CONTENTS July 2016

I. EXECUTIVE ORDERS

JBE 16-24 Flags at Half-Staff to Honor the Victims of the Attack in Orlando 974
JBE 16-25 Flags at Half-Staff to Honor Reverend E. Edward Jones, Sr. 974
JBE 16-26 Conditions for Participation in the Industrial Tax Exemption Program 974
JBE 16-27 Call for Meetings of State Mineral and Energy Board 976
JBE 16-28 Authorization for Chair of the State Mineral and Energy Board to Sign Certain Documents on Governor's Behalf 977
JBE 16-29 Procedures in Cases before Military Courts in the State of Louisiana 977
JBE 16-30 Authority to Arm Designated Louisiana National Guardsmen 978
JBE 16-31 Coordinated System of Care 978
JBE 16-32 Executive Branch—Merit Increase Freeze 979

II. POLICY AND PROCEDURE MEMORANDA

Governor

Division of Administration—PPM 49—General Travel Regulations (LAC 4:V.Chapter 15) 981

III. EMERGENCY RULES

Agriculture and Forestry

Office of Agricultural and Environmental Sciences—Emerald Ash Borer Quarantine (LAC 7:XV.167) 995

Education

Board of Elementary and Secondary Education—Bulletin 140—Louisiana Early Childhood Care and Education Network (LAC 28:CLXVII.101, 103, 313, 503, 509, 511, 512, 513, 515, 517, 521, 703, 705, 707, 709, and 713) 996
Student Financial Assistance Commission, Office of Student Financial Assistance Scholarship/Grant Programs (LAC 28:IV.301, 701, 703, and 2107) 1003

Health

Bureau of Health Services Financing—Disproportionate Share Hospital Payments—Major Medical Centers (LAC 50:V.2715) 1007
Home and Community-Based Services Waivers—Community Choices Waiver—Electronic Visit Verification (LAC 50:XXI.9305) 1008
Intermediate Care Facilities for Persons with Developmental Disabilities—Licensing Standards (LAC 48:I.8595 and 8599) 1008
Intermediate Care Facilities for Persons with Intellectual Disabilities—Supplemental Payments (LAC 50:VII.32917) 1010
Personal Care Services—Long-Term—Standards for Participation—Electronic Visit Verification (LAC 50:XV.12909) 1010
Office of Aging and Adult Services—Home and Community-Based Services Waivers Community Choices Waiver—Electronic Visit Verification (LAC 50:XXI.9305) 1008
Personal Care Services—Long-Term—Standards for Participation—Electronic Visit Verification (LAC 50:XV.12909) 1010
Office of Public Health—Protection of Water Supply (LAC 51:XII.344 and 346) 1011

Wildlife and Fisheries

Wildlife and Fisheries Commission—Spring Inshore Shrimp Season Closure in Shrimp Management Zones 1 and 2 1013

Workforce Commission

Office of Workers' Compensation Administration—Medical Treatment Guidelines (LAC 40:I.5157) 1013

IV. RULES

Education

Board of Elementary and Secondary Education—Bulletin 111—The Louisiana School, District, and State Accountability System (LAC 28:LXXXIII.613) 1017
Bulletin 126—Charter Schools—Definitions; Charter School Recruitment and Enrollment (LAC 28:CXXXIX.103 and 2701) 1017
Bulletin 126—Charter Schools—State Funding (LAC 28:CXXXIX.2301) 1019

This public document was published at a total cost of $1,925. Two hundred fifty copies of this public document were published in this monthly printing at a cost of $1,925. The total cost of all printings of this document including reprints is $1,925. This document was published by Moran Printing, Inc. 5425 Florida Boulevard, Baton Rouge, LA 70806, as a service to the state agencies in keeping them cognizant of the new rules and regulations under the authority of R.S. 49:950-971 and R.S. 49:981-999. This material was printed in accordance with standards for printing by state agencies established pursuant to R.S. 43:31. Printing of this material was purchased in accordance with the provisions of Title 43 of the Louisiana Revised Statutes.

The Office of the State Register provides auxiliary aids for the *Louisiana Register* for visually impaired individuals. By appointment, oral presentation of the *Louisiana Register* is available at the Office of the State Register, or an audio cd of requested sections of the *Louisiana Register* can be provided for the production cost incurred. For more information contact the Office of the State Register.

Bulletin 129—The Recovery School District (LAC 28:CXLV.1111) 1019
Bulletin 141—Louisiana Student Standards for English Language Arts (LAC 28:CLXIX.Chapters 1-23) 1019
Bulletin 142—Louisiana Student Standards for Mathematics (LAC 28:CLXXI.Chapters 1-25) 1043
Bulletin 741—Louisiana Handbook for School Administrators (LAC 28:CXV.2318 and 2353) 1062
Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators (LAC 28:LXXIX.2109 and 2323) 1063
Bulletin 1955—Louisiana Content Standards, Benchmarks, and Grade Expectations for Mathematics (LAC 28:CXIX.Chapters 1-17) 1065
Bulletin 1965—Louisiana Content Standards, Benchmarks, and Grade Expectations for English Language Arts (LAC 28:LXIII.Chapters 1-19) 1067
Tuition Trust Authority—Office of Student Financial Assistance—START Saving Program (LAC 28:VI.Chapters 1 and 3) 1070

Environmental Quality
Office of the Secretary, Legal Division—Incorporation by Reference—Federal Air Quality Regulations—2015 (LAC 33:III.506, 507, 2160, 3003, 5116, 5311 and 5901)(AQ359ft) 1084

Governor
Board of Pardons—Clemency Consideration Eligibility and Application Filing (LAC 22:V.Chapter 2) 1087
Office of Financial Institutions—Investment Adviser Registration Procedure (LAC 10:XIII.Chapter 13) 1088

Health
Board of Examiners of Psychologists—Provisional Licensure of Psychologists (LAC 46:LXIII.102, 105, 601, 603, 701, 705, 709, 901, 902, 1101, 1301, 1503, 1901, and 2103) 1089
Board of Pharmacy—Controlled Substance Prescriptions (LAC 46:LIII.2525 and 2745) 1090
Bureau of Health Services Financing—Emergency Medical Transportation Services Ambulance Licensing Standards (LAC 48:I.6037) 1090
Medicaid Eligibility—Federally-Facilitated Marketplace Determinations (LAC 50:III.505) 1091
Medical Transportation Program—Non-Emergency Medical Transportation (LAC 50:XXVII.Chapter 5) 1091
Office of Public Health—Backflow and Cross Connection Control in Water Supplies (LAC 51:XII.344 and 346) 1094

Insurance
Office of the Commissioner—Regulation 32—Group and Individual Coordination of Benefits (LAC 37:XIII.Chapter 3) 1095

Transportation and Development
Professional Engineering and Land Surveying Board—Examinations and Continuing Professional Development (LAC 46:LXI.707, 1301, and Chapter 31) 1104

Wildlife and Fisheries
Wildlife and Fisheries Commission—Resident Game Hunting Season (LAC 76:XIX.Chapter 1) 1107
Turtle Excluder Device (LAC 76:VII.374) 1132

V. NOTICE OF INTENT

Agriculture and Forestry
Office of Agricultural and Environmental Sciences, Boll Weevil Eradication Commission—Maintenance and Inspection Fees (LAC 7:XV.Chapter 3) 1134
Office of Agricultural and Environmental Sciences, Horticulture Commission—Arborists, Utility Arborists, and Landscape Irrigation Contractors—Insurance Coverage (LAC 7:XXIX.117) 1135
Office of Agro-Consumer Services, Division of Weights and Measures—Weights and Measures Fee Structure and Registration (LAC 7:XXXV.125 and 127) 1140

Children and Family Services
Economic Stability Section—Community Supervision Program (LAC 67:III.5573) 1142
Income Exclusions for Public Assistance Programs (LAC 67:III.1229 and Chapter 19) 1143

Civil Service
Board of Ethics—Late Filings; Records and Reports (LAC 52:I.Chapter 12 and 1309) 1147

Education
Student Financial Assistance Commission, Office of Student Financial Assistance—Scholarship/Grant Programs (LAC 28:IV.301, 701, 703, and 2107) 1150

Health
Board of Dentistry—Dentists and Dental Hygienists Licensure Examination (LAC 46:XXXIII.1709 and 1711) 1154
Board of Medical Examiners—Medications Used in the Treatment of Obesity (LAC 46:XLV.6905) 1156
Board of Speech-Language Pathology and Audiology—Speech-Pathology and Audiology (LAC 46:LXXV.103, 107, 109, 119, 121, 123, 130, 131, 501, and 505) 1157
Bureau of Health Services Financing—Facility Need Review—Hospital Off-Site Campuses Emergency Services (LAC 48:I.Chapter 125) 1162
Hospital Licensing Standards—Free-Standing Emergency Facilities—Emergency Services (LAC 48:I.9327) 1164
Medicaid Eligibility—New Adult Eligibility Group (LAC 50:III.2317) 1165
Personal Care Services—Long-Term—Non-Medical Transportation Services (LAC 50:XV.12903) 1166

Office of Aging and Adult Services—Personal Care Services—Long-Term—Non-Medical Transportation Services (LAC 50:XV.12903)..... 1166
Spinal Cord Injury (LAC 48:I.1905)..... 1167
Public Safety and Corrections
Liquefied Petroleum Gas Commission—Permit Fees (LAC 55:IX.107)..... 1168
Transportation and Development
Office of Management and Finance—Department Relocation of Publicly Owned or Non-Profit Utilities (LAC 70:II.305))..... 1170
Wildlife and Fisheries
Wildlife and Fisheries Commission—Blue Crab Harvest (LAC 76:VII.346)..... 1172
Cervid Carcass Importation (LAC 76:V.119)..... 1173
Outlaw Quadruped, Nutria and Beaver Night Take Permits (LAC 76:V.126)..... 1174
Workforce Commission
Office of Workers' Compensation Administration—Medical Treatment Guidelines—Maximum Reimbursement Allowances (LAC 40:I.5157)..... 1176

VI. ADMINISTRATIVE CODE UPDATE
Cumulative—January 2016 through June 2016..... 1181

VII. POTPOURRI
Economic Development
Office of Business Development, Office of Entertainment Industry Development—Public Hearing Substantive Changes to Proposed Rule—Entertainment Industry Tax Credit Programs Motion Picture Investor Tax Credit Program (LAC 61:I.Chapter 16)..... 1183
Environmental Quality
Office of Environmental Services, Air Permits Division—Contiguous or Adjacent Properties in the Oil and Natural Gas Sector..... 1184
State Implementation Plan (SIP) Proposed Revisions..... 1184
Health
Board of Veterinary Medicine—Fall/Winter Examination Dates..... 1185
Natural Resources
Office of Conservation—Orphaned Oilfield Sites..... 1186
Public Safety and Corrections
Office of the State Fire Marshal—Public Hearing—Substantive Changes to Proposed Rules (LAC 17:I.107 and 111)..... 1190
Workforce Commission
Office of Workers' Compensation Administration—Weekly Compensation Benefits Limits..... 1191

VIII. INDEX 1192

Executive Orders

EXECUTIVE ORDER JBE 16-24

Flags at Half-Staff to Honor the
Victims of the Attack in Orlando

WHEREAS, as a mark of respect for the victims of the act of hatred and terror perpetrated on Sunday, June 12, 2016, in Orlando, Florida, the President ordered the flags of the United States to be flown at half-staff until sunset, June 16, 2016;
WHEREAS, the thoughts and prayers of Louisiana citizens are with the families and victims of this senseless and unimaginable attack; and
WHEREAS, Louisiana stands ready to assist the State of Florida to bring justice for those whose lives were lost.
NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:
SECTION 1: As an expression of respect for the victims of the Orlando attack, the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all public buildings and institutions of the State of Louisiana immediately until sunset on Thursday, June 16, 2016.
SECTION 2: This Order is effective upon signature and shall remain in effect until sunset, Thursday, June 16, 2016.
IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 13th day of June, 2016.

John Bel Edwards
Governor
ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State
1607#002

EXECUTIVE ORDER JBE 16-25

Flags at Half-Staff to Honor Reverend E. Edward Jones, Sr.

WHEREAS, born in DeRidder in 1931, Reverend E. Edward Jones, Sr. died on June 9, 2016, at the age of 85;
WHEREAS, while he was nationally known as a religious, social, and civil rights activist, he was well-known in Louisiana for his commitment to improving the lives of citizens in his community of Shreveport;
WHEREAS, he recently celebrated his fifty-seventh anniversary of serving as the pastor of Galilee Baptist Church in Shreveport;
WHEREAS, before becoming a minister, he began his career in education at Morehouse Parish School;
WHEREAS, inspired by a meeting with Dr. Martin Luther King, Jr., at Galilee Baptist Church in the early 1960s, he became an influential figure in the desegregation of Caddo Parish School District;
WHEREAS, Reverend Jones served as president of the National Baptist Convention of America from 1985 until 2003;
WHEREAS, instrumental in ensuring that disadvantaged, elderly and handicapped citizens have better access to supportive living residences, Reverend Jones served as president of two housing developments since 1985;
WHEREAS, he served on many boards, including the Louisiana State University Board of Supervisors and the Grambling State University Foundation, and he received many awards recognizing his good work, including induction into the Grambling State University Hall of Fame in 1986; and
WHEREAS, his commitment to improving the lives of others will long be remembered, and the passion and generosity with which he served his community serves as an example for everyone committed to doing the most for the least among us.
NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:
SECTION 1: As an expression of respect for Reverend E. Edward Jones, Sr., the flags of the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all public buildings and institutions of the State of Louisiana until sunset on Friday, June 17, 2016.
SECTION 2: This Order is effective upon signature and shall remain in effect until sunset, Friday, June 17, 2016.
IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 16th day of June, 2016.

John Bel Edwards
Governor
ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State
1607#023

EXECUTIVE ORDER JBE 16-26

Conditions for Participation in the Industrial
Tax Exemption Program

WHEREAS, Article 7, Section 21(F) of the Louisiana Constitution provides that the State Board of Commerce and Industry "with the approval of the governor, may enter into contracts for the exemption from ad valorem

taxes of a new manufacturing establishment or an addition to an existing manufacturing establishment, on such terms and conditions as the board, with the approval of the governor, deems in the best interest of the state";

WHEREAS, Article 7, Section 21(F) also provides that the contracts for the exemption "shall be for an initial term of no more than five calendar years and may be renewed for an additional five years";

WHEREAS, under past practices of the Board of Commerce and Industry and previous governors of Louisiana, this has resulted in a 100 percent exemption or abatement from local property taxes for an initial period of five years, plus the opportunity for a five-year renewal, for a total of ten years of full exemption from local property taxes for qualifying manufacturing establishments;

WHEREAS, under past practices of the Board of Commerce and Industry and previous governors of Louisiana, exemption contracts, unlike those in most states, have allowed ad valorem tax exemptions for maintenance capital, environmental capital upgrades, and new replacements to existing machinery with the result that the same components of a manufacturing plant remain exempt from the local property taxes for years after the expiration of the ten-year period for the contract;

WHEREAS, under past practices the Board of Commerce and Industry and previous governors of Louisiana, exemption contracts have been allowed for Miscellaneous Capital Additions without requiring these projects to file advance notifications, which may more accurately identify projects that will provide for the goals of economic development;

WHEREAS, under past practices of the Board of Commerce and Industry and previous governors of Louisiana, there have been no job creation or capital investment thresholds required for eligibility for the program;

WHEREAS, further, receipt of other incentives from the State by way of direct funding, rebates, tax credits, industrial bonds, or other similar incentives has not factored into determinations of the Board or Governor for eligibility or extent of the exemption or for the length of the contract for the exemption despite the discretionary provisions granted in Article 7, Section 21(F);

WHEREAS, the Board of Commerce and Industry and previous governors of Louisiana have approved Industrial Tax Exemption contracts that and will result in an average of $1.4 billion in foregone ad valorem tax revenue each year for the next five years for parishes, municipalities, school districts and other political subdivisions of the state directly providing law enforcement, water and sewage, infrastructure, and educational opportunities to Louisiana citizens;

WHEREAS, Louisiana's adjacent states authorize local governments to grant discretionary exemptions based on the attractiveness of a particular project—in contrast with Louisiana where neither the Board of Commerce and Industry or previous administrations have, in the past, exercised discretion in awarding the Industrial Tax Credit Exemption authorized by the Louisiana Constitution;

WHEREAS, as a result, Louisiana has forgone opportunities to negotiate and/or to offer prospects lesser or greater benefits under the Industrial Tax Exemption program based upon the merit of the project being considered; and

WHEREAS, this practice has put Louisiana at a competitive disadvantage with neighboring states which use discretion in granting tax exemptions and thereby forgo less revenue by denying projects that will not create significant employment or sufficient capital investment.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: This order provides the terms and conditions under which the Governor is to determine that contracts for the Industrial Tax Exemption Program are in the best interests of the State of Louisiana in accordance with Article 7, Section 21(F) of the Louisiana Constitution.

SECTION 2: For all pending contractual applications for which no advance notification is required under the Rules of the Board of Commerce and Industry, except for such contracts that provide for new jobs at the completed manufacturing plants or establishments, this order is effective immediately; for all contracts for which advance notification is required under the Rules of the Board of Commerce and Industry, this order is effective for advance notifications filed after the date of the issuance of this order.

SECTION 3: Only contracts accompanied by advance notifications will be considered by the Governor. Applications for miscellaneous capital additions and applications for tax exemptions for maintenance capital, required environmental capital upgrades, and new replacements for existing machinery will not be approved or issued contracts by the Governor.

SECTION 4: The Governor will not approve contracts unless the Board of Commerce and Industry has specifically determined that the establishment meets the constitutional definition of manufacturing. Exemption contracts for new manufacturing plants or establishments are favored by the Governor and exemption contracts for additions to any existing plant or establishment are not favored by the Governor unless they provide for new jobs or present compelling reasons for the retention of existing jobs.

SECTION 5: All contracts providing for the Industrial Tax Exemption shall include Exhibit "A" consisting of a Cooperative Endeavor Agreement between the State of Louisiana, the Louisiana Department of Economic Development, and the Applicant providing for the creation or retention of jobs and provisions for the exercise of the options in the Louisiana Constitution for the term or percentage of the exemption granted in the contract, and for the reduction or loss of the exemption based upon the applicant's compliance with the contract, provided with respect to the manufacturing project for which the exemption is granted will be approved by the Governor.

SECTION 6: All Contracts providing for the Industrial Tax exemption shall also include Exhibit "B" consisting of approvals of the relevant governing Parish Council or Police Jury by resolution, Municipal Council by resolution, School Board by resolution and Sheriff by resolution signifying whether each of those authorities is in favor of the project. The Secretary of Economic Development will provide guidance to the local parties to

Exhibit "B" as to the suggested alternatives for their consideration including parameters for job creation, payroll, percentages of exemption, and length of contract.

SECTION 7: Only contracts including Exhibit "A" and Exhibit "B" as described herein will be approved by the Governor. Contracts for the Industrial Tax Exemption that do not meet these conditions will not be approved by the Governor. The Board of Commerce and Industry may address, by rule, any other contractual arrangements that it deems necessary and submit these to the Governor for consideration as amendments to this Executive Order.

SECTION 8: The Department of Revenue shall, in coordination with the Louisiana Department of Economic Development, implement procedures and shall annually review all contracts subject to this Executive Order to assure compliance with existing law, this Order, and the terms of the Industrial ax Exemption contract.

SECTION 9: Article 7 Section 21(F) provides for an initial term for the contract of exemption to be "no more than five years" and that "the contract may be renewed for an additional five years"; and in determining whether to sign the initial contract or to renew an existing contract, the Board of Commerce and Industry and the Governor will consider the information collected and the provisions and conditions presented in Exhibits "A" and "B".

SECTION 10: The terms for the Governor's approval of the contracts for the Industrial Tax Exemption as provided for in this Executive Order represent the primary cause for the Governor's execution of the contracts and any occurrence which operates to change or suspend the terms of any contract approved by the Board of Commerce and Industry and executed by the Governor after the effective date of this Executive Order shall render the approval of the Governor of the affected contract void and of no force or effect.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 24th day of June, 2016.

John Bel Edwards
Governor
ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State
1607#024

EXECUTIVE ORDER JBE 16-27

Call for Meetings of State Mineral and Energy Board

WHEREAS, the State Mineral and Energy Board, created and established by Act No. 93 of the 1936 Regular Legislative Session, R.S. 30:121 et seq. , meets at the call of the governor pursuant to the provisions of R.S. 30:123;

WHEREAS, the customary meeting schedule for the State Mineral and Energy Board is impracticable at times, due to holidays, special events, and/or special circumstances; and

WHEREAS, it is essential to the functioning of government that the State Mineral and Energy Board be able to reschedule or cancel meetings expeditiously in a time of crisis, special event, or special circumstance.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The regular scheduled meetings of the State Mineral Board (hereafter "Board") shall be held on the second Wednesday of each month for the granting of oil, gas, and mineral leases, and such other business as may properly come before the Board.

SECTION 2: Upon obtaining approval of the Board, the chair of the Board is authorized to issue for the Governor the call of a meeting of the Board scheduled for a date other than the second Wednesday of a month, when a meeting on the second Wednesday is impracticable because a holiday or other special event falls on that date.

SECTION 3: Upon obtaining the approval of the Board, the chair of the Board is authorized to issue for the Governor the call of a meeting of the Board that is in addition to the Board's monthly meeting, when special circumstances necessitate that an additional meeting be held.

SECTION 4: During a declaration of emergency, the chair of the Board is hereby delegated the Governor's authority to cancel, reschedule, or consolidate any Board meeting and is also hereby authorized to issue for the Governor the call of a special meeting of the Board that is in addition to the Board's monthly meeting.

SECTION 5: When special circumstances necessitate and when it is impracticable for a quorum of the Board to meet to grant the Chair the appropriate authority, the Chair of the Board is hereby delegated the Governor's authority to cancel, reschedule, or consolidate any Board meeting.

SECTION 6: All departments, commissions, boards, offices, entities, agencies, and officers of the State of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the Board in implementing the provisions of this Order.

SECTION 7: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in city of Baton Rouge, on this 28th day of June, 2016.

John Bel Edwards
Governor
ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State
1607#026

EXECUTIVE ORDER JBE 16-28

Authorization for Chair of the State Mineral and Energy Board to Sign Certain Documents on Governor's Behalf

WHEREAS, the State Mineral and Energy Board (hereafter "Board "), created by Act No. 93 of the 1936 Regular Session and continued through La. R.S. 30:121 et seq., is authorized through La. R.S. 30:124 to lease for development and production of minerals, oil, and gas the lands belonging to the State of Louisiana and the lands to which title is held in the public, including road beds, water bottoms, and lands adjudicated to the state at tax sale;

WHEREAS, pursuant to La. R.S. 30:129, the Board has full supervision of all mineral leases granted by the State of Louisiana, and the general authority to take any action for the protection of the interests of the state, institute actions to annul a lease upon any legal ground, and enter into agreements and amend leases;

WHEREAS, Louisiana Revised Statute 30: 128 expressly prohibits and provides penalties for the transfer or assignment of any lease of minerals or mineral rights owned by the State of Louisiana without the Board's approval;

WHEREAS, prior to the creation of the Board, certain state leases and other agreements pertaining to the development and production of mineral, oil, and gas were executed on behalf of the State of Louisiana by the Governor and, therefore, those leases and agreements contain language which require the signature of the Governor prior to any transfer of interests therein; and

WHEREAS, the chair of the Board has been authorized to sign such leases and agreements on behalf of the governor pursuant to Executive Orders issued by former governors.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: With respect to documents presented to the State Mineral and Energy Board pursuant to La. R.S. 30:128 for approval of the right to transfer or assign a lease of minerals or mineral rights owned by the State of Louisiana which require the signature of the Governor prior to any transfer of interests therein, and which the Board has approved the transfer or assignment, the chair of the Board is authorized and directed to sign the document on behalf of the Governor.

SECTION 2: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 28th day of June, 2016.

John Bel Edwards
Governor
ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State
1607#027

EXECUTIVE ORDER JBE 16-29

Procedures in Cases before Military Courts in the State of Louisiana

WHEREAS, The need for special laws and regulations in relation to military discipline and the consequent need and justification for a special and exclusive system of military justice has been recognized by the Louisiana Legislature in the enactment of the Louisiana Code of Military Justice, La. R.S. 29:101 et seq.;

WHEREAS, the Louisiana Code of Military Justice provides authority for the Governor and the Adjutant General to enforce good order and discipline in the military forces of the State of Louisiana; and

WHEREAS, Louisiana Revised Statute 29: 136 authorizes the Governor to prescribe the procedures, including the modes of proof, in cases before the military courts of the State of Louisiana.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: In accordance with the provisions of the Louisiana Code of Military Justice, La. R.S, 29:136 in particular, the procedure in cases before military courts of the State of Louisiana are hereby prescribed; such procedures shall be the Rules for Court Martial prescribed in the latest edition of the Manual for Courts Martial, United States, in all ways not inconsistent with Louisiana law and regulation.

SECTION 2: Further, and in accordance with La, R.S. 29:136, the modes of proof in cases before military courts of the State of Louisiana are hereby prescribed; such modes shall be the Military Rules of Evidence prescribed in the latest edition of the Manual for Courts Martial, United States, in all ways not inconsistent with Louisiana law and regulation.

SECTION 3: This Order is effective upon signature and shall remain in effect until amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 28th day of June, 2016.

John Bel Edwards
Governor
ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State
1607#028

EXECUTIVE ORDER JBE 16-30

Authority to Arm Designated
Louisiana National Guardsmen

WHEREAS, Article IV, Section 5 of the Louisiana Constitution establishes the governor as the Commander-in-Chief, providing:

The governor shall be commander-in-chief of the armed forces of the state, except when they are called into service of the federal government. He may call out these forces to preserve law and order, to suppress insurrection, to repel invasion, or in other times of emergency.

WHEREAS, Louisiana Revised Statute 29:7 states that the Governor may, with or without a declaration of emergency, order into the active service of the state any part of the National Guard in order to prevent or prepare for terrorist events and, that when so ordered, members of the National Guard on state active duty or in a duty status under Title 32 of the United States Code shall have all of the powers and authority of peace officers as are reasonably necessary to preserve the lives, property, and security of persons within the State of Louisiana;

WHEREAS, the State of Louisiana is proud to have many thousands of National Guardsmen who train to respond and protect the citizens and property of our State and their uniforms should not make them targets for terrorism without having the ability to defend themselves and other peaceful, law abiding citizens;

WHEREAS, there are increasing threats to the security of state military forces from homegrown terrorist organizations within the State of Louisiana; and

WHEREAS, these threats occur while Louisiana's soldiers and airmen are in Louisiana communities and when located on a state military installation or readiness center; and

WHEREAS, the Adjutant General of Louisiana should identify appropriate members of the National Guard currently ordered to state active duty under Louisiana Revised Statute 29:7 or in a duty status under Title 32 of the United States Code and issue appropriate orders designating security procedures for members of the National Guard and facilities to have the means of self-defense should such an attack occur in the State of Louisiana.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: In accordance with my authority as Commander-in-Chief of the military forces of this state, I authorize and direct the Adjutant General to identify and arm certain members of the military forces of Louisiana as reasonably necessary to preserve the lives, property, and security of themselves and other persons subject to threat of a terrorist attack.

SECTION 2: All existing immunities for officers and other members of the military forces of this state, including but not limited to the immunity provided in Louisiana Revised Statutes 29:23, 23.1, and 735, remain in full force and effect.

SECTION 3: This Order is effective upon signature and shall remain in effect until amended, modified, terminated, or rescinded by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 28th day of June, 2016.

John Bel Edwards
Governor
ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State
1607#029

EXECUTIVE ORDER JBE 16-31

Coordinated System of Care

WHEREAS, the Coordinated System of Care (CSoC) is a cross-departmental project of the Office of Juvenile Justice, the Department of Children and Family Services, the Department of Health and Hospitals and the Department of Education to organize a coordinated network of broad, effective services for Louisiana's at risk children and youth with significant behavioral health challenges or related disorders;

WHEREAS, the CSoC was originally established to:

A. Improve the overall outcomes of these children and their caretakers being served by the Coordinated System of Care;

B. Reduce the state's cost of providing services by leveraging Medicaid and other funding sources as well as increasing service effectiveness and reducing duplication across agencies;

C. Reduce out-of-home placements in the current number and future admissions of children and youth with significant behavioral health challenges or co-occurring disorders; and

WHEREAS, it is in the best interests of the citizens of the State of Louisiana to continue implementation of this centralized and coordinated effort through the CSoC Governance Board.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The Coordinated System of Care Governance Board (hereafter "Board") is established within the Louisiana Department of Health and Hospitals to govern the CSoC.

SECTION 2: The Board shall set policy for the governance of the CSoC. The duties of the Board shall include, but are not limited to, the following:

A. Establishing policy and monitoring adherence;

B. Setting standards;

C. Defining target populations;

D. Providing multi-departmental oversight;
E. Directing use of multiple funding sources;
F. Directing the implementing agencies; and
G. Monitoring the quality, cost and adherence to standards.

SECTION 3: The Board shall be composed of nine (9) members as follows:

A. The secretary of the Department of Children and Family Services, or the secretary's designee;
B. The secretary of the Department of Health and Hospitals, or the
C. The superintendent of the Department of Education, or the superintendent's designee;
D. The Deputy Secretary of the Department of Public Safety and Corrections, Youth Services, Office of Juvenile Justice, or the Deputy Secretary's designee.
E. One (1) representative from the Governor's Office or his designee;
F. Two (2) family representatives;
G. One (1) non-voting youth representative; and
H. One (1) advocate representative.

SECTION 4: The chair of the Board shall be an agency head and a member of the Board. All board officers shall be elected by and from the membership of the Board.

SECTION 5: The Board shall meet a minimum of six times annually at regularly scheduled intervals and at the call of the chair.

SECTION 6: Board members shall not receive additional compensation or a per diem from the Office of the Governor for serving on the Board.

Board members who are an employee or an elected public official of the State of Louisiana or a political subdivision thereof may seek reimbursement of travel expenses, in accordance with PPM 49, from their employing and/or elected department, agency and/or office.

Board members who are not employees of the State of Louisiana or a political subdivision of the State of Louisiana may seek reimbursement of travel expenses, in accordance with PPM 49, from DHH.

SECTION 7: All departments, commissions, boards, offices, entities, agencies, and officers of the State of Louisiana, or any political subdivision thereof, are authorized and directed to cooperate with the Board in implementing and maintaining the provisions of this Order, including the execution of memorandums of understanding and the redirection of the designated funding of the agencies involved to finance the CSoC. This process will be fiscally managed by the Louisiana Bureau of Health Services Financing.

SECTION 8: The Bureau of Health Services Financing (BHSF) within DHH, shall continue to serve as the "single state agency" as defined in the federal regulations. As such, BHSF shall be responsible for assuring compliance with all Title XIX requirements.

SECTION 9: This Order is effective upon signature and shall continue in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 28th day of June, 2016.

John Bel Edwards
Governor
ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State
1607#030

EXECUTIVE ORDER JBE 16-32

Executive Branch—Merit Increase Freeze

WHEREAS, pursuant to the provisions of Article IV, Section 5 of the Louisiana Constitution of 1974, as amended, and the Preamble Section 10.C. of Act 17 of the 2016 Regular Session of the Louisiana Legislature, the Governor may issue executive orders which limit the expenditure of funds by the various agencies in the executive branch of State government; and

WHEREAS, underlying assumptions and needs in the development of the current year's state budget would be altered by a decline in the State's revenues and the interests of the citizens of our State are best served by implementing fiscal management practices to ensure that appropriations will not exceed actual revenues;

WHEREAS, the State Civil Service Commission, on June 16, 2016, adopted a rule suspending the ability of an appointing authority to grant performance adjustments to classified employees and also prohibits classified employees from gaining eligibility for a performance adjustment for the period from June 29, 2016 through June 29, 2017; and

WHEREAS, to ensure that the State of Louisiana continues prudent money management practices, the interests of the citizens of the State of Louisiana are best served by implementing a similar freeze on the ability of unclassified employees within the executive branch of state government to receive salary increases.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: The authority to award merit increases for all unclassified employees is frozen beginning immediately and continuing through June 30, 2017. During this period of suspension, no appointing authority may grant a merit increase to any unclassified employee nor may any unclassified employee gain eligibility for a merit increase without written approval of the commissioner of administration.

SECTION 2: All other elected state officials or entities with constitutional authority are urged to join in this effort to preserve state services to our citizens by exercising their authority to suspend the awarding of salary increases to unclassified state employees starting immediately and continuing through the duration of the 2016-2017 fiscal year.

SECTION 3: This freeze shall not affect promotions and performance planning and review requirements. Appointing authorities must continue to comply with all Civil Service Rules regarding performance planning and review of employees.

