
11 administrative law judge, the public shall have an opportunity to submit
12 complaints with the department against a board, the budgets of the boards shall
13 be more thoroughly assessed by the department, and each board shall sunset
14 concurrently with, but independent of the department. To ensure that the intent
15 of the legislature is met, the department and the health profession licensing
16 boards shall comply with the provisions set forth in this Section.

17 B.(1) Notwithstanding any provision of law to the contrary, effective
18 January 1, 2018, each board shall have a consumer member.

19 (2) The department shall maintain a link on its website with
20 identification of consumer vacancies on boards, information on eligibility
21 criteria to serve as a consumer member of a board, and detailed instructions on
22 how to apply for a board consumer seat. The department shall be the repository
23 of all consumer applications. All consumer applications for board membership
24 received by the department shall be reviewed, and upon determination of
25 eligibility, shall be transmitted to the office of the governor for selection and
26 appointment. All consumer members shall be confirmed by the Senate.

27 C. Notwithstanding any provision of law to the contrary, effective
28 January 1, 2018, all adjudicatory hearing authority shall be transferred to the
29 division of administrative law and shall be conducted in accordance with the

1 Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 49:991 et seq.

2 D. Notwithstanding any provision of law to the contrary, effective
3 January 1, 2018, licensing boards shall conduct investigations in accordance
4 with the following provisions:

5 (1) A board shall consider any signed sworn complaint from any
6 individual concerning a violation within its jurisdiction, or may, by a two-thirds
7 majority vote of its membership, consider any matter which it has reason to
8 believe may be a violation of its practice act. A certified copy of the vote; a
9 detailed explanation of the matter, including the specific factual allegations
10 upon which the board based its decision to commence an investigation; and a
11 copy of any complaint received by the board, from which the name of the
12 person making the complaint has been redacted, shall be sent by certified mail
13 to the accused and the person making the complaint not less than ten days prior
14 to the date set for the commencement of the investigation.

15 (2)(a) When the board orders an investigation, it shall be the staff of the
16 board that conducts the investigation and completes the investigation report. All
17 investigations shall be private and shall be to elicit evidence upon which the
18 board shall determine whether to initiate disciplinary or adverse action or
19 conclude that a violation has not occurred.

20 (b) During the course of an investigation, subpoena duces tecums and
21 subpoenas may be issued by the board to a licensee or witness at the request of
22 the staff of the investigative division of the board. The subpoena duces tecums
23 and subpoenas shall be issued by the executive director of the board upon
24 presentation of a factual basis alleging a nexus between the object of the
25 subpoena duces tecum and evidence of a possible violation of a law under the
26 jurisdiction of the board.

27 (c) All documents, testimony, or other information received by the staff
28 of the board in connection with an investigation shall be privileged and
29 protected from disclosure absent the waiver of said privilege.

1 **(3) If a board does not issue notice of an adverse or disciplinary action**
2 **within one year from the date upon which a sworn complaint is received or, if**
3 **no sworn complaint is received, within one year from the date the board voted**
4 **to commence an investigation, the matter shall be dismissed. The one-year**
5 **period shall be prescriptive.**

6 **(4) After an investigation has been completed, an investigative report**
7 **shall be presented to the board for its consideration and deliberation in**
8 **executive session. In executive session, the board shall receive the presentation**
9 **of the investigative report by the lead investigator, including his**
10 **recommendation, and review all relevant information and documents within the**
11 **board's possession and knowledge and thereafter, take one of the following**
12 **actions:**

13 **(a) Order further investigation. However, further investigation of the**
14 **matter must conclude within the prescriptive period set forth in this Section.**

15 **(b) Proceed with disciplinary action. If the board determines that the**
16 **investigation has established enough evidence to prove by a preponderance of**
17 **the evidence before an administrative law tribunal that a licensee has violated**
18 **a law under its jurisdiction, the board may issue a notice of adverse or**
19 **disciplinary action. If the board votes to issue notice of adverse or disciplinary**
20 **action, it shall generate a notice to the licensee within ten days of the vote that**
21 **shall contain the following:**

22 **(i) A plain, concise, and definite written statement of the essential facts**
23 **constituting the alleged violation.**

24 **(ii) The official citation of the statute or administrative rule which is**
25 **alleged to have been violated.**

26 **(iii) The date of the meeting at which the board voted to take the adverse**
27 **or disciplinary action.**

28 **(iv) The right of the licensee to request an informal reconsideration by**
29 **the board.**

1 (v) The right to enter into a consent decree with the board if both parties
2 can agree on consent terms.

3 (vi) The right to a hearing conducted before an independent third-party
4 adjudicator with the division of administrative law, including informing the
5 licensee that he shall have the right to be represented by an attorney,
6 cross-examine witnesses, call witnesses, and present evidence on his own behalf.

7 (c) Close the file on the matter. If a file is closed, the licensee subject to
8 the investigation and the person who initiated the complaint shall both be
9 notified within ten days of the ruling.

10 (5) Boards shall ensure that their rules, regulations, notices and
11 documentation are updated to comply with the provisions of this Subsection.

12 (6) Each board is responsible for payment of costs associated with
13 utilization of the division of administrative law. Each board shall negotiate a
14 per-appeal cost and enter into a memorandum of understanding with the
15 division of administrative law to comply with the provisions of this Subsection.

16 E. Notwithstanding any provision of law to the contrary, effective
17 January 1, 2018, the department shall review all public complaints regarding
18 the administration of the boards. The department shall maintain a dedicated
19 link on its website that has information on filing complaints against a board.
20 This review shall include complaints about action or inaction of the board and
21 complaints regarding a board member or board staff member by a member of
22 the public, but shall not include individual complaints and investigations of
23 licensees. The board shall fully cooperate with any review conducted by the
24 department. Upon conclusion of review, the department shall notify the
25 complainant, the board, and the governor of its determination. The board does
26 not have to adhere to the opinion of the department, but all complaint reviews
27 shall be considered by the governor in accordance with his appointment and
28 removal authority and shall be considered by the legislature during the sunset
29 hearings established in this Section.

1 **F. Notwithstanding any provision of law to the contrary, and in**
2 **accordance with the authority in R.S. 36:803(A)(3), the department shall:**

3 **(1) Conduct a thorough and ongoing review of all board budgets. The**
4 **department may work in conjunction with the legislative auditor, legislative**
5 **fiscal office, and division of administration to fulfill their budget review**
6 **responsibility. Budget review shall include all information required in R.S.**
7 **39:1331 through 1342, and shall include a five-year fiscal worksheet that**
8 **provides:**

9 **(a) Expenses.**

10 **(b) Income from fees.**

11 **(c) Revenue from income, including revenue from licenses, permits, and**
12 **finances identified separately.**

13 **(d) Amount generated from fines and penalties.**

14 **(e) All board liabilities.**

15 **(f) All restricted funds and explanation of specific restrictions.**

16 **(g) Where all funds reside, including all banks or financial institutions**
17 **if there is more than one.**

18 **(h) Any other information the department deems relevant to comply with**
19 **its duties of budget review.**

20 **(2) Exercise procurement and contract review for the board. The board**
21 **must obtain approval from the undersecretary of the department for any**
22 **contract for legal services. The undersecretary shall only approve a contract**
23 **with outside counsel if the contracted hourly rate is no more than the boards**
24 **in-house counsel or the hourly rate of a state civil service attorney with**
25 **comparable years of experience, whichever is greater. No board shall bifurcate**
26 **the requirements in this Paragraph by paying for legal fees as consulting or**
27 **other charges in its cost reports.**

28 **(3) Review fees collected by the boards and make a written**
29 **recommendation to the legislature on January 1 each year regarding board fees,**

1 including bill proposals to reduce fees to licensees if the balance retained by the
 2 board is in an amount deemed excessive by the undersecretary in total dollar
 3 amount or based on volume of expenditures. The department shall also assess
 4 the boards and make recommendations to the legislature on boards that should
 5 be consolidated or abolished based on national trends and best practices.

6 G. Notwithstanding any provision of law to the contrary, effective July
 7 1, 2018, no board shall issue employee merit increases in any year in which the
 8 department of health does not issue employee merit increases.

9 H. All health profession licensing boards identified in R.S. 36:259(A)
 10 shall terminate, all legal authority therefore shall cease, and the Chapter
 11 establishing the board shall be repealed concurrently with, but independent of
 12 the Louisiana Department of Health in accordance with the schedule set forth
 13 in R.S. 49:191. Each board shall be responsible for securing its own re-creation
 14 and shall not automatically re-create if the department re-creates.

