

E.2 - E.3.a.viii. ...

4. Louisiana licensees privileged in teletherapy must accrue three clock hours of continuing education during each renewal period.

F. - K ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 45:438 (March 2019), amended LR 46:1687 (December 2020), LR 51:

#### **Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of these rules on family has been considered. This proposal to create licensee statuses has no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

#### **Poverty Impact Statement**

The proposed Rule should not 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.

#### **Small Business Analysis**

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

#### **Provider Impact Statement**

The proposed change should not have any known or foreseeable impact on providers as defined by HCR 170 of 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 to Jamie S. Doming, Licensed Professional Counselors Board of Examiners, 11410 Lake Sherwood Avenue North Suite A, Baton Rouge, LA 70816 by June 10, 2025, at 5 p.m.

Jamie S. Doming  
Executive Director

## **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Teletherapy Registration**

### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT 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 Licensed Professional Counselors Board of Examiners is approximately \$800 in FY 25 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 changes are 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 NONGOVERNMENTAL GROUPS (Summary)**

Proposed rule changes establish registration process for out-of-state licensed mental health professionals to provide teletherapy services to Louisiana clients. The rule defines telehealth registration, outlines eligibility and background check requirements, and sets practice standards consistent with in-person care. Additionally, the rule specifies training and continuing education requirements, informed consent procedures, documentation standards, and disciplinary provisions applicable to both Louisiana licensees and telehealth registrants.

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

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

Jamie S. Doming  
Executive Director  
2505#019

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Officer

## **NOTICE OF INTENT**

### **Department of Health Office of Public Health**

Commission for the Deaf  
(LAC 67:VII.309)

In accordance with R.S. 46:2352(B) and with the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Health (LDH) proposes to amend LAC 67:VII.309.B to provide for the roles and functions of the Louisiana Commission for the Deaf Board.

#### **Title 67**

### **SOCIAL SERVICES**

#### **Part VII. Rehabilitation Services**

### **Chapter 3. Commission for the Deaf**

#### **§309. Louisiana Commission for the Deaf Board of Commissioners**

A. Name. The name shall be the Louisiana Commission for the Deaf Board of Commissioners, hereinafter referred to as the "board of commissioners".

B. The role and function of the Louisiana Commission for the Deaf board of commissioners are as follows:

1. to support the work of the commission by making recommendations to the commission regarding its programs, policies, procedures, regulations, rules and criteria on behalf of d/Deaf, DeafBlind, and hard of hearing communities and their families;

2. to advocate for the general welfare, needs, and rights of d/Deaf, DeafBlind, and hard of hearing individuals in this state through education, advising, informing, and promoting relevant laws, policies, and practices which support the eradication of barriers and discrimination affecting individuals who are d/Deaf, DeafBlind, and hard of hearing; and

3. to create standing committees, ad hoc committees, or task forces as needed to assist in carrying out the above objectives.

a. The duties of all such committees shall be to identify, inform, and/or research needs, actions, policies, or laws relevant to the constituent group of the commission, unless otherwise defined by the board of commissioners.

b. Committees may include current board of commissioner members and/or nonmembers. Composition of committees shall be a maximum of nine individuals and should generally reflect state-wide representation, if possible.

c. Terms of membership for committees shall be at the discretion of the board of commissioners and identified at the time of creation.

d. A person may be eligible for appointment to the committee if their position, knowledge, or experience qualifies them to represent the concerns, needs, and recommendations of the Deaf, DeafBlind, hard of hearing community and/or the sign language interpreter workforce in Louisiana. The board of commissioners may specify additional qualification requirements.

e. The executive director may participate at the discretion of the chair in the deliberations of all committees as a nonvoting member, with the exception of the Executive Director Evaluation Committee.

C. The following standing committee shall be overseen by the board of commissioners.

1. Executive Committee. The composition of the executive committee shall be comprised of the elected officers of the board of commissioners (chair, vice-chair, and secretary).

2. The purpose of the executive committee shall be to:

a. Establish the agenda for public meetings of the board of commissioners with the support of the executive director.

b. Respond to urgent matters that preclude the entire board of commissioners assembling. Decisions made by the executive committee must be ratified by the board of commissioners at its next meeting.

c. Participate in hiring process of the executive director for the Louisiana Commission for the Deaf Program make the following recommendations to the secretary of the Louisiana Department of Health, as prescribed by law:

i. qualifications, job duties and responsibilities, and salary of the executive director position.

ii. participate in interviews to fill the executive director position; recommend candidate.

iii. inform strategic goals for the executive director.

iv. inform performance review of the executive director bi-annually. The process for review shall be as follows:

(a). review initial goals;

(b). gather input from the board of commissioners on the executive director's performance;

(c). receive executive director's self-evaluation

(d). combine input and draft a summary of the findings;

(e). meet with executive director to review findings

(f). submit final report to board of commissioners for review;

(g). submit final report to secretary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:2352 and R.S. 47:1061.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Rehabilitation Services, Commission for the Deaf, LR 13:93 (February 1987), amended LR 17:388 (April 1991), repromulgated LR 21:589 (June 1995), amended by the Department of Health, Office of Public Health, LR 51:

#### **Family Impact Statement**

The proposed Rule is not anticipated to have an impact on family, formation, stability, and autonomy as described in R.S. 49:972.

