

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

**Poverty Impact Statement**

The proposed Rule does have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits'
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

**Provider Impact Statement**

The proposed Rule does not have any known or foreseeable impact on providers as defined by HCR 170 of the 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 on 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, data, opinions, and arguments regarding the proposed changes. Written submissions shall be directed to Derek Parnell, 3132 Valley Creek Drive, Baton Rouge, LA 70808 and must be received no later than noon on the 10th day, December, 2019.

Derek L. Parnell  
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Used Motor Vehicles**

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

There is no anticipated cost to the Used Motor Vehicle Commission or other governmental entities associated with the proposed rule changes which provide technical corrections and codify existing practices into rule. Substantive changes regarding the licensees educational and business practices will not impose additional workload or costs for the Commission

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

There will be an increase in revenue collections of the Commission as a result of a new \$600 application fee for vendors/instructors to conduct post-license continuing education seminars which must be renewed every two years. FY 20 revenue is estimated between \$600 and \$1200. Future revenues are indeterminable at this time and will depend upon

the number of continuing education vendor/instructors who apply.

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

There will be a cost to continuing education vendors to receive a seminar instructor certificate. Vendors/Instructors may charge a participant fee for the seminar upon approval of the Commission.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

There will be no impact on competition and employment as proposed changes codify existing practices.

Derek L. Parnell  
Executive Director  
1911#045

Evan Brasseaux  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Board of Nursing**

Officers of the Board and Meetings of the Board  
(LAC 46:XLVII.3303 and 3307)

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. 37:917-918, that the Louisiana State Board of Nursing (LSBN) will update LAC XLVII Chapter 33, §§3303 and 3307 by aligning the rules to the bylaws that were revised in 2017. In §3303, LSBN is revising terminology that will allow board officers to serve two years instead of one year. LSBN is defining the role and duties of the president, vice-president and alternate officer of the board. A contingency plan is provided in case of an emergency vacancy or termination of appointment of a board member by the governor while serving as an officer. In §3307, the election of board officers will take place during the first meeting of the year instead of the last meeting of the year. There has been no guarantee that the current board member(s) who served one term will be automatically granted a second term. The composition of the LSBN board has changed with the appointment of consumer members. Previously, we had nine voting members, therefore five members constituted a quorum. Today, we have 11 voting members and six members will constitute a quorum.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

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

**Subpart 2. Registered Nurses**

**Chapter 33. General**

**Subchapter A. Board of Nursing**

**§3303. Officers of the Board**

A. The officers of the board shall consist of a president, a vice-president, and an alternate officer.

B. The three officers are to be elected at the annual meeting, and are to serve for two years, or until their successors have been elected.

C. The alternate officer shall be elected to provide for the seating of a complement of officers in case of an emergency vacancy of the president or vice-president. The elected

alternate shall have no official officer functions unless an emergency vacancy occurs.

D. In the event of the vacancy of the office of president, the vice-president shall serve as president and the alternate shall serve as vice-president to complete the unexpired term of office. A new alternate shall be elected at the next meeting of the board.

E. In the event of the vacancy of the office of the vice-president, the alternate shall serve as vice-president to complete the unexpired term of office. A new alternate shall be elected at the next meeting of the board.

F. The elected officers will serve as the executive committee of the board.

G. The duties of the officers shall be as follows.

1. The president shall preside at all board meetings. (S)he shall appoint all standing and special committees and respective chairs not otherwise provided for, and perform all other duties pertaining to this office. The president shall serve as ex officio member to all standing and special committees. The president may serve as a voting member of any standing and special committee for the purpose of constituting a quorum.

2. The vice-president shall serve as secretary-treasurer to the board. (S)he shall oversee the preparation of an annual budget, assisted by LSBN chief executive officer/ executive director and other staff as needed and will review financial records periodically and present a report at each regular board meeting. (S)he shall preside over all regular or special meetings in the absence of the president or at the request of the president.

H. The officers shall direct the chief executive officer/executive director to carry out functions of the board relative to its statutory requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:914 and R.S. 37:918.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Nursing, LR 7:73 (March 1981), amended by the Department of Health and Hospitals, Board of Nursing, LR 23:962 (August 1997), LR 24:1293 (July 1998), amended by the Department of Health, Board of Nursing, LR 46:

### **§3307. Meetings of the Board**

A. Regular business meetings shall be held at a place and time designated by the board.

B. Regular meetings of the board shall be held at least bi-monthly. The annual meeting shall be held at the first regularly scheduled meeting of the calendar year.

C. Special meetings shall be called by the chief executive officer/executive director or designee at the request of the president, or upon the request of three members of the board.