15 I. The full cost to the department for implementing and performing the
 16 responsibilities established for the department in this Section shall be the
 17 responsibility of the department through a reallocation of existing budget and
 18 staff resources and not through additional appropriations. The full cost to the
 19 boards for implementing and performing the responsibilities established for the
 20 boards in this Section shall be the responsibility of the boards through a
 21 reallocation of existing budget and staff resources and not through increases in
 22 licensing or other fees.

23 J. Nothing in this Section provides any board with state-action antitrust
 24 immunity if the board acts in such a manner that the department did not know
 25 or could not have known that the board's anticompetitive action was taking
 26 place or that a board was pursuing private interests in restraining trade.

27 * * *

28 §801.1. Transfer; retention of all functions

29 A. The agencies transferred by the provisions of R.S. 36:4(B)(1)(dd) and (18)

1 and (D), 4.1(C) and (G), 53(H) and (J), 209(R), 259(~~J~~)(**(B)(24)**), 409(N), 509(O),
2 651(D), and 725(A) shall continue to be comprised and selected as provided by law.

3 * * *

4 §802. Transfer; retention of policymaking and rulemaking functions

5 The agencies transferred by the provisions of R.S. 36:209(Q) and (Y),
6 259(~~MM~~)(**(B)(19)**), 309(B), 409(C), 459(B), 610(B), 629(I), and 769(C) shall continue
7 to be composed and selected as provided by law, and each shall continue to exercise
8 all of the powers, duties, functions, and responsibilities provided or authorized for
9 each by the constitution or laws which are in the nature of policymaking,
10 rulemaking, licensing, regulation, enforcement, or adjudication and also shall
11 continue to exercise all advisory powers, duties, functions, and responsibilities
12 provided by law. Such powers, duties, functions, and responsibilities shall be
13 exercised independently of the secretary and any assistant secretary, except that:

14 * * *

15 §803. Transfer; licensing agencies

16 A.(1) Each of the agencies transferred by the provisions of R.S. 36:4.1(D),
17 R.S. 36:209(D), R.S. 36:259(~~E~~)(**(A)**), R.S. 36:309(D), R.S. 36:409(D), and R.S.
18 36:509(C), all of which are charged by law with the responsibility for the regulation,
19 examination, certification, and licensing of persons in this state, and the enforcement
20 of the laws relating thereto, shall continue to be composed and selected as provided
21 by law, and each shall continue to exercise all of the powers, duties, functions, and
22 responsibilities provided or authorized for each by the constitution or laws which are
23 in the nature of policymaking, rulemaking, certification, licensing, regulation,
24 enforcement, or adjudication and also shall continue to exercise all advisory powers,
25 duties, functions, and responsibilities provided by law. **Except that the**
26 **adjudicatory authority previously exercised by the licensing boards in R.S.**
27 **36:259(A) shall now be the exclusive authority of the Division of Administrative**
28 **law pursuant to R.S. 36:260 and R.S. 49:992.**

29 (2) In addition, each of those agencies shall continue to impose, collect, and

1 retain license or certification fees as provided by law; issue and renew certificates
2 for qualified applicants, set standards for and approve the preparation, conduct, and
3 administration of its own examinations, and be responsible, as otherwise provided
4 by law, for carrying out the laws relative to its profession or occupation to the extent
5 that such laws provide for rulemaking, certification, licensing, regulations, testing,
6 inspection, enforcement, and adjudication by the agency. **Except that the**
7 **adjudicatory authority previously exercised by the licensing boards in R.S.**
8 **36:259(A) shall now be the exclusive authority of the Division of Administrative**
9 **Law pursuant to R.S. 36:260 and R.S. 49:992.**

10 (3) Each such agency shall be subject to budget review of the undersecretary
11 and shall be required to comply with all accounting, reporting, audit, and review
12 requirements which are applicable to budget units. The undersecretary of the
13 department to which each such agency is transferred shall, under the supervision and
14 control of the secretary, review procurement and contract management for the
15 agency. In addition, the license fees and any other fees charged by such agencies
16 shall be subject to review by the secretary, and the secretary may make
17 recommendations to the legislature for changes in such fees as he deems necessary.
18 **The licensing boards in R.S. 36:259(A) shall also be subject to the specific**
19 **budget review provisions of R.S. 36:260(F).**

20 (4) The secretary of the department to which each such agency is transferred
21 shall review the number of employees which the agency may employ; however, the
22 executive head of the agency shall employ, appoint, remove, assign, and promote
23 such personnel, in accordance with applicable civil service laws, rules, and
24 regulations and subject to other applicable laws. **The licensing boards in R.S.**
25 **36:259(A) shall also be subject to the specific budget review provisions of R.S.**
26 **36:260(F).**

27 B. Each of the agencies referred to in Subsection A of this Section shall be
28 required to comply with the provisions of the "Louisiana Licensing Agency Budget
29 Act" as contained in R.S. 39:1331 through 1342.

1 Section 2. R.S. 37:753(B), (C)(4) and (J), 832(B)(2), 916(B), 962, 1042, 1104(A),
 2 (B)(1), and (C), 1174(B), 1263(B), (D) and (E), 1515(A)(2) and (3), (C), (D), (E) and (F),
 3 2102(A), 2353(A)(1), (2) and (3), the introductory paragraph of 2403(B), 2455(B)(1) and
 4 (5), 2503(A)(3)(c), 2654(A), (B), (C) and (D), the introductory paragraph of 2704(A),
 5 (A)(5), (B) and (C), 2802(A)(1), (C), (D), (E), (F) and (G), 3061(A)(1)(a), the introductory
 6 paragraph of 3084(B)(1) and (C), the introductory paragraph of 3201(B)(1) and (B)(1)(c)
 7 and (C), the introductory paragraph of 3389(B), 3444(A), (B) and (C), 3463(A), (B) and (E),
 8 3554(A)(1) and (B), 3703(B)(1) are hereby amended and reenacted and R.S. 37:753(C)(5),
 9 2102(C), 2403(B)(6), 2802(H), 3061(A)(1)(d), 3084(B)(1)(e), 3201(B)(1)(e) and (F),
 10 3389(B)(6), and 3554(A)(3)(a) are hereby enacted to read as follows:

11 §753. Louisiana State Board of Dentistry; appointment of members; term of office;
 12 vacancies; nominating meetings; quorum; domicile

13 * * *

14 B. The board shall be composed of ~~such~~ **fifteen members to include one**
 15 **consumer, thirteen** qualified and licensed dentists as provided in Subsection C and
 16 one qualified and licensed dental hygienist.

17 C. Each member of the board shall be appointed by the governor as follows:

18 * * *

19 **(4)(a) One consumer member shall be selected from the state at-large**
 20 **and appointed by the governor. The consumer member of the board shall**
 21 **possess all of the following qualifications:**

22 **(i) Is a citizen of the United States and has been a resident of Louisiana**
 23 **for at least one year immediately prior to appointment.**

24 **(ii) Has attained the age of majority.**

25 **(iii) Shall not have ever been licensed by any of the licensing boards**
 26 **under the authority of the office, nor shall he have a spouse who has ever been**
 27 **licensed by a board under the authority of the office.**

28 **(iv) Has never been convicted of a felony.**

29 **(b) The consumer member shall be a full voting member of the board**

1 with all rights and privileges conferred on board members, except that the
2 consumer member shall not participate in the grading of individual
3 examinations.

4 (5) In the event the governor declares a state of emergency, all nominating
5 procedures may be delayed for a period of not longer than one hundred eighty days
6 from the date the emergency was first declared by the governor.

7 * * *

8 J. Each member of the board shall be actively engaged in the practice of
9 dentistry or the practice of dental hygiene at the time of appointment, except for the
10 consumer member.

11 * * *

12 §832. Louisiana State Board of Embalmers and Funeral Directors; appointments;
13 terms of office

14 * * *

15 B.(1) The board shall include four licensed embalmers and four licensed
16 funeral directors, all of whom shall have been residents of the state of Louisiana for
17 at least five years and all of whom shall have had experience in their respective
18 professions for at least five years. Eight members shall be appointed as follows:

19 * * *

20 (2) (a) The board shall also include one ~~member, appointed by the governor,~~
21 ~~who shall be sixty years of age or over and who shall serve as a representative of the~~
22 ~~elderly consumers of Louisiana. The elderly member shall not be actively engaged~~
23 ~~in nor shall he be retired from the occupation, profession, or industry of funeral~~
24 ~~directors or embalmers. The elderly member shall be a full voting member of the~~
25 ~~board, except that the elderly member shall not participate in the grading of~~
26 ~~individual examinations.~~ consumer member who shall be selected from the state
27 at-large and appointed by the governor, subject to confirmation by the Senate.
28 The consumer member of the board shall possess all of the following
29 qualifications:

1 (i) Is a citizen of the United States and has been a resident of Louisiana
2 for at least one year immediately prior to appointment.

