

### Small Business Statement

The proposed Rule will have no adverse impact on small businesses as described in R.S. 49:965.2 et seq.

### Provider Impact Statement

The proposed Rule will have no adverse impact on providers of services for individuals with developmental disabilities as described in HCR 170 of 2014.

### Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rules. Written submission must be directed to Michael Matherne, Tax Commission Administrator, LA Tax Commission, 1051 North 3rd St, Room 224, Baton Rouge, LA 70802 or P. O. Box 66788, Baton Rouge, LA 70896 and must be received no later than 4 p.m., February 9, 2021.

### Public Hearing

A public hearing, on this proposed Rule, will be held on Wednesday, February 24, 2021, at 10 am, at the Louisiana State Capitol, 900 North Third St., Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, please contact (225) 219-0339.

Lawrence E. Chehardy  
Chairman

## FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Ad Valorem Taxation

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

The proposed rules reflect annual changes in valuation procedures for taxation purposes based on the most recent available data. There are no estimated costs or savings associated with the proposed rules for state governmental units. An impact to local governmental workload resulting in an additional administrative costs will occur, but is expected to be minimal.

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

The proposed rule changes will result in a decrease of approximately \$10,130,000 in revenue collections for local governments based upon revisions to valuation tables decreasing real and personal property assessments by approximately 1% in total. However, these revisions will not necessarily affect revenue collections of local government units as any net increase or decrease in assessed valuations are authorized to be offset pursuant to millage adjustment provisions of Article VII, Section 23 of the state Constitution.

On average, these revisions will generally decrease certain 2021 real and personal property assessments for property of similar age and condition in comparison with the latest available equivalent assessments. However, the assessments of certain property types will increase compared to prior year. Composite multiplier tables for assessment of most personal property will decrease by an estimated 1%. Specific valuation tables for assessment of pipelines will increase by an estimated 1.5% for both Onshore and Offshore. Oil wells and gas wells on average will decrease by an estimated 2% (Region 1 by 2%, Region 2 by 3% and Region 3 by .5%). Drilling rigs will decrease by an estimated 8.5% (Land rigs by 20%, Jack-Ups by .5%, Semisubmersible rigs by .5% and Well Service Land Only rigs by 13%). The net effect determined by averaging these revisions is estimated to decrease assessments by 1% and

estimated local tax collections by \$10,130,000 in FY 21/22 on the basis of the existing statewide average millage. However, these revisions will not necessarily affect revenue collections of local government units as any net increase or decrease in assessed valuations are authorized to be offset by millage adjustment provisions of Article VII, Section 23 of the state Constitution.

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

The effects of these new rules on assessments of individual items of equivalent real and personal property will generally be lower in the aggregate in 2021 compared to the last year of actual data. Specific assessments of real and personal property will depend on the age and condition of the property subject to assessment. Taxpayers will be impacted based on the changes to the valuation guidelines for assessments as listed in Section II. The magnitude will depend on the taxable property for which they are liable. Regardless of the guidelines adopted by the Tax Commission, all taxpayers continue to have the right to appeal their assessments. Additionally, Small Businesses' real and personal property is assessed in the same manner as for all other property owners.

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

The impact on competition and employment cannot be quantified. In as much as the proposed changes in assessments are relatively small and there will no longer be any charges for the updates, any aggregate impact on competition and employment statewide will likely be minimal.

Lawrence E. Chehardy  
Chairman  
2101#023

Alan M. Boxberger  
Staff Director  
Legislative Fiscal Office

## NOTICE OF INTENT

### Department of Health Board of Nursing

Advanced Practice Registered Nurses  
(LAC 46:XLVII.Chapter 45)

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 46:XLVII Chapter 45, Sections 4505, 4507, 4513. The Louisiana State Board of Nursing (LSBN) proposes revisions and technical changes to Chapter 45, Sections 4505, 4507 and 4513. The revisions will align with a federal act that was signed by President Donald Trump and became law on October 24, 2018. The SUPPORT for Patients and Communities Act provides authority for advanced practice registered nurses (APRNs) to prescribe buprenorphine through medication-assisted treatment (MAT). Act 414 of the 2019 Louisiana legislature followed suit in upholding the federal guidelines for APRNs. Louisiana APRNs, within approved collaborative practice agreements with physicians, will be eligible to treat up to 100 patients per year for five years. In addition to MAT, the LSBN will make the following changes listed below:

1) LSBN will align rules and language for the APRN to the Nurse Licensure Compact. This change will allow for APRNs to either hold a current, unencumbered, unrestricted

and valid registered nurse license in Louisiana or hold an active RN multistate license in a compact state other than Louisiana while exercising his/her privilege to practice.

2) LSBN will clarify reference to the Louisiana Pharmacy Practice Act. Due to a change in the Louisiana State Board of Pharmacy rules, LSBN will revise the pharmacy reference in section 4513. The reference is related to formatting prescriptions.