D. Six members, including one officer, shall constitute a quorum of the board for the purpose of conducting business.

E. Any person wishing to have a special topic added to the agenda for a board meeting shall notify the chief executive officer/executive director, or a designee, at least 21 days prior to the meeting. Items of an emergency nature may be considered at any meeting without prior notice.

F. The chief executive officer/ executive director, or a designee, shall keep a record of all meetings and such records shall be retained as permanent records of the transactions of the board.

G. Meetings of the board for the conduct of regular business and for the formation of policy shall be open to the public in accordance with R.S. 42:4.2 et seq.

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

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Nursing, LR 7:73 (March 1981), amended by the Department of Health and Hospitals, Board of Nursing, LR 22:104 (February 1996), LR 24:1293 (July 1998), amended by the Department of Health, Board of Nursing, LR 46:

### **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 December 10, 2019.

Dr. Karen Lyon  
Executive Director

## **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES**

### **RULE TITLE: Officers of the Board and Meetings of the Board**

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

The proposed rule changes will result in a one-time publication cost of \$300 for the LA State Board of Nursing (LSBN) in FY 20. The proposed rule changes will update LAC XLVII Chapter 33, Sections 3303 and 3307 by aligning the rules to the LSBN's bylaws that were revised in 2017. The proposed rule changes codify existing policies and procedures regarding board officers and meetings.

The proposed rule changes will not result in any additional costs or savings for local governmental units.

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

The proposed rule changes will not affect revenue collections for state or local governmental units.

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

The proposed rule changes will not result in any costs and/or economic benefits to directly affected persons or non-governmental groups.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule changes will not affect competition and employment.

Karen C. Lyon  
Executive Director  
1911#026

Evan Brasseaux  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Board of Pharmacy**

**Cannabis Metered-Dose Inhaler (LAC 46:LIII.2443)**

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950 et seq.) and the Pharmacy Practice Act (R.S. 37:1161 et seq.), the Louisiana Board of Pharmacy hereby gives notice of its intent to amend one section of its rules for marijuana pharmacies to add metered-dose inhalers to the list of allowable dosage forms for marijuana products as authorized by Act 284 of the 2019 Legislature. The proposed amendment of §2443.C.1 adds metered-dose inhalers to the existing list of allowable dosage forms for marijuana products.

**Title 46**

**PROFESSIONAL AND OCCUPATIONAL  
STANDARDS**

**Part LIII. Pharmacists**

**Chapter 24. Limited Service Providers**

**Subchapter E. Marijuana Pharmacy**

**§2443. Marijuana Products**

**A. - B.8. ...**

**C. Product Dosage Forms**

1. The producer shall limit their production of pharmaceutical grade marijuana products to the following dosage forms:

- a - e. ...
- f. transdermal patches;
- g. suppositories; or
- h. metered-dose inhalers.

**C.2. - E.4.f. ...**

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 40:1046.

**HISTORICAL NOTE:** Promulgated by the Department of Health, Board of Pharmacy, LR 43:1540 (August 2017), amended LR 46:

**Family Impact Statement**

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a family impact statement on the Rule proposed for adoption, repeal, or amendment. The following statements will be published in the Louisiana Register with the proposed agency Rule.

1. The Effect on the Stability of the Family. The proposed Rule amendment will have no effect on the stability of the family.

2. The Effect on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed Rule amendment will have no effect on the authority and rights of parents regarding the education and supervision of their children.

3. The Effect on the Functioning of the Family. The proposed Rule amendment will have no effect on the functioning of the family.

4. The Effect on Family Earnings and Family Budget. The proposed Rule amendment will have no effect on family earnings or family budget.

5. The Effect on the Behavior and Personal Responsibility of Children. The proposed Rule amendment will have no effect on the behavior and personal responsibility of children.

6. The Ability of the Family or a Local Government to Perform the Function as Contained in the Proposed Rule. The proposed Rule amendment will have no effect on the ability of the family or a local government to perform the activity as contained in the proposed Rule.

**Poverty Impact Statement**

In accordance with Section 973 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a poverty impact statement on the Rule proposed for adoption, repeal, or amendment.

1. The Effect on Household Income, Assets, and Financial Security. The proposed Rule amendment will have no effect on household income, assets, or financial security.

2. The Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed Rule amendment will have no effect on early childhood development or preschool through postsecondary education development.

3. The Effect on Employment and Workforce Development. The proposed Rule amendment will have no effect on employment or workforce development.

4. The Effect on Taxes and Tax Credits. The proposed Rule amendment will have no effect on taxes or tax credits.

5. The Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation, and Utilities Assistance. To the extent a child has been diagnosed with a medical condition eligible for treatment with therapeutic cannabis products, and to the extent such treatment is responsive to an aerosolized dosage form, the proposed rule change may improve the healthcare of the child by providing a dosage form with a more rapid onset of action compared to oral or topical dosage forms.