3 (ii) Has attained the age of majority.

4 (iii) Shall not have ever been licensed by any of the licensing boards
5 under the authority of the office, nor shall he have a spouse who has ever been
6 licensed by a board under the authority of the office.

7 (iv) Has never been convicted of a felony.

8 (b) The consumer member shall be a full voting member of the board,
9 except that the consumer member shall not participate in the grading of
10 individual examinations.

11 * * *

12 §916. Qualifications of board members

13 * * *

14 B.(1) Each consumer member of the board shall possess all of the following
15 qualifications:

16 ~~(1)~~ (a) Is a citizen of the United States and has been a resident of Louisiana
17 for at least one year immediately prior to appointment.

18 ~~(2)~~ (b) Has attained the age of majority.

19 ~~(3)~~ (c) ~~Has never engaged in any activity directly related to the practice of~~
20 ~~professional nursing~~ Shall not have ever been licensed by any of the licensing
21 boards under the authority of the office, nor shall he have a spouse who has ever
22 been licensed by a board under the authority of the office.

23 ~~(4)~~ (d) Has never been convicted of a felony.

24 (2) The consumer member shall be a full voting member of the board
25 with all rights and privileges conferred on board members, except that the
26 consumer member shall not participate in the grading of individual
27 examinations.

28 * * *

29 §962. Louisiana State Board of Practical Nurse Examiners; method of appointment

1 A. The Louisiana State Board of Practical Nurse Examiners is hereby created
2 within the Louisiana Department of Health and is subject to the provisions of R.S.
3 36:803. The board shall consist of ~~thirteen~~ **fourteen** members appointed by the
4 governor. Each appointment by the governor shall be submitted to the Senate for
5 confirmation.

6 B. Six members of the board shall be practical nurses, two shall be registered
7 nurses, **one shall be a consumer**, and five shall be licensed physicians.

8 C. The appointment of members of the board shall be made from a list,
9 containing twice the number of eligibles to be appointed, submitted to the governor
10 by the Louisiana State Medical Society where the appointee shall be a licensed
11 physician, by the Louisiana Federation of Licensed Practical Nurses, Inc., for one of
12 the practical nurses, by the Licensed Practical Nurses of Louisiana, Inc., for one of
13 the practical nurses, by the Louisiana Nursing Home Association, for one practical
14 nurse, by the Louisiana Hospital Association, for one practical nurse, or by the
15 Louisiana State Nurses Association where the appointee shall be a registered nurse,
16 **and the consumer member shall be selected from the state at-large.**

17 **D.(1) The consumer member shall be selected from the state at-large and**
18 **appointed by the governor, subject to confirmation by the Senate. The**
19 **consumer member of the board shall possess all of the following qualifications:**

20 **(a) Is a citizen of the United States and has been a resident of Louisiana**
21 **for at least one year immediately prior to appointment.**

22 **(b) Has attained the age of majority.**

23 **(c) Shall not have ever been licensed by any of the licensing boards under**
24 **the authority of the office, nor shall he have a spouse who has ever been licensed**
25 **by a board under the authority of the office.**

26 **(d) Has never been convicted of a felony.**

27 **(2) The consumer member shall be a full voting member of the board**
28 **with all rights and privileges conferred on board members, except that the**
29 **consumer member shall not participate in the grading of individual**

1 examinations.

2 * * *

3 §1042. Louisiana State Board of Optometry Examiners; appointment; terms of
4 members; protected action and communication

5 A. The Louisiana State Board of Optometry Examiners is created within the
6 Louisiana Department of Health and is subject to the provisions of R.S. 36:803. This
7 board shall consist of five members who shall be licensed optometrists and shall
8 have practiced optometry in this state for seven years **and one consumer member.**

9 B. Each **licensed optometrist** member of the board shall be appointed by the
10 governor from a list of three names submitted to him by the board. For the purpose
11 of preparing the list of three names, the board shall conduct an annual meeting on a
12 date in June set by the board annually, at which all optometrists licensed under the
13 laws of Louisiana shall have the right to attend, nominate and vote. The board shall
14 have the authority to regulate and prescribe the place and hour of the meeting, the
15 method of nomination, and the manner of voting. Each optometrist in attendance
16 shall have the right to vote for those persons duly nominated and no cumulative or
17 proxy voting shall be permitted. Each optometrist voting must vote for three
18 nominees in order for his ballot to be valid, and any ballot indicating votes for more
19 or less than three nominees shall be null and void. The three persons receiving the
20 greatest number of votes of those in attendance at the meeting shall be the three
21 persons whose names shall be submitted to the governor for appointment to the
22 board. At least thirty days prior to the meeting the board shall mail notices to each
23 optometrist licensed under the laws of Louisiana at the address shown in his current
24 registration notifying each optometrist of the exact date, place and hour of the
25 meeting, the purpose of the meeting and of his right to attend and vote.

26 **C.(1) The consumer member shall be selected from the state at-large and**
27 **appointed by the governor, subject to confirmation by the Senate. The**
28 **consumer member of the board shall possess all of the following qualifications:**

29 **(a) Is a citizen of the United States and has been a resident of Louisiana**

1 for at least one year immediately prior to appointment.

2 (b) Has attained the age of majority.

3 (c) Shall not have ever been licensed by any of the licensing boards under
4 the authority of the office, nor shall he have a spouse who has ever been licensed
5 by a board under the authority of the office.

6 (d) Has never been convicted of a felony.

7 (2) The consumer member shall be a full voting member of the board
8 with all rights and privileges conferred on board members, except that the
9 consumer member shall not participate in the grading of individual
10 examinations.

11 ~~C.D.~~ The term of each member shall be five years, but vacancies occurring
12 during the term of a member shall be filled for the unexpired term by an optometrist
13 possessing the qualifications for board membership, nominated by the remaining
14 members of the board and appointed by the governor from that nomination.

15 ~~D.E.~~ There shall be no liability on the part of and no action for damages
16 against **any of the following:**

17 (1) Any member of the board, or its agents or employees, for any action
18 undertaken or performed by such person within the scope of the duties, powers, and
19 functions of the board or such examining committee as provided for in this Chapter
20 when such person is acting without malice and in the reasonable belief that the action
21 taken by him is warranted; ~~or.~~

22 (2) Any person providing information to the board, its agents or employees,
23 whether a witness, or otherwise, unless such information is false and the person
24 providing it knew that such information was false.

25 ~~E.F.~~ In any suit brought against the board, its employees or agents, or any
26 person or entity providing information to the board, when the defendant substantially
27 prevails in such suit, the court shall, at the conclusion of the action, award to the
28 defendant and assess against the claimant the cost of defending the suit attributable
29 to such claim, including reasonable attorney fees, if the claim, or the claimant's

1 conduct during the litigation of the claim, was either frivolous, unreasonable, without
2 foundation, or in bad faith. For the purpose of this Subsection, a defendant shall not
3 be considered to have substantially prevailed when the claimant obtains an award for
4 damages or permanent injunctive or declaratory relief.

5 * * *

6 §1104. Louisiana Licensed Professional Counselors Board of Examiners

7 A. There is hereby created in the Louisiana Department of Health the
8 Louisiana Licensed Professional Counselors Board of Examiners, hereafter referred
9 to as the "board", consisting of eleven members who shall be residents of the state
10 of Louisiana. Each term shall be for four years. Seven appointments to the board;
11 ~~including one individual from the public at large~~, shall be made by the governor from
12 a list of qualified candidates submitted by the executive board of the Louisiana
13 Counseling Association. Four appointments to the board shall be made by the
14 governor from a list of qualified candidates submitted by the executive board of the
15 Louisiana Association for Marriage and Family Therapy. **One consumer member**
16 **of the board shall be selected from the state at-large.** Each appointment by the
17 governor shall be submitted to the Senate for confirmation.

18 B.(1)(a) The membership of the board shall consist of three licensed
19 professional counselors, three educators who are licensed professional counselors
20 and whose function is the training of mental health counselors in accredited
21 programs, four licensed marriage and family therapists, and one ~~individual~~
22 **consumer** from the public ~~at large~~ **at-large**. The professional membership of the
23 board shall be licensed under this Chapter. The board shall perform such duties and
24 exercise such powers as this Chapter prescribes and confers upon it. No member of
25 the board shall be liable in any civil action for any act performed in good faith in the
26 execution of his duties under this Chapter.

27 **(b)(i) The consumer member shall be appointed from the state at-large**
28 **and appointed by the governor, subject to confirmation by the Senate. The**
29 **consumer member of the board shall possess all of the following qualifications:**

1 (aa) Is a citizen of the United States and has been a resident of Louisiana
2 for at least one year immediately prior to appointment.

