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

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DIGEST

SB 19 Engrossed

2019 Regular Session

Boudreaux

Present law authorizes the Louisiana State Board of Medical Examiners (LSBME) to regulate perfusionists, medical psychologists, genetic counselors, and polysomnographic health professionals. Proposed law authorizes the LSBME to request and obtain state and national criminal history record information as a requirement of application for license, registration, certificate, or permit to practice in this state.

Proposed law provides that the LSBME shall request and obtain state and national criminal history record information from the Louisiana Bureau of Criminal Identification and Information of the office of state police within the Department of Public Safety and Corrections and the Federal Bureau of Investigation of the United States Department of Justice.

Proposed law provides that the LSBME, in addition to any other requirements established by regulation, shall require an applicant, as a condition of licensure to submit a full set of fingerprints, in a form and manner prescribed by the board, permit the board to request and obtain state and national criminal history record information on the applicant, and pay, in addition to all other applicable fees and costs, such amount as may be incurred by the board in requesting and obtaining state and national criminal history record information on the applicant.

Proposed law provides for confidentiality of criminal history information obtained by LSBME and provides for the release of such information upon written consent of the applicant or by court order.

Proposed law provides for an exception to the Public Records Law.

Proposed law provides for rulemaking.

Effective August 1, 2019.

(Amends R.S. 44:4.1(B)(23); adds R.S. 37:1338.1, 1360.53.1, 1360.104.1, and 2863.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Removes indictments and bills of information from the definition of "criminal history record information".

2. Clarifies that the Louisiana Bureau of Criminal Identification and Information of the office of state police within the Department of Public Safety and Corrections simultaneously searched their own records and makes a request of the FBI for a search of their records upon request by the board.
3. Removes provision providing for secondary search if initial criminal history record search does not provide for grounds for disqualification of the applicant.
4. Provides for an exception to the Public Records Law for criminal history information obtained pursuant to proposed law.
4. Makes technical amendments.