SECTION 4: This Order is effective upon signature and shall continue in effect until June 30, 2017, unless amended, modified, terminated, or rescinded by the Governor, or terminated prior to such date.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 1st day of July, 2016.

John Bel Edwards
Governor
ATTEST BY
THE GOVERNOR
Tom Schedler
Secretary of State
1607#032

Policy and Procedure Memoranda

POLICY AND PROCEDURE MEMORANDA

Office of the Governor
Division of Administration

PPM 49—General Travel Regulations
(LAC 4:V.Chapter 15)

Title 4
ADMINISTRATION
Part V. Policy and Procedure Memoranda
Chapter 15. General Travel Regulations—PPM Number 49

§1501. Authorization and Legal Basis

A. In accordance with the authority vested in the Commissioner of Administration by Section 231 of Title 39 of the Revised Statutes of 1950 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950-968 as amended, notice is hereby given of the revision of Policy and Procedures Memorandum No. 49, the state general travel regulations, effective July 1, 2016. These amendments are both technical and substantive in nature and are intended to clarify certain portions of the previous regulations or provide for more efficient administration of travel policies. These regulations apply to all state departments, boards and commissions created by the legislature or executive order and operating from funds appropriated, dedicated, or self-sustaining; federal funds; or funds generated from any other source.

Please note that when political subdivisions are required to follow PPM49 for any pass through money issued by the state of Louisiana, any and all required approvals must be sent to the correct appointing authority, not to the Commissioner of Administration.

B.Legal Basis (R.S. 39:231.B) "The Commissioner of Administration, with the approval of the governor, shall, by rule or regulation prescribe the conditions under which each of various forms of transportation may be used by state officers and employees in the discharge of the duties of their respective offices and positions in the state service and the conditions under which allowances will be granted for traveling expenses.

AUTHORITY NOTE:Published in accordance with R.S. 39:231.

HISTORICAL NOTE: Written by the Office of the Governor, Division of Administration, November 1, 1972, published LR 1:179 (April 1975), amended LR 1:338 (August 1975), LR 2:312 (October 1976), LR 5:93 (May 1979), LR 6:405 (August 1980), LR 7:7 (January 1981), LR 8:406 (August 1982), LR 15:820 (October 1989), LR 16:965 (November 1990), LR 26:1252 (June 2000), LR 27:802 (June 2001), LR 28:1125 (June 2002), LR 29:822 (June 2003), LR 30:1111 (June 2004), LR 31:1183 (June 2005), LR 32:938 (June 2006), LR 33:966 (June 2007), republished LR 33:1314 (July 2007), amended LR 34:1299 (July 2008), LR 35:1192 (July 2009), LR 36:1647 (July 2010), LR 42:981 (July 2016).

§1502. Definitions

A. For the purposes of this PPM, the following words have the meaning indicated.

Authorized Persons—

a. advisors, consultants, contractors and other persons who are called upon to contribute time and services to the state who are not otherwise required to be reimbursed through a contract for professional, personal, or consulting services.

b. members of boards, commissions, and advisory councils required by federal or state legislation or regulation. Travel allowance levels for all such members and any staff shall be those authorized for state employees unless specific allowances are legislatively provided.

c. The department head or his/her designee is allowed to deem persons as an authorized traveler for official state business only.

NOTE: College/University Students must be deemed authorized travelers to be reimbursed for state business purposes. A file must be kept containing all of these approvals.

Conference/Convention—is herein defined as a meeting (other than routine) for a specific purpose and/or objective. Non-routine meetings can be defined as a seminar, conference, convention, or training. Documentation required is a formal agenda, program, letter of invitation, or registration fee. Participation as an exhibiting vendor in an exhibit /trade show also qualifies as a conference. For a hotel to qualify for conference rate lodging it requires that the hotel is hosting or is in "conjunction with hosting" the meeting. In the event the designated conference hotel(s) have no room available, a department head may approve to pay actual hotel cost not to exceed the conference lodging rates for other hotels located near the conference hotel.

Controlled Billed Account (CBA)—credit account issued in an agency's name (no plastic card issued). These accounts are direct liabilities of the state and are paid by each agency. CBA accounts are controlled through an authorized approver(s) to provide a means to purchase airfare, registration, lodging, rental vehicles, pre-paid shuttle service and any other allowable charges outlined in the current State of Louisiana State Liability Travel and CBA Policy. Each department head determines the extent of the account's use.

Corporate Travel Card—credit cards issued in a State of Louisiana employee's name to be used for specific, higher cost official business travel expenses. Corporate Travel Cards are state liability cards, paid by each agency.

Emergency Travel—each department shall establish internal procedures for authorizing travel in emergency situations. Approval may be obtained after the fact from the Commissioner of Administration with appropriate documentation, under extraordinary circumstances when PPM49 regulations cannot be followed but where the best interests of the state requires that travel be undertaken.

Executive Traveler—the governor of state of Louisiana, he/she should sign as the traveler but have his/her chief of staff and director of budget sign for travel authorization and travel expenses.

Extended Stays—any assignment made for a period of 31 or more consecutive days at a place other than the official domicile.

Higher Education Entities—entities listed under Schedule 19 Higher Education of the General Appropriations Bill.

Higher Education Entity Head—president of a university.

In-State Travel—all travel within the borders of Louisiana or travel through adjacent states between points within Louisiana when such is the most efficient route.

International Travel—all travel to destinations outside the 50 United States, District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam and Saipan.

Lowest Logical Airfare—in general, these types of airfares are non-refundable, penalty tickets. Penalties could include restrictions such as advanced purchase requirements, weekend stays, etc. Prices will increase as seats are sold. When schedule changes are required for lowest logical tickets, penalty fees are added.

Official Domicile—every state officer, employee, and authorized person, except those on temporary assignment, shall be assigned an official domicile:

a. except where fixed by law, official domicile of an officer or employee assigned to an office shall be, at a minimum, the city limits in which the office is located. The department head or his designee should determine the extent of any surrounding area to be included, such as parish or region. As a guideline, a radius of at least 30 miles is recommended. The official domicile of an authorized person shall be the city in which the person resides, except when the department head has designated another location (such as the person's workplace);

b. a traveler whose residence is other than the official domicile of his/her office shall not receive travel and subsistence while at his/her official domicile nor shall he/she receive reimbursement for travel to and from his/her residence;

c. the official domicile of a person located in the field shall be the city or town nearest to the area where the majority of work is performed, or such city, town, or area as may be designated by the department head, provided that in all cases such designation must be in the best interest of the agency and not for the convenience of the person.

d. The department head or his/her designee may authorize approval for an employee to be reimbursed for lodging expenses within an employee's domicile with proper justification as to why this is necessary and in the best interest of the state.

Out-of-State Travel—travel to any of the other 49 states plus District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, and Saipan.

Passport—a document identifying an individual as a citizen of a specific country and attesting to his or her identity and ability to travel freely.

Per Diem—a flat rate paid in lieu of travel reimbursements for people on extended stays only.

Receipts/Document Requirements—supporting documentation, including original receipts, must be retained according to record retention laws. It shall be at the discretion of each agency to determine where the receipts/documents will be maintained.

Routine Travel—travel required in the course of performing his/her job duties. This does not include non-routine meetings, conferences and out-of-state travel.

State Employee—employees below the level of state officer

State Officer—

a. state elected officials;

b. department head as defined by Title 36 of the Louisiana Revised Statutes, and the equivalent positions in higher education and the office of elected officials.

Suburb—an immediate or adjacent location (overflow of the city) to the higher cost areas which would be within approximately 30 miles of the highest cost area.

Temporary Assignment—any assignment made for a period of less than 31 consecutive days at a place other than the official domicile.

Travel Period—a period of time between the time of departure and the time of return.

Travel Routes—the most direct traveled route must be used by official state travelers.

Travel Scholarships—if any type of scholarship for travel is offered/received by a state employee, it is the agency/employee's responsibility to receive/comply with all ethic laws/requirements. See R.S. 42:1123

Traveler—a state officer, state employee, or authorized person performing authorized travel.

Visa—a document or, more frequently, a stamp in a passport authorizing the bearer to visit a country for specific purposes and for a specific length of time.

AUTHORITY NOTE:Published in accordance with R.S. 39:231.

HISTORICAL NOTE: Written by the Office of the Governor, Division of Administration, November 1, 1972, published LR 1:179 (April 1975), amended LR 1:338 (August 1975), LR 2:312 (October 1976), LR 5:93 (May 1979), LR 6:405 (August 1980), LR 7:7 (January 1981), LR 8:406 (August 1982), LR 15:820 (October 1989), LR 16:965 (November 1990), LR 26:1252 (June 2000), LR 27:802 (June 2001), LR 28:1125 (June 2002), LR 29:822 (June 2003), LR 30:1111 (June 2004), LR 31:1183 (June 2005), LR 32:938 (June 2006), LR 33:966 (June 2007), republished LR 33:1314 (July 2007), amended LR 34:1299 (July 2008), LR 35:1192 (July 2009), LR 36:1647 (July 2010), LR 42:981 (July 2016).

§1503. General Specifications

A. Department Policies

1. Department heads may establish travel regulations within their respective agencies, but such regulations shall not exceed the maximum limitations established by the Commissioner of Administration. Three copies of such regulations shall be submitted for prior review and approval by the Commissioner of Administration. One of the copies shall highlight any exceptions /deviations to PPM-49.

2. Department and agency heads will take whatever action necessary to minimize all travel to carry on the department mission.

3. All high cost expenditures (airfare, lodging, vehicle rentals, and registration) must be placed on the LaCarte Purchasing Card, Travel Card or agency CBA programs unless prior approval is granted from the Commissioner of Administration.

4. Contracted Travel Services. The state has contracted for travel agency services which use is mandatory for airfares unless exemptions have been granted by the

Division of Administration, Office of State Travel, prior to purchasing airfare tickets. The contracted travel agency has an online booking system which can and should be used by all travelers for booking airfare. Use of the online booking system can drastically reduce the cost paid per transaction and state travelers are strongly encouraged to utilize.

5. Contracted Hotel Services. The state has a contract for hotel services, with HotelPlanner.

NOTE: Travelers will be responsible for adhering to hotel's cancellation policy that is set by the hotel when booking through Hotelplanner. If a traveler does not cancel a hotel stay within the cancellation time frame that is set by the hotel, the traveler will be responsible for payments. No exceptions unless approval is granted from the Commissioner of Administration.

6. Contracted Vehicles Rentals. The state has a contract for all rentals based out of Louisiana through Enterprise Rent-A-Car, which use is mandatory.

a. The state has a contracts for all out-of-state rental vehicles which use is mandatory. Travelers shall use Hertz, Enterprise, or National for business travel. These contracts are also applicable to all authorized travelers, and contractors.

7. When a state agency enters into a contract with an out-of-state public entity, the out-of-state public entity may have the authority to conduct any related travel in accordance with their published travel regulations.

8. Authorization to Travel

a. All non-routine travel must be authorized with prior approvals in writing by the head of the department, board, or commission from whose funds the traveler is paid. A file shall be maintained, by the agency, on all approved travel authorizations.

b. Annual travel authorizations are no longer a mandatory requirement of PPM-49 for routine travel, however, an agency can continue to utilize this process if determined to be in your department's best interest and to obtain prior approval for annual routine travel. A prior approved travel authorization is still required for non-routine meetings, conferences and out-of-state travel.

c. Executive traveler must sign as the traveler but have his/her chief of staff and director of budget sign for travel authorization and travel expenses.

B.Funds for Travel Expenses

1. Persons traveling on official business will provide themselves with sufficient funds for all routine travel expenses not covered by the corporate travel card, LaCarte purchasing card, if applicable, and/or agency's CBA account. Advance of funds for travel shall be made only for extraordinary travel and should be punctually repaid when submitting the travel expense form covering the related travel, no later than the fifteenth day of the month following the completion of travel.

2. Exemptions. Cash advance(s) meeting the exception requirement(s) listed below, must have an original receipt to support all expenditures in which a cash advance was given, including meals. At the agency's discretion, cash advances may be allowed for:

a. state employees whose salary is less than $30,000/year;

b. state employees who accompany and/or are responsible for students or athletes for a group travel advance;

NOTE: In this case and in regards to meals, where there are group travel advancements, a roster with signatures of each group member along with the amount of funds received by each group member, may be substituted for individual receipts. (This exception does not apply when given for just an individual employee's travel which is over a group.)

c. state employees who accompany and/or responsible for client travel;

d. new employees who have not had time to apply for and receive the state's corporate travel card;

e. employees traveling for extended periods, defined as 30 or more consecutive days;

f. employees traveling to remote destinations in foreign countries, such as jungles of Peru or Bolivia;

g. lodging purchase, if hotel will not allow direct bill or charges to agency's CBA and whose salary is less than $30,000/year;

h. registration for seminars, conferences, and conventions;

i. any ticket booked by a traveler 30 days or more in advance and for which the traveler has been billed, may be reimbursed by the agency to the traveler on a preliminary expense reimbursement request. The traveler should submit the request with a copy of the bill or invoice. Passenger airfare receipts are required for reimbursement;

j. employees who infrequently travel or travelers that incur significant out-of-pocket cash expenditures and whose salary is less than $30,000/year.

3. Expenses Incurred on State Business. Traveling expenses of travelers shall be limited to those expenses necessarily incurred by them in the performance of a public purpose authorized by law to be performed by the agency and must be within the limitations prescribed herein.

4. CBA (Controlled Billed Account) issued in an agency's name, and paid by the agency may be used for airfare, registration, rental cars, prepaid shuttle charges, lodging and any allowable lodging associated charges such as parking and internet charges. Other credit cards issued in the name of the state agency are not to be used without written approval.

5. No Reimbursement When No Cost Incurred by Traveler. This includes but is not limited to reimbursements for any lodging and/or meals furnished at a state institution or other state agency, or furnished by any other party at no cost to the traveler. In no case will a traveler be allowed mileage or transportation when he/she is gratuitously transported by another person.

C.Claims for Reimbursement

1. All claims for reimbursement for travel shall be submitted on the state's Travel Expense Form BA-12, unless exception has been granted by the Commissioner of Administration, and shall include all details provided for on the form. It must be signed by the person claiming reimbursement and approved by his/her immediate

supervisor. In all cases the date and hour of departure from and return to domicile must be shown, along with each final destination throughout the trip clearly defined on the form. On the state's Travel Authorization Form GF-4 the second page must be completed with breakdown of the estimated travel expenses. This is necessary for every trip, not just when requesting a travel advance. For every travel authorization request, the "purpose of the trip" for travel must be stated in the space provided on the front of the form.

2. Except where the cost of air transportation, registration, lodging, rental vehicles, shuttle service, and all other allowable charges outlined in the current State of Louisiana State Liability Travel and CBA Policy are invoiced directly to the agency or charged to a state liability card, any and all expenses incurred on any official trip shall be paid by the traveler and his travel expense form shall show all such expenses in detail so that the total cost of the trip shall be reflected on the travel expense form. If the cost of the expenses listed above are paid directly or charged directly to the agency/department, a notation will be indicated on the travel expense form indicating the date of travel, destination, amount, and the fact that it has been paid by the agency/department. The traveler must provide receipts, for all items charged or billed direct to the agency.

3. In all cases, and under any travel status, cost of meals shall be paid by the traveler and claimed on the travel expense form for reimbursement, and not charged to the state department, unless otherwise authorized by the department head or his designee, allowed under the State Liability Travel, CBA and/or LaCarte Purchasing Card Policy or with written approval from the Office of State Purchasing and Travel. A file must be kept containing all of these special approvals.

4. Claims should be submitted within the month following the travel, but preferably held until a reimbursement of at least $25 is due. Department heads at their discretion may make the 30 day submittal mandatory on a department wide basis.

5. Any person who submits a claim pursuant to these regulations and who willfully makes and subscribes to any claim which he/she does not believe to be true and correct as to every material matter, or who willfully aids or assists in, or procures, counsels or advises the preparation or presentation of a claim, which is fraudulent or is false as to any material matter shall be guilty of official misconduct. Whoever shall receive an allowance or reimbursement by means of a false claim shall be subject to disciplinary action as well as being criminally and civilly liable within the provisions of state law.

6. Agencies are required to reimburse travel in an expeditious manner. In no case shall reimbursements require more than 30 days to process from receipt of complete, proper travel documentation.

AUTHORITY NOTE:Published in accordance with R.S. 39:231.

HISTORICAL NOTE: Written by the Office of the Governor, Division of Administration, November 1, 1972, published LR 1:179 (April 1975), amended LR 1:338 (August 1975), LR 2:312 (October 1976), LR 5:93 (May 1979), LR 6:405 (August 1980), LR 7:7 (January 1981), LR 8:406 (August 1982), LR 15:820 (October 1989), LR 16:965 (November 1990), LR 26:1253 (June 2000), LR 27:803 (June 2001), LR 28:1126 (June 2002), LR 29:823 (June 2003), LR 30:1112 (June 2004), LR 31:1184 (June 2005), LR 33:966 (June 2007), republished LR 33:1315 (July 2007), amended LR 34:1300 (July 2008), republished LR 35:1193 (July 2009), amended LR 36:1648 (July 2010), LR 42:982 (July 2016).

§1504. Methods of Transportation

A. Cost-Effective Transportation. The most cost-effective method of transportation that will accomplish the purpose of the travel shall be selected. Among the factors to be considered should be length of travel time, employee's salary, cost of operation of a vehicle, cost and availability of common carrier services, etc. Common carrier shall be used for out-of-state travel unless it is documented that utilization of another method of travel is more cost-efficient or practical and approved in accordance with these regulations.

B.Air

1. Private Owned or Charter Planes. Before travel by privately-owned or by chartered aircraft is authorized for individual's travel by a department head, the traveler shall certify that: at least two hours of working time will be saved by such travel; and no other form of transportation, such as commercial air travel or a state plane, will serve this same purpose.

a. Chartering a privately owned aircraft must be in accordance with the Procurement Code.

b.i. Reimbursement for use of a chartered or un-chartered privately owned aircraft under the above guidelines will be made on the following basis:

(a). at the rate of $1.17 per mile; or

(b). at the lesser of coach economy airfare.

ii. If there are extenuating circumstances requiring reimbursement for other than listed above, approval must be granted by the Commissioner of Administration.

c. When common carrier services are unavailable and time is at a premium, travel via state aircraft shall be investigated, and such investigation shall be documented and readily available in the department's travel reimbursement files. Optimum utilization will be the responsibility of the department head.

2. Commercial Airlines. (Receipts required.) All state travelers are to purchase commercial airline tickets through the state contracted travel agency (see front cover for contract travel agency contact numbers). This requirement is mandatory unless approval is granted from the Office of State Travel. (In the event travelers seek approval to go outside the travel agency, they shall submit their request through their agency travel program administrator, who will determine if the request should be submitted to the Office of State Travel.)

a. While state contractors are not required to use the state's contracted travel agency when purchasing airfare, it will be the agency's responsibility to monitor cost ensuring that the contractor(s) are purchasing the lowest, most logical airfare.

b. The state always supports purchasing the "best value" ticket. Therefore, once all rates are received, the traveler must compare cost and options to determine which fare would be the "best value" for their trip. To make this determination, the traveler must ask the question: Is there a likelihood my itinerary could change or be cancelled? Depending on the response, the traveler must determine if the costs associated with changing a non-refundable ticket (usually around $200) would still be the best value.

i. Another factor to assist having a travel agent search the lowest fare is advising the agent if traveler is flexible in either your dates or time of travel. By informing the travel agent of your "window of time" for your departure and return will assist them to search for the best price.

ii. Travelers are to seek airfares allowing an ample amount of lead time prior to departure date. The lead-time should be about 10 to 14 days in advance of travel dates to ensure the lowest fares are available.

NOTE: Cost of a preferred or premium seat is not reimbursable. To avoid these charges or to avoid being bumped, a traveler must check in as early as possible. A traveler should check-in online 24 hours prior to a flight or check-in at the airport several hours prior to departure to obtain a seat assignment. Please be aware that it is a strict airline policy that a traveler must check-in, at a minimum, prior to 30 minutes of departure. The airlines are very strict about this policy. Airline rules typically state that if you don't arrive at least 30 minutes before the schedule departure, you may forfeit your reservation. The earlier you arrive at the gate increases the chances of retaining your original reservation and assurance of a seat on the flight purchased.

c. Commercial air travel will not be reimbursed in excess of lowest logical airfare when it has been determined to be the best value (receipts required). The difference between coach/economy class rates and first class or business class rates will be paid by the traveler. Upgrades at the expense of the state are not permitted, without prior approval of the Commissioner of Administration. If space is not available in less than first or business class air accommodations in time to carry out the purpose of the travel, the traveler will secure a certification from the airline or contracted travel agency indicating this fact. The certification is required for travel reimbursement.

d. The policy regarding airfare penalties is that the state will pay for the airfare and/or penalty incurred for a change in plans or cancellation when the change or cancellation is required by the state or other unavoidable situations approved by the agency's department head. Justification for the change or cancellation by the traveler's department head is required on the travel expense form.

e. When an international flight segment is more than 10 hours in duration, the state will allow the business class rate not to exceed 10 percent of the coach rate. The traveler's itinerary provided by the travel agency must document the flight segment as more than 10 hours and must be attached to the travel expense form.

f. A lost airline ticket is the responsibility of the person to whom the ticket was issued. The airline fee of searching and refunding lost tickets will be charged to the traveler. The difference between the prepaid amount and the amount refunded by the airlines must be paid by the employee.

g. Traveler is to use the lowest logical airfare whether the plane is a prop or a jet.

h. Employees may retain promotional items, including frequent flyer miles, earned on official state travel. However, if an employee makes travel arrangements that favor a preferred airline/supplier to receive promotional items/points and this circumvents purchasing the most economical means of travel, they are in violation of this travel policy. Costs for travel arrangements subject to this violation are non-reimbursable.

i. When making airline reservations for a conference, let the travel agent know that certain airlines have been designated as the official carrier for the conference. In many instances, the conference registration form specifies that certain airlines have been designated as the official carrier offering discount rates, if available. If so, giving this information to our contracted agency could result in them securing that rate for your travel.

j. Tickets which are unused by a traveler should always be monitored by the traveler and the agency. Traveler should ensure that any unused ticket is considered when planning future travel arrangements. Some airlines have a policy which would allow for a name change to another employee within the agency. A view of the latest airline policies regarding unused tickets are available at the State Travel Office's website http://www.doa.la.gov/Pages/osp/Travel/af-index.aspx .

i. Ultimately, it is the traveler's responsibility to determine, upon initial notification of an unused ticket and then every 30 days thereafter, if they will be utilizing the unused ticket. If it is determined that the ticket will not be utilized prior to expiration and there is a possibility to transfer the ticket, the traveler must immediately advise the agency travel administrator that the ticket is available for use by another employee, section or agency. The traveler administrator should then act accordingly.

ii. In addition, the department head, at a minimum of three months prior to expiration, must review all unused airfare to determine, based on the traveler's justification, if reimbursement from the traveler must be made to the agency for the amount of the unused ticket. All files must be properly documented.

iii. This may be accomplished with the unused ticket report sent to each agency program administrator each month from the contracted travel agency. This report in conjunction with employee notifications while booking other flights and employee email notifications every 90, 60, 30 and 14 days prior to ticket expiration should be more than sufficient to reduce the loss of reusable airfare.

C.Motor Vehicle. No vehicle may be operated in violation of state or local laws. No traveler may operate a vehicle without having in his/her possession a valid U.S. driver's license. Safety restraints shall be used by the driver and passengers of vehicles. All accidents, major and minor, shall be reported first to the local police department or appropriate law enforcement agency. In addition, an accident report form, available from the Office of Risk Management (ORM) of the Division of Administration, should be completed as soon as possible and must be returned to ORM, together with names and addresses of principals and witnesses. Any questions about this should be addressed to the Office of Risk Management of the Division of Administration. These reports shall be in addition to reporting the accident to the Department of Public Safety as required by law. Operating a state owned vehicle, state-rented vehicle or state-leased vehicle or operating a non-state-owned vehicle for state business while intoxicated as set forth in R.S. 14:98 and 14:98.1 is strictly prohibited, unauthorized, and expressly violates the terms and conditions of use of said vehicle. In the event such operation results in the employee being convicted of, pleading nolo contendere to, or pleading guilty to driving while intoxicated under R.S. 14:98 and 14:98.1,

such would constitute evidence of the employee: violating the terms and conditions of use of said vehicle, violating the direction of his/her employer, and acting beyond the course and scope of his/her employment with the State of Louisiana. Personal use of a state-owned, state-rented or state-leased vehicle is not permitted. No person may be authorized to operate or travel in a state owned or rental vehicle unless that person is a classified or unclassified employee of the State of Louisiana; any duly appointed member of a state board, commission, or advisory council; or any other person who has received specific approval and is deemed as an "authorized traveler" on behalf of the State, from the department head or his designee to operate or travel in a fleet vehicle on official state business. A file must be kept containing all of these approvals. Any persons who are not official state employees must sign an Acknowledgement of Non-State Employees Utilizing State Vehicles form , located at the Office of State Travel's website, http://www.doa.la.gov/Pages/osp/Travel/ forms.aspx prior to riding in or driving a state-owned vehicle or rental vehicle on behalf of the state. Each agency is responsible in ensuring that this along with any other necessary documents and requirements are completed and made part of the travel file prior to travel dates. Students not employed by the state shall not be authorized to drive state-owned or rented vehicles for use on official state business. A student may be deemed as an "authorized traveler" on behalf of the state by the department head or his designee to operate or travel in a state-owned or rented vehicle on official state business. The Acknowledgement of Non-State Employees Utilizing State Vehicles form acknowledging the fact that the state assumes no liability for any loss, injury, or death resulting from said travel must be signed as part of the approval process. A file must be kept containing all of these approvals. Persons operating a state owned, rental or personal vehicle on official state business will be completely responsible for all traffic, driving, and parking violations received. This does not include state-owned or rental vehicle violations, i.e. inspections sticker, as the state and/or rental company would be liable for any cost associated with these types of violations.

1. State-Owned Vehicles

a. Travelers in state-owned automobiles who purchase needed fuel, repairs and equipment while on travel status shall make use of all fleet discount allowances and state bulk purchasing contracts where applicable. Reimbursements require a receipt and only regular unleaded gasoline, or diesel when applicable, should be used. This applies for both state owned vehicles and rental vehicles, as mid-grade, super, plus or premium gasoline is not necessary. If traveler utilizes anything other than regular unleaded gasoline unless vehicle requires diesel, or any other manufactory mandated grade, without justification and prior approval from the agency department head, traveler must reimburse the agency the difference between what was paid and the state average gasoline rates. Each agency/department shall familiarize itself with the existence of the fuel/repair contract(s), terms and conditions as well as location of vendors.

b. State-owned vehicles may be used for out-of-state travel only if permission of the department head has been given prior to departure. If a state-owned vehicle is to be used to travel to a destination more than 500 miles from its usual location, documentation that this is the most cost-effective means of travel should be readily available in the department's travel reimbursement files.

c. Unauthorized persons should not be transported in state vehicles. Approval of exceptions to this policy may be made by the department head if he determines that the unauthorized person is part of the official state business and the best interest of the state will be served and the passenger (or passenger's guardian) signs an Acknowledgement of Non-State Employees Utilizing State Vehicles form acknowledging the fact that the state assumes no liability for any loss, injury, or death resulting from said travel.

d. If a state vehicle is needed/requested to be brought to the home of a state employee overnight, then the agency/traveler should ensure it is in accordance with requirements outlined in R.S. 39:361-364.

2. Personally Owned Vehicles

a. When two or more persons travel in the same personally owned vehicle, only one charge will be allowed for the expense of the vehicle. The person claiming reimbursement shall report the names of the other passengers.

b. A mileage allowance shall be authorized for travelers approved to use personally-owned vehicles while conducting official state business. Mileage may be reimbursable on the basis of no more than $0.51 per mile and in accordance with the following:

i. For official in-state business travel:

(a). employee should utilize a state vehicle when available;

(b). employee may rent a vehicle from the State's in-state contract Enterprise-Rent-A-Card if a state vehicle is not available and travel exceeds 100 miles; or

(c). if an employee elects to use his/her personal vehicle, reimbursement may not exceed a maximum of 99 miles per round trip and/or day (day or the return to domicile) at $0.51 per mile.

Please note that mileage is applicable for round trip (multiple days) and/or round trip (one day).

Example No. 1: If someone leaves Baton Rouge, travels to New Orleans and returns that same day, they are entitled to 99 miles maximum for that day trip if they choose to drive their personal vehicle.

Example No. 2: If someone leaves Baton Rouge, travels to New Orleans, and returns two days later, they are entitled to 99 miles maximum for the entire "trip" if they choose to drive their personal vehicle.

Example No. 3: If someone leaves Baton Rouge, travels to New Orleans then on to Lafayette, Shreveport, Monroe and returns to the office four days later, they are entitled to 99 miles maximum for the entire "trip" if they choose to drive their personal vehicle.

c. Mileage shall be computed by one of the following options:

i. on the basis of odometer readings from point of origin to point of return;

ii. by using a website mileage calculator or a published software package for calculating mileage such as

Tripmaker, How Far Is It, Mapquest, etc.. Employee is to print the page indicating mileage and attach it with his/her travel expense form.

d. An employee shall never receive any benefit from not living in his/her official domicile. In computing reimbursable mileage, while the employee is on official state travel status, to an authorized travel destination from an employee's residence outside the official domicile, the employee is always to claim the lesser of the miles from their official domicile or from their residence. If an employee is leaving on a non-work day or leaving significantly before or after work hours, the department head may determine to pay the actual mileage from the employee's residence not to exceed a maximum of 99 miles per round trip and/or day at $0.51 per mile. See Example Subparagraph C.2.b of this Section.

e. The department head or his designee may approve an authorization for routine travel for an employee who must travel in the course of performing his/her duties; this may include domicile travel if such is a regular and necessary part of the employee's duties, but not for attendance to infrequent or irregular meetings, etc., within the city limits where his/her office is located, the employee may be reimbursed for mileage only not to exceed a maximum of 99 miles per round trip and/or day at $0.51 per mile. See Example Subparagraph C.2.b of this Section.

f. Reimbursements will be allowed on the basis of $0.51 per mile, not to exceed a maximum of 99 miles per round trip and/or day, to travel between a common carrier/terminal and the employees point of departure, i.e., home, office, etc., whichever is appropriate and in the best interest of the state. See Example Subparagraph C.2.b of this Section.

g. When the use of a privately-owned vehicle has been approved by the department head for out-of-state travel for the travelers convenience, the traveler will be reimbursed for mileage on the basis of $0.51 per mile only not to exceed a maximum of 99 miles per round trip and/or day. If prior approval for reimbursement of actual mileage is requested and granted by the Commissioner of Administration, the total cost of the mileage reimbursement may never exceed the cost of a rental vehicle or the cost of travel by using the lowest logical airfare obtained at least 14 days prior to the trip departure date, whichever is the lesser of the two. The reimbursement would be limited to one lowest logical airfare quote, not the number of persons traveling in the vehicle. The traveler is personally responsible for any other expenses in-route to and from destination which is inclusive of meals and lodging. If a traveler, at the request of the department, is asked to take his/her personally owned vehicle out-of-state for a purpose that will benefit the agency, then the department head may on a case-by-case basis determine to pay a traveler for all/part of in-route travel expenses, however, mileage reimbursement over 99 miles would still require prior approval from the Commissioner of Administration's approval. In this case, once approval is obtained from the Commissioner of Administration to exceed 99 miles, then the department head may authorized actual mileage reimbursements. File should be justified accordingly.

h. When a traveler is required to regularly use his/her personally owned vehicle for agency activities, the agency head may request prior authorization from the Commissioner of Administration for a lump sum allowance for transportation or reimbursement for transportation (mileage). Request for lump sum allowance must be accompanied by a detailed account of routine travel listing exact mileage for each such route and justification why a rental vehicle is not feasible. Miscellaneous travel must be justified by at least a three-month travel history to include a complete mileage log for all travel incurred, showing all points traveled to or from and the exact mileage. Request for lump sum allowance shall be granted for periods not to exceed one fiscal year. A centralized file must be kept containing all approvals.

NOTE: Once someone is given a monthly vehicle allowance or lump sum allowance, they are not to be reimbursed for mileage, fuel or rental vehicles. Rental could be allowed only when flying out of state.

i. In all cases, the traveler shall be required to pay all operating expenses for his/her personal vehicle including fuel, repairs, and insurance.

j. The only exemption which would not require the Commissioner of Administration's prior approval for exceeding 99 miles reimbursement and receiving actual mileage reimbursements is for members of boards and commissions, not administration/office personnel, and for students which are traveling on a grant, scholarship, or any other occasion where use of a personal vehicle is the best and/or only method of transportation available. Department head approval is required.

