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May 21, 2019

Senator John Alario, Jr, President  
Louisiana Senate  
P.O. Box 94183  
Baton Rouge, LA 70804-9183

Dear Senator Alario,

Pursuant to R.S.49:968 (D)(1)(b), the Louisiana State Board of Nursing (LSBN) hereby announces its plan to proceed with the rule-making process by proposing rule changes to LAC 46:XLVII 3324.C. and E. These changes will allow discretion in rendering a decision for nursing students who falsify their application or fail to disclose information which should have been reported to LSBN. Some students are being penalized for actions that were taken at a young age or that they assumed were expunged from their record. The current rule denies enrollment/ progression in clinical courses and the ability to resubmit an application for a minimum of five years. Because of the broad range of case-by case circumstances, all students should be evaluated individually, and decisions rendered in accordance with our current Just Culture philosophy as we do for other disciplinary actions. The proposed rule change will state “up to five years” instead of a “minimum of five years” and will allow staff and the Appointing Authority discretion in adjudicating each application. This allows for the situation to be evaluated and a fair decision rendered according to the severity of the infraction(s). A technical change in Chapter 33, Section 3324 C is deemed necessary to give the Appointing Authority the flexibility to render a decision that is not aligned with a permanent action (s). LSBN would like to finalize the April 20, 2019, Notice of Intent that was promulgated on pages 119-121 of the *Louisiana Register*.

The LSBN has not received comments opposing the proposed changes to the Chapter 33. General Subchapter C. Registration and Registered Nurse Licensure Section: 3324C and E Undergraduate Clinical Courses. The LSBN is not required to conduct a hearing pursuant to the Revised Statute 49:953 (A) (2).

Subject to legislative oversight by either the House or Senate Health and Welfare Committee, the board intends to submit a Rule to the Office of the State Register for publication. Please contact Dr. Karen Lyon at 225-755-7576 if the board may be of any assistance to you concerning this rule.

Sincerely,



Karen C. Lyon, PhD, MBA, APRN, NEA  
CEO/Executive Director  
Louisiana State Board of Nursing  
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