

Alicia Wheeler

From: Alicia Wheeler
Sent: Friday, May 9, 2025 12:20 PM
To: Reg.Submission@la.gov; apa.s-h&w@legis.la.gov; apa.h-hw@legis.la.gov
Cc: Karen C. Lyon; publicrecords@lctcs.edu.
Subject: Notice of Intent to amend LAC 46:XLVII.3515
Attachments: 20250509 NOI Rule 3515 Insertion Order.pdf; 3515 FEIS (Signed).pdf; 20250509 NOI LAC 46 XLVII 3515.docx

Attached is the Louisiana State Board of Nursing's NOI for publication in the June 2025 *Louisiana Register*, regarding proposed amendments to LAC 46:XLVII.3515, quantifying the percentage of exceptions to the academic qualifications for undergraduate nurse faculty allowable. Also attached are a signed Insertion Order and signed Fiscal and Economic Impact Statement.

Should you have any questions or need additional information, please contact Alicia Edmond Wheeler at (225) 755-7528.



Alicia Edmond Wheeler
Executive Counsel/Interim Chief Regulatory Officer
Louisiana State Board of Nursing
17373 Perkins Rd.
Baton Rouge, LA 70810
Ph: 225 755-7528
Fax: 225 755-7585

NOTICE OF INTENT

Department of Health

Board of Nursing

Faculty and Faculty Organization of Undergraduate and Graduate Nursing Education Degree Programs (LAC 46:XLVII.3515(B)(9)(c))

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 rule changes to Chapter 37, Section 3515, under Title 46, Professional and Occupational Standards, Part XLVII. The proposed change will quantify the percentage of exceptions to the academic qualifications for undergraduate nurse faculty allowable.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XLVII. Nurses: Practical Nurses and Registered Nurses

Subpart 2. Registered Nurses

Chapter 37. Nursing Practice

§3515. Faculty and Faculty Organization of Undergraduate and Graduate Nursing Education Degree Programs

B. Qualifications

9. Exceptions to the academic qualifications for undergraduate nurse faculty shall be justified and approved under board established guidelines. Exceptions, if granted by the board shall be:
 - a. baccalaureate in nursing-prepared individuals who are not enrolled in a graduate program in nursing are limited to a maximum two calendar years after which they must be enrolled in a graduate nursing program; and
 - b. baccalaureate in nursing-prepared individuals who are enrolled in a graduate program in nursing at the master's and/or doctoral level shall be initially approved for two years in accordance with current board guidelines. Exceptions may be granted to each individual for a maximum of four years.
 - c. limited to not more than forty percent of the FTE undergraduate nurse faculty.

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 3:186 (April 1977), amended LR 10:1025 (December 1984), LR 12:678 (October 1986), amended by the Department of Health and Hospitals, Board of Nursing, LR 19:1147 (September 1993), repromulgated LR 24:1293 (July 1998), amended LR 26:2789 (December 2000), repromulgated LR 27:851 (June 2001), amended LR 33:1123 (June 2007), LR 36:1245 (June 2010), LR 42:880 (June 2016), amended LR 49:874 (May 2023).

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

Small Business Analysis

The impact of the proposed Rule on small businesses, as defined in the Regulatory Flexibility Act, has been considered. It is estimated that the proposed action is not expected to have any significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed rule on small businesses.

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, Executive Director, 17373 Perkins Road, Baton Rouge, LA 70810 or by facsimile to (225)775-7585. All comments must be submitted by 5p.m. on before July 10, 2025.

Dr. Karen C. Lyon, PhD, MBA, APRN-CNS, NEA
Executive Director/CEO

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES **RULE TITLE: Faculty and Faculty Organization of Undergraduate and Graduate Nursing Education Degree Programs**

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

Other than the cost of rulemaking, there are no estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule change. The cost for the Louisiana State Board of Nursing is approximately \$250 for the notice and rule publication in the *Louisiana Register*.

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

The proposed rule change is not anticipated to impact the revenue collections of state or local governmental units.

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

There are no anticipated economic losses to nursing schools or undergraduate nurse faculty resulting from the proposed rule change. The proposed rule simply provides a guideline for schools to follow when ensuring that undergraduate faculty meets the requisite academic qualifications. The proposed rule change will provide a guideline for the percentage of full time equivalent (FTE) undergraduate nurse faculty excepted from the required academic qualifications.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to have any effect on competition or employment.