3. Rented Motor Vehicles (Receipts Required). Any rental vehicles not covered in the state' in-state or out-of-state contracts should be bid in accordance with proper purchasing rules and regulations. The state has a contract for all vehicle rentals based out of Louisiana through Enterprise Rent-A-Car, which use is mandatory for business travel. This contract is applicable to all authorized travelers, and contractors. The state has contracts for out-of-state vehicles rentals. Travelers shall use Hertz, Enterprise-Rent-A-Car, or National which use is mandatory for business travel. These contracts are also applicable to all authorized travelers, and contractors.

a. In-State Vehicle Rental. The state has contracted for all rentals based out of Louisiana through Enterprise Rent-A-Car's State Motor Pool Rental Contract, which use is mandatory, for business travel which applies to all state of Louisiana employees and/or authorized travelers, contractors, etc. traveling on official state business.

i. A rental vehicle should be used, if a state owned vehicle is not available, for all travel over 99 miles. All exemptions must be requested and granted by the Commissioner of Administration for an reimbursements which exceed 99 miles prior to the trip. Requests for exemption must be accompanied by a detailed explanation as to why a rental is not feasible. If an exemption from the program is granted by the Commissioner of Administration as stated above, then the employee will not be required to rent a vehicle and may receive actual mileage reimbursement up to $0.51 per mile.

ii. All state contractors, who have entered into a contract with the state of Louisiana on or after March 1, 2013, and whose contracts are required to follow PPM49 for

travel reimbursements, are required to utilize both in-state and out-of-state mandatory contracts awarded by the state.

iii. Although exemptions may be granted, by the Commissioner of Administration, all must adhere to the current mileage reimbursement rate of no more than $0.51 per mile. The only exemption which would not require the Commissioner of Administration's prior approval for exceeding 99 miles reimbursement and receiving actual mileage reimbursements is for members of boards and commissions, not administration/office personnel, and for students which are traveling on a grant, scholarship, or any other occasion where use of a personal vehicle is the best and/or only method of transportation available. Department head approval is required.

v. For trips of 100 miles or more, any employee and/or authorized traveler, should use a state owned vehicle or rental from Enterprise Rent-A-Car State Motor Pool Rental Contract, when a state vehicle is not available.

vi. For trips of less than 100 miles employees should utilize a state vehicle when available, may utilize their own vehicle and receive mileage reimbursement not to exceed a maximum of 99 miles per round trip and/or day at $0.51 per mile or may rent a vehicle from Enterprise Rent-A Car's State Motor Pool Rental Contract.

vii. Reservations should not be made at an airport location for daily routine travel, as this will add additional unnecessary cost to your rental charges. No travelers may purchase prepaid fuel. If traveler utilizes anything other than regular unleaded gasoline, unless vehicle requires diesel or any other manufactory mandated grade, without justification and prior approval from the agency department head, traveler must reimburse the agency the difference between what was paid and the state average gasoline rate

b. Payments Rentals through the State Motor Pool Rental Contract may be made using the "LaCarte" purchasing card, an agency's CBA account, an employee's state corporate travel card or by direct bill to the agency. This will be an agency decision as to the form of payment chosen. If direct bill is chosen, agency must set up account billing information with Enterprise. An account may be established by contacting Joseph Rosenfeld at 225-445-7250, joseph.g.rosenfeld@ehi.com

c. Out-of-State Vehicle Rental. The State has contracted for rental vehicles for domestic and out-of-state travel, excluding Louisiana and international travel, utilizing the state of Louisiana's Out-of-State Contracts, which use is mandatory. All state of Louisiana employees and/or authorized travelers, contractors are mandated to use these contracts due to exceptional pricing which includes CDW (collision damage waiver) and one million dollar liability insurance. The state of Louisiana Out-of-State participating vendors include Enterprise Rent-A-Car, National Car Rental and Hertz Car Rental Corporation. It is the traveler's discretion which rental company is utilized.

d. All state contractors who have entered into a contract with the state of Louisiana on or after March 1, 2013, and whose contracts are required to follow PPM 49 for travel reimbursements, are required to utilize both in-state and out-of-state mandatory contracts awarded by the state.

e. Although exemptions may be granted, by the Commissioner of Administration, all must adhere to the current mileage reimbursement rate of no more than $0.51 per mile.

f. The only exemption which would not require the Commissioner of Administration's approval for exceeding 99 miles reimbursement and receiving actual mileage reimbursements is for students which are traveling on a grant, scholarship, or any other occasion where use of a personal vehicle is the best and/or only method of transportation available. Department head approval is required.

g. Payments Rentals made through the State of Louisiana out-of-state contracts may be made using the "LaCarte" purchasing card, an employee's corporate travel card or by direct bill to the agency. This will be an agency decision as to the form of payment chosen. If a direct bill account is chosen for Enterprise and National, you may contact Joseph Rosenfeld at 225-445-7250, joseph.g.rosenfeld@ehi.com. And for Hertz, you may contact Tami Vetter at 225-303-5973, tvetter@hertz.com.

h. Approvals. Written approval of the department head or his designee prior to departure is not required for the rental of vehicles, however, if your agency chooses, approval may be made mandatory or handled on an annual basis if duties require frequent rentals. Special approval is required, from the department head or his/her designee, for rental of any vehicle in the "full size" category or above.

i. Vehicle Rental Size

i. Only the cost of a compact or intermediate model is reimbursable, unless:

(a). non-availability is documented; or

(b). the vehicle will be used to transport more than two persons.

NOTE: When a larger vehicle is necessary as stated in 1 or a larger vehicle is necessary due to the number of persons being transported, the vehicle shall be upgraded only to the next smallest size and lowest price necessary to accommodate the number of persons traveling.

ii. A department head or his/her designee may, on a case-by-case basis, authorize a larger size vehicle provided detailed justification is made in the employee's file. Such justification could include, but is not limited to, specific medical requirements when supported by a doctor's recommendation.

j. Personal Use of Rental. Personal use of a rental vehicle, when rented for official state business, is not allowed.

k. Gasoline (Receipts Required). Reimbursements require an original receipt and only regular unleaded gasoline, or diesel when applicable, should be used. This applies for both state owned vehicles and rental vehicles, as mid-grade, super, plus or premium gasoline is not necessary. An employee should purchase gasoline with the state's fuel card or other approved credit card at reasonable cost from a local gasoline station prior to returning the rental. Pre-paid fuel options, for rental vehicles, are only to be allowed. If traveler utilizes anything other than regular unleaded gasoline, unless vehicle requires diesel or any other manufactory mandated grade, without justification and prior approval from the agency Department Head, traveler must reimburse the agency the difference between what was paid

and the state average gasoline rate. Each agency/department shall familiarize itself with the existence of the fuel/repair contract(s), terms and conditions as well as locations of vendors.

l. Insurance for Vehicle Rentals within the 50 United States. Insurance billed by car rental companies is not reimbursable. All insurance coverage for rental vehicles, other than the state's in-state and out-of-state mandatory contracts, is provided by the Office of Risk Management. Should a collision occur while on official state business, the accident should immediately be reported to the Office of Risk Management and rental company. Any damage involving a third party must be reported to appropriate law enforcement entity to have a police report generated.

i. CDW/Damage Waiver Insurance and $1 Million Liability Protection Coverage is included in the State in-state and out-of-state rental contract pricing.

NOTE: Lost keys and car door unlocking services for rental vehicles are not covered under the damage waiver policy and are very costly. The agency should establish an internal procedure regarding liability of these costs.

ii. No other insurance will be reimbursed when renting, except when renting outside the 50 United States, see §1504.C.3.i. There should be no other charges added to the base price, unless the traveler reserves the vehicle at an airport location (which is not recommended for daily routine travel). Reimbursable amounts would then be submitted at the end of the trip on a travel expense form.

j. Insurance for Vehicles Rentals outside the 50 United States. (receipts required) The Office of Risk Management (ORM) recommends that the appropriate insurance (liability and physical damage) provided through the car rental company be purchased when the traveler is renting a vehicle outside the 50 United States. With the approval of the department head or his/her designee required insurance costs may be reimbursed for travel outside the 50 United States only.

4. The following are insurance packages available by rental vehicle companies which are reimbursable:

a. collision damage waiver (CDW). Should a collision occur while on official state business, the cost of the deductible should be paid by the traveler and submit a reimbursement claimed on a travel expense form. The accident should also be reported to the Office of Risk Management;

b. loss damage waiver (LDW);

c. auto tow protection (ATP), *approval of department head;

d. supplementary liability insurance (SLI), *if required by the rental company;

e. theft and/or super theft protection (coverage of contents lost during a theft or fire), *if required by the car rental company;

f. vehicle coverage for attempted theft or partial damage due to fire, *if required by the car rental company.

5. The following are some of the insurance packages available by rental vehicle companies that are not reimbursable:

a. personal accident coverage insurance (PAC);

b. emergency sickness protection (ESP).

6. Navigation equipment (GPS System), rented not purchased, from a rental car company, may only be reimbursed if an employee justifies the need for such equipment and with prior approval of the department head or his designee.

D. Public Ground Transportation. The cost of public ground transportation such as buses, subways, airport shuttle/limousines, and taxis are reimbursable when the expenses are incurred as part of approved state travel. See receipt requirements below.

1. Airport shuttle/limousines, taxi and all other public transportation where a receipt is available, requires a receipt for reimbursements. A driver's tip for shuttle/limousines and taxis may be given and must not exceed 15 percent of total charge. Amount of tip must be included on receipt received from driver/company.

2. All other forms of public ground transportation, where a receipt in not possible and other than those listed above, are limited to $15 per day without a receipt, claims in excess of $15 per day requires a receipt. At the agency's discretion, the department head may implement an agency wide policy requiring receipts for all public transportation request less than $15 per day.

3. To assist agencies with verification of taxi fares, you may contact the taxi company for an estimate or visit sites such as taxifarefinder.com. An employee should always get approval, prior to a trip, if multiple taxis will be used; as it may be in the agency's best interest to rent a vehicle versus reimbursement of multiple taxi expenses.

AUTHORITY NOTE:Published in accordance with R.S. 39:231.

HISTORICAL NOTE: Written by the Office of the Governor, Division of Administration, November 1, 1972, published LR 1:179 (April 1975), amended LR 1:338 (August 1975), LR 2:312 (October 1976), LR 5:93 (May 1979), LR 6:405 (August 1980), LR 7:7 (January 1981), LR 8:406 (August 1982), LR 15:820 (October 1989), LR 16:965 (November 1990), LR 26:1254 (June 2000), LR 27:804 (June 2001), LR 28:1127 (June 2002), LR 29:824 (June 2003), LR 30:1113 (June 2004), LR 31:1185 (June 2005), LR 32:938 (June 2006), LR 33:966 (June 2007), republished LR 33:1316 (July 2007), amended LR 34:1301 (July 2008), LR 35:1195 (July 2009), LR 36:1650 (July 2010), LR 42:984 (July 2016).

§1505. State Issued Travel Credit Cards/CBA Accounts

A. Use. All high cost expenditures (airfare, lodging, vehicle rentals, and registration) must be placed on the LaCarte Purchasing Card, Travel Card or agency CBA programs unless prior approval is granted from the Commissioner of Administration. The State Travel Office contracts for an official state corporate travel card to form one source of payment for travel. If a supervisor recommends an employee be issued a state travel card, the employee should complete an application through their agency travel program administrator. The State Travel Office contracts for an official state corporate travel card to form one source of payment for travel. If a supervisor recommends an employee be issued a state travel card, the employee should complete an application through their agency travel program administrator.

1. The employee's corporate travel card is for official state travel business purposes only. Personal use on the state travel card shall result in disciplinary action.

B.Liability

1. The corporate travel card is the liability of the state. Each monthly statement balance is due in full to the card-issuing bank. The state will have no tolerance to assist those employees who abuse their travel card privileges.

2. The department/agency is responsible for cancellation of corporate travel cards for those employees terminating/retiring from state service.

AUTHORITY NOTE:Published in accordance with R.S. 39:231.

HISTORICAL NOTE: Written by the Office of the Governor, Division of Administration, November 1, 1972, published LR 1:179 (April 1975), amended LR 1:338 (August 1975), LR 2:312 (October 1976), LR 5:93 (May 1979), LR 6:405 (August 1980), LR 7:7 (January 1981), LR 8:406 (August 1982), LR 15:820 (October 1989), LR 16:965 (November 1990), LR 26:1254 (June 2000), LR 27:804 (June 2001), LR 28:1127 (June 2002), LR 29:824 (June 2003), LR 30:1113 (June 2004), LR 31:1188 (June 2005), republished LR 33:1319 (July 2007), amended LR 34:1304 (July 2008), republished LR 35:1198 (July 2009), amended LR 36:1653 (July 2010), LR 42:989 (July 2016).

§1506. Lodging and Meals

A. Eligibility

1. Official domicile/temporary assignment. Travelers are eligible to receive reimbursement for travel only when away from "official domicile" or on temporary assignment unless exception is granted in accordance with these regulations. Temporary assignment will be deemed to have ceased after a period of 30 calendar days, and after such period the place of assignment shall be deemed to be his/her official domicile. He/she shall not be allowed travel and subsistence unless permission to extend the 30 day period has been previously secured from the Commissioner of Administration.

2. Extended Stays. For travel assignments approved by the Commissioner of Administration involving duty for extended periods (31 or more consecutive days) at a fixed location, the reimbursement rates indicated should be adjusted downward whenever possible. Claims for meals and lodging may be reported on a per diem basis supported by lodging receipt. Care should be exercised to prevent allowing rates in excess of those required to meet the necessary authorized subsistence expenses. It is the responsibility of each agency head to authorize only such travel allowances as are justified by the circumstances affecting the travel.

a. The only exemption, for travel of 31 days or more which does not require the Commissioner of Administration's approval, are students, professors or other state employees which are traveling on a grant, scholarship, studying abroad or any other occasion where funds utilized are other than state general funds. Department head approval is required.

3. Single Day Travel

a. Meals are not eligible for reimbursements on single day travel. This means that when an authorized traveler of the state is in travel status where no overnight stay is required, no meals are eligible for reimbursement. Each department head or their designees are to determine the reasonableness of when an overnight stay is justified.

b. However, the department head will be allowed to authorize single day meal reimbursements on a case-by-case basis or by type(s) of single day travel when it is determined to be in the best interest of the department. In those cases, the department must keep the approvals in the travel file and must be responsible to take appropriate steps to report the reimbursement as wages to the employee.

c. If a department head or his/her designee determines that single day meals will be provided for, they must adhere the following allowances. To receive any meal reimbursement on single day travel, an employee must be in travel status for a minimum of 12 hours.

i The maximum allowance for meal reimbursement for single day travel will be $42.

(a). Breakfast and Lunch: ($22) the 12 hours travel duration must begin at or before 6 a.m.

(b). Lunch: ($13) requires 12 hours duration in travel status.

(c). Lunch and Dinner: ($42) the 12 hour travel duration must end at or after 8 p.m.

4. Travel with Over Night Stay. (minimum of 12 hours in travel status) Travelers may be reimbursed for meals according to the following schedule.

a. Breakfast—when travel begins at/or before 6 a.m. on the first day of travel or extends at/or beyond 9 a.m. on the last day of travel, and for any intervening days.

b. Lunch—when travel begins at/or before 10 a.m. on the first day of travel or extends at/or beyond 2 p.m. on the last day of travel, and for any intervening days.

c. Dinner—When travel begins at/or before 4 p.m. on the first day of travel or extends at/or beyond 8 p.m. on the last day of travel, and for any intervening days.

5. Alcohol—reimbursement for alcohol is prohibited.

B.Exceptions

1. Routine Lodging Overage Allowances (Receipts required).

a. Department head or his/her designee has the authority to approve actual costs for routine lodging provisions on a case by case basis, not to exceed 50 percent over PPM-49 current listed rates.

NOTE: this authority for increase in allowance is for lodging only and not for any other area of PPM49.

b. Justification must be maintained in the file to show that attempts were made with hotels in the area to receive the state/best rate. In areas where the governor has declared an emergency, a department head or his/her designee will have the authority to approve actual routine lodging provisions on a case by case basis not to exceed 75 percent over PPM-49 current listed rates. Each case must be fully documented as to necessity (e.g., proximity to meeting place) and cost effectiveness of alternative options. Documentation must be readily available in the department's travel reimbursement files.

2. Actual Expenses for State Officers (Itemized receipts or other supporting documents are required for each item claimed). State officers and others so authorized by statute (see definition under state officer) or individual exception will be reimbursed on an actual expense basis for meals and lodging except in cases where other provisions for reimbursement have been made by statute. Request shall not be extravagant and will be reasonable in relation to the purpose of travel. State officers entitled to actual expense reimbursements are only exempt from meals and lodging rates; they are subject to the time frames and all other requirements as listed in these travel regulations.

C.Meals and Lodging Allowances (Meal rates are not a per diem, only the maximum allowed while in travel status.)

1. Meal Allowance—includes tax and tips. Receipts are not required for routine meals within these allowances, unless a cash advance was received. See §1503.B.2. Number

of meals claimed must be shown on travel expense form. For meal rates, the inclusion of suburbs (see definition of suburb) shall be determined by the department head or his/her designee on a case-by-case basis. See tier pricing below. Partial meals such as continental breakfast or airline meals are not considered meals.

NOTE: If a meal is included in a conference schedule, it is part of the registration fee, therefore, an employee cannot request/receive additional reimbursement for that meal. If meals of state officials receiving actual expenses exceed these allowances, itemized receipt are required. See §1506.B.2

2. Meals with relatives or friends may not be reimbursed unless the host can substantiate costs for providing for the traveler. The reimbursement amount will not automatically be the meal cost for that area, but rather the actual cost of the meal.

Example: The host would have to show proof of the cost of extra food, etc. Cost shall never exceed the allowed meal rate listed for that area.

3. Routine Lodging Allowance. The state has contracted for all hotel expenditures through HotelPlanners contract. Lodging rate, plus tax and any mandatory surcharge. (Receipts are required.) For lodging rates, the inclusion of suburbs (see definition of suburb) shall be determined by the department head on a case-by-case basis. Employees should always attempt to use the tax exempt form located on the State Travel website for all in-state lodging. http://www.doa.la.gov/Pages /osp/Travel/forms. aspx when traveling in-state on official state business, and must be used if hotel expenses are being charged to employee's state corporate travel card, the LaCarte Card or the agency's CBA account. When two or more employees on official state business share a lodging room, the state will reimburse the actual cost of the room; subject to a maximum amount allowed for an individual traveler times the number of employees.

4. Lodging with relatives or friends may not be reimbursed unless the host can substantiate costs for accommodating the traveler. The amount will not automatically be the lodging cost for that area, but rather the actual cost of accommodations.

Example: The host would have to show proof of the cost of extra water, electricity, etc. Cost shall never exceed the allowed routine lodging rate listed for that area. Department head or his/her designee's approval must be provided to allow lodging expenses to be direct billed to an agency.

5. Conference Lodging Allowance. Employees may be allowed lodging rates, plus tax (other than State of Louisiana tax) and any mandatory surcharge. (Receipts are required.) Department head or his/her designee has the authority to approve the actual cost of conference lodging, for a single occupancy standard room, when the traveler is staying at the designated conference hotel. If there are multiple designated conference hotels, the lower cost designated conference hotel should be utilized, if available. In the event the designated conference hotel(s) have no room availability, a department head or his/her designee may approve to pay actual hotel cost not to exceed the conference lodging rates for other hotels in the immediate vicinity of the conference hotel. This allowance does not include agency hosted conference lodging allowances; see §1510 for these allowances. In the event a traveler chooses to stay at a hotel which is not associated with the conference, then the traveler is subject to making reservation and getting reimbursed within the hotel rates that will be allowed in routine lodging only, as listed below.

6. Resort fees are not allowable unless attending a conference and/or if a traveler is staying in a city that all hotels are charging a resort fee.

7. No reimbursements are allowed for functions not relating to a conference, i.e., tours, dances, golf tournaments, etc.

TIER I	
Breakfast	$9
Lunch	$13
Dinner	$29
Total	$51
Lodging Area	Routine Lodging
In-State Cities (except as listed)	$89
Alexandria/Leesville/Natchitoches	$97
Baton Rouge-EBR	$98
Covington/Slidell-St.Tammany	$89
Lake Charles-Calcasieu	$89
Lafayette	$89

TIER II	
Breakfast	$10
Lunch	$16
Dinner	$30
Total	$56
Lodging Area	Routine Lodging
New Orleans – Orleans, St. Bernard, Jefferson and Plaquemines Parishes May– September October – December January - April	$122 $153 $160
Out-Of-State (Except Cities Listed in Tier III & IV)	$91

TIER III	
Breakfast	$12
Lunch	$17
Dinner	$32
Total	$61
Lodging Area	Routine Lodging
Austin,TX; Atlanta, GA; Cleveland, OH; Dallas/Fort Worth, TX; Denver, CO; Ft. Lauderdale, FL; Hartford, CT; Houston, TX; Kansas City, MO; Las Vegas Los Angeles, CA; Miami, FL; Minneapolis/St. Paul, MN; Nashville, TN; Oakland, CA; Orlando, FL; Philadelphia, PA; Phoenix, AZ; Pittsburgh, PA; Portland, OR, Sacramento, CA; San Antonio, TX; San Diego, CA; Sedona, AZ; St. Louis, MO; Wilmington, DE; all of Alaska and Hawaii; Puerto Rico; Virgin Island; American Samoa; Guam, Saipan	$126

TIER IV	
Breakfast	$13
Lunch	$19
Dinner	$36
Total	$68

TIER IV	
Lodging Area	Routine Lodging
Baltimore, MD; San Francisco, CA; Seattle, WA; Chicago, IL; Boston, MA	$175
Alexandria, VA; Arlington, VA; New York City, NY; Washington DC	$225
International Cities	$200

AUTHORITY NOTE:Published in accordance with R.S. 39:231.
HISTORICAL NOTE: Written by the Office of the Governor, Division of Administration, November 1, 1972, published LR 1:179 (April 1975), amended LR 1:338 (August 1975), LR 2:312 (October 1976), LR 5:93 (May 1979), LR 6:405 (August 1980), LR 7:7 (January 1981), LR 8:406 (August 1982), LR 15:820 (October 1989), LR 16:965 (November 1990), LR 26:1256 (June 2000), LR 27:807 (June 2001), republished LR 27:1495 (September 2001), LR 28:1130 (June 2002), LR 30:1116 (June 2004 LR 31:1189 (June 2005), LR 32:939 (June 2006), LR 33:967 (June 2007), republished LR 33:1320 (July 2007), amended LR 34:1305 (July 2008), LR 35:1198 (July 2009), LR 36:1654 (July 2010), LR 42:990 (July 2016).

§1507. Parking and Related Parking Expenses

A. Parking at the Baton Rouge Airport. The state's current contract rate is $3.50 per day (no receipts required) for parking in the indoor parking garage as well as the outside, fenced parking lot at the Baton Rouge airport. Documentation required to receive the contract price is the airport certificate and a state ID. If the agency does not issue a state ID, the traveler would need a business card and a driver's license along with the certificate to be eligible for the state contracted rate. Airport certificate may be found on State Travel Office's website at http://www.doa.la.gov/Pages /osp/travel/parking.aspx .

B.New Orleans Airport Parking. The state's current contract is with Park-N-Fly and the rate, inclusive of all allowable and approved taxes/fees, etc will not exceed $7 per day and $42 weekly (no receipts required for parking at Park-N-Fly in New Orleans). Promotional code 0050930 must be used to obtain this rate. For on-line reservations, no other documentation will be required to receive this rate. For all "pay when you exit" employees, a state issued ID or a valid ID with a state business card along with a tax exempt form is required to receive the state contracted rate. At the agency discretion an employee may be paid actual expenses, at another location, up to $7 per day with a receipt.

C.Travelers using motor vehicles on official state business may be reimbursed for all other parking, including airport parking except as listed in Subsections A and B above, ferry fares, and road and bridge tolls. For each transaction over $5, a receipt is required.

D. Tips for valet parking not to exceed $2 per day.

AUTHORITY NOTE:Published in accordance with R.S. 39:231.
HISTORICAL NOTE: Written by the Office of the Governor, Division of Administration, November 1, 1972, published LR 1:179 (April 1975), amended LR 1:338 (August 1975), LR 2:312 (October 1976), LR 5:93 (May 1979), LR 6:405 (August 1980), LR 7:7 (January 1981), LR 8:406 (August 1982), LR 15:820 (October 1989), LR 16:965 (November 1990), LR 26:1257 (June 2000), LR 27:808 (June 2001), republished LR 27:1496 (September 2001), republished LR 27:1496 September 2001, LR 28:1130 (June 2002), LR 30:1117 (June 2004), LR 31:1190 (June 2005), LR 33:968 (June 2007), republished LR 33:1321 (July 2007), amended LR 34:1307 (July 2008), LR 35:1200 (July 2009), LR 36:1655 (July 2010), LR 42:992 (July 2016).

§1508. Reimbursement for Other Expenses (These charges are while in travel status only.)

A. The following expenses incidental to travel may be reimbursed.

1. Communications Expenses

a. For official state business—all business communication costs may be reimbursed (receipts required).

b. For domestic overnight travel—up to $3 for personal calls upon arrival at each destination and up to $3 for personal calls every second night after the first night if the travel extends several days.

c. For international travel—up to $10 for personal calls upon arrival at each destination and up to $10 for personal calls every second night after the first night if the travel extends several days.

d. Internet access charges for official state business from hotels or other travel locations are treated the same as business telephone charges. A department may implement a stricter policy for reimbursement of Internet charges. (Receipts required)

B.Charges for Storage and Handling of State Equipment (Receipts required)

C.Baggage Tips

1. Hotel Allowances—up to $3 tip per hotel check-in and $3 tip per hotel checkout, if applicable.

2. Airport Allowances—up to $3 tip for airport outbound departure trip and $3 tip for inbound departure trip.

D. Luggage Allowances (Receipt Required). A department head or his designee may approve reimbursement to a traveler for airline charges for first checked bag for a business trip of five days or less and for the second checked bag for a 6-10 day business trip and/or any additional baggage which is business related and required by the department. The traveler must present a receipt to substantiate these charges.

1. Travelers will be reimbursed for excess baggage charges (overweight baggage) only in the following circumstances:

a. when traveling with heavy or bulky materials or equipment necessary for business;

b. the excess baggage consists of organization records or property.

NOTE: Traveler should always consider shipping materials to final destination or splitting materials into additional pieces of luggage to avoid the excess baggage charges in order to save their agency costs.

E.Registration fees at conferences (meals that are a designated integral part of the conference may be reimbursed on an actual expense basis with prior approval by the department head).

NOTE: If a meal is included in a conference schedule, it is part of the registration fee, therefore, an employee cannot request/receive additional reimbursement for that meal.

F. Laundry Services. Employees on travel for more than seven days may be reimbursed with department head or his/her designee's prior approval, up to actual, but reasonable, costs incurred. Receipts are required for reimbursement.

AUTHORITY NOTE:Published in accordance with R.S. 39:231.
HISTORICAL NOTE: Written by the Office of the Governor, Division of Administration, November 1, 1972, published LR 1:179 (April 1975), amended LR 1:338 (August 1975), LR 2:312 (October 1976), LR 5:93 (May 1979), LR 6:405 (August 1980), LR 7:7 (January 1981), LR 8:406 (August 1982), LR 15:820 (October 1989), LR 16:965 (November 1990), LR 26:1258 (June 2000), LR 27:808 (June 2001), LR 28:1131 (June 2002), LR 30:1118 (June 2004), LR 31:1190 (June 2005), LR 32:941 (June 2006), republished LR 33:1322 (July 2007), amended LR 34:1307 (July 2008), LR 35:1200 (July 2009), LR 36:1656 (July 2010), LR 42:992 (July 2016).

§1509. Special Meals

A. Reimbursement designed for those occasions when, as a matter of extraordinary courtesy or necessity, it is appropriate and in the best interest of the state to use public funds for provision of a meal to a person who is not otherwise eligible for such reimbursement and where reimbursement is not available from another source. Requests should be within reason and may include tax and tips. Itemized receipts are required.

1. Visiting dignitaries or executive-level persons from other governmental units, and persons providing identified gratuity services to the state. This explicitly does not include normal visits, meetings, reviews, etc., by federal or local representatives.

2. Extraordinary situations are when state employees are required by their supervisor to work more than a 12-hour weekday or six-hours on a weekend (when such are not normal working hours to meet crucial deadlines or to handle emergencies).

B.All special meals must have prior approval from the Commissioner of Administration or, for higher education, the entity head or his designee in order to be reimbursed, unless specific authority for approval has been delegated to a department head for a period not to exceed one fiscal year with the exception in Subsection C, as follows.

C.A department head may authorize a special meal within allowable rates listed under Meals—Tier 1, to be served in conjunction with a working meeting of departmental staff. Reasonable tip is allowed if ordered from outside vendor. No tip should ever exceed 20 percent.

D. In such cases, the department will report on a quarterly basis to the Commissioner of Administration all special meal reimbursements made during the previous three months. For higher education, these reports should be sent to the respective institution of higher education management board. These reports must include, for each special meal, the name and title of the person receiving reimbursement, the name and title of each recipient, the cost of each meal and an explanation as to why the meal was in the best interest of the state. Renewal of such delegation will depend upon a review of all special meals authorized and paid during the period. Request to the commissioner for special meal authorization must include, under signature of the department head:

1. name and position/title of the state officer or employee requesting authority to incur expenses and assuming responsibility for such;

2. clear justification of the necessity and appropriateness of the request;

3. names, official titles or affiliations of all persons for whom reimbursement of meal expenses is being requested;

4. statement that allowances for meal reimbursement according to these regulations will be followed unless specific approval is received from the Commissioner of Administration to exceed this reimbursement limitation:

a. all of the following must be reviewed and approved by the department head or his/her designee prior to reimbursement:

i detailed breakdown of all expenses incurred, with appropriate receipts(s);

ii. subtraction of cost of any alcoholic beverages;

iii. copy of prior written approval from the Commissioner of Administration or, for higher education, the entity head or his/her designee.

AUTHORITY NOTE:Published in accordance with R.S. 39:231.
HISTORICAL NOTE: Written by the Office of the Governor, Division of Administration, November 1, 1972, published LR 1:179 (April 1975), amended LR 1:338 (August 1975), LR 2:312 (October 1976), LR 5:93 (May 1979), LR 6:405 (August 1980), LR 7:7 (January 1981), LR 8:406 (August 1982), LR 15:820 (October 1989), LR 16:965 (November 1990), LR 26:1258 (June 2000), LR 27:809 (June 2001), LR 28:1132 (June 2002), LR 30:1118 (June 2004), LR 31:1191 (June 2005), republished LR 1322 (July 2007), amended LR 34:1307 (July 2008), LR 35:1200 (July 2009), LR 36:1656 (July 2010), LR 42:993 (July 2016).

§1510. Agency Hosted Conferences (Both In-State and Out-of-State)

A. State Sponsored Conferences. An agency must solicit three bona fide competitive quotes in accordance with the governor's executive order for small purchase.

B.Attendee Verification. All state sponsored conferences must have a sign-in sheet or some type of attendee acknowledgment for justification of number of meals ordered and charged.

C.Conference Lunch Allowance. Lunch direct billed to an agency in conjunction with a state sponsored conference is to be within the following rates plus mandated gratuity.

Lunch In-State excluding New Orleans	$20
Lunch—New Orleans and Out-of-State	$25

i. Any other meals such as breakfast and dinner require special approval in accordance with PPM 49 §1509, Special Meals, and must have prior approval from the Commissioner of Administration or for higher education, the entity head or his/her designee.

D. Conference Refreshment Allowance. Cost for break allowances for meeting, conference or convention are to be within the following rates.

i. Refreshments shall not exceed $4.50 per person, per morning and/or afternoon sessions. A mandated gratuity may be added if refreshments are being catered.

E.Conference Lodging Allowances. Lodging rates may not exceed $20 above the current listed routine lodging rates listed for the area in which the conference is being held.

AUTHORITY NOTE:Published in accordance with R.S. 39:231.
HISTORICAL NOTE: Written by the Office of the Governor, Division of Administration, November 1, 1972, published LR 1:179 (April 1975), amended LR 1:338 (August 1975), LR 2:312 (October 1976), LR 5:93 (May 1979), LR 6:405 (August 1980), LR 7:7 (January 1981), LR 8:406 (August 1982), LR 15:820 (October 1989), LR 16:965 (November 1990), LR 26:1256 (June 2000), LR

27:807 (June 2001), republished LR 27:1495 (September 2001), LR 28:1130 (June 2002), LR 30:1116 (June 2004), LR 31:1191 (June 2005), LR 32:941 (June 2006), republished LR 33:1323 (July 2007), amended LR 34:1308 (July 2008), LR 35:1201 (July 2009), LR 36:1657 (July 2010), LR 42:993 (July 2016).