3 (bb) Has attained the age of majority.

4 (cc) Shall not have ever been licensed by any of the licensing boards
5 under the authority of the office, nor shall he have a spouse who has ever been
6 licensed by a board under the authority of the office.

7 (dd) Has never been convicted of a felony.

8 (ii) The consumer member shall be a full voting member of the board
9 with all rights and privileges conferred on board members, except that the
10 consumer member shall not participate in the grading of individual
11 examinations.

12 * * *

13 C. No board member shall serve more than two full consecutive terms. Any
14 board member may be removed by the governor or majority vote of the board, after
15 notice and hearing, for incompetence, neglect of duty, malfeasance in office, or
16 moral turpitude. Any vacancy occurring in board membership for the three licensed
17 professional counselors; or three counselor educators; ~~or one member of the public~~
18 ~~at large~~, other than by expiration of term, shall be appointed for the remainder of the
19 unexpired term by the governor within thirty days from a list of qualified candidates
20 supplied by the executive board of the Louisiana Counseling Association. Any
21 vacancy occurring in board membership for the four licensed marriage and family
22 therapists, other than by expiration of term, shall be appointed for the remainder of
23 the unexpired term by the governor within thirty days from a list of qualified
24 candidates supplied by the executive board of the Louisiana Association for
25 Marriage and Family Therapy. Any consumer vacancy, other than by expiration
26 of term, shall be appointed for the remainder of the unexpired term by the
27 governor within thirty days from a list of qualified candidates supplied by the
28 Louisiana Department of Health after posting such vacancy pursuant to R.S.
29 36:260.

* * *

§1174. Qualifications

* * *

B.(1) The consumer member of the board shall be selected from the state at-large and appointed by the governor, subject to confirmation by the Senate a resident of this state who has attained the age of majority and shall not have nor shall ever have had material financial interest in the providing of pharmacy services or who has engaged in any activity directly related to the practice of pharmacy. The consumer representative shall not have been convicted of a felony. The consumer member of the board shall possess all of the following qualifications:

(a) Is a citizen of the United States and has been a resident of Louisiana for at least one year immediately prior to appointment.

(b) Has attained the age of majority.

(c) Shall not have ever been licensed by any of the licensing boards under the authority of the office, nor shall he have a spouse who has ever been licensed by a board under the authority of the office.

(d) Has never been convicted of a felony.

(2) The consumer member shall be a full voting member of the board with all rights and privileges conferred on board members, except that the consumer member shall not participate in the grading of individual examinations.

* * *

§1263. Louisiana State Board of Medical Examiners; membership; qualifications; appointment; removal; terms

* * *

B. Beginning on January 1, ~~2017~~ **2018**, the board shall consist of ~~seven~~ **eight** voting members, all appointed by the governor and subject to Senate confirmation as follows:

(1) Two members from a list of names submitted by the Louisiana State

1 Medical Society. One of the members so appointed shall practice in a parish or
2 municipality with a population of less than twenty thousand people.

3 (2) One member from a list of names submitted by the Louisiana State
4 University Health Sciences Center at New Orleans and the Louisiana State
5 University Health Sciences Center at Shreveport.

6 (3) One member from a list of names submitted by the Tulane Medical
7 School.

8 (4) Two members from a list **of names** submitted by the Louisiana Medical
9 Association.

10 (5) One member from a list of names submitted by the Louisiana Academy
11 of Family Practice Physicians.

12 **(6) One consumer member selected from the state at-large and appointed**
13 **by the governor, subject to confirmation by the Senate.**

14 * * *

15 **D.(1) The consumer member of the board shall possess all of the**
16 **following qualifications:**

17 **(a) Is a citizen of the United States and has been a resident of Louisiana**
18 **for at least one year immediately prior to appointment.**

19 **(b) Has attained the age of majority.**

20 **(c) Shall not have ever been licensed by any of the licensing boards under**
21 **the authority of the office, nor shall he have a spouse who has ever been licensed**
22 **by a board under the authority of the office.**

23 **(d) Has never been convicted of a felony.**

24 **(2) The consumer member shall be a full voting member of the board**
25 **with all rights and privileges conferred on board members, except that the**
26 **consumer member shall not participate in the grading of individual**
27 **examinations.**

28 ~~D.~~ **E.** (1) The governor shall appoint the members of the board in accordance
29 with other provisions of this Section and the state constitution.

* * *

F. ~~Except as provided in Subsection D of this Section, members of the board shall be appointed for a term of four years, beginning on July first of the year in which the appointment is made.~~

* * *

§1515. Board of Veterinary Medicine; terms; compensation; removal

A. * * *

* * *

(2) The board shall be composed of ~~five~~ six members appointed by the governor, each appointed for a term of five years or until his successor is appointed, except that, as provided by rule, the terms of the initial and subsequent members shall be staggered terms of five years. Terms shall begin on August first and terminate on July thirtieth of the fifth year of the term. Should the signing of an appointment by the governor be delayed for any reason, the term itself shall not be changed but shall begin on August first and end on July thirtieth. The outgoing member shall remain on the board until such time as the incoming member's appointment has been effected.

(3) Whenever a vacancy occurs under this Section, except for the consumer member, the State Veterinary Medical Association shall nominate three or more qualified persons for each vacancy and forward the nominations to the governor at least thirty days before the date set for the appointment. The governor shall appoint one of the persons so nominated to fill the vacancy. Vacancies due to death, resignation, or removal shall be filled for the remainder of the unexpired term in the same manner as regular appointments. Any consumer vacancy, other than by expiration of term, shall be appointed for the remainder of the unexpired term by the governor within thirty days from a list of qualified candidates supplied by the Louisiana Department of Health after posting such vacancy pursuant to R.S. 36:260.

* * *

1 **C. (1) The consumer member of the board shall be appointed by the**
2 **governor, subject to confirmation by the Senate and shall possess all of the**
3 **following qualifications:**

4 **(a) Is a citizen of the United States and has been a resident of Louisiana**
5 **for at least one year immediately prior to appointment.**

6 **(b) Has attained the age of majority.**

7 **(c) Shall not have ever been licensed by any of the licensing boards under**
8 **the authority of the office, nor shall he have a spouse who has ever been licensed**
9 **by a board under the authority of the office.**

10 **(d) Has never been convicted of a felony.**

11 **(2) The consumer member shall be a full voting member of the board**
12 **with all rights and privileges conferred on board members, except that the**
13 **consumer member shall not participate in the grading of individual**
14 **examinations.**

15 ~~C.D.~~ Each member of the board shall be paid seventy-five dollars per day for
16 each day or substantial portion thereof while he is engaged in the work of the board,
17 and may be reimbursed for actual and reasonable expenses approved by the board
18 in connection therewith, the provisions of R.S. 39:231 notwithstanding.

19 ~~D.E.~~ Any member of the board may be removed by the governor after a
20 hearing by the board to determine the cause for removal.

21 ~~E.F.~~ The board shall meet at least once each year at the time and place fixed
22 by rule of the board. Other necessary meetings may be called by the president of the
23 board by giving notice as may be required by rule. Except as may otherwise be
24 provided, a majority of the board constitutes a quorum. Meetings shall be open to
25 the public, except that the board may meet in closed session to prepare, approve,
26 administer or grade examinations, or to deliberate the qualification of an applicant
27 for license or the disposition of a proceeding to discipline a licensed veterinarian.

28 * * *

29

1 §2102. Board of Examiners; creation; domicile; membership; terms of office

2 A. The Louisiana State Board of Examiners for Sanitarians is hereby created
3 within the Louisiana Department of Health and is subject to the provisions of R.S.
4 36:803. Its domicile shall be in the city of New Orleans, Louisiana. The board shall
5 consist of ~~seven~~ eight members, three of whom shall be respectively the dean of the
6 College of Arts and Sciences of Louisiana State University and Agricultural and
7 Mechanical College; the dean of the College of Arts and Sciences of Tulane
8 University of Louisiana; ~~and~~ the assistant secretary, office of public health of the
9 Louisiana Department of Health, one consumer member; and four of whom shall
10 be duly recognized practicing sanitarians appointed by the governor.

11 * * *

12 C. (1) The consumer member shall be selected from the state at-large and
13 appointed by the governor, subject to confirmation by the Senate. The
14 consumer member of the board shall possess all of the following qualifications:

15 (a) Is a citizen of the United States and has been a resident of Louisiana
16 for at least one year immediately prior to appointment.

17 (b) Has attained the age of majority.

18 (c) Shall not have ever been licensed by any of the licensing boards under
19 the authority of the office, nor shall he have a spouse who has ever been licensed
20 by a board under the authority of the office.