#### **Poverty Impact Statement**

The proposed Rule is not anticipated to have an impact on any child, individual, or family as defined by R.S. 49:973.

#### **Small Business Analysis**

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

#### **Provider Impact Statement**

The proposed Rule is not anticipated to have an impact on staffing requirements, qualifications, and cost for providers as defined by HCR 170 of the 2014 Regular Legislative Session.

#### **Public Comments**

Interested persons may submit written comments on the proposed Rule. Such comments must be received no later than Tuesday, June 10, 2025 at close of business, 4:30 p.m., and should be addressed to Amy Zapata, Program Manager, Bureau of Family Health, Louisiana Department of Health, 628 North Fourth Street, Suite 590, Baton Rouge, LA 70821 or emailed to Amy Zapata at amy.zapata@la.gov.

#### **Public Hearing**

Interested persons may submit a written request to conduct a public hearing either by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on Tuesday, June 10, 2025. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 10 a.m. on Thursday, June 26, 2025, in Room 117 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after Tuesday, June 10,

2025. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Bruce D. Greenstein  
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Commission for the Deaf**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO  
STATE OR LOCAL GOVERNMENT 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 Office of Public Health is approximately \$121 in FY 25 for the notice and rule publication in the *Louisiana Register*.

The proposed rule changes will allow for the creation of standing committees, ad hoc committees, or task forces as needed to carry out legislative mandates as well as to inform the board of commissioners of its role in making recommendations to the secretary related to the hiring and ongoing employment of the LCD Program's executive director.

**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  
NONGOVERNMENTAL GROUPS (Summary)**

There are no known estimated costs and/or economic benefits to directly affected persons, small businesses, or nongovernmental groups.

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

There is no estimated effect on competition and employment.

Tonya Joiner  
Assistant Secretary  
2505#038

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Department of Health  
Office of Public Health**

Regulation of Medical Marijuana  
(LAC 51:XXIX.Chapter 1, Chapter 5, Chapter 7, Chapter 9,  
Chapter 21, Chapter 23, and Chapter 25)

The Department of Health, Office of Public Health (LDH/OPH), pursuant to the rulemaking authority granted by R.S. 40:4(A)(12) and R.S. 3:1483(L), intends to adopt the following proposed Rule for the protection of public health. This Rule will be effective on August 20, 2025, and is adopted in accordance with R.S. 49:962 of the Administrative Procedure Act (R.S. 49:950, et seq.).

This Rule will reenact and amend certain sections of Part XXIX of Title 51 of the *Louisiana Administrative Code* (also known as the “*Public Health—Sanitary Code*”) and will enact a new Subpart as a consequence of changes made to medical marijuana regulations under Act No. 150 and Act No. 693 of the 2024 Louisiana Legislature. The following changes will update the language in Part XXIX to address terminology changes and alter the pesticide-testing schedule to streamline product testing and approval. The new Subpart 2. Marijuana Retailers authorizes the LDH/OPH to transition to conducting oversight of the retail distribution of medical marijuana products through the network of approved retailers. Chapter 21 provides for general requirements and definitions. Chapter 23 provides for the transfer of new LDH-issued permits for retailers that currently hold marijuana-pharmacy permits through the Louisiana Board of Pharmacy as of November 2024 and application requirements for new applicants should a current permit-holder neglect to renew its existing permit. Chapter 25 provides for general operational requirements for marijuana retailers, including distribution requirements, recommendations, home-delivery services, disposal procedures for waste products, inventory control, point-of-sale tracking systems, and general design, construction, and sanitary requirements.

**Title 51**

**PUBLIC HEALTH—SANITARY CODE**

**Part XXIX. Medical Marijuana**

**Subpart 1. Marijuana Manufacturers**

**Chapter 1. General Requirements**

**§101. Definitions**

A. Except as may be otherwise defined in any provision of this Part, and unless the context or use thereof clearly indicates otherwise, the following words and terms used in this Part of the *Sanitary Code* are defined for the purposes thereof, and for purposes of any other Parts which are adopted or may hereafter be adopted, as follows.

\* \* \*

*Licensee*—as defined in R.S. 40:1046(H)(1)(a), an entity authorized by the Louisiana Department of Health to cultivate, extract, process, produce and transport therapeutic marijuana.

\* \* \*

*Permittee*—Repealed.

*Therapeutic Marijuana*—see Medical Marijuana.

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

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 48:2976 (December 2022), amended LR 51:

**Chapter 5. Licensure**

**§501. Licensure of Authorized Entities**

A. The department shall issue a nontransferable license to the licensees successfully completing the application process referenced in §505 of this Chapter to produce medical marijuana. Such license shall be renewable annually on July 1.

B. Only a total of two licenses may be issued for the production of medical marijuana.

C. Licensees shall comply with all applicable requirements of R.S. Title 40, Chapter 4, Part X-E (R.S. 40:1046 et seq.), including payment of all fees, allowance of