§1511. International Travel

A. International travel must be approved by the Commissioner of Administration or, for higher education, the entity head or his designee prior to departure, unless specific authority for approval has been delegated to a department head. Requests for approval must be accompanied by a detailed account of expected expenditures (such as room rate, date, meals, local transportation, etc.), and an assessment of the adequacy of this source to meet such expenditures without curtailing subsequent travel plans.

B.International travelers will be reimbursed the Tier IV area rates for meals and lodging, unless U.S. State Department rates are requested and authorized by the Commissioner of Administration or, for higher education, the entity head or his designee, prior to departure. Itemized receipts are required for reimbursement of meals and lodging claimed at the U.S. State Department rates: http://aoprals.state.gov/web920/ per_diem.asp.

C.It is the agency's decision, if justification is given, to allow state employees to be reimbursed for a VISA and/or immunizations when the traveler is traveling on behalf of the agency/university on official state business. However, it is not considered best practice for the state to reimburse for a passport, therefore, passport reimbursements must be submitted to the department head for approval along with detailed justification as to why this reimbursement is being requested/approved.

AUTHORITY NOTE:Published in accordance with R.S. 39:231.

HISTORICAL NOTE: Written by the Office of the Governor, Division of Administration, November 1, 1972, published LR 1:179 (April 1975), amended LR 1:338 (August 1975), LR 2:312 (October 1976), LR 5:93 (May 1979), LR 8:405 (August 1980), LR 7:7 (January 1981), LR 8:406 (August 1982), LR 15:820 (October 1989), LR 16:965 (November 1990), LR 26:1258 (June 2000), LR 27:809 (June 2001), LR 28:1132 (June 2002), LR 30:1119 (June 2004), LR 31:1192 (June 2005), republished LR 33:1323 (July 2007), amended LR 34:1308 (July 2008), LR 35:1201 (July 2009), LR 36:1657 (July 2010), LR 42:994 (July 2016).

§1512. Waivers

A. The Commissioner of Administration may waive in writing any provision in these regulations when the best interest of the state will be served. All waivers must obtain prior approvals, except in emergency situations.

AUTHORITY NOTE:Published in accordance with R.S. 39:231.

HISTORICAL NOTE: Written by the Office of the Governor, Division of Administration, November 1, 1972, published LR 1:179 (April 1975), amended LR 1:338 (August 1975), LR 2:312 (October 1976), LR 5:93 (May 1979), LR 6:405 (August 1980), LR 7:7 (January 1981), LR 8:406 (August 1982), LR 15:820 (October 1989), LR 16:965 (November 1990), LR 26:1259 (June 2000), LR 27:809 (June 2001), LR 28:1132 (June 2002), LR 30:1119 (June 2004), LR 31:1192 (June 2005), republished LR 33:1323 (July 2007), amended LR 34:1308 (July 2008), republished LR 35:1202 (July 2009), amended LR 36:1657 (July 2010), LR 42:994 (July 2016).

Tammy Toups
Assistant Director
1607#039

Emergency Rules

DECLARATION OF EMERGENCY

Department of Agriculture and Forestry
Office of Agricultural and Environmental Sciences

Emerald Ash Borer Quarantine (LAC 7:XV.167)

In accordance with the emergency provisions of the Administrative Procedure Act, R.S. 49:953(B), and the authority of the state entomologist pursuant to R.S. 3:1652, and in order to avoid a lapse in coverage until a permanent rule is in effect, notice is hereby given that Department of Agriculture and Forestry is adopting these emergency regulations establishing a quarantine in Union Parish for the following pest: emerald ash borer ("EAB"), *Agrilus planipennis* Fairmaire. The state entomologist has determined that EAB has been found in Union Parish and may be prevented, controlled, or eradicated by quarantine.

EAB poses an imminent peril to the health and welfare of Louisiana forests, commercial and private forestry/wood product industries, and nursery growers due to its ability to infest ash trees. In 2013, the wholesale value of woody ornamental sales for nursery growers in the state was $62.6 million, a portion of which is comprised of sales of ash trees (Louisiana State University AgCenter 2013 *Louisiana Summary*, *Agriculture and Natural Resources*). Louisiana's forests and forestry/wood products industries generated an output industry production value of $10.86 billion in 2012, a portion of which is comprised of ash trees and ash tree products (Louisiana State University AgCenter publication 3367-G, 2015). Sales of ash firewood by retail and wholesale suppliers to private individuals also are important to the state's economy.

Natural spread of EAB is limited to relatively short distances. However, without restriction, EAB can spread through human-assisted means over long distances via infested ash nursery stock, ash logs/timber and cut firewood. Once an ash tree is infested, it experiences twig dieback and tree decline. Tree death occurs within a few years. Failure to prevent, control, or eradicate this pest threatens to damage Louisiana's commercial ash tree nursery industry, and over time this pest poses a threat to destroy the majority of ash in our state, both commercial and residential. The loss of the state's commercial nursery-grown ash trees, forestry/wood ash products and even residential ash trees would be devastating to the state's economy and to its private citizens. The quarantine established by this emergency regulation is necessary to prevent the spread of EAB to all areas in Louisiana where ash may exist, outside of the current areas where this pest has been found.

For these reasons, the presence of EAB in Louisiana presents an imminent peril to the health, safety and welfare of Louisiana's citizens and forests, the state's commercial and private forestry/wood product industries, and nursery growers. As a result of this imminent peril, the Department of Agriculture and Forestry, Office of Forestry and Office of Agricultural and Environmental Sciences, hereby exercises its full and plenary power pursuant to R.S. 3:1652 to deal with crop and fruit pests and contagious and infectious crop and fruit diseases by imposing the quarantines set out in these emergency regulations.

This Rule shall have the force and effect of law effective June 22, 2016, and will remain in effect 120 days, unless renewed by the commissioner of agriculture and forestry or until permanent rules are promulgated in accordance with law.

Title 7
AGRICULTURE AND ANIMALS
Part XV. Plant Protection and Quarantine
Chapter 1. Crop Pests and Diseases
Subchapter F. Emerald Ash Borer Quarantine
§167. Emerald Ash Borer Quarantine

A. The department issues the following quarantine because the state entomologist has determined that the insect emerald ash borer ("EAB"), *Agrilus planipennis*, has been found in this state and may be prevented, controlled, or eradicated by quarantine.

B. Quarantined areas in this state include:

1. the entire parishes of Bossier, Claiborne, Union and Webster;

2. a declaration of quarantine for EAB covering any other specific parishes or areas of this state shall be published in the official journal of the state and in the *Louisiana Register*.

C. No regulated articles as defined in this Subsection shall be moved out of any area of this state that is listed in this Subsection as a quarantined area for EAB, except as provided in this Subsection.

D. The following articles are hosts of EAB and are deemed to be regulated articles for purposes of this Subsection:

1. the emerald ash borer in all of its life stages; firewood of all hardwood (non-coniferous) species; nursery stock, green lumber, and other material living, dead, cut, or fallen, including logs, stumps, roots, branches, and composted and uncomposted chips of the genus *Fraxinus*;

2. any other article, product, or means of conveyance not listed in Paragraph 4.a of this Section may be designated as a regulated article if an inspector determines that it presents a risk of spreading emerald ash borer and notifies the person in possession of the article, product, or means of conveyance that it is subject to the restrictions of the regulations.

E. Regulated articles may be moved from quarantined areas to non-quarantined areas within or outside of Louisiana only if moved under the following conditions.

1. The regulated articles being moved are accompanied by a certificate or limited permit issued by LDAF and attached in accordance with the EAB federal requirements.

2. The regulated articles being moved are not accompanied by a certificate or limited permit but are being moved by the United States Department of Agriculture for experimental or scientific purposes;

3. The regulated articles being moved are not accompanied by a certificate or limited permit but originated outside of any EAB quarantined area and are moved interstate through the quarantined area under the following conditions:

a. the points of origin and destination are indicated on a waybill accompanying the regulated article; and

b. the regulated article, if moved through the quarantined area, is moved in an enclosed vehicle or is completely covered to prevent access by the EAB; and

c. the regulated article is moved directly through the quarantined area without stopping (except for refueling or for traffic conditions, such as traffic lights or stop signs), or has been stored, packed, or handled at locations approved by an inspector as not posing a risk of infestation by emerald ash borer; and

d. the article has not been combined or commingled with other articles so as to lose its individual identity.

F. Persons or businesses engaged in growing, handling, or moving regulated articles intrastate may enter into a compliance agreement with LDAF if such persons or businesses review with an LDAF inspector each provision of the compliance agreement. Any person or business who enters into a compliance agreement with LDAF must agree to comply with the provisions of this Subpart and any conditions imposed under this Subpart.

1. Any compliance agreement may be canceled orally or in writing by an inspector whenever the inspector determines that the person who has entered into the compliance agreement has not complied with this Subpart or any conditions imposed under this Subpart. If the cancellation is oral, the cancellation will become effective immediately, and the cancellation and the reasons for the cancellation will be confirmed in writing as soon as circumstances permit. Any person whose compliance agreement has been canceled may appeal the decision in writing to LDAF within 10 days after receiving the written cancellation notice. The appeal must state all of the facts and reasons that the person wants LDAF to consider in deciding the appeal. A hearing may be held to resolve a conflict as to any material fact. Rules of practice for the hearing will be adopted by LDAF. As soon as practicable, LDAF will grant or deny the appeal, in writing, stating the reasons for the decision.

G. Any person violating this quarantine shall be subject to imposition of the remedies and penalties set forth in R.S. 3:1653.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1652 and 3:1653.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 41:2577 (December 2015), amended LR 42:

Mike Strain DVM
Commissioner
1607#015

DECLARATION OF EMERGENCY

Board of Elementary and Secondary Education

Bulletin 140—Louisiana Early Childhood Care and Education Network
(LAC 28:CLXVII.101, 103, 313, 503, 509, 511, 512, 513, 515, 517, 521, 703, 705,707, 709, and 713)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education approved for advertisement the revision of *Bulletin 140—Louisiana Early Childhood Care and Education Network*: §101, Purpose; §103, Definitions; §313, Academic Approval for Type III Early Learning Centers; §503, Coordinated Observation Plan and Observation Requirements; §509, Performance Rating Calculations for Publicly-Funded Sites; §511, Performance Rating Calculations for Community Networks; §512, Performance Ratings for Publicly-funded Sites; §513, Informational Metrics of Best Practices; §515, Reporting for the Accountability System; §517, Data Verification; §521, Performance Profile Appeals Procedure; §703, Coordinated Enrollment Process; §705, Implementation Timeline; §707, Demonstrated Progress Toward Implementation; §709, Community Network Request for Funding for Publicly-Funded Programs; and §713, Request for Departmental Review. This Declaration of Emergency, effective June 22, 2016, is for a period of 120 days from adoption, or until finally adopted as Rule.

R.S. 17:407.23 requires BESE to create a uniform assessment and accountability system for publicly- funded early childhood education programs that includes a letter grade indicative of student performance. In response to this law, the board adopted *Bulletin 140—Louisiana Early Childhood Care and Education Network*, to set forth regulations focused specifically on early childhood community networks. The networks ensure that:

one organization within each local community network coordinates across early childhood programs (child care, Head Start, school-based pre-kindergarten);

set clear expectations for implementation of coordinated enrollment as required by Act 717 of the 2014 Regular Legislative Session and establish processes to ensure fairness and equity for providers and families;

establish a unified quality and improvement system;

specify how programs and community networks will be evaluated in the 2015-2016 academic learning year, as required by state law; and

establish processes for fairness and equity for programs.

The proposed revisions update *Bulletin 140—Louisiana Early Childhood Care and Education Network*, to communicate differences in quality, honor quality and

improvement, address sites rated very low quality, increase observation accuracy and credibility, increase transparency, ensure parent choice, support coordinated enrollment, and extend the academic approval process beyond the learning year. State law and *Bulletin 140—Louisiana Early Childhood Care and Education Network*, call for such a system to take full effect beginning with the 2016-2017 school year, which is why BESE has exercised the emergency provision in the adoption of these policy revisions.

Title 28
EDUCATION
Part CLXVII. Bulletin 140—Louisiana Early Childhood Care and Education Network

Chapter 1. General Provisions

§101. Purpose

A. The purpose of this bulletin is to establish the duties and responsibilities of the early childhood care and education network, local community networks, community network lead agencies, and publicly-funded early childhood care and education programs; establish performance and academic standards for kindergarten readiness; define kindergarten readiness; and create a uniform assessment and accountability system for publicly-funded early childhood care and education sites and community networks that includes a performance profile indicative of performance.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2580 (December 2015), amended LR 42:

§103. Definitions

* * *

Assurances—see *program partner assurances*.

* * *

Program Partner Assurances—assurances that early childhood care and education programs must submit to the department in order to access their public funding.

* * *

School Year—for purposes of this Bulletin, July 1-June 30.

* * *

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.23 and R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2580 (December 2015), amended LR 42:

Chapter 3. Early Childhood Care and Education Network

§313. Academic Approval for Type III Early Learning Centers

A. All type III early learning centers shall meet the performance and academic standards of the early childhood care and education network regarding kindergarten readiness as provided in this Bulletin.

B. - C.2.b. …

D. Initial Academic Approval for an Applicant for a New Type III Early Learning Center License for Fiscal Years 2016-2017 and Beyond

1. In order to obtain the initial academic approval required to be licensed as a type III early learning center, a center applying for a new type III license must:

a. submit a signed copy of the current program partner assurances to the department, thereby agreeing to comply with the provisions of this Bulletin, which include:

i. membership in the corresponding community network, as provided in Chapter 3;

ii. participation in the early childhood care and education accountability system, as provided in Chapter 5; and

iii. participation in the coordinated enrollment process as provided in Chapter 7.

2. An applicant for a new type III early learning center license who has held a type III early learning center license and received a corrective action plan as provided in §313 at any time during the current or preceding fiscal year shall not be allowed to apply for academic approval for the fiscal year in which the center received a corrective action plan and the following fiscal year.

E. Renewal of Academic Approval for Type III Early Learning Centers for the Fiscal Years 2016-2017 and 2017-2018

1. Academic approval shall be renewed annually for fiscal years 2016-2017 and 2017-2018 for any type III early learning center that:

a. has current academic approval

b. is in compliance with the provisions of this Bulletin; and

c. has submitted a signed copy of the current annual program partner assurances to the department, and is thereby agreeing to comply with the provisions of this Bulletin, which include:

i. membership in the corresponding community network, as provided in Chapter 3;

ii. participation in the early childhood care and education accountability system, as provided in Chapter 5; and

iii. participation in the coordinated enrollment process, as provided in Chapter 7.

2. Type III early learning centers shall annually submit a signed copy of the annual program partner assurances to the department prior to July 1, or as requested by the department, whichever occurs earlier.

F. Renewal of Academic Approval for Existing Type III Early Learning Centers for Fiscal Year 2018-2019 and Beyond

1. Academic approval shall be renewed annually for fiscal years 2018-2019 and beyond for any type III early learning center that:

a. has current academic approval;

b. is in compliance with the provisions of this Bulletin;

c. has not had two unsatisfactory performance ratings within any consecutive three school years; and

d. has submitted a signed copy of the current annual program partner assurances to the department, and is thereby agreeing to comply with the provisions of this Bulletin, which include:

i. membership in the corresponding community network, as provided in Chapter 3;

ii. participation in the early childhood care and education accountability system, as provided in Chapter 5; and

iii. participation in the coordinated enrollment process, as provided in Chapter 7.

2. Early learning centers shall annually submit a signed copy of annual program partner assurances to the department prior to July 1, or as requested by the department, whichever is earlier.

G. A center that has its academic approval terminated may not apply for academic approval for the fiscal year in which academic approval was terminated or the following fiscal year

H. Academic approval shall be valid for the fiscal year, July 1-June 30, for which it is granted.

I. Academic approval is granted to a specific owner and a specific location and is not transferable. If a type III early learning center changes owners or location, it is considered a new operation, and academic approval for the new owner or location must be obtained prior to beginning operations under new ownership or at the new location.

J. Upon a change of ownership or change of location, the academic approval granted to the original owner or at the original location becomes null and void.

K. Renewal

1. Prior to July 1 of each year, the department shall send notice to each type III early learning center that has academic approval providing one of the following:

a. renewal of academic approval for the center;

b. notice of the center's failure to comply with specific requirements in Subsection A of this Section and specific corrective actions that must be taken by a specified date in order for academic approval to be renewed; or

c. if an early learning center has received the notice outlined in Subparagraph L.2.a of this Section within the academic year and the center has not provided the required certifications and completed the stated corrective actions, the department may terminate the center's academic approval as provided in Subparagraph L.2.c of this Section and send notice of termination of the center's academic approval.

L. Denial, Termination or Refusal to Renew Academic Approval

1. The department may deny terminate, or refuse to renew academic approval for:

a. violations of any provisions of this bulletin;

b. failure to timely comply with a corrective action plan provided by the department;

c. any act of fraud, such as the submission of false or altered documents or information;

d. failure to timely submit a signed copy of the annual program partner assurances; or

e. two unsatisfactory performance ratings within any consecutive three school years.

2. Notice

a. If a type III early learning center is in violation of any provision of this bulletin, the department shall notify the center in writing and may specify any corrective actions in a corrective action plan that shall be required to retain academic approval.

b. Within 30 calendar days of receiving such notice, the center shall submit certification in writing to the department that the corrective actions specified in the corrective action plan have been taken or are in the process of being taken in compliance with the schedule provided in the corrective action plan and certification that the center will remain in compliance with the corrective action plan and all applicable regulations.

c. If the type III early learning center does not respond in a timely or satisfactory manner to the notice and corrective action plan or adhere to the implementation schedule required in the corrective actions plan, the department may terminate or refuse to renew the center's academic approval.

d. The department shall provide written notice of denial, termination or refusal to renew academic approval to the center.

e. The denial, termination or refusal to renew a center's academic approval shall be effective when notice of the denial, termination, or refusal to renew is given.

M. Appeal Procedure

1. BESE shall have the authority to grant an appeal of the denial, termination or refusal to renew academic approval for a type III early learning center.

2. The appeal procedure shall be used when needed to address unforeseen and aberrant factors impacting type III early learning centers or when needed to address issues that arise when the literal application of the academic approval regulations does not consider certain unforeseen and unusual circumstances.

3. A type III early learning center may request an appeal of the denial, termination, or refusal to renew its academic approval by submitting a written request for an appeal to the department within 15 calendar days of being given notice of the denial, termination, or refusal to renew its academic approval.

4. All appeal requests shall clearly state the specific reasons for requesting the appeal and the reasons why the appeal should be granted and shall include any necessary supporting documentation.

5. The department shall review all timely submitted appeal requests and make recommendations to BESE during the first regularly scheduled BESE meeting following receipt of the appeal requests, or during the second regularly scheduled BESE meeting if an appeal request is received within 10 working days of the next regularly scheduled BESE meeting. Within this interval, the department shall notify the center of its recommendation and allow the center to respond in writing. The department's recommendation and the center's response shall be submitted to BESE for final disposition.

6. An early learning center that appeals the termination or refusal to renew its academic approval shall retain its academic approval during the appeal process.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:407.36(C) and R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2584 (December 2015), amended LR 42:

Chapter 5. Early Childhood Care and Education Accountability System

§503. Coordinated Observation Plan and Observation Requirements

A. - B.4.c. …

5. The department shall monitor observer accuracy within each observation period by comparing the domain level results from classroom observations conducted by the department's third-party contractors to the domain level

results from classroom observations conducted by the community network for each observer.

a. Within each observation period, for observations conducted by a community network observer that have been compared to domain level results conducted by the department's third-party contractors, if more than 20 percent of the domain level results are different by more than one point for the community network observer, that observer and lead agency shall be issued a notice in writing by the state regarding their level of accuracy.

b. Within each observation period, for observations conducted by a community network observer that have been compared to domain level results conducted by the department's third-party contractors, if more than 33 percent of the domain level results are different by more than one point for the community network observer, that observer shall be shadow scored by another community network observer in the next observation period.

c. Within each observation period, for observations conducted by a community network observer that have been compared to domain level results conducted by the department's third-party contractors, if 50 percent or more of the domain level results are different by more than one point for the community network observer, the department shall determine that the community network observer shall not be able to conduct observations for that community network for the next observation period.

i. If the observer is no longer able to conduct observations for the community network, the department shall notify the observer and the lead agency that the observer shall not be able to conduct observations for that community network for the next observation period.

ii. A lead agency or community network observer may request in writing that the department review its decision in Subparagraph 5.c of this Subsection within 15 calendar days of receiving the decision.

iii. All requests for departmental review shall clearly state the specific reasons for requesting the review and the action being sought, and shall include all necessary supporting documentation.

iv. The department shall respond to the request for departmental review within 30 calendar days after receiving it.

v. The department may waive the action in Subparagraph 5.c of this Subsection in cases of extenuating circumstances or if the action would result in no other assessor being available to conduct required observations.

d. Observers who are receive notification from the department under Clause 5.c.i of this Subsection must meet the reliability requirements of 80 percent accuracy through annual recertification prior to being permitted to complete observations for the community network.

C.Coordinated Observation Plan

1. Each community network shall develop and maintain no later than September 30 of each year a written annual plan for coordinated observation using *CLASS*® that at a minimum includes:

a. - d.ii. …

iii. the community network conducts inter-rater reliability observation checks for 10 percent of all classrooms observed during the fall observation period and for 10 percent of all classrooms observed during the spring observation period, and that these reliability observation checks include every observer for the community network at least once annually; and

C.1.d.iv. - D.3. …

E.The department shall publicly release the reliability requirements for third-party contractors hired by the department annually.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2586 (December 2015, amended LR 42:

§509. Performance Rating Calculations for Publicly-Funded Sites

A. The performance rating for each publicly-funded site shall be based on the average of the dimension-level toddler and PreK observation results from the fall and spring observation periods for all toddler and PreK classrooms within the site, excluding the negative climate dimension.

1. BESE may include a weight for improvement beginning with the 2016-2017 school year.

2. Sites that have classrooms that receive a score of 3.5 or above for the negative climate dimension shall receive a notice in writing at the end of the observation period in which they received that score. If a site receives a notice for two consecutive observation periods, an indicator of high negative climate may be reported on the performance profile.

B.Any classroom in a publicly-funded site that does not have the observations required in §503 or does not have all results reported, shall have third party scores for that classroom reported when available. If no third party scores are available for that classroom, but there are observation scores for comparable classrooms within the site as required in §503, the department shall assign the average domain score for the comparable classrooms to each missing CLASS score. The department may assign a score of 1 to each missing CLASS domain score if no comparable local or third party scores are available. If this occurs, the score of one for missing or not-reported observation results shall be included in the performance rating calculation for that site. In these circumstances, the number of missing or not-reported observation results shall be reported on the performance profile.

B.1. - C.2. …

a. For the 2015-2016 learning year, if the observation results conducted by community networks are consistently different by more than one point from observation results conducted by the department's third-party contractors, the department may replace all of the community network's observation results for a publicly-funded site with the results from the department's third-party contractors, including those results that do not differ by at least one point.

b. Beginning with the 2016-2017 school year, if observation results conducted by community networks are consistently different by more than one point from observation results conducted by the department's third party contractors, the department may replace all of the community network's observation results for a publicly-funded site with the results from the department's third party contractors, including those results that do not differ by at least one point.

D. The performance rating for each site shall be based on the following numerical scale:

1. 6.0-7.0—excellent;
2. 4.50-5.99—proficient;
3. 3.0-4.49—approaching proficient;
4. 1.0-2.99—unsatisfactory.

E. - G. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2587 (December 2015), amended LR 42:

§511. Performance Rating Calculations for Community Networks

A. Community networks shall receive two performance ratings which shall be calculated as follows.

1. *CLASS*® observation results shall be one of the community network performance ratings.

2. An equitable access score for four-year-olds shall be one of the community network performance ratings.

3. BESE may include a weight for improvement on equitable access beginning with the 2017-2018 school year.

B.The *CLASS*® observation results shall be determined by averaging the results of all fall and spring dimension-level toddler and PreK observation results for all toddler and PreK classrooms within the community network excluding negative climate.

1. Any classroom in a site that does not have the observations required in §503, or has not had all observation results reported, shall have third party scores for that classroom reported when available. If no third party scores are available for that classroom, but there are observation scores for comparable classrooms within that site as required in §503, the department shall assign the average domain score for the comparable classrooms to each missing CLASS domain score. The department may assign a score of 1 to each missing CLASS domain score if no comparable local or third party score are available. If this occurs, the score of one for missing observation or not-reported results shall be included in the performance rating calculation for the community network. In these circumstances the number of missing or not-reported observation results shall be reported on the community network's performance profile.

1.a. - 2.b.i. …

ii. For every year after the 2015-2016 school year, if the observation results conducted by a community network are consistently different by more than one point from observation results conducted by the department's third party contractor, the department may replace all of the community network's observation results for a publicly-funded site with the results from the department's third party contractor for that site, including those results that do not differ by at least one point.

C.The equitable access score performance rating shall be determined by calculating the access achieved by the community network for all at-risk four-year-old children in the community network coverage area. Points are earned on a four level rating scale according to:

Percentage of At-Risk Four-Year-Olds Served	Rating
90-100 percent	Excellent
80-89.99 percent	Proficient
70-79.99 percent	Approaching Proficient
0-69.99 percent	Unsatisfactory

D. The *CLASS* observation results performance rating for each community network shall be based on the following numerical scale:

1. 6.0-7.0—excellent;
2. 4.5-5.99—proficient;
3. 3.0-4.49—approaching proficient;
4. 1.0-2.99—unsatisfactory.

E. - G. …

H. Prior to the start of the 2017-2018 school year, a workgroup of Early Childhood Care and Education Advisory Council members shall be formed to study the inclusion of additional metrics in the performance rating calculations and review R.S. 17:407.21 et seq. for potential statutory changes, and shall make recommendations regarding the use of any additional performance rating calculation metrics in §509.D.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2588 (December 2015), amended LR 42:

§512. Performance Ratings for Publicly-Funded Sites

A. Unsatisfactory Publicly-Funded Sites

1. Beginning with the 2016-2017 school year, publicly-funded sites rated as unsatisfactory, as defined in §509, for two school years in any consecutive three school year period, shall lose their public funding and have their academic approval terminated.

2. The state superintendent may grant exception to Subsection A of this Section if the publicly-funded site serves a special population, or if taking the required action in Subsection A of this Sectionwould create an extraordinary burden for families or place children at risk of harm.

3. The department shall conduct an annual needs analysis for families in regions that may be impacted by publicly-funded sites losing their public funding to support access to early childhood programs.

B.Rewards and Recognition

1. Beginning in the 2016-2017 school year, sites and community networks that are rated "excellent" shall be included in an annual honor roll published by the department and be eligible for financial rewards, as funds are available and as determined by the department.

2. No later than the 2017-2018 school year, sites and community networks that demonstrate significant improvement in their overall score or rating shall be labeled "top gains" on their performance profile and be eligible for financial rewards, as funds are available and as determined by the department.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:

§513. Informational Metrics of Best Practices

A. Informational metrics are measures of a publicly-funded site and a community network's use of the following early childhood care and education best practices. The performance profile shall report the publicly-funded site and community network's use of the best practices identified as investment in quality measures, which shall include but is not limited to:

1. teacher/child ratios. Publicly-funded sites maintain teacher/child ratios based on the age of children that are at or better than the minimum standards required in BESE *Bulletin 137—Louisiana Early Learning Center Licensing Regulations*;

a. to achieve gold level ratios, publicly-funded sites use the following teacher/child ratios and group sizes;

Age	Teacher/Child Ratio	Maximum Group Size
Birth to 1 year	1:4	8
1 year to 2 years	1:4	8
2 years to 3 years	1:6	12
3 years to 4 years	1:8	16
4 years to 5 years	1:10	20

b. to achieve silver level ratios, publicly-funded sites use the following teacher/child ratios and group sizes;

Age	Teacher/Child Ratio	Maximum Group Size
Birth to 1 year	1:4	8
1 year to 2 years	1:6	12
2 years to 3 years	1:8	16
3 years to 4 years	1:10	20
4 years to 5 years	1:12	24

c. to achieve bronze level ratios, publicly-funded sites use the minimum ratio standards required in BESE *Bulletin 137—Louisiana Early Learning Center Licensing Regulations;*

2. teacher preparation. Publicly-funded sites ensure lead teachers meet or exceed credential requirements for publicly-funded classrooms provided in BESE *Bulletin 746—Louisiana Standards for State Certification of School Personnel*;

3. standards-based curriculum. Publicly-funded sites use a curriculum that is aligned to BESE *Bulletin 136—The Louisiana Standards for Early Childhood Care and Education Programs Serving Children Birth-Five Years*.

B.The performance profile may report informational metrics in the following categories:

1. child assessment that informs instruction;
2. investment in quality measures;
3. family engagement and supports; and
4. community network supports (reported at the community network level only):

a. the number of children served in new publicly-funded early childhood seats;

b. the percent of publicly-funded early childhood seats that are filled.

C.Each year and in collaboration with the Early Childhood Care and Education Advisory Council, the department shall review the results of the accountability system, including but not limited to the performance of programs on each domain of the *CLASS*, how the performance profile ratings are calculated, and the observer reliability substitution rates, and recommend any improvements for this Bulletin. To develop these recommendations, the department shall work collaboratively with the Early Childhood Care and Education Advisory Council, which shall establish a workgroup for this purpose. The department, with assent shown by vote of the Advisory Council, can decide in a given year that no review is needed.

D. Contingent on available funding, the department shall conduct an external implementation evaluation of Louisiana's early childhood care and education network to answer questions that include but are not limited to whether the system:

1. is based on Performance Ratings that are valid and reliable;
2. meaningfully differentiates between levels of program quality; and
3. delivers a robust set of quality improvement supports and incentives for improvement, as well as consequences for failure to improve. The results of the study shall be shared with the Early Childhood Care and Education Advisory Council and BESE.

E.1. The LDE is required to collect data designed to strengthen the state's ability to track and monitor implementation of new and ongoing policies and supports, program quality, and child outcomes, positioning Louisiana to:

a. provide targeted supports to teachers, programs, and schools; and

b. be evaluation-ready when funds and evaluators become available.

2. The LDE shall explore critical data elements being collected by other states, seek recommendations from the Early Childhood Advisory Council on critical data elements and present a report on the findings to BESE no later than January 2017.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2588 (December 2015), amended LR 42:

§515. Reporting for the Accountability System

A. Lead agencies shall report to the department, in the manner specified by the department, the following:

1. classroom counts:

a. by October 1, the number of classrooms serving infant, toddler and PreK children in each publicly-funded site on October 1;

b. by February 1, the number of classrooms serving infant, toddler, and PreK children in each publicly-funded site on February 1; and

c. by February 1, the number of classrooms in the February 1 count that have been added or removed since the October 1 count;

A.2. - C. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2589 (December 2015), amended LR 42:

§517. Data Verification

A. The department shall provide all non-survey data contributing to the performance profile for publicly-funded sites and community networks to each lead agency prior to publishing the performance rating.

B.In 2015-2016, the department shall provide lead agencies 30 calendar days for final review, correction, and verification of data for the performance profiles. For all subsequent years, the department shall provide lead agencies 10 calendar days for final review, correction, and verification of data for performance profiles.

1. The lead agency shall create and implement a community network data certification procedure that requires review of all performance profile data for each site during the data certification period.

2. The department may request the certification procedure from each lead agency.

3. Data corrections shall not be grounds for an appeal or waiver request as all data corrections shall be made prior to the release of profiles regardless of the source of any errors.

4. Data corrections may only be submitted for the following reasons:

a. *CLASS*® observations results have been reported incorrectly; or

b. *CLASS*® observation results were not reported.

5. The department shall review all data corrections and grant approval of those corrections that are proven valid.

6. The department may request additional documentation to support the validity of the changes.

C. - D. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2590 (December 2015), amended LR 42:

§521. Performance Profile Appeals Procedure

A. BESE shall have the authority to grant an appeal of a publicly-funded site or community network's performance profile.

B.The appeal procedure shall be used when needed to address unforeseen and aberrant factors impacting publicly-funded sites and community networks or when needed to address issues that arise when the literal application of the accountability system regulations does not consider certain unforeseen and unusual circumstances. Failure to complete observations or use of third-party scores are not sufficient reasons for requesting an appeal. Data corrections shall not be grounds for an appeal or waiver request as all data corrections shall be made prior to the release of profiles regardless of the source of any errors.