21 (d) Has never been convicted of a felony.

22 (2) The consumer member shall be a full voting member of the board
23 with all rights and privileges conferred on board members, except that the
24 consumer member shall not participate in the grading of individual
25 examinations.

26 * * *

27 §2353. State board of examiners; organization; duties; meetings; fees

28 A.(1) There is hereby created within the Louisiana Department of Health a
29 Louisiana State Board of Examiners of Psychologists which shall be subject to the

1 provisions of R.S. 36:803. The board shall consist of ~~five~~ six members to be
2 comprised of five psychologists and one consumer who are citizens of the United
3 States, residents of the state of Louisiana, and appointed by the governor.

4 (2) Upon expiration of the three-year terms of the members in office on
5 September 1, 1987, and except for the transition set forth below, the governor shall
6 appoint members for terms of five years. For the two vacancies occurring July 1,
7 1988, one member shall be appointed for a three-year term and one member for a
8 four-year term; for the vacancy occurring July 1, 1989, the member shall be
9 appointed for a four-year term; and for the two vacancies occurring July 1, 1990, one
10 member shall be appointed for a four-year term and one member for a five-year term.
11 A board member shall not be eligible to succeed himself. All psychologist
12 appointments shall be from a list provided by the Louisiana Psychological
13 Association. The list shall report the results of an election in which persons qualified
14 for board membership may nominate themselves and in which licensed members of
15 the Louisiana Psychological Association and other persons licensed under this
16 Chapter are entitled to one vote for each vacancy on the board.

17 (3)(a) Each psychologist board member shall have rendered service,
18 teaching, training, or research in psychology for at least five years, shall have held
19 a doctoral degree in psychology from a school or college as defined in this Chapter
20 for a period of five years, and shall be licensed under this Chapter for a minimum of
21 five years.

22 (b)(i) The consumer member shall be selected from the state at-large and
23 appointed by the governor, subject to confirmation by the Senate. The
24 consumer member of the board shall possess all of the following qualifications:

25 (aa) Is a citizen of the United States and has been a resident of Louisiana
26 for at least one year immediately prior to appointment.

27 (bb) Has attained the age of majority.

28 (cc) Shall not have ever been licensed by any of the licensing boards
29 under the authority of the office, nor shall he have a spouse who has ever been

1 licensed by a board under the authority of the office.

2 (dd) Has never been convicted of a felony.

3 (c) The consumer member shall be a full voting member of the board
4 with all rights and privileges conferred on board members, except that the
5 consumer member shall not participate in the grading of individual
6 examinations.

7 * * *

8 §2403. Physical therapy board; composition

9 * * *

10 B. The board shall consist of ~~seven~~ **eight** members who shall be appointed
11 by the governor as follows:

12 * * *

13 (6)(a) One consumer member who shall be selected from the state
14 at-large and appointed by the governor, subject to confirmation by the Senate.
15 The consumer member of the board shall possess all of the following
16 qualifications:

17 (i) Is a citizen of the United States and has been a resident of Louisiana
18 for at least one year immediately prior to appointment.

19 (ii) Has attained the age of majority.

20 (iii) Shall not have ever been licensed by any of the licensing boards
21 under the authority of the office, nor shall he have a spouse who has ever been
22 licensed by a board under the authority of the office.

23 (iv) Has never been convicted of a felony.

24 (b) The consumer member shall be a full voting member of the board
25 with all rights and privileges conferred on board members, except that the
26 consumer member shall not participate in the grading of individual
27 examinations.

28 * * *

29 §2455. Louisiana Board for Hearing Aid Dealers; composition; districts

* * *

B.(1) The board shall be composed of nine members. Seven members shall be hearing aid dealers, the eighth shall be the state health officer or his representative, and the ninth member shall be ~~sixty years of age or over~~ **a consumer** and shall serve as a representative of the ~~elderly~~ consumers of Louisiana. The seven hearing aid dealers shall be appointed in the following manner. The Louisiana Society of Hearing Aid Specialists, chartered by the state, shall submit to the governor names of not less than fourteen qualified hearing aid dealers, who shall be actively engaged in the selling and fitting of hearing aids.

* * *

~~(5)(a) The elderly representative shall be appointed by the governor and the appointment shall be subject to Senate confirmation. The elderly representative shall serve at the pleasure of the governor and any vacancy shall be filled by a gubernatorial appointment. The elderly representative shall not be actively engaged in or retired from the occupation, profession, or industry of hearing aids. The elderly member shall be a full voting member of the board, except that the elderly representative shall not participate in the grading of individual examinations. **The consumer member shall be selected from the state at-large and appointed by the governor, subject to confirmation by the Senate. The consumer member of the board shall possess all of the following qualifications:**~~

(i) Is a citizen of the United States and has been a resident of Louisiana for at least one year immediately prior to appointment.

(ii) Has attained the age of majority.

(iii) Shall not have ever been licensed by any of the licensing boards under the authority of the office, nor shall he have a spouse who has ever been licensed by a board under the authority of the office.

(iv) Has never been convicted of a felony.

(b) The consumer member shall be a full voting member of the board, except that the consumer member shall not participate in the grading of

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

individual examinations.

* * *

§2503. Board of Examiners for Nursing Facility Administrators

A.(1)

* * *

(3)(a)

* * *

(c) One member shall be ~~sixty years of age or older and shall serve as a representative of the elderly consumers of Louisiana. The elderly member shall not be actively engaged in nursing facility administration~~ **a consumer member who shall be selected from the state at-large and appointed by the governor, subject to confirmation by the Senate. The consumer member of the board shall possess all of the following qualifications:**

(i)(aa) Is a citizen of the United States and has been a resident of Louisiana for at least one year immediately prior to appointment.

(bb) Has attained the age of majority.

(cc) Shall not have ever been licensed by any of the licensing boards under the authority of the office, nor shall he have a spouse who has ever been licensed by a board under the authority of the office.

(dd) Has never been convicted of a felony.

(ii) The consumer member shall be a full voting member of the board with all rights and privileges conferred on board members, except that the consumer member shall not participate in the grading of individual examinations.

* * *

§2654. Board of examiners; creation; membership; appointment; terms; chair; quorum

A. The Louisiana Board of Examiners for Speech-Language Pathology and Audiology is hereby created within the Louisiana Department of Health and is

1 subject to the provisions of R.S. 36:803. The board shall consist of seven persons
 2 who are residents of this state, and who, except for the public and physician member,
 3 have been engaged in providing service, or in teaching, or research in speech-
 4 language pathology or audiology for at least five years prior to appointment and who
 5 are licensed speech-language pathologists or audiologists under this Chapter. At
 6 least two of the members shall be practicing audiologists, one of whom shall be a
 7 dispensing audiologist, at least two shall be practicing speech-language pathologists,
 8 one of whom shall be currently certified by the State Board of Elementary and
 9 Secondary Education as a specialist of speech-language pathology and currently
 10 employed in a school setting, one shall be either a practicing speech-language
 11 pathologist or a practicing audiologist, one shall be a physician licensed to practice
 12 medicine by the Louisiana State Board of Medical Examiners who shall serve in an
 13 advisory capacity only and shall not be a voting member of the board, and one shall
 14 be a public consumer member **selected from the state at-large and appointed by**
 15 **the governor, subject to confirmation by the Senate.**

16 ~~(1) No public member shall:~~

17 ~~(a) Have ever actively engaged in the practice of speech-language pathology~~
 18 ~~or audiology.~~

19 ~~(b) Be employed by, own, or participate in the management of an agency or~~
 20 ~~business entity that sells, manufactures, or distributes health care supplies or~~
 21 ~~equipment or provides health care services.~~

22 ~~(c) Be an elected official.~~

23 ~~(2) The public member shall be an individual or a family member/spouse of~~
 24 ~~an individual who is deaf, hard of hearing or speech impaired or a member of an~~
 25 ~~advocacy group committed to the advancement of the well-being of the deaf, hard~~
 26 ~~of hearing or speech impaired.~~

27 **(1)(a) The consumer member of the board shall possess all of the**
 28 **following qualifications:**

29 **(b) Is a citizen of the United States and has been a resident of Louisiana**

1 for at least one year immediately prior to appointment.

2 (c) Has attained the age of majority.

3 (d) Shall not have ever been licensed by any of the licensing boards under
4 the authority of the office, nor shall he have a spouse who has ever been licensed
5 by a board under the authority of the office.

6 (e) Has never been convicted of a felony.

7 (f) Shall not be employed by, own, or participate in the management of
8 an agency or business entity that sells, manufactures, or distributes health care
9 supplies or equipment or provides health care services.

