

Additionally, the proposed rule changes to LAC 46:XXXIII.313 allow for two things: 1) Mobile and Portable Dentistry Permits are required for the owner of any mobile or portable dentistry unit, but the permits are only issued to Louisiana licensed dentists. Federally Qualified Health Centers (FQHCs) are allowed to provide mobile and portable dentistry, but need not be owned by a dentist. Thus, although FQHCs are allowed to do mobile or portable dentistry, they cannot get permits because they are typically not owned by dentists. The change allows the permit to be issued to a Louisiana licensed dentist who practices in a FQHCs mobile or portable clinic, even if he or she is not the owner; and 2) the changes exempt dentists from all of the requirements of the mobile and portable permits if their sole mobile or portable practice consists of only making dentures or mouth guards.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

After the proposed rules changes become effective to LAC 46:XXXIII.313, the Louisiana State Board of Dentistry estimates receiving applications for approximately 3 new Federally Qualified Health Centers (FQHCs) mobile or portable permits per year. Each new FQHC mobile or portable permit costs \$250.00 and thereafter each dentist will be charged a renewal fee of \$400.00 for the mobile or portable permit upon renewal of his or her Louisiana dental license. The Board estimates annual revenues of approximately \$750 upon adoption of the proposed rule change with revenues growing to approximately \$1,800 by FY 18 for both new FQHC mobile or portable permits and the renewal of FQHC mobile or portable permits.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed changes to LAC 46:XXXIII.313 will affect any Louisiana licensed dentist who works for a Federally Qualified Health Center (FQHC) mobile or portable clinic. The dentist will be required to pay a fee of \$250 for a new mobile or portable permit and a renewal fee of \$400. The renewal fee will be charged at the time the dentist is required to renew his or her license, which occurs biennially.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will allow FQHCs to provide mobile and portable dentistry services under the care of a licensed dentist. Eligible clients may realize greater access to services by utilizing mobile and portable dentistry services provided through FQHCs. The proposed rule change will also allow certain dentists to operate mobile or portable practices consisting of making dentures or mouth guards without paying for specific licensure to do so.

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Executive Director
1510#093

John D. Carpenter
Legislative Fiscal Officer
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NOTICE OF INTENT

**Department of Health and Hospitals
Board of Nursing**

**Licensure as an Advanced Practice Registered Nurse and
Authorized Practice (LAC 46:XLVII.4507 and 4513)**

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 37:918, that the Louisiana State Board of Nursing (LSBN) is amending two

Sections in Chapter 45 of its rules: §§4507 and 4513. The proposed Rule changes will allow the Louisiana State Board of Nursing the ability to provide an opportunity for APRNs that have acquired licensure by alternative methods to go before the board and explain and/or justify why the Louisiana State Board of Nursing should extend licensure opportunities to him/her. It will also allow the Louisiana State Board of Nursing the ability to clarify exemption of CRNAs from the requirement to have a collaborative practice agreement to provide anesthesia care and ancillary services to patients in a hospital or other licensed surgical facility.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

**Part XLVII. Nurses: Practical Nurses and Registered
Nurses**

Subpart 2. Registered Nurses

Chapter 45. Advanced Practice Registered Nurses

**§4507. Licensure as Advanced Practice Registered
Nurse**

A. Initial Licensure

1. The applicant shall meet the following requirements:

a. - b.ii. ...

c. any deviation from Subparagraph 1.b shall be submitted to the board for review and approval;

d. submission of a completed application on a form furnished by the board;

e. submission of evidence of current certification in the respective advanced practice nursing role and population focus by a nationally-recognized certifying body approved by the board;

f. submission of a non-refundable fee as specified in LAC 46:XLVII.3341;

g. submission to criminal history record information as specified in LAC 46:XLVII.3330;

h. after initial licensure, applicants seeking licensure for advanced practice in an additional specialty and/or functional role shall meet the requirements stated in LAC 46:XLVII.4507.A.1.a-d;

i. if there is a gap equal to or greater than two years between the completion of the graduate or post graduate program as delineated in LAC 46:XLVII.4507.A.1.b and the application for initial licensure, the applicant must provide additional verification of competency as requested by the board and may be required to appear before the board (or its committee) for further consideration before licensure or a temporary permit may be granted.

A.2. - F.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Nursing, LR 22:281 (April 1996), amended LR 27:724 (May 2001), LR 29:580 (April 2003), LR 31:1340 (June 2005), LR 31:2015 (August 2005), LR 32:247 (February 2006), LR 37:3027 (October 2011), LR 40:61 (January 2014), LR 42:

§4513. Authorized Practice

A. - D.10. ...

11. Limitation

a. - b. ...

c. Exclusion. Nothing herein shall require a CRNA to have a collaborative practice agreement to provide anesthesia care and ancillary services to patients in a hospital or other licensed surgical facility.

i. Anesthesia care shall be within the scope of practice of CRNAs as delineated by the American Association of Nurse Anesthetists and includes:

(a). the administration, selection, and prescribing of anesthesia related drugs or medicine during the perioperative period necessary for anesthesia care; and

(b). prescribing diagnostic studies, legend and controlled drugs, therapeutic regimens, and medical devices and appliances necessary for anesthesia care.

ii. Ancillary services provided by CRNAs:

(a). shall include services within the scope of practice of CRNAs as delineated by the American Association of Nurse Anesthetists in which the individual CRNA possesses the knowledge, skills, and abilities to competently perform;

(b). shall be pursuant to a consult for the service by a licensed prescriber if the services are not directly related to anesthesia care; and

(c). may include prescribing diagnostic studies, legend and controlled drugs, therapeutic regimens, and medical devices and appliances for assessment, administration or application while the patient is in the hospital or other licensed surgical facility in the state of Louisiana.

iii. Nothing herein shall provide for services by a CRNA which are otherwise prohibited by law.