C. - F. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2590 (December 2015), amended LR 42:

Chapter 7. Coordinated Enrollment

§703. Coordinated Enrollment Process

A. - B.4. …

C. In collaboration with representatives of providers of child care, Head Start, and prekindergarten services, the lead agency shall develop policies and procedures for how the requirements of §703.B will be implemented. These policies and procedures shall be submitted to the department prior to initiation of the enrollment process, and shall include training for providers and parents on the eligibility criteria for different programs, the matching process for the network, and the complaint process for providers and parents as needed.

D. - F. …

G.Request for Departmental Review

1. Any parent or caregiver may request that the department review the placement of his or her child resulting from the coordinated enrollment process.

2. A request for departmental review shall be submitted in writing to the department within 30 calendar days of placement of the child or of the event upon which the request for review is based.

3. All requests for departmental review shall clearly state the specific reasons for requesting the review and the action being sought, and shall include all necessary supporting documentation.

4. The department shall respond to the request for departmental review within 30 calendar days after receiving it.

5. Written notice of the process in outlined in §703.G.2, as well of the complaint process described in §311.A-F. and the appropriate contact information for the department, shall be made available to any parent or caregiver at the time they receive the decision of their child's placement.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq., and R.S. 17:407.91 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2591 (December 2015), amended LR 42:

§705. Implementation Timeline

A. - D. ….

E.Prior to the start of the school year, BESE shall review this Chapter and revise as necessary based on learnings from the previous year. A work group of the Early Childhood Care and Education Advisory Council shall be formed to study the effectiveness of the coordinated enrollment process and make recommendations to the council and BESE for changes for implementation in the following school year. This research may include, but not be limited to, defining key indicators of effectiveness, conducting focus groups of all provider types, reviewing data on the placement of new early childhood seats opened statewide, and reviewing other available information. The department, with assent shown by vote of the Advisory Council, may decide in a given year that no review is needed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq., and R.S. 17:407.91 et seq.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2592 (December 2015), amended LR 42:

§707. Demonstrated Progress toward Implementation

A. …

B.The department may require community networks to complete an enrollment self-assessment each year. This self-assessment shall include, but is not limited to, the outcomes of the prior year's coordinated enrollment process, specifically how family choice resulted in these outcomes.

C.…

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2592 (December 2015), amended LR 42:

§709. Community Network Request for Funding for Publicly-Funded Programs

A. By December 1 of each fiscal year, the lead agency shall develop, in collaboration with representatives of providers of child care, Head Start, and prekindergarten services, and submit a funding request for the following fiscal year to the department on behalf of the community network that is based on the coordinated enrollment results, which shall include the following:

1. the number of applications received for each age of at-risk children;
2. the number of seats requested at each publicly-funded site;
3. the number of seats recommended by the lead agency to receive funding with a prioritization by site and age of children served by funding source;
4. the criteria and process used to develop the community network request;
5. the recommended plan to maximize all funding sources to increase service to at-risk children;
6. the number of seats being requested in a mixed delivery setting; and
7. The number of eligible children served in the network by specific program type.

B.…

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq., and R.S. 17:407.91 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2592 (December 2015), amended LR 42:

§713. Request for Departmental Review

A. Any publicly-funded program may request that the department review an enrollment decision or funding request of its lead agency or local enrollment coordinator. All programs shall be given written notice of the opportunity to request a departmental review of a lead agency or local enrollment coordinator's enrollment decision or funding request, as well as the complaint process described in §311.A-F and the appropriate contact information for the department.

B.A request for departmental review shall be submitted in writing to the department no later than 30 calendar days after the day on which community networks must submit funding requests to the department or the day in which the community network submitted the funding request to the department, whichever is later.

C. - E.…

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:407.21 et seq., and R.S. 17:407.91 et seq.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2593 (December 2015), amended LR 42:

James D. Garvey, Jr.
President
1607#021

DECLARATION OF EMERGENCY

Student Financial Assistance Commission
Office of Student Financial Assistance

Scholarship/Grant Programs
(LAC 28:IV.301, 701, 703, and 2107)

The Louisiana Student Financial Assistance Commission (LASFAC) is exercising the emergency provisions of the Administrative Procedure Act [R.S. 49:953(B)] to amend and re-promulgate the rules of the Scholarship/Grant programs [R.S. 17:3021-3025, R.S. 3041.10-3041.15, and R.S. 17:3042.1.1-3042.8, R.S. 17:5001 et seq., and R.S. 56:797.D(2)].

This rulemaking clarifies the definition of eligible non-citizen, clarifies that Performance and Honors Award stipends are paid for each semester for which tuition is paid by TOPS and for which the student remains eligible for the Award, and implements Acts 18, 388, and 503 of the 2016 Regular Session of the Louisiana Legislature.

This Emergency Rule is necessary to implement changes to the Scholarship/Grant programs to allow the Louisiana Office of Student Financial Assistance and state educational institutions to effectively administer these programs. A delay in promulgating rules would have an adverse impact on the financial welfare of the eligible students and the financial condition of their families. LASFAC has determined that these emergency rules are necessary in order to prevent imminent financial peril to the welfare of the affected students.

This Declaration of Emergency is effective July 01, 2016, and shall remain in effect for the maximum period allowed under the Administrative Procedure Act. (SG16172E)

Title 28
EDUCATION
Part IV. Student Financial Assistance—Higher Education
Scholarship and Grant Programs

Chapter 3. Definitions

§301. Definitions

A. Words and terms not otherwise defined in this Chapter shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa.

* * *

Award Amount—

a. Through the 2015-2016 academic year (college), an amount equal to tuition at the school attended, for those students attending a Louisiana public college or university, as determined by the commission, which may be used by the student to pay any educational expense included in that student's "cost of attendance." The amount paid for TOPS and TOPS-Tech Awards shall be as follows.

i. For students with the TOPS Opportunity, Performance, and Honors Award attending a Louisiana public college or university and enrolled in an academic degree program, the amount shall equal the actual cost of tuition.

ii. For students with the TOPS Opportunity, Performance, and Honors Award attending a regionally accredited independent college or university in Louisiana that is a member of the Louisiana Association of Independent Colleges and Universities or an out-of-state college or university if all of the conditions of §703.I are met and enrolled in an academic degree program, the amount shall equal the weighted average award amount.

iii. For students with the TOPS Opportunity, Performance, and Honors Award attending a Louisiana public college or university and enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree, the amount shall equal the actual cost of tuition.

iv. For students with the TOPS Opportunity, Performance, and Honors Award attending a regionally accredited independent college or university in Louisiana that is a member of the Louisiana Association of Independent Colleges and Universities or who attend an eligible cosmetology or proprietary school and enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree, the amount shall equal the average award amount (TOPS-Tech).

v. For students with the TOPS-Tech Award attending an eligible public college or university that does not offer an academic undergraduate degree at the baccalaureate level or higher and enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree, the amount shall equal the actual cost of tuition.

vi. For students with a TOPS-Tech Award attending an eligible college or university that offers an academic undergraduate degree at the baccalaureate level or higher and enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree, the amount shall equal the average award amount (TOPS-Tech).

vii. For students with the TOPS Opportunity, Performance, and Honors Award enrolled in a Louisiana professional school, the amount shall be equal to the tuition charged or the tuition charged a student pursuing a baccalaureate degree at the highest cost public school, whichever is less or the weighted average award amount, depending upon whether the Louisiana professional school is a public or private school.

viii. For students with the TOPS Opportunity, Performance and Honors Award enrolled in a Louisiana Graduate Degree Program, the amount shall be equal to the tuition or the tuition charged for a student while pursuing a baccalaureate degree at the highest cost public school in the state, whichever is less.

b. Beginning with the 2016-2017 academic year (college), the award amount determined by the administering agency in accordance with Section 1.a-h., above during the 2016-2017 academic year (college), plus any increase in the award amount specifically authorized by the Louisiana Legislature.

* * *

Eligible Noncitizen—

a. an individual who can provide documentation from the U. S. Citizenship and Immigration Services (USCIS) or its successor that he is in the U.S. for other than a temporary purpose with the intention of becoming a citizen or permanent resident, including, but not limited to, refugees, persons granted asylum, Cuban-Haitian entrants, temporary residents under the recent Immigration Reform and Control Act of 1986, and others. A permanent resident of the United States must provide documentation from the USCIS to verify permanent residency. For 1997, 1998 and 1999 high school graduates, an eligible noncitizen shall be treated as meeting the citizenship requirements for an award under this Part.

b. beginning with the 2018-2019 academic year (high school) and later, a student who is not a citizen of the United States but who is the child of a non-United States citizen who is either serving in any branch of the United States armed forces or has been honorably discharged from any branch of the United States armed forces shall be treated as meeting the citizenship requirements for an award under this Part.

* * *

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3021-3036, R.S. 17:3042.1 and R.S. 17:3048.1.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:632 (April 1998), amended LR 24:1898 (October 1998), LR 24:2237 (December 1998), LR 25:256 (February 1999), LR 25:654 (April 1999), LR 25:1458 and 1460 (August 1999), LR 25:1794 (October 1999), LR 26:65 (January 2000), LR 26:688 (April 2000), LR 26:1262 (June 2000), LR 26:1601 (August 2000), LR 26:1993, 1999 (September 2000), LR 26:2268 (October 2000), LR 26:2752 (December 2000), LR 27:36 (January 2001), LR 27:284 (March 2001), LR 27:1219 (August 2001), LR 27:1840 (November 2001), LR 27:1875 (November 2001), LR 28:45 (January 2002), LR 28:446 (March 2002), LR 28:772 (April 2002), LR 28:2330, 2331 (November 2002), LR 29:555 (April 2003), LR 29:879 (June 2003), LR 30:1159 (June 2004), LR 30:2015 (September 2004), LR 31:36 (January 2005), LR 31:3112 (December 2005), LR 33:86 (January 2007), LR 33:439 (March 2007), LR 33:1339 (July 2007), LR 33:2612 (December 2007), LR 34:234 (February 2008), LR 34:1388 (July 2008), LR 34:1884 (September 2008), LR 35:228 (February 2009), LR 35:1489 (August 2009), LR 35:1490 (August 2009), LR 36:311 (February 2010), LR 36:490 (March 2010), LR 36:2854 (December 2010), LR 37:1561 (June 2011), LR 37:1562 (June 2011), LR 38:1953 (August 2012), LR 38:3156 (December 2012), LR 39:308 (February 2013), LR 40:53 (January 2014), LR 40:281 (February 2014), LR 41:649, 658 (April 2015), LR 41:2595 (December 2015), LR 42:

Chapter 7. Taylor Opportunity Program for Students (TOPS) Opportunity, Performance, and Honors Awards

§701. General Provisions

A. - E.1.b. ...

2.a. The TOPS Performance Award provides a $400 annual stipend, prorated by two semesters, three quarters, or equivalent units in each academic year (TOPS), in addition to an amount equal to tuition for full-time attendance at an eligible college or university, for a period not to exceed eight semesters, including qualified summer sessions, 12 quarters, including qualified summer sessions, or an equivalent number of units in an eligible institution which operates on a schedule based on units other than semesters or quarters, except as provided by R.S. 17:3048.1(H), or LAC 28:IV.503.D, 509.C, or 701.E.2.b. If a student attends an eligible summer session, quarter, term, or equivalent unit and requests that their TOPS Award be paid for that session, semester, quarter, term, or equivalent unit, the stipend will

also be paid since payment of a TOPS Award for a summer session, quarter, term, or equivalent unit will count toward the eight semester limit for TOPS.

b. The semester or term count for a student shall not be increased for any semester or term a student is unable to complete because of orders to active duty in the United States Armed Forces or National Guard, whether or not a full refund for the TOPS payment for that semester or term is received by LOSFA, provided that any amount of a stipend paid and not refunded shall be counted toward the total stipends allowed by law.

3.a. The TOPS Honors Award provides an $800 annual stipend, prorated by two semesters, three quarters, or equivalent units in each academic year (TOPS), in addition to an amount equal to tuition for full-time attendance at an eligible college or university, for a period not to exceed eight semesters, including qualified summer sessions, 12 quarters, including qualified summer sessions, or an equivalent number of units in an eligible institution which operates on a schedule based on units other than semesters or quarters, except as provided by R.S. 17:3048.1(H), or LAC 28:IV.503.D, 509.C or 701.E.3.b. If a student attends an eligible summer session, quarter, term, or equivalent unit and requests that their TOPS Award be paid for that session, semester, quarter, term, or equivalent unit, the stipend will also be paid since payment of a TOPS Award for a summer session, quarter, term, or equivalent unit will count toward the eight semester limit for TOPS.

b. The semester or term count for a student shall not be increased for any semester or term a student is unable to complete because of orders to active duty in the United States Armed Forces or National Guard, whether or not a full refund for the TOPS payment for that semester or term is received by LOSFA, provided that any amount of a stipend paid and not refunded shall be counted toward the total stipends allowed by law.

4.a. Through the 2009-2010 Academic Year (college), in lieu of the amount equal to tuition as provided by LAC 28:IV.701.E.1-3, students participating in the program provided by R.S. 29:36.1 for persons serving in the Louisiana National Guard shall receive the tuition exemption as provided therein, plus any applicable TOPS stipend and a sum of not more than $150 per semester or $300 annually for the actual cost of books and other instructional materials.

b. Beginning with the 2010-2011 academic year (College), in lieu of the amount equal to tuition as provided by LAC 28:IV.701.E.1-3, students with the TOPS Opportunity, Performance and Honors Award participating in the program provided by R.S. 29:36.1 for persons serving in the Louisiana National Guard shall receive the tuition exemption as provided therein, plus a sum of $300 per semester or $600 per academic year to be applied toward the cost of books and other instructional materials. In addition, those students with the Performance Award shall receive $400 per semester or $800 per academic year for other educational expenses and those students with the Honors Award shall receive $800 per semester or $1,600 per academic year for other educational expenses. If the student attends an eligible summer session, quarter, term, or equivalent unit and requests that their TOPS Award be paid for that session, semester, quarter, term, or equivalent unit in accordance with this paragraph, the amounts stipulated herein will also be paid since payment of a TOPS Award for a summer ssession, quarter, term, or equivalent unit will count toward the eight semester limit for TOPS.

E.5. - G.2. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3021-3036, R.S. 17:3042.1 and R.S. 17:3048.1.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1645-1648 (December 1997), repromulgated LR 24:635 (April 1998), amended LR 24:1901 (October 1998), LR 25: 256 (February 1999), LR 26:67 (January 2000), LR 26:1262 (June 2000), LR 26:1995 (September 2000), LR 26:2000 (September 2000), repromulgated LR 27:1848 (November 2001), amended LR 28:447 (March 2002), LR 28:2331 (November 2002), LR 29:880 (June 2003), LR 29:2372 (November 2003), LR 30:1161 (June 2004), LR 31:2213 (September 2005), LR 35:228 (February 2009), LR 36:2854 (December 2010), LR 40:1002 (May 2014), LR 41:663 (April 2015), LR 42:

§703. Establishing Eligibility

A. - A.5.g.viii. …

6. have achieved an ACT score, as defined in §301 of at least:

a. if qualifying under the terms of §703.A.5.a, b, or g:

i. the state's reported prior year ACT composite average, truncated to a whole number, but never less than 20 for the Opportunity Award; or

ii. a 23 for the Performance Award; or

iii. a 27 for the Honors Award; or

b. if qualifying under §703.A.5.c:

i. is a Louisiana resident, except as defined in Subparagraph h of the definition of *Louisiana Resident* in §301:

(a). the state's reported prior year average, truncated to a whole number plus 3 points, but never less than 23 for the Opportunity Award; or

(b). a 26 for the Performance Award; or

(c). a 30 for the Honors Award; and

ii. is a Louisiana resident as defined in Subparagraph h of the definition of *Louisiana Resident* in §301:

(a). the state's reported prior year average, truncated to a whole number, plus 2 points, but never less than 22 for the Opportunity Award; or

(b). a 25 for the Performance Award; or

(c). a 29 for the Honors Award; and

c.i. if completed the 12th grade level of an approved home study program during or before the academic year (high school) 2003-2004 and qualifying under §703.A.5.d;

(a). the state's reported prior year average, truncated to a whole number, plus 3 points, but never less than 23 for the Opportunity Award; or

(b). a 26 for the Performance Award; or

(c). a 30 for the Honors Award; and

ii. if completed the 12th grade level of an approved home study program during or after academic year (high school) 2004-2005 and through academic year (high school) 2006-2007 and qualifying under §703.A.5.d;

(a). the state's reported prior year average, truncated to a whole number plus 2 points, but never less than 22 for the Opportunity Award; or

(b). a 25 for the Performance Award; or

(c). a 29 for the Honors Award; and

iii. if completed the 12th grade level of an approved home study program during or after the academic year (high school) 2007-2008 and after, and qualifying under §703.A.5.d;

(a). the state's reported prior year average, truncated to a whole number, plus 2 points, but never less than 22 for the Opportunity Award; or

(b). a 24 for the Performance Award; or

(c). a 28 for the Honors Award; and

d.i. if qualifying under §703.A.5.e by graduating from a high school defined in §1701.A.5; which is limited to the Opportunity Award only; the state's reported prior year average, truncated to a whole number, plus 3 points, but never less than 23;

ii. if qualifying under §703.A.5.e by successfully completing the 12th grade level a home study program approved by BESE and conducted outside the United States and its territories during or before the academic year (high school) 2003-2004 or during or after the academic year (high school) 2008-2009; which is limited to the Opportunity Award only; the state's reported prior year average, truncated to a whole number, plus 3 points, but never less than 23;

iii. if qualifying under §703.A.5.e by successfully completing the 12th grade level a home study program approved by BESE and conducted outside the United States and its territories during or after the academic year (high school) 2004-2005 and through the academic year (high school) 2007-2008; which is limited to the Opportunity Award only; the state's reported prior year average, truncated to a whole number, plus 2 points, but never less than 22;

e. if qualifying under §703.A.5.f; which is limited to the Performance Award only; a 24; and

7. not have a criminal conviction, except for misdemeanor traffic violations, and if the student has been in the United States Armed Forces and has separated from such service, has received an honorable discharge or general discharge under honorable conditions; and

8. agree that awards will be used exclusively for educational expenses;

B.Students qualifying:

1. under §703.A.5.a and b during or before academic year (high school) 2006-2007, must have attained a cumulative high school grade point average, based on a 4.00 maximum scale, of at least:

a. a 2.50 for the Opportunity Award; or

b. a 3.50 for the Performance or Honors Awards;

2. under §703.A.5.a and b during or after academic year (high school) 2007-2008, must have attained a cumulative high school grade point average, based on a 4.00 maximum scale, of at least:

a. a 2.50 for the Opportunity Award; or

b. a 3.00 for the Performance or Honors Awards;

3. under §703.A.5.a and b in academic year (high school) 2020-2021 must have attained a TOPS cumulative high school grade point average, based on a 4.00 maximum scale, of at least:

a. a 2.50 for the Opportunity Award; or

b. a 3.25 for the Performance; or

c. a 3.50 for the Honors Award.

4. under §703.A.5.f and graduating in academic year (high school) 2000-2001 through 2005-2006, must have attained a TOPS cumulative high school grade point average, based on a 4.00 maximum scale, of at least a 3.00 for the Performance Award.

C. - J.4.b.ii. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:3042.1, and R.S. 17:3048.1.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:636 (April 1998), amended LR 24:1902 (October 1998), LR 24:2237 (December 1998), LR 25:257 (February 1999), LR 25:655 (April 1999), LR 25:1794 (October 1999), LR 26:64, 67 (January 2000), LR 26:689 (April 2000), LR 26:1262 (June 2000), LR 26:1602 (August 2000), LR 26:1996, 1999, 2001 (September 2000), LR 26:2268 (October 2000), LR 26:2753 (December 2000), LR 27:36 (January 2001), LR 27:702 (May 2001), LR 27:1219, 1219 (August 2001), repromulgated LR 27:1850 (November 2001), amended LR 28:772 (April 2002), LR 28:2330, 2332 (November 2002), LR 29:125 (February 2003), LR 29:2372 (November 2003), LR 30:1162 (June 2004), LR 30:1471 (July 2004), LR 30:2019 (September 2004), LR 31:37 (January 2005), LR 31:2213 (September 2005), LR 31:3112 (December 2005), LR 32:2239 (December 2006), LR 33:435 (March 2007), LR 33:2357 (November 2007), LR 33:2612 (December 2007), LR 34:1389 (July 2008), LR 35:228 (February 2009), LR 36:312 (February 2010), LR 36:490 (March 2010), LR 36:2269 (October 2010), LR 36:2855 (December 2010), LR 37:2987 (October 2011), LR 38:354 (February 2012), LR 38:3158 (December 2012), LR 39:481 (March 2013), LR 39:2485 (September 2013), LR 40:54 (January 2014), LR 41:373 (February 2015), LR 41:651, 664 (April 2015), LR 41:1486 (August 2015), LR 41:2596, 2599 (December 2015), LR 42:

Chapter 21. Miscellaneous Provisions and Exceptions

§2107. Funds and Funding

A. - B. …

C.Insufficient Funds Appropriated

1. All LASFAC administered State Scholarship and Grant Program Awards are contingent upon the annual appropriation of funds by the Louisiana Legislature.

2. In the event appropriated funds are insufficient to fully reimburse institutions for awards and stipends for all students determined eligible for the TOPS opportunity, performance, honors and TECH Awards for a given academic year, each student's award, including stipends for TOPS performance and honors awards, shall be reduced by an equal percentage on a pro rata basis.

3. A student whose award is reduced pursuant to this section shall not be required to accept payment of his award or enroll or maintain continuous enrollment in an eligible college or university during the time period during which there is a funding shortfall. A student who exercises this option:

a. Shall be eligible to receive his remaining TOPS award upon enrollment in an eligible college or university, provided the student meets the continuation requirements for his award except as specifically set forth in this section; and

b. Shall exhaust all award eligibility within five years of the reduction of his award, provided that if the student requests and is granted an exception to the requirement to enroll full time or to maintain continuous enrollment in school in accordance with §1901 of these rules, the time period within which the student must exhaust

his award eligibility shall be extended by the number of semesters/terms for which he receives an exception.

4. The provisions of this Sections shall not apply to the stipend for books and other instructional materials provided to persons serving in the Louisiana National Guard as set forth in §701.E.4.a and b of these rules or to the TOPS Tech Early Start Program.

D. Stop Payment of Uncleared Checks. The LASFAC may stop payment on checks which are issued as scholarship or grant awards but not negotiated by September 1 following the close of the academic year for which they were issued.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3021-3036, R.S. 17:3042.1 and R.S. 17:3048.1.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1648 (December 1997), repromulgated LR 24:649 (April 1998), amended LR 24:1919 (October 1998), LR 26:1998 (September 2000), repromulgated LR 27:1869 (November 2001), amended LR 28:449 (March 2002), LR 28:777 (April 2002), LR 28:2333 (November 2002), LR 31:40 (January 2005), LR 38:3162 (December 2012), LR 42:

Robyn Rhea Lively
Senior Attorney
1607#012

DECLARATION OF EMERGENCY

Department of Health
Bureau of Health Services Financing

Disproportionate Share Hospital Payments
Major Medical Centers
(LAC 50:V.2715)

The Department of Health, Bureau of Health Services Financing adopts LAC 50:V.2715 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(B)(1) et seq., and shall be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

The Department of Health and Hospitals, Bureau of Health Services Financing amended the provisions governing disproportionate share hospital (DSH) payments in order to re-establish the provisions governing payments to public, non-rural community hospitals (*Louisiana Register*, Volume 40, Number 10). The department now proposes to adopt provisions to establish a qualification criteria and DSH payment methodology for major medical centers located in the central and northern areas of Louisiana.

This action is being taken to promote the public health and welfare of uninsured individuals, and ensure their continued access to health services by assuring that hospitals are adequately reimbursed for furnishing uncompensated care. It is estimated that the implementation of this Emergency Rule will increase expenditures in the Medicaid Program by $50,000,000 for state fiscal year 2016-17.

Effective June 30, 2016, the Department of Health, Bureau of Health Services Financing adopts provisions governing DSH payments to major medical centers located in the central and northern areas of Louisiana.

Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part V. Hospital Services
Subpart 3. Disproportionate Share Hospital Payments
Chapter 27. Qualifying Hospitals
§2715. Major Medical Centers Located in Central and Northern Areas of the State

A. Effective for dates of service on or after June 30, 2016, hospitals qualifying for payments as major medical centers located in the central and northern areas of the state shall meet the following criteria:

1. be a private, non-rural hospital located in Department of Health administrative regions 6, 7, or 8;

2. have at least 200 inpatient beds as reported on the Medicare/Medicaid cost report, Worksheet S-3, column 2, lines 1-18, for the state fiscal year ending June 30, 2015. For qualification purposes, inpatient beds shall exclude nursery and Medicare designated distinct part psychiatric unit beds;

3. does not qualify as a Louisiana low-income academic hospital under the provisions of §3101; and

4. such qualifying hospital (or its affiliate) does have a memorandum of understanding executed on or after June 30, 2016 with Louisiana State University School of Medicine, the purpose of which is to maintain and improve access to quality care for Medicaid patients in connection with the expansion of Medicaid in the state through the promotion, expansion, and support of graduate medical education and training.

B.Payment Methodology. Effective for dates of service on or after June 30, 2016, each qualifying hospital shall be paid a DSH adjustment payment which is the pro rata amount calculated by dividing their hospital specific allowable uncompensated care costs by the total allowable uncompensated care costs for all hospitals qualifying under this category and multiplying by the funding appropriated by the Louisiana Legislature in the applicable state fiscal year for this category of hospitals.

1. Costs, patient specific data and documentation that qualifying criteria is met shall be submitted in a format specified by the department.

2. Costs and lengths of stay shall be reviewed by the department for reasonableness before payments are made.

3. Aggregate DSH payments for hospitals that receive payment from this category, and any other DSH category, shall not exceed the hospital's specific DSH limit. If payments calculated under this methodology would cause a hospital's aggregate DSH payment to exceed the limit, the payment from this category shall be capped at the hospital's specific DSH limit.

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Public Comments

Interested persons may submit written comments to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele is responsible for responding to all inquiries regarding this Emergency Rule. A copy of this Emergency Rule is available for review by interested parties at parish Medicaid offices.

Rebekah E. Gee MD, MPH
Secretary
1607#022

DECLARATION OF EMERGENCY

Department of Health
Bureau of Health Services Financing
and
Office of Aging and Adult Services

Home and Community-Based Services Waivers
Community Choices Waiver
Electronic Visit Verification
(LAC 50:XXI.9305)

The Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services adopt LAC 50:XXI.9305 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(B)(1) et seq., and shall be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

The Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, through collaborative efforts, provide enhanced long-term services and supports to individuals who are elderly or have a disability through the Community Choices Waiver program.

The Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services promulgated an Emergency Rule which amended the provisions governing the Community Choices Waiver in order to adopt requirements which mandate that providers of personal assistant services must utilize the electronic visit verification (EVV) system designated by the department for automated scheduling, time and attendance tracking, and billing for certain home and community-based services (*Louisiana Register,* Volume 41, Number 3). This Rule is being promulgated to continue the provisions of the April 1, 2015 Emergency Rule. This action is being taken to promote the health and welfare of Community Choices Waiver participants by assuring that they receive the services they need and to ensure that these services are rendered in an efficient and cost-effective manner.

Effective July 28, 2016, the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services amend the provisions governing the Community Choices Waiver to establish requirements for the use of an EVV system.

Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part XXI. Home and Community Based Services Waivers
Subpart 7. Community Choices Waiver
Chapter 93. Provider Responsibilities
§9305. Electronic Visit Verification

A. Effective for dates of service on or after April 1, 2015, Community Choices Waiver providers shall use the electronic visit verification (EVV) system designated by the department for automated scheduling, time and attendance tracking, and billing for certain home and community-based services.

B.Reimbursement shall only be made to providers with documented use of the EVV system. The services that require use of the EVV system will be published in the Community Choices Waiver provider manual.

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 42:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Interested persons may submit written comments to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele is responsible for responding to all inquiries regarding this Emergency Rule. A copy of this Emergency Rule is available for review by interested parties at parish Medicaid offices.

Rebekah E. Gee MD, MPH
Secretary
1607#045

DECLARATION OF EMERGENCY

Department of Health
Bureau of Health Services Financing

Intermediate Care Facilities for Persons
with Developmental Disabilities
Licensing Standards
(LAC 48:I.8595 and 8599)

The Department of Health, Bureau of Health Services Financing amends LAC 48:I.8595 and §8599 in the Medical Assistance Program as authorized by R.S. 36:254 and R.S. 40:2180-2180.5. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, 49:953(B)(1)et seq., and shall be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

The Department of Health and Hospitals, Bureau of Health Services Financing repealed the provisions governing the minimum licensing standards for intermediate care facilities I and II, community homes and group homes, and

adopted provisions to incorporate these facilities under a single comprehensive Rule for intermediate care facilities for persons with developmental disabilities (ICFs/DD) (*Louisiana Register*, Volume 38, Number 12).

Act 540 of the 2006 Regular Session of the Louisiana Legislature amended R.S. 29:726(F) to provide for rapid communications in times of disaster or emergencies. In compliance with Act 540, the department promulgated an Emergency Rule to amend the provisions governing ICFs/DD to require timely filing of electronic reports related to census information and other needed information during declared disasters or emergencies (*Louisiana Register*, Volume 42, Number 4). This Emergency Rule is being promulgated to continue the provisions of the April 7, 2016 Emergency Rule.

This action is being taken to prevent imminent peril to the health, safety or welfare of Louisiana citizens who are residents of ICFs/DD.

Effective August 6, 2016, the Department of Health, Bureau of Health Services Financing amends the provisions governing the licensing standards for intermediate care facilities for persons with developmental disabilities.

Title 48

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 85. Intermediate Care Facilities for Persons with Developmental Disabilities

Subchapter G. Emergency Preparedness

§8595. Emergency Preparedness Plan

A. - B.15.f. ...

C.An ICF/DD shall electronically enter current facility information into the department's ESF-8 Portal or into the current LDH Emergency Preparedness webpage or electronic database for reporting.

1. The following information shall be entered or updated before the fifteenth of each month:

a. operational status;

b. census;

c. emergency contact and destination location information; and

d. emergency evacuation transportation needs categorized by the following types:

i. *red*–high risk residents who will need to be transported by advanced life support ambulance due to dependency on mechanical or electrical life sustaining devices or very critical medical condition;

ii. *yellow*–residents who are not dependent on mechanical or electrical life sustaining devices, but cannot be transported using normal means (buses, vans, cars), may need to be transported by an ambulance; however, in the event of inaccessibility of medical transport, buses, vans or cars may be used as a last resort; and

iii. *green*-residents who do not need specialized transportation may be transported by car, van, bus or wheelchair accessible transportation.

2. An ICF/DD shall also enter or update the facility's information upon request, or as described per notification of an emergency declared by the secretary. Emergency events may include, but are not limited to:

a. hurricanes;

b. floods;

c. fires;

d. chemical or biological hazards;

e. power outages;

f. tornados;

g. tropical storms; and

h. severe weather.

3. Effective immediately, upon notification of an emergency declared by the secretary, all ICFs/DD shall file an electronic report with the ESF-8 Portal or into the current LDH Emergency Preparedness webpage or electronic database for reporting.

a. The electronic report shall be filed, as prescribed by department, throughout the duration of the emergency declaration.

b. The electronic report shall include, but is not limited to, the following:

i. status of operation;

ii. availability of beds;

iii. generator status;

iv. evacuation status;

v. shelter in place status;

vi. mobility status of clients;

vii. range of ages of clients;

ix. intellectual levels/needs of clients; and

x. any other client or facility related information that is requested by the department.

NOTE: The electronic report shall not be used to request resources or to report emergency events.

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and R.S. 40:2180-2180.5.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:3207 (December 2012), amended by the Department of Health, Bureau of Health Services Financing, LR 42:

§8599. Notification of Evacuation, Relocation, or Temporary Cessation of Operations

A. In the event that an ICF/DD evacuates, temporarily relocates or temporarily ceases operations at its licensed location as a result of an evacuation order issued by the state, local or parish OHSEP, the ICF/DD must immediately give notice to the Health Standards Section as well as the Office for Citizens with Developmental Disabilities (OCDD) and OHSEP as directed by filing an electronic report with the ESF-8 Portal or into the current LDH Emergency Preparedness webpage or electronic database for reporting:

A.1. - E. ...

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and R.S. 40:2180-2180.5.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:3208 (December 2012), amended by the Department of Health, Bureau of Health Services Financing, LR 42:

Interested persons may submit written comments to Cecile Castello, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821 or by email to MedicaidPolicy@la.gov. Ms. Castello is responsible for responding to inquiries regarding this Emergency Rule. A copy of this Emergency Rule is available for review by interested parties at parish Medicaid offices.