10 (2) The consumer member shall be a full voting member of the board
11 with all rights and privileges conferred on board members, except that the
12 consumer member shall not participate in the grading of individual
13 examinations.

14 B. Members of the board shall be appointed by the governor for terms of
15 three years each or until their successors have been appointed and take office. ~~The~~
16 ~~public member shall be appointed to the board on or before August 15, 1995.~~

17 C.(1) Appointment to the board shall be made without regard to race, creed,
18 sex, religion, or national origin of the appointee. The Louisiana Speech-Language-
19 Hearing Association, shall within not less than thirty days prior to the expiration of
20 each term of office, submit to the governor a list of at least three names for each
21 respective professional service category of board member, except the physician
22 member and the ~~public~~ **consumer** member, selected by all licensed speech-language
23 pathologists and audiologists in this state, from which the governor shall make his
24 appointment to fill the office for the next succeeding term.

25 (2) The Louisiana State Medical Society shall, within not less than thirty days
26 prior to the expiration of the term of office of the physician member of the board
27 submit to the governor a list of at least three names of physicians from which the
28 governor shall make the appointment of the physician member of the board for the
29 next succeeding term. ~~The Louisiana Speech-Language-Hearing Association shall,~~

1 ~~within not less than thirty days prior to the expiration of the term of office of the~~
 2 ~~public member, submit to the governor a list of three names selected by all licensed~~
 3 ~~speech-language pathologists and audiologists in this state from which the governor~~
 4 ~~shall make his appointment to fill the office for the next succeeding term. The three~~
 5 ~~names shall be selected from those nominees submitted by any individual or~~
 6 ~~advocacy group which meets the qualifications and requirements listed under~~
 7 ~~Paragraph A(2) of this Section.~~

8 D. Any vacancy on the board occurring for any cause except the expiration
 9 of the term, shall be filled by the governor for the unexpired portion of the term from
 10 a list of names submitted by the board or the Louisiana Medical Society for a
 11 physician vacancy on the board ~~or for the public member from names submitted to~~
 12 ~~the board by an individual or advocacy group which meets the qualifications and~~
 13 ~~requirements of Paragraph A(2) of this Section.~~ **Any consumer vacancy, other than**
 14 **by expiration of term, shall be appointed for the remainder of the unexpired**
 15 **term by the governor within thirty days from a list of qualified candidates**
 16 **supplied by the Louisiana Department of Health after posting such vacancy**
 17 **pursuant to R.S. 36:260.**

18 * * *

19 §2704. Board of Social Work Examiners

20 A. There is hereby created a Louisiana State Board of Social Work
 21 Examiners within the Louisiana Department of Health. The board shall be subject
 22 to the provisions of R.S. 36:803. It shall consist of seven members who are citizens
 23 of the United States and residents of the state of Louisiana. The members shall be
 24 appointed by the governor, subject to Senate confirmation. All **social worker**
 25 appointees shall be selected from one list compiled by all statewide social work
 26 membership organizations that have written bylaws and meet all state and federal
 27 laws, and the Louisiana Chapter of the National Association of Social Workers shall
 28 be responsible for the coordination of this process. **The consumer member shall be**
 29 **selected from the state at-large and appointed by the governor, subject to**

1 confirmation by the Senate. All appointees shall serve no more than two
2 consecutive full terms. The completion of an unexpired portion of a full term shall
3 not constitute a full term for purposes of this Section. The board shall consist of the
4 following members:

5 * * *

6 (5) One ~~public~~ consumer member.

7 B. Each board member, with the exception of the ~~public~~ consumer member,
8 shall be a person who holds a current, valid license or registration issued pursuant
9 to this Chapter. At all times the board shall consist of at least three members who are
10 engaged primarily in rendering direct services in social work and at least one
11 member who is engaged primarily in social work education or a practice specialty
12 other than clinical.

13 ~~C. No public member shall be currently an elected official, and no member
14 shall be or have been any of the following:~~

15 ~~(1) Actively engaged in the practice of social work or be the spouse of a
16 social worker.~~

17 ~~(2) Engaged in the practice of psychology, psychiatry, or a member of a
18 mental health profession, or the spouse of a member of a mental health profession.~~

19 ~~(3) Employed or own an agency or business entity that provides social,
20 health, or mental health care or substance abuse services.~~

21 C. (1) The consumer member of the board shall possess all of the
22 following qualifications:

23 (a) Is a citizen of the United States and has been a resident of Louisiana
24 for at least one year immediately prior to appointment.

25 (b) Has attained the age of majority.

26 (c) Shall not have ever been licensed by any of the licensing boards under
27 the authority of the office, nor shall he have a spouse who has ever been licensed
28 by a board under the authority of the office.

29 (d) Has never been convicted of a felony.

1 (e) Shall not be employed by or own an agency or business entity that
2 provides social, health, or mental health care or substance abuse services.

3 (f) Shall not be an elected official.

4 (2) The consumer member shall be a full voting member of the board
5 with all rights and privileges conferred on board members, except that the
6 consumer member shall not participate in the grading of individual
7 examinations.

8 * * *

9 §2802. Board of chiropractic examiners

10 A.(1) The Louisiana Board of Chiropractic Examiners is hereby created
11 within the Louisiana Department of Health and is subject to the provisions of R.S.
12 36:803. The board shall be composed of ~~seven~~ **eight** members who shall be
13 appointed by the governor. ~~All seven~~ **Seven** members shall be chiropractors licensed
14 under the provisions of this Chapter, who have been continuously engaged in the
15 practice of chiropractic in this state for at least five years; ~~however, the initial~~
16 ~~members required to be chiropractors shall be persons who are eligible to be licensed~~
17 ~~under the provisions of this Chapter.~~ **One member shall be a consumer selected**
18 **from the state at-large and appointed by the governor, subject to confirmation**
19 **by the Senate.**

20 * * *

21 C.(1) The consumer member of the board shall possess all of the
22 following qualifications:

23 (a) Is a citizen of the United States and has been a resident of Louisiana
24 for at least one year immediately prior to appointment.

25 (b) Has attained the age of majority.

26 (c) Shall not have ever been licensed by any of the licensing boards under
27 the authority of the office, nor shall he have a spouse who has ever been licensed
28 by a board under the authority of the office.

29 (d) Has never been convicted of a felony.

1 **(2) The consumer member shall be a full voting member of the board**
 2 **with all rights and privileges conferred on board members, except that the**
 3 **consumer member shall not participate in the grading of individual**
 4 **examinations.**

5 ~~Ⓒ~~ **D.** Any vacancy occurring in the membership of the board, except by
 6 expiration of the term, shall be filled for the unexpired term in the manner provided
 7 in Subsection A of this section. **Any consumer vacancy, other than by expiration**
 8 **of term, shall be appointed for the remainder of the unexpired term by the**
 9 **governor within thirty days from a list of qualified candidates supplied by the**
 10 **Louisiana Department of Health after posting such vacancy pursuant to R.S.**
 11 **36:260.**

12 ~~Ⓓ~~ **E.** The governor may remove any member for misconduct, incompetence
 13 or neglect of duty, after he has given the member a written statement of the charges
 14 against him and has afforded him an opportunity to be heard.

15 ~~Ⓔ~~ **F.** The governor shall issue each member a certificate of appointment.
 16 Within thirty days after the date of his appointment and before commencing the
 17 discharge of his duties, each member shall subscribe to the oath for public officials,
 18 which shall be deposited with the secretary of state as provided by law.

19 ~~Ⓕ~~ **G.** Each member of the board shall receive compensation fixed by the
 20 board at not more than fifty dollars per day for each day in attendance upon its
 21 sessions. Each member of the board shall be reimbursed for his actual travel, clerical
 22 and incidental expenses necessarily incurred while engaged in the discharge of his
 23 official duties. Such compensation and expenses shall be paid out of the moneys
 24 credited to the board as provided by R.S. 37:2809(B).

25 ~~Ⓖ~~ **H.** A board member's seat shall be recognized as vacant after the member
 26 is absent from three consecutive official board meetings without reason if
 27 recommended to the governor by a vote of two-thirds of the members of the board
 28 to consider the removal of such absent board member from the board.

29 * * *

1 §3061. Board of Electrolysis Examiners

2 A.(1)(a) The State Board of Electrolysis Examiners shall be composed of ~~five~~
3 six members, all to be appointed by the governor to serve at his pleasure.

4 * * *

5 (d)(i) One member shall be a consumer selected from the state at-large
6 and appointed by the governor, subject to confirmation by the Senate. The
7 consumer member of the board shall possess all of the following qualifications:

8 (aa) Is a citizen of the United States and has been a resident of Louisiana
9 for at least one year immediately prior to appointment.

