

ACT No. 626

2018 Regular Session

HOUSE BILL NO. 445

BY REPRESENTATIVE STOKES

1 AN ACT

2 To amend and reenact R.S. 37:3444(A) through (C) and 3445(D), relative to the Louisiana
3 Licensed Professional Vocational Rehabilitation Counselors Board of Examiners; to
4 revise the name of a professional association referred to in laws relative to the board;
5 to provide for the adoption of a code of professional ethics; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 37:3444(A) through (C) and 3445(D) are hereby amended and
9 reenacted to read as follows:

10 §3444. Louisiana Licensed Professional Vocational Rehabilitation Counselors
11 Board of Examiners

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

1 governor shall ensure that his appointments demonstrate race, gender, ethnic, and
2 geographical diversity.

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

17 (2)(a) The consumer member shall be selected from the state at large and shall
18 possess all of the following qualifications:

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

21 (ii) Has attained the age of majority.

22 (iii) Has never been licensed by any of the healthcare professional licensing
23 boards identified in R.S. 36:259, nor shall he have a spouse who has ever been
24 licensed by a healthcare professional licensing board identified in R.S. 36:259.

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

26 (v) Does not have and has never had a material financial interest in the
27 healthcare profession.

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

1 C. No board member shall serve more than two full consecutive terms.
 2 Subsequent appointments to the board shall be made ~~in the manner of the original~~
 3 ~~appointments, including the submission of~~ by the governor from a list of qualified
 4 candidates by the executive committee of the ~~Louisiana Association for~~ International
 5 Association of Rehabilitation Professionals Professionals-Louisiana. Any board
 6 member may be removed by the governor or majority vote of the board, after notice
 7 and hearing, for incompetence, neglect of duty, malfeasance in office, or moral
 8 turpitude. Any vacancy occurring in board membership, other than by expiration of
 9 term, shall be filled for the remainder of the unexpired term by the governor within
 10 thirty days from a list of qualified candidates supplied by the ~~Louisiana Association~~
 11 for International Association of Rehabilitation Professionals Professionals-Louisiana.

12 * * *

13 §3445. Board meetings; procedures; powers and duties

14 * * *

15 D. The board shall adopt such rules, regulations, and examination procedures
 16 as it may deem necessary to effect the provisions in this Chapter. The board shall
 17 adopt the ~~Code of Ethics of the National Association for Rehabilitation Professionals~~
 18 ~~in the Private Sector;~~ Commission on Rehabilitation Counselor Certification Code
 19 of Professional Ethics including any revisions or additions deemed appropriate or
 20 necessary by the board.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____