Rebekah E. Gee MD, MPH
Secretary
1607#046

DECLARATION OF EMERGENCY

Department of Health
Bureau of Health Services Financing

Intermediate Care Facilities for Persons
with Intellectual Disabilities
Supplemental Payments
(LAC 50:VII.32917)

The Department of Health, Bureau of Health Services Financing adopts LAC 50:VII.32917 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Emergency Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(B)(1) et seq., and shall be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

The Department of Health, Bureau of Health Services Financing provides Medicaid reimbursement to non-state intermediate care facilities for persons with intellectual disabilities (ICFs/ID) for services rendered to Medicaid recipients.

The Department of Health and Hospitals, Bureau of Health Services Financing, promulgated an Emergency Rule which amended the provisions governing the reimbursement methodology for ICFs/ID in order to adopt provisions to establish supplemental Medicaid payments for services provided to Medicaid recipients residing in privately-owned facilities that enter into a cooperative endeavor agreement with the department (*Louisiana Register,* Volume 41, Number 8). The department has now determined that it is necessary to amend the provisions of the August 1, 2015 Emergency Rule to establish upper payment limits for supplemental payments to private intermediate care facilities entering into a cooperative endeavor agreement with the department to provide a privately operated living setting to residents discharging from Pinecrest Supports and Services Center, hereafter referred to as Pinecrest. This action is being taken to secure new federal funding, and to promote the health and welfare of Medicaid recipients by ensuring sufficient provider participation.

Effective July 20, 2016, the Department of Health, Bureau of Health Services Financing amends the provisions of the August 1, 2015 Emergency Rule governing the reimbursement methodology for non-state ICFs/ID.

Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part VII. Long Term Care
Subpart 3. Intermediate Care Facilities for Persons with Intellectual Disabilities
Chapter 329. Reimbursement Methodology
Subchapter A. Non-State Facilities
§32917. Supplemental Payments

A. Effective for dates of service on or after August 1, 2015, monthly supplemental payments shall be made to qualifying privately-owned intermediate care facilities for persons with intellectual disabilities.

1. In order to qualify for the supplemental payment, the private entity must enter into a cooperative endeavor agreement with the department to lease state-owned ICF/ID beds.

B. Effective for dates of service on or after August 1, 2016, monthly supplemental payments shall be made to qualifying privately-owned intermediate care facilities for persons with intellectual disabilities (ICFs/ID) to provide a privately operated living setting to residents discharging from Pinecrest Supports and Services Center.

1. In order to qualify for the supplemental payment, the private entity must enter into a cooperative endeavor agreement with the department to provide a privately operated living setting, with an end goal of increased community placement opportunities, to residents of Pinecrest who desire to discharge and have been deemed ready for discharge by their interdisciplinary teams, and meet the admission protocol/criteria of the contracted party but have not been successful in securing a placement with a private provider.

C. Supplemental payments for services rendered to Medicaid recipients shall not exceed the facility's upper payment limit (UPL) pursuant to 42 CFR 447.272. The UPL will be based on the Centers for Medicare and Medicaid Services' approved ICF transitional rate of $329.26 including provider fee.

D. The supplemental payment will be the difference between the actual Medicaid payment and what would have been paid if the ICF/ID was paid up to the UPL amount.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Interested persons may submit written comments to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele is responsible for responding to inquiries regarding this Emergency Rule. A copy of this Emergency Rule is available for review by interested parties at parish Medicaid offices.

Rebekah E. Gee MD, MPH
Secretary
1607#044

DECLARATION OF EMERGENCY

Department of Health
Bureau of Health Services Financing
and
Office of Aging and Adult Services

Personal Care Services—Long-Term
Standards for Participation
Electronic Visit Verification
(LAC 50:XV.12909)

The Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services amend LAC 50:XV.12909 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Emergency Rule is promulgated in

accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(B)(1) et seq., and shall be in effect for the maximum period allowed under the Act or until adoption of the final Rule, whichever occurs first.

The Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, through collaborative efforts, provide enhanced long-term personal care services and supports to individuals with functional impairments.

The department promulgated an Emergency Rule which amended the provisions governing long-term personal care services (LT-PCS) in order to adopt requirements which mandate that LT-PCS providers must utilize the electronic visit verification (EVV) system designated by the department for automated scheduling, time and attendance tracking, and billing for long-term personal care services (*Louisiana Register*, Volume 41, Number 3). This Emergency Rule is being promulgated to continue the provisions of the April 1, 2015 Emergency Rule.

This action is being taken to promote the health and welfare of persons with a functional impairment by assuring that they receive the services they need, and to ensure that these services are rendered in an efficient and cost-effective manner.

Effective July 28, 2016, the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services amend the provisions governing long-term personal care services to establish requirements for the use of an EVV system.

Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part XV. Services for Special Populations
Subpart 9. Personal Care Services
Chapter 129. Long Term Care
§12909. Standards for Participation

A. - D.2. ...

E. Electronic Visit Verification. Effective for dates of service on or after April, 1, 2015, providers of long-term personal care services shall use the electronic visit verification (EVV) system designated by the department for automated scheduling, time and attendance tracking, and billing for certain home and community-based services.

1. Reimbursement shall only be made to providers with documented use of the EVV system.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:912 (June 2003), amended LR 30:2832 (December 2004), amended by the Department of Health and Hospitals, Office of Aging and Adult Services, LR 34:2579 (December 2008), amended by the Department of Health and Hospitals, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 35:2451 (November 2009), LR 39:2508 (September 2013), amended by the Department of Health, Bureau of Health Services Financing, LR 42:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Interested persons may submit written comments to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele is responsible for responding to inquiries regarding this Emergency Rule. A copy of this Emergency Rule is available for review by interested parties at parish Medicaid offices.

Rebekah E. Gee MD, MPH
Secretary
1607#047

DECLARATION OF EMERGENCY

Department of Health
Office of Public Health

Protection of Water Supply
(LAC 51:XII.344 and 346)

The state health officer, acting through the Department of Health, Office of Public Health (LDH-OPH), pursuant to the rulemaking authority granted by R.S. 40:4(A)(8) and (13), hereby adopts the following Emergency Rule to prevent an imminent peril to the public health and safety. This Rule is being promulgated in accordance with the Administrative Procedure Act (R.S. 49:950, et seq.).

As required by Act 836 of the 2014 Regular Legislative Session, Part XIV (*Louisiana State Plumbing Code*) of the Louisiana State Sanitary Code [LAC 51 (*Public Health Sanitary Code*)] became null and void on January 1, 2016. In accordance with the Act, the Louisiana State Uniform Construction Code Council (LSUCCC) promulgated new state plumbing regulations through an Emergency Rule under the *State Uniform Construction Code* (LAC 17:I). Before January 1, 2016, comprehensive backflow protection/cross connection control regulations designed to protect public health applicable to plumbing were contained in Part XIV (Plumbing) of the state sanitary code. Effective January 1, 2016, some of these same backflow protection/cross connection control regulations applicable to plumbing have been adopted by the LSUCCC under the *State Uniform Construction Code*, particularly within the *2012 International Plumbing Code* and within the *2012 International Residential Code* (see December 20, 2015 *Louisiana Register*, Volume 41, page 2545).

Public water supplies continue to be responsible for protecting their water systems from backflow and cross connections which may occur on customer premises and which can cause contamination of the water supply. This Emergency Rule amends Part XII (Water Supplies) of Title 51 (*Public Health Sanitary Code*) in order to direct public water systems to utilize the backflow and cross connection control regulations contained in the state uniform construction code in order to reasonably ensure the protection of their water system from contamination caused by backflow. Currently, Section 344.A of Part XII is outdated because it directs water suppliers to Part XIV of the state sanitary code relative to protecting its system from backflow and cross connections on customer premises. As mentioned above, plumbing regulations formerly contained under Part XIV of the state sanitary code have been repealed effective January 1, 2016.

In addition, the LSUCCC did not adopt regulations under the *State Uniform Construction Code* relative to the

qualifications of persons installing, repairing, testing and maintaining backflow prevention devices and methods. In as much as no comprehensive regulation exists covering the qualifications of all such persons involved in the installation, repair, testing and maintenance of backflow prevention devices and methods, the rule proposes to adopt a regulation under LAC 51:XII which is nearly identical to the qualification regulations formerly contained in Part XIV of the *Louisiana State Sanitary Code.*

For these reasons, the state health officer declares that an emergency currently exists to ensure the continued protection of public health and finds it necessary to promulgate an Emergency Rule effective June 22, 2016. This Emergency Rule definitively directs water suppliers to seek applicable cross connection control regulations adopted within the *State Uniform Construction Code* when implementing their cross connection control program for their water system. The Emergency Rule also implements regulations in an attempt to ensure that all persons involved in the installation, repair, testing and maintenance of backflow prevention devices are qualified to perform such work. Unless rescinded or terminated earlier, this Emergency Rule shall remain in effect for the maximum period authorized under state law or until the date that a final rule on this same subject matter has been promulgated under regular rulemaking. The agency has initiated regular rulemaking for this Rule and published the Rule's Notice of Intent on April 20, 2016.

Title 51
PUBLIC HEALTH—SANITARY CODE
Part XII. Water Supplies

Chapter 3. Water Quality Standards

§344. Protection of Water Supply/Containment Practices

A. As used in this Section, "mandatory containment practices" means the containment practices prescribed in and required by the *State Uniform Construction Code* (LAC 17:I), including maintenance and testing requirements, and any additional or related requirements of this Part.

B.In order to protect its water supply from potential contamination, each water supplier shall develop and implement a written backflow prevention plan outlining the policies and procedures it will use to verify that its customers comply with mandatory containment practices, and shall make a reasonable effort to ensure that only customers who comply with mandatory containment practices connect or remain connected to its water supply.

C.Unless otherwise directed by the state health officer, a water supplier shall disconnect or refuse to connect customers who:

1. fail to comply with mandatory containment practices; or

2. fail to provide or allow adequate confirmation of such compliance.

D. If a water supplier has a reasonable basis to believe that an unprotected or improperly protected cross connection exists on the premise of any customer not required to comply with mandatory containment practices, the water supplier shall take reasonable steps to perform one or more of the following:

1. confirm that the cross connection on the premise is eliminated or does not exist;

2. confirm that approved fixture isolation backflow protection is installed at the cross connection on the premise in accordance with the fixture isolation practices prescribed in and required by the State Uniform Construction Code (LAC 17:I);

3. confirm that approved containment backflow protection is installed; or

4. discontinue water service to the customer.

E.When deemed necessary to protect public health, the state health officer may issue an Administrative Order or Emergency Order requiring a water supplier to comply with this Section.

AUTHORITY NOTE:Promulgated in accordance with the provisions of R.S. 40:4.A.(8) and 40:5.A.(2)(3)(5)(6)(17)(20).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 38:2795 (November 2012), amended LR 42:

§346. Installer, Repairer, Tester and Maintainer Qualifications for Backflow Prevention Devices and Methods

A. Installer/Repairer/Maintainer Qualifications. Backflow preventers shall be installed, repaired and/or maintained by a State Plumbing Board of Louisiana (SPBLA)-licensed plumber who holds a SPBLA water supply protection specialist endorsement on his/her plumbing license pursuant to R.S. 37:1361 et seq. and its implementing regulations (LAC 46:LV.101 et seq.). Backflow preventers associated with a landscape irrigation system may be installed, repaired and/or maintained by a Horticulture Commission of Louisiana-licensed landscape irrigation contractor who holds a SPBLA-issued special water supply protection specialist endorsement in accordance with R.S. 3:3808.P. Backflow preventers located on public property or otherwise under the complete control of the water supplier (for example, water meter and the piping upstream of the water meter, if provided), may be installed, repaired and/or maintained by a backflow prevention assembly repairer who meets the ASSE 5130-2009 (*Backflow Prevention Assembly Repairer Professional Qualification Standard*) or other individuals holding a backflow prevention assembly repairer certificate from a nationally recognized backflow certification organization approved by the state health officer.

B.Field Tester Qualifications. Backflow preventers shall be tested by a State Plumbing Board of Louisiana (SPBLA)-licensed plumber who holds a SPBLA water supply protection specialist endorsement on his/her plumbing license pursuant to R.S. 37:1361 et seq. and its implementing regulations (LAC 46:LV.101 et seq.)*;* or, by a backflow prevention assembly tester who meets ASSE 5110-2009 (*Backflow Prevention Assembly Tester Professional Qualification Standard*), or other individuals holding a testing certificate from a nationally recognized backflow certification organization approved by the state health officer. Backflow preventers associated with a landscape irrigation system may be tested by a Horticulture Commission of Louisiana-licensed landscape irrigation

contractor who holds a SPBLA-issued special water supply protection specialist endorsement in accordance with R.S. 3:3808.P.

AUTHORITY NOTE:Promulgated in accordance with R.S. 40:4 (A).(8) and R.S. 40:5.A.(2)(3)(5)(6)(17)(20).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 42:

Public Comments

Interested persons may submit written comments to Amanda Laughlin, Chief Engineer, Engineering Services Section, Office of Public Health, P.O. Box 4489, Baton Rouge, LA 70821-4489. She is responsible for responding to inquiries regarding this Emergency Rule.

Jimmy Guidry, M.D.,
State Health Officer
and
Rebekah E. Gee, MD, MPH,
Secretary
1607#014

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Spring Inshore Shrimp Season Closure in
Shrimp Management Zones 1 and 2

In accordance with the emergency provisions of R.S. 49:953 of the Administrative Procedure Act which allows the Wildlife and Fisheries Commission to use emergency procedures to set shrimp seasons and R.S. 56:497 which provides that the Wildlife and Fisheries Commission shall fix no less than two open seasons each year for all or part of inside waters and a Declaration of Emergency adopted by the commission on May 5, 2016 which authorized the secretary of the department to close the 2016 spring inshore shrimp season in any portion of Louisiana's inside waters to protect small white shrimp if biological and technical data indicate the need to do so, or enforcement problems develop, the secretary hereby declares:

The 2016 spring inshore shrimp season will close on July 3, 2016 at 6 p.m. in state inside waters from the Mississippi/Louisiana state line westward to the western shore of Freshwater Bayou Canal except for the following waters:

a portion of Mississippi Sound and the open waters of Breton and Chandeleur Sounds as described by the double-rig line.

All remaining state inside waters as well as all state outside waters seaward of the inside/outside shrimp line, as described in R.S. 56:495 will remain open to shrimping until further notice.

The number, distribution and percentage of small juvenile white shrimp taken in biological samples within these waters have rapidly increased in recent weeks and these waters are being closed to protect these developing shrimp.

Charlie Melancon
Secretary
1607#025

DECLARATION OF EMERGENCY

Workforce Commission
Office of Workers' Compensation Administration

Medical Treatment Guidelines (LAC 40:I.5157)

The Louisiana Workforce Commission has exercised the emergency provision in accordance with R.S. 49:953(B), the Administrative Procedure Act to amend certain portions of the medical guidelines contained in the *Louisiana Administrative Code*, Title 40, Labor and Employment, Part I, Workers' Compensation Administration, Subpart 2, Medical Guidelines, Chapter 51. This Emergency Rule effective June 20, 2016, will remain in effect for a period of 120 days.

This amendment is required to provide for CPT codes inadvertently omitted from the medical reimbursement scheduled submitted in LAC 40.5157.B, Table 2 in February 2014. This does not affect current existing CPT codes.

The department considers emergency action necessary to facilitate the timely payment to HCP for services rendered to injured workers pending enactment of a rule through regular administrative procedure.

Title 40
LABOR AND EMPLOYMENT
Part I. Workers' Compensation Administration
Subpart 2. Medical Guidelines

Chapter 51. Medical Reimbursement Schedule

Editor's Note: The following Sections of this Chapter are applicable and shall be used for the Chapters in this Part governing reimbursement. These specific Chapters are: Chapter 25, Hospital Reimbursement; Chapter 29, Pharmacy; Chapter 31, Vision Care Services; Chapter 33, Hearing Aid Equipment and Services; Chapter 35, Nursing/Attendant Care and Home Health Services; Chapter 37, Home and Vehicle Modification; Chapter 39, Medical Transportation; Chapter 41, Durable Medical Equipment and Supplies; Chapter 43, Prosthetic and Orthopedic Equipment; Chapter 45, Respiratory Services; Chapter 47, Miscellaneous Claimant Expenses; Chapter 49, Vocational Rehabilitation Consultant; Chapter 51, Medical Reimbursement Schedule; and Chapter 53, Dental Care Services.

§5157. Maximum Reimbursement Allowances

A. Table 1

* * *

B.Table 2

Maximum Fee Allowance Schedule Office of Workers' Compensation						
CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility Maximum	Description
* * *						
71010		Chest x-ray 1 view frontal		$45		
71010	TC	Chest x-ray 1 view frontal		$26		
71010	26	Chest x-ray 1 view frontal		$19		
71015		Chest x-ray stereo frontal		$56		
71015	TC	Chest x-ray stereo frontal		$34		
71015	26	Chest x-ray stereo frontal		$22		
71020		Chest x-ray 2vw frontal&latl		$56		
71020	TC	Chest x-ray 2vw frontal&latl		$34		
71020	26	Chest x-ray 2vw frontal&latl		$22		
71021		Chest x-ray frnt lat lordotc		$68		
71021	TC	Chest x-ray frnt lat lordotc		$40		
71021	26	Chest x-ray frnt lat lordotc		$28		
71022		Chest x-ray frnt lat oblique		$84		
71022	TC	Chest x-ray frnt lat oblique		$50		
71022	26	Chest x-ray frnt lat oblique		$34		
71023		Chest x-ray and fluoroscopy		$127		
71023	TC	Chest x-ray and fluoroscopy		$89		
71023	26	Chest x-ray and fluoroscopy		$39		
71030		Chest x-ray 4/> views		$84		
71030	TC	Chest x-ray 4/> views		$51		
71030	26	Chest x-ray 4/> views		$32		
71034		Chest x-ray&fluoro 4/> views		$167		
71034	TC	Chest x-ray&fluoro 4/> views		$119		
71034	26	Chest x-ray&fluoro 4/> views		$48		
71035		Chest x-ray special views		$66		
71035	TC	Chest x-ray special views		$47		
71035	26	Chest x-ray special views		$19		
71100		X-ray exam ribs uni 2 views		$66		
71100	TC	X-ray exam ribs uni 2 views		$43		
71100	26	X-ray exam ribs uni 2 views		$23		
71101		X-ray exam unilat ribs/chest		$73		
71101	TC	X-ray exam unilat ribs/chest		$45		
71101	26	X-ray exam unilat ribs/chest		$28		
71110		X-ray exam ribs bil 3 views		$75		
71110	TC	X-ray exam ribs bil 3 views		$47		
71110	26	X-ray exam ribs bil 3 views		$28		
71111		X-ray exam ribs/chest4/> vws		$96		
71111	TC	X-ray exam ribs/chest4/> vws		$62		
71111	26	X-ray exam ribs/chest4/> vws		$34		
71120		X-ray exam breastbone 2/>vws		$59		
71120	TC	X-ray exam breastbone 2/>vws		$39		
71120	26	X-ray exam breastbone 2/>vws		$21		
71130		X-ray strenoclavic jt 3/>vws		$72		
71130	TC	X-ray strenoclavic jt 3/>vws		$49		
71130	26	X-ray strenoclavic jt 3/>vws		$23		
71250		Ct thorax w/o dye		$363		
71250	TC	Ct thorax w/o dye		$259		
71250	26	Ct thorax w/o dye		$104		
71260		Ct thorax w/dye		$461		
71260	TC	Ct thorax w/dye		$334		
71260	26	Ct thorax w/dye		$127		
71270		Ct thorax w/o & w/dye		$553		
71270	TC	Ct thorax w/o & w/dye		$413		
71270	26	Ct thorax w/o & w/dye		$141		
* * *						
72020		X-ray exam of spine 1 view		$44		
72020	TC	X-ray exam of spine 1 view		$29		
72020	26	X-ray exam of spine 1 view		$16		
72040		X-ray exam neck spine 2-3 vw		$66		
72040	TC	X-ray exam neck spine 2-3 vw		$44		
72040	26	X-ray exam neck spine 2-3 vw		$23		
72050		X-ray exam neck spine 4/5vws		$90		
72050	TC	X-ray exam neck spine 4/5vws		$58		
72050	26	X-ray exam neck spine 4/5vws		$32		

Maximum Fee Allowance Schedule Office of Workers' Compensation						
CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility Maximum	Description
72052		X-ray exam neck spine 6/>vws		$113		
72052	TC	X-ray exam neck spine 6/>vws		$76		
72052	26	X-ray exam neck spine 6/>vws		$37		
72070		X-ray exam thorac spine 2vws		$68		
72070	TC	X-ray exam thorac spine 2vws		$45		
72070	26	X-ray exam thorac spine 2vws		$23		
72072		X-ray exam thorac spine 3vws		$69		
72072	TC	X-ray exam thorac spine 3vws		$47		
72072	26	X-ray exam thorac spine 3vws		$22		
72074		X-ray exam thorac spine4/>vw		$79		
72074	TC	X-ray exam thorac spine4/>vw		$56		
72074	26	X-ray exam thorac spine4/>vw		$22		
72080		X-ray exam thoracolmb 2/> vw		$61		
72080	TC	X-ray exam trunk spine 2 vws		$39		
72080	26	X-ray exam trunk spine 2 vws		$22		
72081		X-ray exam entire spi 1 vw		$78		
72081	TC	X-ray exam entire spi 1 vw		$51		
72081	26	X-ray exam entire spi 1 vw		$27		
72082		X-ray exam entire spi 2/3 vw		$125		
72082	TC	X-ray exam entire spi 2/3 vw		$92		
72082	26	X-ray exam entire spi 2/3 vw		$33		
72083		X-ray exam entire spi 4/5 vw		$136		
72083	TC	X-ray exam entire spi 4/5 vw		$100		
72083	26	X-ray exam entire spi 4/5 vw		$36		
72084		X-ray exam entire spi 6/> vw		$162		
72084	TC	X-ray exam entire spi 6/> vw		$121		
72084	26	X-ray exam entire spi 6/> vw		$41		
72100		X-ray exam l-s spine 2/3 vws		$70		
72100	TC	X-ray exam l-s spine 2/3 vws		$47		
72100	26	X-ray exam l-s spine 2/3 vws		$23		
72110		X-ray exam l-2 spine 4/>vws		$98		
72110	TC	X-ray exam l-2 spine 4/>vws		$66		
72110	26	X-ray exam l-2 spine 4/>vws		$32		
72114		X-ray exam l-s spine bending		$125		
72114	TC	X-ray exam l-s spine bending		$92		
72114	26	X-ray exam l-s spine bending		$34		
72120		X-ray bend only l-s spine		$81		
72120	TC	X-ray bend only l-s spine		$58		
72120	26	X-ray bend only l-s spine		$23		
72125		Ct neck spine w/o dye		$371		
72125	TC	Ct neck spine w/o dye		$262		
72125	26	Ct neck spine w/o dye		$109		
72126		Ct neck spine w/dye		$460		
72126	TC	Ct neck spine w/dye		$336		
72126	26	Ct neck spine w/dye		$124		
72127		Ct neck spine w/o & w/dye		$545		
72127	TC	Ct neck spine w/o & w/dye		$415		
72127	26	Ct neck spine w/o & w/dye		$129		
72128		Ct chest spine w/o dye		$363		
72128	TC	Ct chest spine w/o dye		$260		
72128	26	Ct chest spine w/o dye		$102		
72129		Ct chest spine w/dye		$461		
72129	TC	Ct chest spine w/dye		$337		
72129	26	Ct chest spine w/dye		$124		
72130		Ct chest spine w/o & w/dye		$548		
72130	TC	Ct chest spine w/o & w/dye		$419		
72130	26	Ct chest spine w/o & w/dye		$129		
72131		Ct lumbar spine w/o dye		$361		
72131	TC	Ct lumbar spine w/o dye		$259		
72131	26	Ct lumbar spine w/o dye		$102		
72132		Ct lumbar spine w/dye		$460		
72132	TC	Ct lumbar spine w/dye		$335		

Maximum Fee Allowance Schedule Office of Workers' Compensation						
CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility Maximum	Description
72132	26	Ct lumbar spine w/dye		$124		
72133		Ct lumbar spine w/o & w/dye		$544		
72133	TC	Ct lumbar spine w/o & w/dye		$415		
72133	26	Ct lumbar spine w/o & w/dye		$129		
72141		Mri neck spine w/o dye		$450		
72141	TC	Mri neck spine w/o dye		$299		
72141	26	Mri neck spine w/o dye		$152		
72142		Mri neck spine w/dye		$654		
72142	TC	Mri neck spine w/dye		$470		
72142	26	Mri neck spine w/dye		$183		
72146		Mri chest spine w/o dye		$450		
72146	TC	Mri chest spine w/o dye		$299		
72146	26	Mri chest spine w/o dye		$152		
72147		Mri chest spine w/dye		$646		
72147	TC	Mri chest spine w/dye		$465		
72147	26	Mri chest spine w/dye		$182		
72148		Mri lumbar spine w/o dye		$448		
72148	TC	Mri lumbar spine w/o dye		$297		
72148	26	Mri lumbar spine w/o dye		$152		
72149		Mri lumbar spine w/dye		$646		
72149	TC	Mri lumbar spine w/dye		$463		
72156		Mri neck spine w/o & w/dye		$763		
72156	TC	Mri neck spine w/o & w/dye		$529		
72156	26	Mri neck spine w/o & w/dye		$234		
72157		Mri chest spine w/o & w/dye		$764		
72157	TC	Mri chest spine w/o & w/dye		$531		
72157	26	Mri chest spine w/o & w/dye		$234		
72158		Mri lumbar spine w/o & w/dye		$761		
72158	TC	Mri lumbar spine w/o & w/dye		$528		
72158	26	Mri lumbar spine w/o & w/dye		$234		
72159		MR angio spine w/o&w/dye		$838		
72159	TC	MR angio spine w/o&w/dye		$654		
72159	26	MR angio spine w/o&w/dye		$184		
72170		X-ray exam of pelvis		$64		
72190		X-ray exam of pelvis		$77		
72190	TC	X-ray exam of pelvis		$54		
72190	26	X-ray exam of pelvis		$22		
* * *						

AUTHORITY NOTE:Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), LR 27:314 (March 2001), amended by the Workforce Commission, Office of Workers' Compensation, LR 39:1854 (July 2013), LR 40:379 (February 2014), LR 42:

Inquiries concerning the proposed enactment may be sent to Sheral Kellar, OWC-Administration, 1001 North Twenty-third Street, Baton Rouge, LA 70802.

Ava Dejoie
Executive Director
1607#013

Rules

RULE

Board of Elementary and Secondary Education

Bulletin 111—The Louisiana School, District, and State Accountability System (LAC 28:LXXXIII.613)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 111—The Louisiana School, District, and State Accountability System*: §613, Calculating a Graduation Index. In April 2015, BESE approved policy that created a pathway to a diploma for students assessed on the Louisiana Alternate Assessment Level 1 (LAA 1). This change updates language regarding the graduation index calculation to include high school diplomas earned through the pathway for students assessed on the LAA 1, awarding accountability points to schools and districts whose students are successful in earning these diplomas.

Title 28
EDUCATION
Part LXXXIII. Bulletin 111—The Louisiana School, District, and State Accountability System
Chapter 6. Graduation Cohort, Index, and Rate
§613. Calculating a Graduation Index

A. - B. …

* * *

C.Beginning in 2016-2017 (2015-2016 graduates), points shall be assigned for each member of a cohort according to the following table.

Student Result	Points
HS Diploma plus (a). AP score of 3 or higher, IB Score of 4 or higher, or CLEP score of 50 or higher OR (b). Advanced statewide Jump Start credential *Students achieving both (a) and (b) will generate 160 points.	150
HS Diploma plus (a). At least one passing course grade for TOPS core curriculum credit of the following type: AP**, college credit, dual enrollment, or IB** OR (b). Basic statewide Jump Start credential *Students achieving both (a) and (b) will generate 115 points. **Students must take the AP/IB exam and pass the course to earn 110 points.	110
Four-year graduate (includes Career Diploma student with a regional Jump Start credential)	100
HS Diploma earned through pathway for students assessed on the LAA1	100
Five-year graduate with any diploma *Five-year graduates who earn an AP score of 3 or higher, an IB score of 4 or higher, or a CLEP score of 50 or higher will generate 140 points.	75
Six-year graduate with any diploma	50
HiSET	25
Non-graduate without HiSET	0

D. The graduation index of a school shall be the average number of points earned by cohort members, except that students assessed using the LAA 1 shall be included in the graduation index for the year in which they graduated or the year in which they exited after at least four years in high school with no subsequent re-enrollment by October 1 of the following academic year. Students who are not exited will be counted in the year that they reach the age of 22.

1. Starting with the graduating class of 2017-2018 (2019 SPS), only WIC-approved industry based certifications (IBCs) will be included as basic statewide credentials.

E.1. The diploma must be earned no later than the third administration of the summer retest following the fourth year of high school of the students' cohort.

a. For example, a student who finishes the fourth year of high school in 2012 must complete the assessment requirements before or during the 2014 summer test administration.

2. When related to awarding fifth-year graduate points, the enrollment must be continuous and consist of at least 45 calendar days.

F. To ensure the accuracy of data used to calculate the graduation index, the calculation shall lag one year behind the collection of the data. (The index earned by the graduating class of 2012 will be used for 2013 accountability calculations.)

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1025 (June 2006), amended LR 33:2031 (October 2007), LR 33:2594 (December 2007), LR 35:1472 (August 2009), LR 36:1769 (August 2010), repromulgated LR 36:1994 (September 2010), LR 36:2243 (October 2010), LR 37:3201 (November 2011), LR 38:1391 (June 2012), LR 38:3109 (December 2012), LR 39:306 (February 2013), LR 39:2444 (September 2013), LR 40:1317 (July 2014), LR 41:615 (April 2015), LR 42:1017 (July 2016).

Shan N. Davis
Executive Director
1607#003

RULE

Board of Elementary and Secondary Education

Bulletin 126—Charter Schools—Definitions; Charter School Recruitment and Enrollment (LAC 28:CXXXIX.103 and 2701)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 126—Charter Schools*: §103, Definitions; and §2701, Students Eligible to Attend. The revisions provide for the implementation of a uniform policy to require type 2 charter schools to collect and verify

student residency information. Additionally, the revisions contain a list of documents that will be acceptable as evidence of residency.

Title 28
EDUCATION
Part CXXXIX. Bulletin 126—Charter Schools

Chapter 1. General Provisions

§103. Definitions

A. The words defined in this Section shall have the meanings set forth below whenever they appear in this policy, unless:

1. the context in which they are used clearly requires a different meaning; or

2. a different definition is prescribed for a particular provision.

* * *

Domicile—the place where the student predominantly sleeps, takes meals, and maintains personal belongings.

* * *

Legal Custody—the legal status created by a court order which establishes in a custodian the right to have physical custody of the child. Custody for educational purposes only or provisional custody by mandate will not be accepted.

* * *

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3973.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1357 (July 2008), amended LR 37:867 (March 2011), LR 37:2383 (August 2011), LR 38:37 (January 2012), LR 38:750 (March 2012), repromulgated LR 38:1392 (June 2012), amended LR 38:1583 (July 2012), LR 39:3062 (November 2013), LR 40:1321 (July 2014), LR 42:1018 (July 2016).

Chapter 27. Charter School Recruitment and Enrollment

§2701. Students Eligible to Attend

A. Type 2 Charter Schools. Students meeting residency requirements established in a type 2 charter school's charter are eligible to attend a type 2 charter school. A type 2 charter school may establish residency requirements for students living within the state or may establish residency requirements restricted to a particular parish or parishes.

1. Type 2 charter schools shall collect and verify documents substantiating the residency of each student prior to submitting residency information to statewide student information system. Acceptable documents shall be as follows:

a. mortgage (if owned);

b. tax assessor's bill (if owned);

c. homestead exemption bill (if owned);

d. current lease of residence for the school year (if leased);

e. current rent receipt (if leased);

f. previous two months utility bill (Disconnect notices are not acceptable:

i. gas;

ii. water or sewer;

iii. telephone (land line only);

iv. cable or satellite television bill;

v. internet service;

g. current driver's license or government-issued identification;

h. current official letter from a government agency such as Department of Children and Family Services or Department of Health regarding services provided; or

i. current bank statements.

2. The name of the parent or legal custodians must appear on each document and the addresses must match on all documents. The residency information must be updated annually prior to the start of school for the student to be enrolled in that school year.