11.d. - 14.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918(K) and R.S. 37:1031-1034.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Nursing, LR 10:598 (August 1984), amended by the Department of Health and Hospitals, Board of Nursing, LR 22:283 (April 1996), amended by the Department of Health and Hospitals, Board of Nursing and Board of Medical Examiners, LR 22:981 (October 1996), LR 25:1245 (July 1999), LR, amended by the Department of Health and Hospitals, Board of Nursing, 27:727 (May 2001), amended by the Department of Health and Hospitals, Board of Nursing and Board of Medical Examiners, LR 28:487 (March 2002), repromulgated LR 28:1205 (June 2002), amended by the Department of Health and Hospitals, Board of Nursing, LR 31:2023 (August 2005), LR 33:1870 (September 2007), LR 40:63 (January 2014), LR 40:2249 (November 2014), LR 42:

Family Impact Statement

The proposed additions and/or changes to the rules of the board, Louisiana State Board of Nursing should not have any known or foreseeable impact on any family as defined by R.S. 49.972(D) or on family formation, stability and autonomy. Specifically, there should be no known or foreseeable effect on:

1. the stability of the family;
2. the authority and rights of parents regarding the education and supervision of their children;
3. the functioning of the family;
4. a family's earnings and budget;
5. the behavior and personal responsibility of the children; or
6. the family's ability or that of the local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described on R.S. 49:973.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments on the proposed Rule to Karen C. Lyon, 17373 Perkins Road, Baton Rouge, LA 70810, or by facsimile to (225) 755-7585. All comments must be submitted by 5 p.m. on or before November 10, 2015.

Karen C. Lyon
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Licensure as an Advanced Practice Registered Nurse and Authorized Practice

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

Other than publication costs associated with the proposed rule changes, which are estimated to be \$656 in FY 16, it is not anticipated that state or local governmental units will incur any other costs or savings as a result of promulgation of the proposed rule. The proposed changes provide definitions and clarifications of the current exclusion for Certified Registered Nurse Anesthetists (CRNA) from being required to have a collaborative practice agreement in order to provide anesthesia care and ancillary services to patients in a hospital or other licensed surgical facility. The proposed changes will also require an Advanced Practice Registered Nurse (APRN) to define any deviation from stated licensure requirements during the initial licensure phase. These deviations shall be submitted to the board for review and approval. This rule does not require an increase or decrease in workload responsibilities to the Board.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change will not affect state or local governmental revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change is not anticipated to result in costs and/or economic benefits to any person or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change may allow certain APRNs to acquire licensure via an alternative method that is generally not

recognized by national, state and/or local boards. Any such licensure would require review and approval by the board.

Karen C. Lyon
Executive Director
1510#062

John D. Carpenter
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health and Hospitals Board of Practical Nurse Examiners

Types of Licensure (LAC 46:XLVII.1703)

The Board of Practical Nurse Examiners proposes to amend LAC 46:XLVII.1703, in accordance with the provisions of the Administrative Procedure Act, R.S. 950 et seq., and the Practical Nursing Practice Act, R.S. 37:961-979.

The purpose of the proposed Rule change to Section 1703 is to ensure that the practical nurse graduate possess the knowledge, skill and ability to engage successfully in the clinical setting.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XLVII. Nurses: Practical Nurses and Registered Nurses

Subpart 1. Practical Nurses

Chapter 17. Licensure

§1703. Types of Licensure

A. - A.1. ...

2. be permitted to write the examination up to four times within a period of two years from the date of being made eligible;

3. re-enter and successfully complete the entire practical nursing program without advance credits if the fourth writing is unsuccessful before being allowed to take the practical nursing examination again;

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:969, 37:971 and 37:972.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Practical Nurse Examiners, LR 3:199 (April 1977), amended LR 10:341 (April 1984), LR 10:915 (November 1984), amended by the Department of Health and Hospitals, Board of Practical Nurse Examiners, LR 18:1129 (October 1992), repromulgated LR 18:1263 (November 1992), amended LR 28:2355 (November 2002), LR 42:

Family Impact Statement

The proposed amendments to LAC 46:XLVII.Subpart 1 should not have any impact on family as defined by R.S. 49:972. There should not be any effect on: the stability of the family; the authority and rights of parents regarding the education and supervision of their children; the functioning of the family; family earnings and family budget; the behavior and personal responsibility of children; and/or the ability of the family or local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, it is anticipated that the proposed amendments will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Provider Impact Statement

The proposed amendments should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known foreseeable effect on:

1. Is there an effect on the staffing level requirements or qualifications required to provide the same level of service? There will be no effect on the staffing level requirements or qualifications required to provide the same level of service.

2. Is there a total direct and indirect effect on the cost to the providers to provide the same level of service? There is not a direct or indirect effect on the cost to the providers to provide the same level of service.

3. What is the overall effect on the ability of the provider to provide the same level of service? There is no effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments until 4 p.m., November 9, 2015, to M. Lynn Ansardi, RN, Board of Practical Nurse Examiners, 131 Airline Drive, Suite 301 Metairie, LA 70001.

M. Lynn Ansardi, RN
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Types of Licensure

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The only anticipated costs to the board associated with the implementation of the proposed Rule change will be to publish the Rule in the Louisiana Register at approximately \$164.00 and to mail notices to affected applicants informing them of the Rule change at approximately \$1,000.00 in FY 16. No other state or local governmental units will be affected.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed Rule change may slightly decrease revenue collected by this state agency but will not have an effect on revenues collected by other state agencies or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The only person(s) affected by this Rule change would be applicants for licensure who do not pass the practical nursing examination in the time allotted. They will have to re-enroll and repeat the entire practical nursing program before applying again to take the practical nursing examination.