Alicia Edmond Wheeler
Executive Counsel
Louisiana State Board of Nursing

Patricia Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

Person Preparing Statement:	Alicia E. Wheeler	Dept.:	Department of Health
Phone:	225-775-7528	Office:	Louisiana State Board of Nursing
Return Address:	17373 Perkins Road	Rule Title:	LAC 46: XLVII.3515(B)(9)(c)
	Baton Rouge, LA 70810	Date Rule Takes Effect:	Upon Promulgation

SUMMARY
(Use complete sentences)

In accordance with Section 961 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

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

Other than the cost of rulemaking, there are no estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule change. The cost for the Louisiana State Board of Nursing is approximately \$250 for the notice and rule publication in the *Louisiana Register*.

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IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no effect on competition or employment.

	
Signature of Head or Designee	Legislative Fiscal Officer or Designee
Alicia Edmond Wheeler, Executive Counsel	
Typed Name & Title of Agency Head or Designee	
5/8/2025	5/09/2025
Date of Signature	Date of Signature

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The Louisiana State Board of Nursing (LSBN) is proposing rule changes to Chapter 37, Section 3515, under Title 46, Professional and Occupational Standards, Part XLVII. The proposed change will quantify the percentage of exceptions to the academic qualifications for undergraduate nurse faculty allowable.

- B. Summarize the circumstances, which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

The proposed rule change are the result of continuous review of the current rules by the Board and Industry to identify areas for improvement.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session

- (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

No, the Louisiana State Board of Nursing operates on self-generated revenue.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) _____ YES. If yes, attach documentation.

(b) X_____ NO. If no, provide justification as to why this rule change should be published at this time

The LSBN operates on self-generated funds, and it has determined that the proposed rule changes are in the public's best interest.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 25	FY 26	FY 27
PERSONAL SERVICES	\$0	\$0	\$0
OPERATING EXPENSES	\$250	\$0	\$0
PROFESSIONAL SERVICES	\$0	\$0	\$0
OTHER CHARGES	\$0	\$0	\$0
EQUIPMENT	\$0	\$0	\$0
MAJOR REPAIR & CONSTR.	\$0	\$0	\$0
TOTAL	\$250	\$0	\$0
POSITIONS (#)	0	0	0

Provide a narrative explanation of the costs or savings shown in "A. 1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

Other than the cost of rulemaking, there are no estimated implementation costs or savings for state agencies resulting from the promulgation of the proposed rule change. The cost for the Louisiana State Board of Nursing is approximately \$250 for the notice and rule publication in the *Louisiana Register*.

2. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 25	FY 26	FY 27
STATE GENERAL FUND	\$0	\$0	\$0
AGENCY SELF-GENERATED	\$250	\$0	\$0
DEDICATED	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0
OTHER (Specify)	\$0	\$0	\$0
TOTAL	\$250	\$0	\$0

3. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

The LSBN has sufficient self-generated funds available to implement the proposed rule changes.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

The proposed rule change will not result in cost or savings to local governmental units.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

The proposed rule change will not impact sources of funding of local governmental units.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 25	FY 26	FY 27
STATE GENERAL FUND	\$0	\$0	\$0
AGENCY SELF-GENERATED	\$0	\$0	\$0
DEDICATED	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0
LOCAL FUNDS	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

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

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS

- A. What persons, small businesses, or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

There are no anticipated economic losses to nursing schools or undergraduate nurse faculty resulting from the proposed rule change. The proposed rule simply provides a guideline for schools to follow when ensuring that undergraduate faculty meets the requisite academic qualifications. The proposed rule change will provide a guideline for the percentage of full time equivalent (FTE) undergraduate nurse faculty excepted from the required academic qualifications.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

The proposed rule change will not have an effect on receipts or income.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

The proposed rule change will have no effect on competition or employment.

OFFICE OF THE STATE REGISTER INSERTION ORDER (eff.08/02)Claiborne Building 1201 North Third Street Suite 3-220 Post Office Box 94095
Baton Rouge, LA 70804-9095 (225)342-5015 FAX (225)342-0284

(SUBMIT A SEPARATE INSERTION ORDER PER DOCUMENT)

☐ **EMERGENCY RULE** ☐ **NOTICE OF INTENT** ☐ **RULE** ☐ **POTPOURRI****REFER TO INSTRUCTIONS ON REVERSE SIDE**This is your authority to publish in the (month) _____, 20 ____ *Louisiana Register* the document indicated above._____
Office/Board/Commission promulgating this document_____
Department under which office/board/commission is classified_____
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File name**Important:** If submitting both an Emergency Rule (ER) and a Notice
of Intent (NOI) to be published this month, **AND** if the rule text in the
ER is identical to the rule text in the NOI, check here: ☐_____
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