3. If the parent or legal custodian neither owns nor rents a residence and is therefore living with another individual, the parent or legal custodian must provide a notarized affidavit of residency signed by the parent or legal custodian of the student as well as the individual with whom the parent or legal custodian is living. The affidavit of residency must attest to the following:

a. student's name;

b. name of parent or legal custodian;

c. address of parent or legal custodian;

d. name of the person with whom the parent or legal custodian is living;

e. a statement of attestation by the parent or legal custodian that the student is living with him at the address recorded on the affidavit and that the student has no other residence or domicile; and

f. a statement of attestation by the person with whom the parent or legal custodian is living that these persons in fact live with the individual listed.

4. The person with whom the parent or legal custodian and student are living (who has signed the notarized affidavit) must provide three forms of evidence of residency from the acceptable list of documents outlined above.

5. If parents are separated, divorced or if the legal custodian is other than the biological parents, legal custody documents, signed by a judge with a docket number, indicating the legal custodian or domiciliary parent must be provided.

6. The residency requirements must also be included in the application requirements section contained in exhibit D of the type 2 charter school contracts.

7. Nothing in this policy shall prohibit the admission or readmission to school of a student who meets the definition of homeless under the federal McKinney-Vento Act (42 U.S.C. 11431 et seq.).

B. - E.…

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3973, R.S. 17:3981, R.S. 17:10.5, R.S. 17:10.7, and R.S. 17:1990.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1373 (July 2008), amended LR 37:875 (March 2011), LR 37:2390 (August 2011), LR 38:752 (March 2012), repromulgated LR 38:1394 (June 2012), amended LR 42:1018 (July 2016).

Shan N. Davis
Executive Director
1607#005

RULE

Board of Elementary and Secondary Education

Bulletin 126—Charter Schools—State Funding
(LAC 28:CXXXIX.2301)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 126—Charter Schools*: §2301, State Funding. This action removes language that was deleted by Act 467 of the 2015 Regular Legislative Session and references the policy containing requirements related to allocation of funds for certain charter schools.

Title 28
EDUCATION
Part CXXXIX. Bulletin 126—Charter Schools
Chapter 23. Charter School Funding
§2301. State Funding

A. - D. …

E. Beginning on July 1, 2016, for allocations in a school district with one or more type 3B charter schools in a parish that contains a municipality with a population of 300,000 or more persons according to the latest federal decennial census, refer to *Bulletin 129—The Recovery School District*, §1111.

F. - G.4. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:3981, and R.S. 17:3995.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education in LR 34:1371 (July 2008), amended LR 37:874 (March 2011), LR 39:3250 (December 2013), LR 40:1324 (July 2014), LR 42:1019 (July 2016).

Shan N. Davis
Executive Director
1607#004

RULE

Board of Elementary and Secondary Education

Bulletin 129—The Recovery School District
(LAC 28:CXLV.1111)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 129—The Recovery School District*: §1111, Allocation of Funds. This action is required by Act 467 of the 2015 Regular Legislative Session which directs BESE to determine the student characteristics or needs used for the district-level allocation policy in Orleans Parish.

Title 28
EDUCATION
Part CXLV. Bulletin 129—The Recovery School District
Chapter 11. Fiscal Management
§1111. Allocation of Funds

A. - F. …

G. District-Level Allocations Provided by Statute

1. For allocations in a school district with one or more type 3B charter schools in a parish that contains a municipality with a population of 300,000 or more persons according to the latest federal decennial census, the total amount of minimum foundation program formula funds allocated to the local school board and to type 1, 1B, 3, 3B, 4, and 5 charter schools that are located within the district shall be allocated using a district-level computation based on student characteristics or needs as determined by BESE.

2. The LDE shall facilitate a collaborative process that includes representatives from the RSD, the Louisiana Association of Public Charter Schools, any affected local school board and any organization representing its authorized charter schools, and advocates for students with disabilities in the development of the district-level allocation policy that shall take effect on July 1, 2016.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:10.5(A)(1), R.S. 17:10.7(A)(1), R.S. 17:1990(A)(2), and 17:3995.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:311 (January 2011), amended LR 42:1019 (July 2016).

Shan N. Davis
Executive Director
1607#006

RULE

Board of Elementary and Secondary Education

Bulletin 141—Louisiana Student Standards for English Language Arts (LAC 28:CLXIX.Chapters 1-23)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education (BESE) adopted *Bulletin 141—Louisiana Student Standards for English Language Arts*. R.S. 17:24.4 requires BESE to develop state content standards for required subjects to be taught in the public elementary and secondary schools of this state. State content standards are statements that define what a student should know or be able to accomplish at the end of a specific time period or grade level or at the completion of a course. Act 329 of the 2015 Regular Session provided for the review and development of state content standards for English language arts (ELA) and mathematics. This bulletin contains the revised Louisiana student standards for English language arts.

Title 28
EDUCATION
Part CLXIX. Bulletin 141—Louisiana Student Standards for English Language Arts
Chapter 1. Introduction
§101. Introduction

A. The Louisiana student standards define what a public school student should know or be able to accomplish at the end of a specific time period or grade level or at the completion of a course. They represent the knowledge and skills needed for students to successfully transition from each grade and ultimately to postsecondary education and the workplace, as determined by content experts, elementary and secondary educators and school leaders, postsecondary education leaders, and business and industry leaders. The standards set forth what learning should be taught; local education agencies, their school leaders and classroom educators should determine how the standards should be taught, including the curricula and instructional materials

that should be used to meet students' individual needs in mastering the standards.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1019 (July 2016).

Chapter 3. Kindergarten

§301. Reading Literature

A. With prompting and support, ask and answer questions about key details in a text.

B.With prompting and support, retell familiar stories, including key details.

C.With prompting and support, identify characters, settings, and major events in a story.

D. Ask and answer questions about unknown words in a text.

E.Recognize common types of texts (e.g., storybooks, poems).

F. With prompting and support, define the role of the author and the illustrator of a story in telling the story.

G.With prompting and support, make connections between the illustrations in the story and the text.

H. With prompting and support, compare and contrast the adventures and experiences of characters in familiar stories.

I. Actively engage in group reading activities with purpose and understanding.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1020 (July 2016).

§303. Reading Informational Text

A. With prompting and support, ask and answer questions about key details in a text.

B.With prompting and support, identify the main topic and retell key details of a text.

C.With prompting and support, describe the connection between two individuals, events, ideas, or pieces of information in a text.

D. With prompting and support, ask and answer questions about unknown words in a text.

E.Identify the front cover, back cover, and title page of a book.

F. With prompting and support, define the role of the author and the illustrator of a text and present the ideas or information in a text.

G.With prompting and support, make connections between the illustrations and the text.

H. With prompting and support, identify the reason(s) an author gives to support point(s) in a text.

I. With prompting and support, identify similarities and differences between two texts on the same topic.

J. Actively engage in group reading activities with purpose and understanding.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1020 (July 2016).

§305. Reading Foundations

A. Demonstrate understanding of the organization and basic features of print.

1. Follow words from left to right, top to bottom, and page by page.

2. Recognize that spoken words are represented in written language by specific sequences of letters.

3. Understand that words are separated by spaces in print.

4. Recognize and name all upper- and lowercase letters of the alphabet.

B.Demonstrate understanding of spoken words, syllables, and sounds (phonemes).

1. Recognize and produce rhyming words.

2. Count, pronounce, blend, and segment syllables in spoken words.

3. Blend and segment onsets and rimes of single-syllable spoken words.

4. Isolate and pronounce the initial, medial vowel, and final sounds (phonemes) in three-phoneme (consonant-vowel-consonant, or CVC) words. (This does not include CVCs ending with /l/, /r/, or /x/.)

5. Add or substitute individual sounds (phonemes) in simple, one-syllable words to make new words.

C.Know and apply grade-level phonics and word analysis skills in decoding words.

1. Demonstrate basic knowledge of one-to-one letter-sound correspondences by producing the primary or many of the most frequent sounds for each consonant.

2. Associate the long and short sounds with common spellings (graphemes) for the five major vowels.

3. Read common high-frequency words by sight (e.g., the, of, to, you, she, my, is, are, do, does).

4. Distinguish between similarly spelled words by identifying the sounds of the letters that differ.

D. Read emergent-reader texts with purpose and understanding.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1020 (July 2016).

§307. Writing

A. Use a combination of drawing, dictating, and writing to compose opinion pieces in which they tell a reader the topic or the name of the book they are writing about and state an opinion or preference about the topic or book (e.g., My favorite book is ...).

B.Use a combination of drawing, dictating, and writing to compose informative/explanatory texts in which they name what they are writing about and supply some information about the topic.

C.Use a combination of drawing, dictating, and writing to narrate a single event or several loosely linked events, tell about the events in the order in which they occurred, and provide a reaction to what happened.

D. With guidance and support, orally respond to questions and suggestions from adults and peers and add details to strengthen writing as needed.

E. With guidance and support from adults and peers, explore a variety of digital tools by participating in the production of a published writing.

F. With guidance and support from adults, participate in shared research and writing projects (e.g., explore a number of books by a favorite author and express opinions about them).

G.With guidance and support from adults, recall information from experiences or gather information from provided sources to answer a question.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1020 (July 2016).

§309. Speaking and Listening

A. Participate in collaborative conversations with diverse partners about kindergarten topics and texts with peers and adults in small and larger groups.

1. Follow agreed-upon rules for discussions (e.g., listening to others and taking turns speaking about the topics and texts under discussion).

2. Continue a conversation through multiple exchanges.

B.Confirm understanding of a text read aloud or information presented orally or through other media by asking and answering questions about key details and requesting clarification if something is not understood.

C.Ask and answer questions in order to seek help, get information, or clarify something that is not understood.

D. Describe familiar people, places, things, and events and, with prompting and support, provide additional detail.

E.Add drawings or other visual displays to descriptions as desired to provide additional detail.

F. Speak audibly and express thoughts, feelings, and ideas clearly.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1021 (July 2016).

§311. Language

A. Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.

1. Print many upper and lowercase letters.

2. Use frequently occurring nouns and verbs.

3. Form regular plural nouns orally by adding /s/ or /es/ (e.g., dog, dogs; wish, wishes).

4. Understand and use question words (interrogatives) (e.g., who, what, where, when, why, how).

5. Use the most frequently occurring prepositions (e.g., to, from, in, out, on, off, for, of, by, with).

6. Produce and expand complete sentences in shared language activities.

B.Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.

1. Capitalize the first word in a sentence and the pronoun I.

2. Recognize and name end punctuation.

3. Write a letter or letters for most consonant and short-vowel sounds (phonemes).

4. Spell simple words phonetically, drawing on knowledge of sound-letter relationships.

C.Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on kindergarten reading and content.

1. With guidance and support, identify new meanings for familiar words and apply them accurately (e.g., knowing a duck is a bird and learning the verb to duck).

2. With guidance and support, use the most frequently occurring inflections and affixes as a clue to the meaning of an unknown word (e.g., /-ed/, /-s/, /re-/, /un-/, /pre-/, /-ful/, /-less/).

D. With guidance and support from adults, explore word relationships and nuances in word meanings.

1. Sort common objects into categories (e.g., shapes, foods) to gain a sense of the concepts the categories represent.

2. Demonstrate understanding of frequently occurring verbs and adjectives by relating them to their opposites (antonyms).

3. Identify real-life connections between words and their use (e.g., note places at school that are colorful).

4. Distinguish shades of meaning among verbs describing the same general action (e.g., walk, march, strut, prance) by acting out the meanings.

E.Use words and phrases acquired through conversations, reading and being read to, and responding to texts.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1021 (July 2016).

Chapter 5. Grade 1

§501. Reading Literature

A. Ask and answer questions about key details in a text.

B.Retell stories, including key details.

C.Recognize and understand the central message or lesson.

D. Describe characters, settings, and major events in a story, using key details.

E.Identify words and phrases in stories or poems that suggest feelings or appeal to the senses.

F. Explain major differences between books that tell stories and books that give information, drawing on a wide reading of a range of text types.

G.Identify who is telling the story at various points in a text.

H. Use illustrations and details in a story to describe its characters, setting, or events.

I. Compare and contrast the adventures and experiences of characters in stories.

J. With prompting and support, read prose and poetry of appropriate complexity for grade 1.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1021 (July 2016).

§503. Reading Informational Text

A. Ask and answer questions about key details in a text.

B.Identify the main topic and retell key details of a text.

C.Describe the connection between two individuals, events, ideas, or pieces of information in a text.

D. Ask and answer questions to help determine or clarify the meaning of words and phrases in a text.

E.Know and use various text features (e.g., headings, tables of contents, glossaries, electronic menus, icons) to locate key facts or information in a text.

F. Distinguish between information provided by pictures or other illustrations and information provided by the words in a text.

G.Use the illustrations and details in a text to describe its key ideas.

H. Identify the reasons an author gives to support points in a text.

I. Identify basic similarities in and differences between two texts on the same topic (e.g., in illustrations, descriptions, or procedures).

J. With prompting and support, read informational texts appropriately complex for grade 1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1021 (July 2016).

§505. Reading Foundations

A. Demonstrate understanding of the organization and basic features of print.

1. Recognize the distinguishing features of a sentence (e.g., first word, capitalization, ending punctuation).

B. Demonstrate understanding of spoken words, syllables, and sounds (phonemes).

1. Distinguish long from short vowel sounds in spoken single-syllable words.

2. Orally produce single-syllable words by blending sounds (phonemes), including consonant blends.

3. Isolate and pronounce initial, medial vowel, and final sounds (phonemes) in spoken single-syllable words.

4. Segment spoken single-syllable words into their complete sequence of individual sounds (phonemes).

C. Know and apply grade-level phonics and word analysis skills in decoding words.

1. Know the spelling-sound correspondences for common consonant digraphs.

2. Decode regularly spelled one-syllable words.

3. Know final /-e/ and common vowel team conventions for representing long vowel sounds.

4. Use knowledge that every syllable must have a vowel sound to determine the number of syllables in a printed word.

5. Decode two-syllable words following basic patterns by breaking the words into syllables.

6. Read words with inflectional endings.

7. Recognize and read grade-appropriate irregularly spelled words.

D. Read with sufficient accuracy and fluency to support comprehension.

1. Read on-level text with purpose and understanding.

2. Read on-level text orally with accuracy, appropriate rate, and expression on successive readings.

3. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1022 (July 2016).

§507. Writing

A. Write opinion pieces in which they introduce the topic or name the book they are writing about, state an opinion, supply a reason for the opinion, and provide some sense of closure.

B. Write informative/explanatory texts in which they name a topic, supply some facts about the topic, and provide some sense of closure.

C. Write narratives in which they recount two or more appropriately sequenced events, include some details regarding what happened, use temporal words to signal event order, and provide some sense of closure.

D. With guidance and support from adults, focus on a topic, respond to questions and suggestions from peers, and add details to strengthen writing as needed.

E. With guidance and support from adults, use a variety of digital tools to produce and publish writing, including in collaboration with peers.

F. Participate in shared research and writing projects (e.g., explore a number of how-to books on a given topic and use them to write a sequence of instructions).

G. With guidance and support from adults, recall information from experiences or gather information from provided sources to answer a question.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1022 (July 2016).

§509. Speaking and Listening

A. Participate in collaborative conversations with diverse partners about grade 1 topics and texts with peers and adults in small and larger groups.

1. Follow agreed-upon rules for discussions (e.g., listening to others with care, speaking one at a time about the topics and texts under discussion).

2. Build on others' talk in conversations by responding to the comments of others through multiple exchanges.

3. Ask questions to clear up any confusion about the topics and texts under discussion.

B. Ask and answer questions about key details in a text read aloud or information presented orally or through other media.

C. Ask and answer questions about what a speaker says in order to gather additional information or clarify something that is not understood.

D. Describe people, places, things, and events with relevant details, expressing ideas and feelings clearly.

E. Add drawings or other visual displays to descriptions when appropriate to clarify ideas, thoughts, and feelings.

F. Produce complete sentences when appropriate to task, audience, and situation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1022 (July 2016).

§511. Language

A. Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.

1. Legibly print all upper- and lowercase letters.

2. Use common, proper, and possessive nouns.

3. Use singular and plural nouns with matching verbs in basic sentences (e.g., He hops; We hop).

4. Use personal and possessive pronouns (e.g., I, me, my; they, them, their).

5. Use verbs to convey a sense of past, present, and future (e.g., Yesterday I walked home; Today I walk home; Tomorrow I will walk home).

6. Use frequently occurring adjectives.

7. Use frequently occurring conjunctions (e.g., and, but, or, so, because).

8. Use determiners (e.g., articles, demonstratives).

9. Use frequently occurring prepositions (e.g., during, beyond, toward).

10. Produce and expand complete simple and compound declarative, interrogative, imperative, and exclamatory sentences in response to prompts.

B.Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.

1. Capitalize dates and names of people.

2. Use end punctuation for sentences.

3. Use commas in dates and to separate single words in a series.

4. Use conventional spelling for words with common spelling patterns and for frequently occurring irregular words.

5. Spell untaught words phonetically, drawing on phonemic awareness and spelling conventions.

C. Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 1 reading and content, choosing flexibly from an array of strategies.

1. Use sentence-level context as a clue to the meaning of a word or phrase.

2. Use knowledge of frequently occurring affixes (prefixes and suffixes) to interpret meaning of a word.

3. Identify frequently occurring root words (e.g., look) and their inflectional forms (e.g., looks, looked, looking).

D. With guidance and support from adults, demonstrate understanding of word relationships and nuances in word meanings.

1. Sort words into categories (e.g., colors, clothing) to gain a sense of the concepts the categories represent.

2. Define words by category and by one or more key attributes (e.g., a duck is a bird that swims; a tiger is a large cat with stripes).

3. Identify real-life connections between words and their use (e.g., note places at home that are cozy).

4. Distinguish shades of meaning among verbs differing in manner (e.g., look, peek, glance, stare, glare, scowl) and adjectives differing in intensity (e.g., large, gigantic) by defining or choosing them or by acting out the meanings.

E.Use words and phrases acquired through conversations, reading and being read to, and responding to texts, including using frequently occurring conjunctions to signal simple relationships (e.g., because).

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1022 (July 2016).

Chapter 7. Grade 2

§701. Reading Literature

A. Ask and answer such questions as who, what, where, when, why, and how to demonstrate understanding of key details in a text.

B.Recount stories, including fables and folktales from diverse culture; determine their central message, lesson, or more.

C.Describe how characters in a story respond to major events and challenges.

D. Describe how words and phrases supply rhythm and rhyme in a poem or song; determine the meaning of words and phrases as they are used in text.

E.Describe the overall structure of a story, including describing how the beginning introduces the story and the ending concludes the action.

F. Acknowledge differences in the points of view of characters, including by speaking in a different voice for each character when reading dialogue aloud.

G.Use information gained from the illustrations and words in a print or digital text to demonstrate understanding of its characters, setting, or plot.

H. Compare and contrast two or more versions of the same story (e.g., Cinderella stories) by different authors or from different cultures.

I. By the end of the year, read and comprehend literature, including stories and poetry, in the grades 2-3 text complexity band proficiently, with scaffolding as needed at the high end of the range.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1023 (July 2016).

§703. Reading Informational Text

A. Ask and answer such questions as who, what, where, when, why, and how to demonstrate understanding of key details in a text.

B.Identify the main topic of a multi-paragraph text as well as the focus of specific paragraphs within the text.

C.Describe the connection between a series of historical events, scientific ideas or concepts, or steps in technical procedures in a text.

D. Determine the meaning of words and phrases in a text relevant to a grade 2 topic or subject area.

E.Know and use various text features (e.g., captions, bold print, subheadings, glossaries, indexes, electronic menus, icons) to locate key facts or information in a text efficiently.

F. Identify the main purpose of a text, including what the author wants to answer, explain, or describe.

G.Explain how specific images (e.g., a diagram showing how a machine works) contribute to and clarify a text.

H. Describe how reasons or evidence support specific points the author makes in a text.

I. Compare and contrast the most important points presented by two texts on the same topic.

J.By the end of year, read and comprehend informational texts, including history/social studies, science, and technical texts, in the grades 2-3 text complexity band proficiently, with scaffolding as needed at the high end of the range.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1023 (July 2016).

§705. Reading Foundations

A. Know and apply grade-level phonics and word analysis skills in decoding words.

1. Distinguish long and short vowels when reading regularly spelled one-syllable words.

2. Know spelling-sound correspondences for additional common vowel teams.

3. Decode regularly spelled two-syllable words with long vowels.

4. Decode words with common prefixes and suffixes.

5. Identify words with inconsistent but common spelling-sound correspondences.

6. Recognize and read grade-appropriate irregularly spelled words.

B.Read with sufficient accuracy and fluency to support comprehension.

1. Read on-level text with purpose and understanding.
2. Read on-level text orally with accuracy, appropriate rate, and expression on successive readings.
3. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1023 (July 2016).

§707. Writing

A. Write opinion pieces in which they introduce the topic or book they are writing about, state an opinion, supply reasons that support the opinion, use linking words (e.g., because, and, also) to connect opinion and reasons, and provide a concluding statement or section.

B.Write informative/explanatory texts in which they introduce a topic, use facts and definitions to develop points, and provide a concluding statement or section.

C.Write narratives in which they recount a well-elaborated event or short sequence of events, include details to describe actions, thoughts, and feelings, use temporal words to signal event order, and provide a sense of closure.

D. With guidance and support from adults and peers, focus on a topic and strengthen writing as needed by revising and editing.

E.With guidance and support from adults, use a variety of digital tools to produce and publish writing, including in collaboration with peers.

F. Participate in shared research and writing projects (e.g., read a number of books on a single topic to produce a report; record science observations).

G. Recall information from experiences or gather information from provided sources to answer a question.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1024 (July 2016).

§709. Speaking and Listening

A. Participate in collaborative conversations with diverse partners about grade 2 topics and texts with peers and adults in small and larger groups.

1. Follow agreed-upon rules for discussions (e.g., gaining the floor in respectful ways, listening to others with care, speaking one at a time about the topics and texts under discussion).
2. Build on others' talk in conversations by linking their comments to the remarks of others.
3. Ask for clarification and further explanation as needed about the topics and texts under discussion.

B.Recount or describe key ideas or details from a text read aloud or information presented orally or through other media.

C.Ask and answer questions about what a speaker says in order to clarify comprehension, gather additional information, or deepen understanding of a topic or issue.

D. Tell a story or recount an experience with appropriate facts and relevant, descriptive details, speaking audibly in coherent sentences.

E.Create audio recordings of stories or poems with guidance and support from adults and/or peers; add drawings or other visual displays to stories or recounts of experiences when appropriate to clarify ideas, thoughts, and feelings.

F. Produce complete sentences when appropriate to task, audience, and situation in order to provide requested detail or clarification.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1024 (July 2016).

§711. Language

A. Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.

1. Use collective nouns (e.g., group).
2. Form and use frequently occurring irregular plural nouns (e.g., feet, children, teeth, mice, fish).
3. Use reflexive pronouns (e.g., *myself, ourselves*) and indefinite pronouns (e.g., anyone, everything).
4. Form and use the past tense of frequently occurring irregular verbs (e.g., sat, hid, told).
5. Use adjectives and adverbs, and choose between them depending on what is to be modified.
6. Produce, expand, and rearrange complete simple and compound sentences (e.g., The boy watched the movie; The little boy watched the movie; The action movie was watched by the little boy).

B.Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.

1. Capitalize holidays, product names, and geographic names.
2. Use commas in greetings and closings of letters.
3. Use an apostrophe to form contractions and frequently occurring possessives.
4. Generalize learned spelling patterns when writing words (e.g., cage → badge; boy → boil).
5. Consult reference materials, including beginning dictionaries, as needed to check and correct spellings.

C.Use knowledge of language and its conventions when writing, speaking, reading, or listening.

1. Compare formal and informal uses of English.

D. Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 2 reading and content, choosing flexibly from an array of strategies.

1. Use sentence-level context as a clue to the meaning of a word or phrase.
2. Determine the meaning of the new word formed when a known prefix is added to a known word (e.g., happy/unhappy, tell/retell).
3. Use a known root word as a clue to the meaning of an unknown word with the same root (e.g., addition, additional).
4. Use knowledge of the meaning of individual words to predict the meaning of compound words (e.g., birdhouse, lighthouse, housefly; bookshelf, notebook, bookmark).

5. Use glossaries and beginning dictionaries, both print and digital, to determine or clarify the meaning of words and phrases.

E. Demonstrate understanding of word relationships and nuances in word meanings.

1. Identify real-life connections between words and their use (e.g., describe foods that are spicy or juicy).

2. Distinguish shades of meaning among closely related verbs (e.g., toss, throw, hurl) and closely related adjectives (e.g., thin, slender, skinny, scrawny).

F. Use words and phrases acquired through conversations, reading and being read to, and responding to texts, including using adjectives and adverbs to describe (e.g., When other kids are happy that makes me happy).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1024 (July 2016).

Chapter 9. Grade 3

§901. Reading Literature

A. Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.

B. Recount stories, including fables, folktales, and myths from diverse cultures; determine the central message, lesson, or moral and explain how it is conveyed through key details in the text.

C. Describe characters in a story (e.g., their traits, motivations, or feelings) and explain how their actions contribute to the sequence of events.

D. Determine the meaning of words and phrases as they are used in a text, distinguishing literal from nonliteral language.

E. Refer to parts of stories, dramas, and poems when writing or speaking about a text, using terms such as chapter, scene, and stanza; describe how each successive part builds on earlier sections.

F. Distinguish the student's point of view from that of the narrator or those of the characters.

G. Explain how specific aspects of a text's illustrations contribute to what is conveyed by the words in a story (e.g., create mood, emphasize aspects of a character or setting).

H. Compare and contrast the themes, settings, and plots of stories written by the same author about the same or similar characters (e.g., in books from a series).

I. By the end of the year, read and comprehend literature, including stories, dramas, and poetry, at the high end of the grades 2-3 text complexity band independently and proficiently.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1025 (July 2016).

§903. Reading Informational Text

A. Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.

B. Determine the main idea of a text; recount the key details and explain how they support the main idea.

C. Describe the relationship between a series of historical events, scientific ideas or concepts, or steps in technical procedures in a text, using language that pertains to time, sequence, and cause/effect.

D. Determine the meaning of general academic and domain-specific words and phrases in a text relevant to a grade 3 topic or subject area.

E. Use text features and search tools (e.g., key words, sidebars, hyperlinks) to efficiently locate information relevant to a given topic.

F. Distinguish the student's point of view from that of the author of a text.

G. Use information gained from illustrations (e.g., maps, photographs) and the words in a text to demonstrate understanding of the text (e.g., where, when, why, and how key events occur).

H. Describe the logical connection between particular sentences and paragraphs in a text (e.g., comparison, cause/effect, first/second/third in a sequence).

I. Compare and contrast the most important points and key details presented in two texts on the same topic.

J. By the end of the year, read and comprehend informational texts, including history/social studies, science, and technical texts, at the high end of the grades 2-3 text complexity band independently and proficiently.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1025 (July 2016).

§905. Reading Foundations

A. Know and apply grade-level phonics and word analysis skills in decoding words.

1. Identify and know the meaning of the most common prefixes and derivational suffixes.

2. Decode words with common Latin suffixes.

3. Decode multisyllable words.

4. Read grade-appropriate irregularly spelled words.

B. Read with sufficient accuracy and fluency to support comprehension.

1. Read on-level text with purpose and understanding.

2. Decode words with common Latin suffixes.

3. Decode multisyllable words.

4. Read grade-appropriate irregularly spelled words.

C. Read with sufficient accuracy and fluency to support comprehension.

1. Read on-level text with purpose and understanding.

2. Read on-level prose and poetry orally with accuracy, appropriate rate, and expression on successive readings.

3. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1025 (July 2016).

§907. Writing

A. Write opinion pieces on topics or texts, supporting a point of view with reasons.

1. Introduce the topic or text they are writing about, state an opinion, and create an organizational structure that lists reasons.

2. Provide reasons that support the opinion.

3. Use linking words and phrases (e.g., because, therefore, since, for example) to connect opinion and reasons.

4. Provide a concluding statement or section.

B. Write informative/explanatory texts to examine a topic and convey ideas and information clearly.

1. Introduce a topic and group related information together; include illustrations when useful to aiding comprehension.

2. Develop the topic with facts, definitions, and details.

3. Use linking words and phrases (e.g., also, another, and, more, but) to connect ideas within categories of information.

4. Provide a concluding statement or section.

C. Write narratives to develop real or imagined experiences or events using effective technique, descriptive details, and clear event sequences.

1. Establish a situation and introduce a narrator and/or characters; organize an event sequence that unfolds naturally.

2. Use dialogue and descriptions of actions, thoughts, and feelings to develop experiences and events or show the response of characters to situations.

3. Use temporal words and phrases to signal event order.

4. Provide a sense of closure.

D. With guidance and support from adults, produce writing in which the development and organization are appropriate to task and purpose.

E. With guidance and support from peers and adults, develop and strengthen writing as needed by planning, revising, and editing.

F. With guidance and support from adults, produce and publish grade-appropriate writing using technology, either independently or in collaboration with others.

G. Conduct short research projects that build knowledge about a topic.

H. Recall information from experiences or gather information from print and digital sources; take brief notes on sources and sort evidence into provided categories.

I. Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1025 (July 2016).

§909. Speaking and Listening

A. Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 3 topics and texts, building on others' ideas and expressing their own clearly.

1. Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion.

2. Follow agreed-upon rules for discussions (e.g., gaining the floor in respectful ways, listening to others with care, speaking one at a time about the topics and texts under discussion).

3. Ask questions to check understanding of information presented, stay on topic, and link their comments to the remarks of others.

4. Explain their own ideas and understanding in light of the discussion.

B. Determine the main ideas and supporting details of a text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.

C. Ask and answer questions about information from a speaker, offering appropriate elaboration and detail.

D. Report on a topic or text, tell a story, or recount an experience with appropriate facts and relevant, descriptive details, speaking clearly at an understandable pace.

E. Create engaging audio recordings of stories or poems that demonstrate fluid reading at an understandable pace; add visual displays when appropriate to emphasize or enhance certain facts or details.

F. Speak in complete sentences when appropriate to task, audience, and situation in order to provide requested detail or clarification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1026 (July 2016).

§911. Language

A. Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.

1. Explain the function of nouns, pronouns, verbs, adjectives, and adverbs in general and their functions in particular sentences.

2. Form and use regular and irregular plural nouns.

3. Use abstract nouns (e.g., childhood).

4. Form and use regular and irregular verbs.

5. Form and use the simple verb tenses (e.g., I walked; I walk; I will walk).

6. Ensure subject-verb and pronoun-antecedent agreement.

7. Form and use comparative and superlative adjectives and adverbs, and choose between them depending on what is to be modified.

8. Use coordinating and subordinating conjunctions.

9. Produce simple, compound, and complex sentences.

B. Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.

1. Capitalize appropriate words in titles.

2. Use commas in addresses.

3. Use commas and quotation marks in dialogue.

4. Form and use possessives.

5. Use conventional spelling for high-frequency and other studied words and for adding suffixes to base words (e.g., sitting, smiled, cries, happiness).

6. Use spelling patterns and generalizations (e.g., word families, position-based spellings, syllable patterns, ending rules, meaningful word parts) in writing words.

7. Consult reference materials, including beginning dictionaries, as needed to check and correct spellings.

C. Use knowledge of language and its conventions when writing, speaking, reading, or listening.

1. Choose words and phrases for effect.

2. Recognize and observe differences between the conventions of spoken and written standard English.

D. Determine or clarify the meaning of unknown and multiple-meaning word and phrases based on grade 3 reading and content, choosing flexibly from a range of strategies.

1. Use sentence-level context as a clue to the meaning of a word or phrase.
2. Determine the meaning of the new word formed when a known affix is added to a known word (e.g., agreeable/disagreeable, comfortable/uncomfortable, care/careless, heat/preheat).
3. Use a known root word as a clue to the meaning of an unknown word with the same root (e.g., company, companion).
4. Use glossaries or beginning dictionaries, both print and digital, to determine or clarify the precise meaning of key words and phrases.

E. Demonstrate understanding of word relationships and nuances in word meanings.
1. Distinguish the literal and nonliteral meanings of words and phrases in context (e.g., take steps).
2. Identify real-life connections between words and their use (e.g., describe people who are friendly or helpful).
3. Distinguish shades of meaning among related words that describe states of mind or degrees of certainty (e.g., knew, believed, suspected, heard, wondered).

F. Acquire and use accurately grade-appropriate conversational, general academic, and domain-specific words and phrases, including those that signal spatial and temporal relationships (e.g., After dinner that night we went looking for them).

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1026 (July 2016).

Chapter 11. Grade 4

§1101. Reading Literature

A. Refer to details and examples in a text when explaining what the text says explicitly and when drawing inferences from the text.

B. Determine a theme of a story, drama, or poem from details in the text; summarize the text.

C. Describe in-depth a character, setting, or event in a story or drama, drawing on specific details in the text (e.g., a character's thoughts, words, or actions).