3) A technical change will be made to reflect the cross reference in section 4513. LAC XLV.6515 should read LAC XLV.6915 in the Administrative Procedure Act.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

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

##### Subpart 2. Registered Nurses

#### Chapter 45. Advanced Practice Registered Nurses

##### §4505. Definitions

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*Medication Assisted Treatment (MAT)*—the use of Food and Drug Administration (FDA) approved opioid agonist medications for the maintenance treatment of opioid use disorders and opioid agonist medication to prevent relapse to opioid use. MAT is only one aspect of substance use disorder management and is intended to be used in conjunction with evidence based behavioral health interventions such as counseling and other behavioral therapies. In compliance with Act 414 of the 2019 Louisiana legislative session, in order for an APRN to prescribe MAT, the collaborating physician must also be authorized and in compliance with all federal and state laws and rules authorizing MAT.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 37:918. HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Nursing, LR 27:724 (May 2001), amended LR 31:2013 (August 2005), LR 40:60 (January 2014), LR 44:275 (February 2018), LR 47:

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

A. - A.1. ...

a. holds a current, unencumbered, unrestricted and valid registered nurse license in Louisiana or holds an active RN multistate license in a compact state other than Louisiana while exercising his/her privilege to practice and there are no grounds for disciplinary proceedings, as stated in R.S. 37:921;

A.1.b. - B.1. ...

a. holds an active, unencumbered, unrestricted and valid registered nurse license in Louisiana or holds an active RN multistate license in a compact state other than Louisiana while exercising his/her privilege to practice;

B.1.b. - C.1.d. ...

e. verification of current unencumbered, unrestricted license in the registered nurse and advanced practice nursing role and population focus directly from the jurisdiction of current or most recent employment as an APRN. Verification of an active RN multistate license in a compact state other than Louisiana meets the requirement for RN licensure in another jurisdiction;

C.1.f. - 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 42:406 (March 2016), LR 45:1201 (September 2019), LR 47:

##### §4511. Advanced Practice Registered Nurse Professional Certification Programs

A. - A.9. ...

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Nursing, LR 22:283 (April 1996), amended LR 31:2023 (August 2005), LR 40:63 (January 2014), LR 47:

##### §4513. Authorized Practice

A. - D.1 ...

a. hold a current, unencumbered, unrestricted and valid registered nurse license in Louisiana or holds an active RN multistate license in a compact state other than Louisiana while exercising his/her privilege to practice and has no pending disciplinary proceedings as stated in R.S. 37:921, except as provided in LAC 46:XLVII.3328.A-H;

D.1.b. - D.2.a.v. ...

b. Controlled Substances. The board may authorize an APRN with prescriptive authority to prescribe or distribute controlled substances as defined, enumerated or included in federal or state statutes or regulations 21 CFR 1308.11-15, R.S. 40:964, on an individual practice basis. Upon initial application with the board and request for approval to prescribe controlled substances, the APRN must provide evidence of successful completion of three hours of continuing education approved by the board on controlled substance prescribing practices as delineated in LAC 46:XLVII.4516. Such board approved continuing education shall include instruction relating to drug diversion training, best practices regarding prescribing of controlled substances, and appropriate treatment for addiction. An APRN who is so authorized shall provide their Drug Enforcement Administration registration number on all written, electronic, oral, or faxed prescriptions for controlled substances and shall comply with all scheduled drug prescription requirements in accordance with LAC 46:LIII.2511 and in the Louisiana Pharmacy Practice Act:

i. an APRN granted authority to prescribe or distribute controlled substances shall not utilize such substances in connection with the treatment of:

(a). chronic or intractable pain, as defined in LAC 46:XLV.6915-6923;

(b). obesity, as defined in LAC 46:XLV.6901-6913;

or  
(c). oneself, a spouse, child or any other family member;

D.2.b.ii. - 17.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 42:572 (April 2016), amended by the Department of Health, Board of Nursing, LR 44:276 (February 2018), ), LR 45:1202 (September 2019), LR 47:

**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 5:00 p.m. on or before January 10, 2021.

Dr. Karen Lyon  
Executive Director

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

**RULE TITLE: Advanced Practice Registered Nurses**

- 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 \$350 for the LA State Board of Nursing (LSBN) in FY 21. The proposed rule changes will update LAC XLVII Chapter 45, Sections 4505, 4507 and 4513. These changes will allow LSBN to be in accordance with the SUPPORT for Patients and Communities Act (federal H.R.6 enacted by the 115<sup>th</sup> U. S Congress), that became law on October 24, 2018. The federal act permits Louisiana APRNs, within approved collaborative practice agreements with physicians, to be eligible to treat patients diagnosed with substance use disorders using buprenorphine. Eligible APRNs may treat up to 100 patients per year for five years.. Another proposed change will align LSBN rules with the Nurse Licensure Compact. APRNs are required to either hold a current, unencumbered, unrestricted and valid single state RN license in Louisiana or hold an active RN multistate license in a compact state other than Louisiana as well as an active, unencumbered Louisiana APRN license. One clarification, related to formatting prescriptions, will be made in compliance with the Louisiana Pharmacy Act. Finally, a technical change will be made to reflect the cross reference in 4513. The technical change corrected (a) . chronic or intractable pain, as defined in LAC 46:XLV. 6915 – 6923. The proposed rule changes will authorize APRNs to administer buprenorphine to persons diagnosed with substance abuse disorders.

- 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, SMALL BUSINESSES OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes will authorize APRNs to administer buprenorphine to persons diagnosed with substance abuse disorders.

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

The proposed rule changes will not affect competition and employment.

Karen C. Lyon  
Executive Director  
2012#044

Alan M. Boxberger  
Staff Director  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Board of Pharmacy**

Controlled Dangerous Substance License for Hemp Facility  
(LAC 46:LIII.2701, 2705, and 2707)

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 three sections within Chapter 27 of its rules relative to the issuance of a controlled substance license to hemp seed producers, hemp growers, and hemp processors. The proposed change in §2701 inserts a new entry in the list of terms defined in that section and defines a hemp facility. The proposed change in §2705 adds a hemp facility to this section on the issuance of a controlled substance license to a facility and identifies the required documentation on the application. The proposed change in §2707 adds licenses from the Dept. of Agriculture and Forestry to the list of