10 (bb) Has attained the age of majority.

11 (cc) Shall not have ever been licensed by any of the licensing boards
12 under the authority of the office, nor shall he have a spouse who has ever been
13 licensed by a board under the authority of the office.

14 (dd) Has never been convicted of a felony.

15 (ii) The consumer member shall be a full voting member of the board
16 with all rights and privileges conferred on board members, except that the
17 consumer member shall not participate in the grading of individual
18 examinations.

19 * * *

20 §3084. Louisiana State Board of Examiners in Dietetics and Nutrition; membership,
21 terms, and vacancies; officers; meetings; quorum; compensation

22 * * *

23 B.(1) The board shall be composed of the following ~~seven~~ eight members,
24 all appointed by the governor and subject to Senate confirmation:

25 * * *

26 (e) One shall be a consumer selected from the state at-large and
27 appointed by the governor, subject to confirmation by the Senate.

28 * * *

29 C. (1) Board members, except for the consumer board member, shall be

1 residents of the state who have been actively practicing in the field of
2 dietetics/nutrition or a related field for not less than five years. Board members shall
3 have an unrestricted license to practice their respective professions, where
4 applicable. The registered dietitians/nutritionists initially appointed to the board must
5 be eligible for licensure pursuant to the provisions of this Chapter; thereafter,
6 dietitians/nutritionists appointed to the board must be licensed pursuant to the
7 provisions of this Chapter.

8 **(2)(a) The consumer member of the board shall possess all of the**
9 **following qualifications:**

10 **(i) Is a citizen of the United States and has been a resident of Louisiana**
11 **for at least one year immediately prior to appointment.**

12 **(ii) Has attained the age of majority.**

13 **(iii) Shall not have ever been licensed by any of the licensing boards**
14 **under the authority of the office, nor shall he have a spouse who has ever been**
15 **licensed by a board under the authority of the office.**

16 **(iv) Has never been convicted of a felony.**

17 **(b) The consumer member shall be a full voting member of the board**
18 **with all rights and privileges conferred on board members, except that the**
19 **consumer member shall not participate in the grading of individual**
20 **examinations.**

21 * * *

22 §3201. Radiologic Technology Board of Examiners; method of appointment;
23 qualifications of members

24 * * *

25 B.(1) The board shall consist of ~~eleven~~ **twelve** members appointed by the
26 governor of whom:

27 * * *

28 (c) Three shall be radiologists selected from a list of nine names submitted
29 by the Louisiana State Medical Society; ~~and~~.

* * *

(e) One shall be a consumer selected from the state at-large and appointed by the governor, subject to confirmation by the Senate.

* * *

C. Board members, other than the consumer, shall be residents of the state who have been actively practicing in their fields for not less than five years.

* * *

F.(1)The consumer member of the board shall possess all of the following qualifications:

(a) Is a citizen of the United States and has been a resident of Louisiana for at least one year immediately prior to appointment.

(b) Has attained the age of majority.

(c) Shall not have ever been licensed by any of the licensing boards under the authority of the office, nor shall he have a spouse who has ever been licensed by a board under the authority of the office.

(d) Has never been convicted of a felony.

(2) The consumer member shall be a full voting member of the board with all rights and privileges conferred on board members, except that the consumer member shall not participate in the grading of individual examinations.

* * *

§3389. Transition; Addictive Disorder Regulatory Authority

* * *

B. The Addictive Disorder Regulatory Authority (ADRA) is hereby created within the Louisiana Department of Health. The ADRA shall be governed by a board of directors, hereinafter referred to as the "board", consisting of ~~seven~~ eight voting members and one nonvoting member, all of whom shall be appointed by the governor, subject to Senate confirmation, as follows:

* * *

1 (6)(a) One consumer who shall be selected from the state at-large and
2 appointed by the governor, subject to confirmation by the Senate. The
3 consumer member of the board shall possess all of the following qualifications:

4 (i) Is a citizen of the United States and has been a resident of Louisiana
5 for at least one year immediately prior to appointment.

6 (ii) Has attained the age of majority.

7 (iii) Shall not have ever been licensed by any of the licensing boards
8 under the authority of the office, nor shall he have a spouse who has ever been
9 licensed by a board under the authority of the office.

10 (iv) Has never been convicted of a felony.

11 (b) The consumer member shall be a full voting member of the board
12 with all rights and privileges conferred on board members, except that the
13 consumer member shall not participate in the grading of individual
14 examinations.

15 * * *

16 §3444. Louisiana Licensed Professional Vocational Rehabilitation Counselors Board
17 of Examiners

18 A. There is hereby created in the Louisiana Department of Health the
19 Louisiana Licensed Professional Vocational Rehabilitation Counselors Board of
20 Examiners, hereafter referred to as the "board", consisting of five members, who
21 shall be residents of the state of Louisiana. The members shall be appointed by the
22 governor from a list of qualified candidates supplied by the Louisiana Association
23 of Rehabilitation Professionals, ~~as specified in this Section within sixty days after~~
24 ~~July 14, 1988~~ to serve the following terms: one member for a term of two years, two
25 members for terms of three years, and two members for terms of four years.
26 Thereafter, each term shall be for four years. Each appointment by the governor shall
27 be submitted to the Senate for confirmation.

28 B.**(1)** The membership of the board shall consist of three licensed
29 professional vocational rehabilitation counselors and two ~~individuals~~ **consumers**

1 from the public ~~at large~~ **at-large**. The original professional membership of the board
2 shall be qualified to be licensed under this Chapter, except that the initial
3 professional members shall be persons who have rendered rehabilitation counseling
4 for at least three years. Within thirty days after July 14, 1988, the executive
5 committee of the Louisiana Association for Rehabilitation Professionals shall submit
6 to the governor a list of qualified candidates for the board. The board shall perform
7 such duties and exercise such powers as this Chapter prescribes and confers upon it.
8 No member of the board shall be individually liable for any act or omission resulting
9 in damage or injury arising out of the exercise of his judgment in the formation and
10 implementation of policy while acting as a member of the board, provided he was
11 acting in good faith and within the scope of his official functions and duties, unless
12 the damage or injury was caused by his willful or wanton misconduct.

13 **(2)(a) The consumer members shall be selected from the state at-large**
14 **and appointed by the governor, subject to confirmation by the Senate. The**
15 **consumer members of the board shall possess all of the following qualifications:**

16 **(i) Is a citizen of the United States and has been a resident of Louisiana**
17 **for at least one year immediately prior to appointment.**

18 **(ii) Has attained the age of majority.**

19 **(iii) Shall not have ever been licensed by any of the licensing boards**
20 **under the authority of the office, nor shall he have a spouse who has ever been**
21 **licensed by a board under the authority of the office.**

22 **(iv) Has never been convicted of a felony.**

23 **(b) The consumer member shall be a full voting member of the board**
24 **with all rights and privileges conferred on board members, except that the**
25 **consumer member shall not participate in the grading of individual**
26 **examinations.**

27 C. No board member shall serve more than two full consecutive terms.
28 Subsequent appointments to the board shall be made in the manner of the original
29 appointments, including the submission of a list of qualified candidates by the

1 executive committee of the Louisiana Association for Rehabilitation Professionals.
 2 Any board member may be removed by the governor or majority vote of the board,
 3 after notice and hearing, for incompetence, neglect of duty, malfeasance in office,
 4 or moral turpitude. Any vacancy occurring in board membership, other than by
 5 expiration of term, shall be filled for the remainder of the unexpired term by the
 6 governor within thirty days from a list of qualified candidates supplied by the
 7 Louisiana Association for Rehabilitation Professionals, **except for the consumer**
 8 **member who shall be selected at-large from a list of qualified candidates**
 9 **supplied by the Louisiana Department of Health after posting such vacancy**
 10 **pursuant to R.S. 36:260.**

11 * * *

12 §3463. Board; appointments; terms; removal; compensation; officers

13 A. The Louisiana Board of Drug and Device Distributors is hereby created
 14 within the Louisiana Department of Health and is subject to the provisions of R.S.
 15 36:803. The board shall administer the provisions of this Chapter. It shall be
 16 composed of ~~eight~~ **nine** members, five of whom shall be licensed distributors, two
 17 of whom shall be actively engaged in the pharmaceutical manufacturing industry,
 18 ~~and~~ one of whom shall be actively engaged in the medical device industry, **and one**
 19 **consumer selected from the state at-large.**

20 B.**(1)** The governor shall appoint, subject to Senate confirmation, members
 21 to the board from a list containing the names of five persons, submitted by the
 22 Louisiana Association of Wholesale Drug Distributors and from a list containing the
 23 names of two persons, submitted by the Pharmaceutical Research and Manufacturers
 24 of America. In the event of the death or resignation of any member of the board, the
 25 governor shall appoint his successor in the manner of the original appointment for
 26 the remainder of the unexpired term.

