

2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect of the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments on these proposed rule changes to Arthur Hickham, Jr., Executive Director, Louisiana State Board of Dentistry, One Canal Place, Suite 2680, 365 Canal Street, New Orleans, LA 70130. Written comments must be submitted to and received by the board within 20 days of the date of the publication of this notice. A request pursuant to R.S. 49:953 (A)(2) for oral presentation, argument, or public hearing must be made in writing and received by the board within 20 days of the date of the publication of this notice.

Public Hearing

A request pursuant to R.S. 49:953 (A)(2) for oral presentation, argument, or public hearing must be in writing and received by the board within 20 days of the date of the publication of this notice.

Arthur Hickham, Jr.
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Certification Confirmation and Reconfirmation Fees; Display of Certificate

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

There is a one-time implementation cost to the Board of Dentistry for the publication of the proposed notice and rules in the State Register of approximately \$500 in FY 17. There are no additional estimated implementation costs or savings to state or local governmental units through promulgation of the proposed rules changes.

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

There is no estimated effect on revenue collections by the board, state, or local governmental units through promulgation of the proposed rule changes.

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

Currently, there are two levels of moderate sedation permits, enteral and parental. The proposed rule removes the distinction in the two levels and creates a singular moderate sedation permit. The singular moderate sedation permit will adopt the training requirements of the former parental sedation permit, which is more intensive than the enteral training. Dentists that do not currently possess a moderate sedation permit and now wish to get one will only have the option of taking the parental sedation training, which is approximately \$2,000 more than the enteral sedation training.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes should not impact competition or employment.

Arthur F. Hickman, Jr.
Executive Director
1702#066

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Board of Nursing**

Prevention of Viral Infections (LAC 46:XLVII.Chapter 40)

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 proposing the repeal of LAC 46:XLVII, Nurses: Practical Nurses and Registered Nurses, Subpart 2. Registered Nurses, Chapter 40. The expectations related to awareness and accountability have changed since the last revision of this Rule. The most recent revision of Chapter 40 was in November 2004. Several other nursing boards such as TX, MS, AL, AR, NY, IL, OK and CA do not have any rules similar to Chapter 40 in their regulatory guidelines. With the repeal of Chapter 40, The Louisiana State Board of Nursing is expecting all nurses in the state of Louisiana to follow the Centers for Disease Control and Prevention (CDC) guidelines for universal precautions.

**Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS
Part XLVII. Nurses: Practical Nurses and Registered
Nurses
Subpart 2. Registered Nurses
Chapter 40. Prevention of Transmission of Hepatitis
B Virus (HBV), Hepatitis C Virus
(HCV) and Human Immunodeficiency
Virus (HIV)**

§4001. Definitions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918(K), and R.S. 37:1746-1747.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Nursing, LR 19:341 (March 1993), amended LR 19:1150 (September 1993), LR 24:1293 (July 1998), LR 30:2482 (November 2004), repealed by the Department of Health, Board of Nursing, LR 43:

§4003. Standard Precautions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918(K), and R.S. 37:1746-1747.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Nursing, LR 19:341 (March 1993), amended LR 19:1151 (September 1993), LR 24:1293 (July 1998), LR 30:2484 (November 2004), repealed by the Department of Health, Board of Nursing, LR 43:

§4005. Self-Reporting

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918(K), and R.S. 37:1746-1747.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Nursing, LR 19:341 (March 1993), amended LR 19:1151 (September 1993), repromulgated LR 24:1293 (July 1998), amended LR 30:2484 (November 2004), repealed by the Department of Health, Board of Nursing, LR 43:

§4007. Authorization to Perform or Participate in Exposure-Prone Procedures

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918(K), and R.S. 37:1746-1747.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Nursing, LR 19:342 (March 1993), amended LR 19:1152 (September 1993), LR 24:1293 (July 1998), LR 30:2484 (November 2004), repealed by the Department of Health, Board of Nursing, LR 43:

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 not have an 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 not have an 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 March 10, 2017.

Dr. Karen C. Lyon, E.D.
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Prevention of Viral Infections

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

There is an estimated one-time implementation cost to the Louisiana State Board of Nursing for the publication of the proposed notice and rules in the State Register of \$426.00 in FY 17. There are no additional implementation costs or savings to state or local governmental units through promulgation of the proposed rule changes. This rule removes Chapter 40 under Title 46, Professional and Occupational Standards, Part XLVII. Chapter 40 refers to precautions that should be taken to prevent transmission of Hepatitis B Virus (HBV), Hepatitis C Virus (HCV) and Human Immunodeficiency Virus (HIV). The Louisiana State Board of Nursing is expecting all nurses in the State of Louisiana to follow the Center for Disease Control and Prevention (CDC) guidelines for universal precautions, which is already common practice and prevents the transmission of HBV, HCV, and HIV.

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 does not affect competition and/or employment.

Dr. Karen C. Lyon, E.D.
Executive Director
1702#036

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Bureau of Health Services Financing

Licensing Standards (LAC 48:I.Chapter 45)

The Department of Health, Bureau of Health Services Financing proposes to repeal and replace LAC 48:I.Chapter 45 in the Medical Assistance Program as authorized by R.S. 36:254 and R.S. 40:2131-2141. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing amended the licensing standards governing ambulatory surgical centers to exempt facilities operated primarily for the purpose of performing stereotactic radiosurgery procedures from certain requirements (*Louisiana Register*, Volume 28, Number 12).

The Department of Health, Bureau of Health Services Financing now proposes to repeal and replace the licensing standards governing ambulatory surgical centers in order to: 1) clarify the existing provisions; 2) provide for inactivation of the provider license in the event of specific qualifying