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June 1, 2017

Representative Frank A. Hoffmann, Chairman
Health and Welfare Committee
P.O. Box 94062
Baton Rouge, LA 70804

Dear Chairman Hoffmann,

Pursuant to R.S.49:968 (D)(1)(b), the Louisiana State Board of Nursing (LSBN) hereby announces its plan to proceed with the rule-making process. During this process, LSBN will repeal Chapter 34, Section 3405 from the Louisiana Administrative Code. The removal of Chapter 34, Section 3405 Subsection A, Other Causes, Subparagraph o will become final on July 20, 2017 and the Notice of Intent was promulgated on pages 782-783 of the April 2017 *Louisiana Register*.

This rule-making is informed by authority of the LSBN granted in R.S. 37:918 to develop, adopt and revise rules and regulations in the Louisiana Nurse Practice Act. The request is to repeal the definition that states "failing to report to the board one's status when one performs or participates in exposure-prone procedures and is known to be a carrier of the Hepatitis B virus or Human Immunodeficiency Virus (HIV) in accordance with LAC XLVII.4005". This specific definition is no longer relevant with the deletion of Chapter 40 Prevention of Transmission of Hepatitis B Virus (HBV), Hepatitis C Virus (HBV) and Human Immunodeficiency Virus (HIV) which required that nurses report their status. With the removal of Chapter 40, the Louisiana State Board of Nursing would not have the authority to take disciplinary action if a nurse has not reported self-exposure to an infectious disease.

The LSBN has not received any comments for or against the repeal of Chapter 34, Section 3405 Subsection A, Other Causes, Subparagraph o, therefore the LSBN is not required to conduct a hearing pursuant to the Revised Statute 49:953(A)(2).

Subject to legislative oversight by either the House or Senate Health and Welfare Committee, the board intends to submit a Rule to the Office of the State Register for publication. Please contact Dr. Karen Lyon at 225-755-7576 if the board may be of any assistance to you concerning this rule.

Sincerely,

A handwritten signature in cursive script that reads "Karen C. Lyon".

Karen C. Lyon, PhD, APRN, ACNS, NEA
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