27 **(2)(a) The consumer member shall be selected from the state at-large and**
 28 **appointed by the governor, subject to confirmation by the Senate. The**
 29 **consumer member of the board shall possess all of the following qualifications:**

1 (i) Is a citizen of the United States and has been a resident of Louisiana
2 for at least one year immediately prior to appointment.

3 (ii) Has attained the age of majority.

4 (iii) Shall not have ever been licensed by any of the licensing boards
5 under the authority of the office, nor shall he have a spouse who has ever been
6 licensed by a board under the authority of the office.

7 (iv) Has never been convicted of a felony.

8 (b) The consumer member shall be a full voting member of the board
9 with all rights and privileges conferred on board members, except that the
10 consumer member shall not participate in the grading of individual
11 examinations.

12 * * *

13 E. The presidents of the Pharmaceutical Research and Manufacturers of
14 America and the Louisiana Association of Wholesale Drug Distributors shall submit
15 the nominations, for members other than the consumer, within sixty days after
16 receipt of notice of death, resignation, or removal of a member of the board and at
17 least thirty days prior to the expiration of the term of a member of the board.

18 * * *

19 §3554. Louisiana Board of Massage Therapy; creation, membership, qualifications,
20 terms, vacancies, officers, meetings, reimbursement, liability

21 A.(1) The Louisiana Board of Massage Therapy is hereby created within the
22 Louisiana Department of Health. It shall be composed of seven members appointed
23 by the governor. Five of the members shall be licensed massage therapists
24 appointed from a list of nominees submitted to the governor by professional massage
25 therapy and bodywork associations. ~~From the list of association nominees, three of~~
26 ~~the persons appointed shall be licensed massage therapists.~~ Two lay consumer
27 members shall be ~~appointed from the list of nominees, both of whom shall be~~
28 ~~consumers who have never been nor are currently a licensed massage therapist in the~~
29 ~~state.)~~ selected from the state at-large. Two additional licensed massage therapists

Coding: Words which are ~~struck through~~ are deletions from existing law;
words in **boldface type and underscored** are additions.

1 shall be appointed to the board from a general list of names which are submitted for
2 consideration by other interested sources or individuals.

3 * * *

4 **(3)(a) The consumer members shall be selected from the state at-large**
5 **and appointed by the governor, subject to confirmation by the Senate. The**
6 **consumer members of the board shall possess all of the following qualifications:**

7 **(i) Is a citizen of the United States and has been a resident of Louisiana**
8 **for at least one year immediately prior to appointment.**

9 **(ii) Has attained the age of majority.**

10 **(iii) Shall not have ever been licensed by any of the licensing boards**
11 **under the authority of the office, nor shall he have a spouse who has ever been**
12 **licensed by a board under the authority of the office.**

13 **(iv) Has never been convicted of a felony.**

14 **(b) The consumer member shall be a full voting member of the board**
15 **with all rights and privileges conferred on board members, except that the**
16 **consumer member shall not participate in the grading of individual**
17 **examinations.**

18 B. All members of the board shall serve two-year terms. No member shall
19 serve more than three consecutive terms. For the purposes of staggering the board
20 member terms, the governor shall appoint to the board three massage therapists and
21 one ~~lay~~ **consumer** member in odd-numbered years and two massage therapists and
22 one ~~lay~~ **consumer** member in even-numbered years.

23 * * *

24 §3703. Louisiana Behavior Analyst Board

25 * * *

26 B.(1) The board shall consist of five behavior analysts who shall be appointed
27 by the governor from a list of nominees submitted by the Louisiana Behavior
28 Analysis Association, and who shall be confirmed by the Senate **and one consumer**
29 **member selected from the state at-large and appointed by the governor, subject**

1 to confirmation by the Senate.

2 * * *

3 (8)(a) The consumer member of the board shall possess all of the
4 following qualifications:

5 (i) Is a citizen of the United States and has been a resident of Louisiana
6 for at least one year immediately prior to appointment.

7 (ii) Has attained the age of majority.

8 (iii) Shall not have ever been licensed by any of the licensing boards
9 under the authority of the office, nor shall he have a spouse who has ever been
10 licensed by a board under the authority of the office.

11 (iv) Has never been convicted of a felony.

12 (b) The consumer member shall be a full voting member of the board
13 with all rights and privileges conferred on board members, except that the
14 consumer member shall not participate in the grading of individual
15 examinations.

16 * * *

17 Section 3. R.S. 49:992(D)(5) and (G) are hereby amended and reenacted to read as
18 follows:

19 §992. Applicability; exemptions; attorney fees; court costs

20 * * *

21 D.(1) * * *

22 * * *

23 (5) State professional and occupational licensing boards shall be exempt from
24 the provisions of this Chapter. However, this Chapter shall apply to the
25 professional and occupational licensing boards within the Louisiana
26 Department of Health as enumerated in R.S. 36:259(A).

27 * * *

28 G. Any board or commission authorized by law to conduct hearings may
29 continue to hold such hearings. However, this Subsection shall not apply to the

1 professional and occupational licensing boards within the Louisiana
2 Department of Health as enumerated in R.S. 36:259(A).

3 * * *

4 Section 4. R.S. 37:1263(F) and R.S. 40:5.11(C), (D), (E) and (F) are hereby repealed.

5 Section 5. Sections 1, 4, 5, and 6 of this Act shall become effective upon signature
6 by the governor or, if not signed by the governor, upon expiration of the time for bills to
7 become law without signature by the governor, as provided by Article III, Section 18 of the
8 Constitution of Louisiana. If vetoed by the governor and subsequently approved by the
9 legislature, this Act shall become effective on the day following such approval.

10 Section 6. Section 2 and Section 3 of this Act shall become effective on January 1,
11 2018.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Christine Arbo Peck.

DIGEST

SB 75 Original 2017 Regular Session Mills

Proposed law updates the transfer of agencies to the Louisiana Department of Health provisions to remove repealed and obsolete cites and references and categorizes those entities statutorily created within the department.

Present law lists all board members and their qualifications to serve on the board. Proposed law adds at least one consumer member to any board that did not previously have one and provides standardized eligibility criteria of consumers to serve on any board.

Present law provides that agencies statutorily created within the department retain all powers and duties for policymaking, rulemaking, certification, licensing, regulation, enforcement, and adjudication. Proposed law transfers all adjudicatory powers to the division of administrative law.

Present law provides that all of the agencies within the department terminate if the agency terminates. Proposed law establishes that the boards shall terminate concurrently with, but independent of the department such that they must be specifically re-created in addition to the re-creation of the department.

Present law requires the undersecretary of the department to conduct a budget review of the boards and review procurement and contract management for the boards. Proposed law provides specific deliverables of the undersecretary regarding budget review and procurement and contract management.

Proposed law establishes a mechanism for the public to submit complaints about board action or inaction to the department.

Proposed law provides relative to the transfer of agencies to the Louisiana Department of Health, provisions specific to the health profession licensing boards, and the provision to repeal an inactive council are effective upon signature of the governor or upon lapse of time

for gubernatorial action. Proposed law provisions relative to the transfer of adjudicatory proceeding to the division of administrative law and the appointment of the consumer member to each board that does not already have one are effective January 1, 2018.

(Amends R.S. 36:259, 801.1(A), 802 (intro para), and 803, R.S. 37:753(B), (C)(4) and (J), 832(B)(2), 916(B), 962, 1042, 1104(A), (B)(1), and (C), 1174(B), 1263(B), (D) and (E), 1515(A)(2) and (3), (C), (D), (E) and (F), 2102(A), 2353(A)(1), (2) and (3), 2403(B)(intro para), 2455(B)(1) and (5), 2503(A)(3)(c), 2654(A), (B), (C) and (D), 2704(A)(intro para), (A)(5), (B) and (C), 2802(A)(1), (C), (D), (E), (F) and (G), 3061(A)(1)(a), 3084(B)(1) (intro para) and (C), 3201(B)(1)(intro para) and (B)(1)(c) and (C), 3389(B)(intro para), 3444(A), (B) and (C), 3463(A), (B) and (E), 3554(A)(1) and (B), 3703(B)(1), and R.S. 49:992(D)(5) and (G); adds R.S. 36:260, 37:753(C)(5), 2102(C), 2403(B)(6), 2802(H), 3061(A)(1)(d), 3084(B)(1)(e), 3201(B)(1)(e) and (F), 3389(B)(6), 3554(A)(3), and 3703(B)(8); repeals R.S. 37:1263(F) and 40:5.11(C), (D), (E) and (F))