
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Greg Waddell.

DIGEST

Present law provides that the practice of psychology is to be regulated by the State Board of Examiners of Psychologists ("LBEP").

Present law provides that the practice of mental health counseling is to be regulated by the Louisiana Licensed Professional Counselors Board of Examiners ("LPCBE").

Proposed law creates the Louisiana Behavioral Sciences Regulatory Board ("LBSRB") and consolidates the powers and duties of the State Board of Examiners of Psychologists and the Louisiana Licensed Professional Counselors Board of Examiners into this newly created board.

Proposed law changes references to the LBEP and LPCBE to the LBSRB.

Proposed law provides that the membership of the Louisiana Behavioral Sciences Regulatory Board shall be appointed by the governor and be submitted to the Senate for confirmation and shall consist of the following:

- (1) Three members representing the psychology profession who each satisfy criteria set forth in proposed law.
- (2) Three members representing the mental health counseling profession, of which two members shall be selected by the governor from a list submitted by the Louisiana Counseling Association and one member selected by the governor from a list submitted by the Louisiana Association of Marriage and Family Therapy.
- (3) Three members who shall represent the general public and who are not and have never been licensed in a mental health related profession and who are in no way connected with the practice of any such profession regulated by the board.

Proposed law provides that no later than December 1, 2011, the governor shall initially appoint the nine members of the board as follows:

- (i) Three members for terms of two years.
- (ii) Three members for terms of three years.
- (iii) Three members for terms of four years.

Proposed law further provides that as the terms of the initial appointments expire, the governor shall appoint successors for terms of four years.

Proposed law provides for the procedure to be followed in the event of a vacancy, or when an appointed member does not hold office until the expiration of the appointed term.

Proposed law provides for the grounds upon which a board member may be removed.

Proposed law provides for the procedure which must be followed by an appointed member prior to commencing the discharge of his duties.

Proposed law provides that board members shall serve without compensation but shall receive \$75 per diem allowance plus the mileage rate provided state employees while engaged in the discharge of their duties.

Proposed law provides that the board shall be domiciled in Baton Rouge and shall hold its meetings in places to be designated by the board.

Proposed law provides for the frequency of board meetings, quorum requirements, and for the election of officers.

Proposed law provides that the Louisiana Behavioral Sciences Regulatory Board shall become effective on December 1, 2011, and shall replace the State Board of Examiners of Psychologists and Louisiana Licensed Professional Counselors Board of Examiners on January 1, 2012.

Proposed law provides for a limitation of liability for board members for any act performed in good faith in the execution of his duties under proposed and present law.

Proposed law requires the board to submit certain financial information of the board annually to the governor.

Proposed law prohibits the board from receiving or expending any state funds through appropriation or otherwise. Proposed law further provides that no state funds shall be expended or committed to expenditure for the group benefits program or any other health insurance or employee benefit program, for any retirement system, for any salary, per diem payment, travel or expenses, office supplies and materials, rent, purchase of any product or service, or for any other purpose.

Proposed law provides that LBEP and LPCBE shall provide all resources to the Louisiana Behavioral Sciences Regulatory Board which are necessary to ensure that there is a minimum amount of disruption of the services provided to the professionals licensed by these boards during the transition period.

Proposed law provides for the transfer of licenses from the LBEP and LPCBE to the Louisiana Behavioral Sciences Regulatory Board.

Proposed law provides for the disposition of any legal proceeding to which the LBEP and

LPCBE is a party and which is filed, initiated, or pending before any court, and all documents involved in or affected by such legal proceeding.

Proposed law provides for the contractual and other obligations of the LBEP and LPCBE.

Proposed law provides for the transfer of property possessed, controlled, or used by the LBEP and LPCBE to the Louisiana Behavioral Sciences Regulatory Board.

Proposed law provides that all duly promulgated rules and regulations of the LBEP and LPCBE shall remain in effect and transferred under the jurisdiction of the Louisiana Behavioral Sciences Regulatory Board.

Sections 1 through 9, 11 and 13 become effective January 1, 2012. Sections 10, 12, 14 and 15 become effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 12:1143, R.S. 13:3715.1(J) and 3715.3(G)(1)(a), R.S. 15:560.2(B)(1), R.S. 17:2048.51(O)(1)(c), R.S. 23:1371.1(6), R.S. 36:259(E)(10), R.S. 37:1103(3), 1104, 1105, 1360.52(4), 1360.55(B)(1), 1360.57(1), 1744(A)(1), 1745(A)(1), 1745.13(8), 2351, 2352(2), 2353, 2354(A), R.S. 40:2114(B), and R.S. 44:4(29); adds R.S. 40:2721-2726; repeals R.S. 36:259(E))