D. Determine the meaning of words and phrases as they are used in a text, including figurative language such as metaphors and similes.

E. Explain major differences between poems, drama, and prose, and refer to the structural elements of poems (e.g., verse, rhythm, meter) and drama (e.g., casts of characters, settings, descriptions, dialogue, stage directions) when writing or speaking about a text.

F. Compare and contrast the point of view from which different stories are narrated, including the difference between first- and third-person narrations.

G. Make connections between the text of a story or drama and a visual or oral presentation of the text.

H. Compare and contrast the treatment of similar themes and topics (e.g., opposition of good and evil) and patterns of events (e.g., the quest) in stories, myths, and traditional literature from different cultures.

I. By the end of the year, read and comprehend literature, including stories, dramas, and poetry, in the grades 4-5 text complexity band proficiently, with scaffolding as needed at the high end of the range.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1027 (July 2016).

§1103. Reading Informational Text

A. Refer to details and examples in a text when explaining what the text says explicitly and when drawing inferences from the text.

B. Determine the main idea of a text and explain how it is supported by key details; summarize the text.

C. Explain events, procedures, ideas, or concepts in a historical, scientific, or technical text, including what happened and why, based on specific information in the text.

D. Determine the meaning of general academic and domain-specific words or phrases in a text relevant to a grade 4 topic or subject area.

E. Describe the overall structure (e.g., chronology, comparison, cause/effect, problem/solution) of events, ideas, concepts, or information in a text or part of a text.

F. Compare and contrast a firsthand and secondhand account of the same event or topic; describe the differences in focus and the information provided.

G. Interpret information presented visually, orally, or quantitatively (e.g., in charts, graphs, diagrams, timelines, animations, or interactive elements on Web pages) and explain how the information contributes to an understanding of the text in which it appears.

H. Explain how an author uses reasons and evidence to support particular points in a text.

I. Integrate information from two texts on the same topic in order to write or speak about the subject knowledgeably.

J. By the end of year, read and comprehend informational texts, including history/social studies, science, and technical texts, in the grades 4-5 text complexity band proficiently, with scaffolding as needed at the high end of the range.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1027 (July 2016).

§1105. Reading Foundations

A. Know and apply grade-level phonics and word analysis skills in decoding words.
1. Use combined knowledge of letter-sound correspondences, syllabication patterns, and morphology (e.g., roots and affixes) to read accurately unfamiliar multisyllabic words in context and out of context.

B. Read with sufficient accuracy and fluency to support comprehension.
1. Read on-level text with purpose and understanding.
2. Read on-level prose and poetry orally with accuracy, appropriate rate, and expression on successive readings.
3. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1027 (July 2016).

§1107. Writing

A. Write opinion pieces on topics or texts, supporting a point of view with reasons and information.

1. Introduce a topic or text clearly, state an opinion, and create an organizational structure in which related ideas are grouped to support the writer's purpose.

2. Provide reasons that are supported by facts and details.

3. Link opinion and reasons using words and phrases (e.g., for instance, in order to, in addition).

4. Provide a concluding statement or section related to the opinion presented.

B. Write informative/explanatory texts to examine a topic and convey ideas and information clearly.

1. Introduce a topic clearly and group related information in paragraphs and sections; include formatting (e.g., headings), illustrations, and multimedia when useful to aiding comprehension.

2. Develop the topic with facts, definitions, concrete details, quotations, or other information and examples related to the topic.

3. Link ideas within categories of information using words and phrases (e.g., another, for example, also, because).

4. Use precise language and domain-specific vocabulary to inform about or explain the topic.

5. Provide a concluding statement or section related to the information or explanation presented.

C. Write narratives to develop real or imagined experiences or events using effective technique, descriptive details, and clear event sequences.

1. Orient the reader by establishing a situation and introducing a narrator and/or characters; organize an event sequence that unfolds naturally.

2. Use dialogue and description to develop experiences and events or show the responses of characters to situations.

3. Use a variety of transitional words and phrases to manage the sequence of events.

4. Use concrete words and phrases and sensory details to convey experiences and events precisely.

5. Provide a conclusion that follows from the narrated experiences or events.

D. Produce clear and coherent writing in which the development and organization are appropriate to task, purpose, and audience.

E. With guidance and support from peers and adults, develop and strengthen writing as needed by planning, revising, and editing.

F. With guidance and support from adults, produce and publish grade-appropriate writing using technology, either independently or in collaboration with others.

G. Conduct short research projects that build knowledge through investigation of different aspects of a topic.

H. Recall relevant information from experiences or gather relevant information from print and digital sources; take notes and categorize information, and provide a list of sources.

I. Draw relevant evidence from grade-appropriate literary or informational texts to support analysis, reflection, and research.

1. Apply grade 4 reading standards to literature (e.g., "Describe in-depth a character, setting, or event in a story or drama, drawing on specific details in the text [e.g., a character's thoughts, words, or actions]").

2. Apply grade 4 reading standards to informational texts (e.g., "Explain how an author uses reasons and evidence to support particular points in a text").

J. Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1028 (July 2016).

§1109. Speaking and Listening

A. Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 4 topics and texts, building on others' ideas and expressing their own clearly.

1. Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion.

2. Follow agreed-upon rules for discussions and carry out assigned roles.

3. Pose and respond to specific questions to clarify or follow up on information, and make comments that contribute to the discussion and link to the remarks of others.

4. Review the key ideas expressed and explain their own ideas and understanding in light of the discussion.

B. Paraphrase portions of a text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.

C. Identify the reasons and evidence a speaker provides to support particular points.

D. Report on a topic or text, tell a story, or recount an experience in an organized manner, using appropriate facts and relevant, descriptive details to support main ideas or themes; speak clearly at an understandable pace.

E. Add audio recordings and visual displays to presentations when appropriate to enhance the development of main ideas or themes.

F. Differentiate between contexts that call for formal English (e.g., presenting ideas) and situations where informal discourse is appropriate (e.g., small-group discussion); use formal English when appropriate to task, audience, and situation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1028 (July 2016).

§1111. Language

A. Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.

1. Use relative pronouns (who, whose, whom, which, that) and relative adverbs (where, when, why).

2. Form and use the progressive verb tenses (e.g., I was walking; I am walking; I will be walking).

3. Use modal auxiliaries (e.g., can, may, must) to convey various conditions.

4. Order adjectives within sentences according to conventional patterns (e.g., a small red bag rather than a red small bag).
5. Form and use prepositional phrases.
6. Produce complete sentences, recognizing and correcting inappropriate fragments and run-ons.
7. Correctly use frequently confused words (e.g., to, too, two; there, their).

B. Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.
1. Use correct capitalization.
2. Use commas and quotation marks to mark direct speech and quotations from a text.
3. Use a comma before a coordinating conjunction in a compound sentence.
4. Spell grade-appropriate words correctly, consulting references as needed.

C. Use knowledge of language and its conventions when writing, speaking, reading, or listening.
1. Choose words and phrases to convey ideas precisely.
2. Choose punctuation for effect.
3. Differentiate between contexts that call for formal English (e.g., presenting ideas) and situations where informal discourse is appropriate (e.g., small-group discussions).

D. Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 4 reading and content, choosing flexibly from a range of strategies.
1. Use context (e.g., definitions, examples, or restatements in text) as a clue to the meaning of a word or phrase.
2. Use common, grade-appropriate Greek and Latin affixes and roots as clues to the meaning of a word (e.g., telegraph, photograph, autograph).
3. Consult reference materials (e.g., dictionaries, glossaries, thesauruses), both print and digital, to find the pronunciation and determine or clarify the precise meaning of key words and phrases.

E. Demonstrate understanding of figurative language, word relationships, and nuances in word meanings.
1. Explain the meaning of simple similes and metaphors (e.g., as pretty as a picture) in context.
2. Recognize and explain the meaning of common idioms, adages, and proverbs.
3. Demonstrate understanding of words by relating them to their opposites (antonyms) and to words with similar but not identical meanings (synonyms).

F. Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases, including those that signal precise actions, emotions, or states of being (e.g., quizzed, whined, stammered) and that are basic to a particular topic (e.g., wildlife, conservation, and endangered when discussing animal preservation).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1028 (July 2016).

Chapter 13. Grade 5

§1301. Reading Literature

A. Quote accurately from a text when explaining what the text says explicitly and when drawing inferences from the text.

B. Determine a theme of a story, drama, or poem from details in the text, including how characters in a story or drama respond to challenges or how the speaker in a poem reflects upon a topic; summarize the text.

C. Compare and contrast two or more characters, settings, or events in a story or drama, drawing on specific details in the text (e.g., how characters interact).

D. Determine the meaning of words and phrases as they are used in a text, including figurative and connotative meanings.

E. Explain how a series of chapters, scenes, or stanzas fits together to provide the overall structure of a particular story, drama, or poem.

F. Describe how a narrator's or speaker's point of view influences how events are described.

G. Analyze how visual and multimedia elements contribute to the meaning, tone, or aesthetics of a text (e.g., graphic novel, multimedia presentation of fiction, folktale, myth, poem).

H. Compare and contrast stories in the same genre (e.g., mysteries and adventure stories) on their approaches to similar themes and topics.

I. By the end of the year, read and comprehend literature, including stories, dramas, and poetry, at the high end of the grades 4-5 text complexity band independently and proficiently.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1029 (July 2016).

§1303. Reading Informational Text

A. Quote accurately from a text when explaining what the text says explicitly and when drawing inferences from the text.

B. Determine two or more main ideas of a text and explain how they are supported by key details; summarize the text.

C. Explain the relationships or interactions between two or more individuals, events, ideas, or concepts in a historical, scientific, or technical text based on specific information in the text.

D. Determine the meaning of general academic and domain-specific words and phrases in a text relevant to a grade 5 topic or subject area.

E. Compare and contrast the overall structure (e.g., chronology, comparison, cause/effect, problem/solution) of events, ideas, concepts, or information in two texts.

F. Analyze multiple accounts of the same event or topic, noting important similarities and differences in the point of view they represent.

G. Utilize information from multiple print or digital sources, demonstrating the ability to locate an answer to a question or to solve a problem efficiently.

H. Explain how an author uses reasons and evidence to support particular points in a text, identifying which reasons and evidence support which point(s).

I. Integrate information from several texts on the same topic in order to write or speak about the subject knowledgeably.

J. By the end of the year, read and comprehend informational texts, including history/social studies, science, and technical texts, at the high end of the grades 4-5 text complexity band independently and proficiently.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1029 (July 2016).

§1305. Reading Foundations

A. Know and apply grade-level phonics and word analysis skills in decoding words.

B. Use combined knowledge of letter-sound correspondences, syllabication patterns, and morphology (e.g., roots and affixes) to read accurately unfamiliar multisyllabic words in context and out of context.

C. Read with sufficient accuracy and fluency to support comprehension.

1. Read on-level text with purpose and understanding.

2. Read on-level prose and poetry orally with accuracy, appropriate rate, and expression on successive readings.

3. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1030 (July 2016).

§1307. Writing

A. Write opinion pieces on topics or texts, supporting a point of view with reasons and information.

1. Introduce a topic or text clearly, state an opinion, and create an organizational structure in which ideas are logically grouped to support the writer's purpose.

2. Provide logically ordered reasons that are supported by facts and details.

3. Link opinion and reasons using words, phrases, and clauses (e.g., consequently, specifically).

4. Provide a concluding statement or section related to the opinion presented.

B. Write informative/explanatory texts to examine a topic and convey ideas and information clearly.

1. Introduce a topic clearly, provide a general observation and focus, and group related information logically; include formatting (e.g., headings), illustrations, and multimedia when useful to aiding comprehension.

2. Develop the topic with facts, definitions, concrete details, quotations, or other information and examples related to the topic.

3. Link ideas within and across categories of information using words, phrases, and clauses (e.g., in contrast, especially).

4. Use precise language and domain-specific vocabulary to inform about or explain the topic.

5. Provide a concluding statement or section related to the information or explanation presented.

C. Write narratives to develop real or imagined experiences or events using effective technique, descriptive details, and clear event sequences.

1. Orient the reader by establishing a situation and introducing a narrator and/or characters; organize an event sequence that unfolds naturally.

2. Use narrative techniques, such as dialogue, description, and pacing, to develop experiences and events or show the responses of characters to situations.

3. Use a variety of transitional words, phrases, and clauses to manage the sequence of events.

4. Use concrete words and phrases and sensory details to convey experiences and events precisely.

5. Provide a conclusion that follows from the narrated experiences or events.

D. Produce clear and coherent writing in which the development and organization are appropriate to task, purpose, and audience.

E. With guidance and support from peers and adults, develop and strengthen writing as needed by planning, revising, editing, rewriting, or trying a different approach.

F. With guidance and support from adults, produce and publish grade-appropriate writing using technology, either independently or in collaboration with others.

G. Conduct short research projects that use several sources to build knowledge through investigation of different aspects of a topic.

H. Recall relevant information from experiences or gather relevant information from print and digital sources; summarize or paraphrase information in notes and finished work, and provide a list of sources.

I. Draw relevant evidence from grade-appropriate literary or informational texts to support analysis, reflection, and research.

1. Apply grade 5 reading standards to literature (e.g., "Compare and contrast two or more characters, settings, or events in a story or a drama, drawing on specific details in the text [e.g., how characters interact]").

2. Apply grade 5 reading standards to informational texts (e.g., "Explain how an author uses reasons and evidence to support particular points in a text, identifying which reasons and evidence support which point[s]").

J. Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1030 (July 2016).

§1309. Speaking and Listening

A. Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 5 topics and texts, building on others' ideas and expressing their own clearly.

1. Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion.

2. Follow agreed-upon rules for discussions and carry out assigned roles.

3. Pose and respond to specific questions by making comments that contribute to the discussion and elaborate on the remarks of others.

4. Review the key ideas expressed and draw conclusions in light of information and knowledge gained from the discussions.

B.Summarize a written text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.

C.Summarize the points a speaker makes and explain how each claim is supported by reasons and evidence.

D. Report on a topic or text or present an opinion, sequencing ideas logically and using appropriate facts and relevant, descriptive details to support main ideas or themes; speak clearly at an understandable pace.

E.Include multimedia components (e.g., graphics, sound) and visual displays in presentations when appropriate to enhance the development of main ideas or themes.

F. Adapt speech to a variety of contexts and tasks, using formal English when appropriate to task, audience, and situation.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1030 (July 2016).

§1311. Language

A. Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.

1. Explain the function of conjunctions, prepositions, and interjections in general and their function in particular sentences.

2. Form and use the perfect verb tenses (e.g., I had walked; I have walked; I will have walked).

3. Use verb tense to convey various times, sequences, states, and conditions.

4. Recognize and correct inappropriate shifts in verb tense.

5. Use correlative conjunctions (e.g., either/or, neither/nor).

B.Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.

1. Use punctuation to separate items in a series.

2. Use a comma to separate an introductory element from the rest of the sentence.

3. Use a comma to set off the words yes and no (e.g., Yes, thank you), to set off a tag question from the rest of the sentence (e.g., It's true, isn't it?), and to indicate direct address (e.g., Is that you, Steve?).

4. Use underlining, quotation marks, or italics to indicate titles of works.

5. Spell grade-appropriate words correctly, consulting references as needed.

C.Use knowledge of language and its conventions when writing, speaking, reading, or listening.

1. Expand, combine, and reduce sentences for meaning, reader/listener interest, and style.

2. Compare and contrast the varieties of English (e.g., dialects, registers) used in stories, dramas, or poems.

D. Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 5 reading and content, choosing flexibly from a range of strategies.

1. Use context (e.g., cause/effect relationships and comparisons in text) as a clue to the meaning of a word or phrase.

2. Use common, grade-appropriate Greek and Latin affixes and roots as clues to the meaning of a word (e.g., photograph, photosynthesis).

3. Consult reference materials (e.g., dictionaries, glossaries, thesauruses), both print and digital, to find the pronunciation and determine or clarify the precise meaning of key words and phrases.

E.Demonstrate understanding of figurative language, word relationships, and nuances in word meanings.

1. Interpret figurative language, including similes and metaphors, in context.

2. Recognize and explain the meaning of common idioms, adages, and proverbs.

3. Use the relationship between particular words (e.g., synonyms, antonyms, homographs) to better understand each of the words.

4. Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases, including those that signal contrast, addition, and other logical relationships (e.g., however, although, nevertheless, similarly, moreover, in addition).

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1031 (July 2016).

Chapter 15. Grade 6

§1501. Reading Literature

A. Cite relevant textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text.

B.Determine a theme or central idea of a text and how it is conveyed through particular details; provide a summary of the text distinct from personal opinions or judgments.

C.Describe how a particular story or drama's plot unfolds in a series of episodes as well as how the characters respond or change as the plot moves toward a resolution.

D. Determine the meaning of words and phrases as they are used in a text, including figurative and connotative meanings; analyze the impact of a specific word choice on meaning and tone.

E.Analyze how a particular sentence, chapter, scene, or stanza fits into the overall structure of a text and contributes to the development of the theme, setting, or plot.

F. Compare and contrast the experience of reading a story, drama, or poem to listening to or viewing an audio, video, or live version of the text, including contrasting what they "see" and "hear" when reading the text to what they perceive when they listen or watch.

G.Compare and contrast texts in different forms or genres (e.g., stories and poems; historical novels and fantasy stories) in terms of their approaches to similar themes and topics.

H. By the end of the year, read and comprehend literature, including stories, dramas, and poems, in the grades 6-8 text complexity band proficiently, with scaffolding as needed at the high end of the range.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1031 (July 2016).

§1503. Reading Informational Text

A. Cite relevant textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text.

B.Determine a central idea of a text and how it is conveyed through particular details; provide a summary of the text distinct from personal opinions or judgments.

C.Analyze in detail how a key individual, event, or idea is introduced, illustrated, and elaborated in a text (e.g., through examples or anecdotes).

D. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings.

E.Analyze how a particular sentence, paragraph, chapter, or section fits into the overall structure of a text and contributes to the development of the ideas.

F. Determine an author's point of view or purpose in a text and explain how it is conveyed in the text.

G.Integrate information presented in different media or formats (e.g., visually, quantitatively) as well as in words to develop a coherent understanding of a topic or issue.

H. Trace and evaluate the argument and specific claims in a text, distinguishing claims that are supported by reasons and evidence from claims that are not.

I. Compare and contrast one author's presentation of events with that of another (e.g., a memoir written by and a biography on the same person).

J.By the end of the year, read and comprehend literary nonfiction in the grades 6-8 text complexity band proficiently, with scaffolding as needed at the high end of the range.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1032 (July 2016).

§1505. Writing

A. Write arguments to support claims with clear reasons and relevant evidence.

1. Introduce claim(s) and organize the reasons and evidence clearly.

2. Support claim(s) with clear reasons and relevant evidence, using credible sources and demonstrating an understanding of the topic or text.

3. Use words, phrases, and clauses to clarify the relationships among claim(s) and reasons.

4. Establish and maintain a formal style.

5. Provide a concluding statement or section that follows from the argument presented.

B.Write informative/explanatory texts to examine a topic and convey ideas, concepts, and information through the selection, organization, and analysis of relevant content.

1. Introduce a topic; organize ideas, concepts, and information, using strategies such as definition, classification, comparison/contrast, and cause/effect; include formatting (e.g., headings), graphics (e.g., charts, tables), and multimedia when useful to aiding comprehension.

2. Develop the topic with relevant facts, definitions, concrete details, quotations, or other information and examples.

3. Use appropriate transitions to clarify the relationships among ideas and concepts.

4. Use precise language and domain-specific vocabulary to inform about or explain the topic.

5. Establish and maintain a formal style.

6. Provide a concluding statement or section that follows from the information or explanation presented.

C.Write narratives to develop real or imagined experiences or events using effective technique, relevant descriptive details, and well-structured event sequences.

1. Engage and orient the reader by establishing a context and introducing a narrator and/or characters; organize an event sequence that unfolds naturally and logically.

2. Use narrative techniques, such as dialogue, pacing, and description, to develop experiences, events, and/or characters.

3. Use a variety of transition words, phrases, and clauses to convey sequence and signal shifts from one time frame or setting to another.

4. Use precise words and phrases, relevant descriptive details, and sensory language to convey experiences and events.

5. Provide a conclusion that follows from the narrated experiences or events.

D. Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

E.With some guidance and support from peers and adults, develop and strengthen writing as needed by planning, revising, editing, rewriting, or trying a different approach.

F. Produce and publish grade-appropriate writing using technology, either independently or in collaboration with others.

G.Conduct short research projects to answer a question, drawing on several sources and refocusing the inquiry when appropriate.

H. Gather relevant information from multiple print and digital sources; assess the credibility of each source; and quote or paraphrase the data and conclusions of others while avoiding plagiarism and providing basic bibliographic information for sources.

I. Draw relevant evidence from grade-appropriate literary or informational texts to support analysis, reflection, and research.

1. Apply grade 6 reading standards to literature (e.g., "Compare and contrast texts in different forms or genres [e.g., stories and poems; historical novels and fantasy stories] in terms of their approaches to similar themes and topics").

2. Apply grade 6 reading standards to literary nonfiction (e.g., "Trace and evaluate the argument and specific claims in a text, distinguishing claims that are supported by reasons and evidence from claims that are not").

J. Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1032 (July 2016).

§1507. Speaking and Listening

A. Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 6 topics, texts, and issues, building on others' ideas and expressing their own clearly.

1. Come to discussions prepared, having read or studied required material; explicitly draw on that preparation by referring to evidence on the topic, text, or issue to probe and reflect on ideas under discussion.

2. Follow rules for collegial discussions, set specific goals and deadlines, and define individual roles as needed.

3. Pose and respond to specific questions with elaboration and detail by making comments that contribute to the topic, text, or issue under discussion.

4. Review the key ideas expressed and demonstrate understanding of multiple perspectives through reflection and paraphrasing.

B. Interpret information presented in diverse media and formats (e.g., visually, quantitatively, orally) and explain how it contributes to a topic, text, or issue under study.

C. Delineate a speaker's argument and specific claims, distinguishing claims that are supported by reasons and evidence from claims that are not.

D. Present claims and findings, sequencing ideas logically and using pertinent descriptions, facts, and details to accentuate

E. Include multimedia components (e.g., graphics, images, music, sound) and visual displays in presentations to clarify information.

F. Adapt speech to a variety of contexts, audiences, and tasks, demonstrating command of formal English when indicated or appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1033 (July 2016).

§1509. Language

A. Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.

1. Ensure that pronouns are in the proper case (subjective, objective, possessive).

2. Use intensive pronouns (e.g., myself, ourselves).

3. Recognize and correct inappropriate shifts in pronoun number and person.

4. Recognize and correct vague pronouns (i.e., ones with unclear or ambiguous antecedents).

5. Recognize variations from standard English in their own and others' writing and speaking, and identify and use strategies to improve expression in conventional language.

B. Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.

1. Use punctuation (commas, parentheses, dashes) to set off nonrestrictive/parenthetical elements.

2. Spell correctly.

C. Use knowledge of language and its conventions when writing, speaking, reading, or listening.

1. Vary sentence patterns for meaning, reader/listener interest, and style.

2. Maintain consistency in style and tone.

D. Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 6 reading and content, choosing flexibly from a range of strategies.

1. Use context (e.g., the overall meaning of a sentence or paragraph; a word's position or function in a sentence) as a clue to the meaning of a word or phrase.

2. Use common, grade-appropriate Greek or Latin affixes and roots as clues to the meaning of a word (e.g., audience, auditory, audible).

3. Consult reference materials (e.g., dictionaries, glossaries, thesauruses), both print and digital, to find the pronunciation of a word or determine or clarify its precise meaning or its part of speech.

4. Verify the preliminary determination of the meaning of a word or phrase (e.g., by checking the inferred meaning in context or in a dictionary).

E. Demonstrate understanding of figurative language, word relationships, and nuances in word meanings.

1. Interpret figures of speech (e.g., personification) in context.

2. Use the relationship between particular words (e.g., cause/effect, part/whole, item/category) to better understand each of the words.

3. Distinguish among the connotations (associations) of words with similar denotations (definitions) (e.g., stingy, scrimping, economical, unwasteful, thrifty).

F. Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases; gather vocabulary knowledge when considering a word or phrase important to comprehension or expression.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1033 (July 2016).

Chapter 17. Grade 7

§1701. Reading Literature

A. Cite several pieces of relevant textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text.

B. Determine a theme or central idea of a text and analyze its development over the course of the text; provide an objective summary of the text.

C. Analyze how particular elements of a story or drama interact (e.g., how setting shapes the characters or plot).

D. Determine the meaning of words and phrases as they are used in a text, including figurative and connotative meanings; analyze the impact of rhymes and other repetitions of sounds (e.g., alliteration) on a specific verse or stanza of a poem or section of a story or drama.

E. Analyze how the overall form or structure of a text (e.g., drama, poetry, narrative, short story) contributes to its meaning.

F. Analyze how an author develops and contrasts the points of view of different characters or narrators in a text.

G. Compare and contrast a written story, drama, or poem to its audio, filmed, staged, or multimedia version, analyzing the effects of techniques unique to each medium (e.g., lighting, sound, color, or camera focus and angles in a film).

H. Compare and contrast a fictional portrayal of a time, place, or character and a historical account of the same period as a means of understanding how authors of fiction use or alter history.

I. By the end of the year, read and comprehend literature, including stories, dramas, and poems, in the grades 6-8 text

complexity band proficiently, with scaffolding as needed at the high end of the range.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1033 (July 2016).

§1703. Reading Informational Text

A. Cite several pieces of relevant textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text.

B.Determine two or more central ideas in a text and analyze their development over the course of the text; provide an objective summary of the text.

C.Analyze the interactions between individuals, events, and ideas in a text (e.g., how ideas influence individuals or events, or how individuals influence ideas or events).

D. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze the impact of a specific word choice on meaning and tone.

E.Analyze the structure an author uses to organize a text, including how the major sections contribute to the whole and to the development of the ideas.

F. Determine an author's point of view or purpose in a text and analyze how the author distinguishes his or her position from that of others.

G.Compare and contrast a text to an audio, video, or multimedia version of the text, analyzing each medium's portrayal of the subject (e.g., how the delivery of a speech affects the impact of the words).

H. Trace and evaluate the argument and specific claims in a text, assessing whether the reasoning is sound and the evidence is relevant and sufficient to support the claims.

I. Analyze how two or more authors writing about the same topic shape their presentations of key information by emphasizing different evidence or advancing different interpretations of facts.

J.By the end of the year, read and comprehend literary nonfiction in the grades 6-8 text complexity band proficiently, with scaffolding as needed at the high end of the range.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1034 (July 2016).

§1705. Writing

A. Write arguments to support claims with clear reasons and relevant evidence.

1. Introduce claim(s), acknowledge alternate or opposing claims, and organize the reasons and evidence logically.

2. Support claim(s) with logical reasoning and relevant evidence, using accurate, credible sources and demonstrating an understanding of the topic or text.

3. Use words, phrases, and clauses to create cohesion and clarify the relationships among claim(s), reasons, and evidence.

4. Establish and maintain a formal style.

5. Provide a concluding statement or section that follows from and supports the argument presented.

B.Write informative/explanatory texts to examine a topic and convey ideas, concepts, and information through the selection, organization, and analysis of relevant content.

1. Introduce a topic clearly, previewing what is to follow; organize ideas, concepts, and information, using strategies such as definition, classification, comparison/contrast, and cause/effect; include formatting (e.g., headings), graphics (e.g., charts, tables), and multimedia when useful to aiding comprehension.

2. Develop the topic with relevant facts, definitions, concrete details, quotations, or other information and examples.

3. Use appropriate transitions to create cohesion and clarify the relationships among ideas and concepts.

4. Use precise language and domain-specific vocabulary to inform about or explain the topic.

5. Establish and maintain a formal style.

6. Provide a concluding statement or section that follows from and supports the information or explanation presented.

C.Write narratives to develop real or imagined experiences or events using effective technique, relevant descriptive details, and well-structured event sequences.

1. Engage and orient the reader by establishing a context and point of view and introducing a narrator and/or characters; organize an event sequence that unfolds naturally and logically.

2. Use narrative techniques, such as dialogue, pacing, and description, to develop experiences, events, and/or characters.

3. Use a variety of transition words, phrases, and clauses to convey sequence and signal shifts from one time frame or setting to another.

4. Use precise words and phrases, relevant descriptive details, and sensory language to capture the action and convey experiences and events.

5. Provide a conclusion that follows from and reflects on the narrated experiences or events.

D. Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

E.With some guidance and support from peers and adults, develop and strengthen writing as needed by planning, revising, editing, rewriting, or trying a different approach, focusing on how well purpose and audience have been addressed.

F. Use technology, including the Internet, to produce and publish writing and link to and cite sources as well as to interact and collaborate with others, including linking to and citing sources.

G.Conduct short research projects to answer a question, drawing on several sources and generating additional related, focused questions for further research and investigation.

H. Gather relevant information from multiple print and digital sources, using search terms effectively; assess the credibility and accuracy of each source; and quote or paraphrase the data and conclusions of others while avoiding plagiarism and following a standard format for citation.

I. Draw relevant evidence from grade-appropriate literary or informational texts to support analysis, reflection, and research.

1. Apply grade 7 reading standards to literature (e.g., "Compare and contrast a fictional portrayal of a time, place, or character and a historical account of the same period as a

means of understanding how authors of fiction use or alter history").

2. Apply grade 7 reading standards to literary nonfiction (e.g., "Trace and evaluate the argument and specific claims in a text, assessing whether the reasoning is sound and the evidence is relevant and sufficient to support the claims").

3. Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1034 (July 2016).

§1707. Speaking and Listening

A. Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 7 topics, texts, and issues, building on others' ideas and expressing their own clearly.

1. Come to discussions prepared, having read or researched material under study; explicitly draw on that preparation by referring to evidence on the topic, text, or issue to probe and reflect on ideas under discussion.

2. Follow rules for collegial discussions, track progress toward specific goals and deadlines, and define individual roles as needed.

3. Pose questions that elicit elaboration, and respond to others' questions and comments with relevant observations and ideas that bring the discussion back on topic as needed.

4. Acknowledge new information expressed by others and, when warranted, modify their own views.

B. Analyze the main ideas and supporting details presented in diverse media and formats (e.g., visually, quantitatively, orally) and explain how the ideas clarify a topic, text, or issue under study.

C. Delineate a speaker's argument and specific claims, evaluating the soundness of the reasoning and the relevance and sufficiency of the evidence.

D. Present claims and findings, emphasizing salient points in a focused, coherent manner with pertinent descriptions, facts, details, and examples; use appropriate eye contact, adequate volume, and clear pronunciation.

E. Include multimedia components and visual displays in presentations to clarify claims and findings and emphasize salient points.

F. Adapt speech to a variety of contexts, audiences, and tasks, demonstrating command of formal English when indicated or appropriate.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1035 (July 2016).

§1709. Language

A. Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.

1. Explain the function of phrases and clauses in general and their function in specific sentences.

2. Choose among simple, compound, complex, and compound-complex sentences to signal differing relationships among ideas.

3. Place phrases and clauses within a sentence, recognizing and correcting misplaced and dangling modifiers.

B. Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.

1. Use a comma to separate coordinate adjectives (e.g., "It was a fascinating, enjoyable movie", but not "He wore an old[,] green shirt".).

2. Spell correctly.

C. Use knowledge of language and its conventions when writing, speaking, reading, or listening.

1. Choose language that expresses ideas precisely and concisely, recognizing and eliminating wordiness and redundancy.

D. Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 7 reading and content, choosing flexibly from a range of strategies.

1. Use context (e.g., the overall meaning of a sentence or paragraph; a word's position or function in a sentence) as a clue to the meaning of a word or phrase.

2. Use common, grade-appropriate Greek or Latin affixes and roots as clues to the meaning of a word (e.g., belligerent, bellicose, rebel).

3. Consult general and specialized reference materials (e.g., dictionaries, glossaries, thesauruses), both print and digital, to find the pronunciation of a word or determine or clarify its precise meaning or its part of speech.

4. Verify the preliminary determination of the meaning of a word or phrase (e.g., by checking the inferred meaning in context or in a dictionary).

E. Demonstrate understanding of figurative language, word relationships, and nuances in word meanings.

1. Interpret figures of speech (e.g., literary, biblical, and mythological allusions) in context.

2. Use the relationship between particular words (e.g., synonym/antonym, analogy) to better understand each of the words.

3. Distinguish among the connotations (associations) of words with similar denotations (definitions) (e.g., refined, respectful, polite, diplomatic, condescending).

F. Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases; gather vocabulary knowledge when considering a word or phrase important to comprehension or expression.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1035 (July 2016).

Chapter 19. Grade 8

§1901. Reading Literature

A. Cite the relevant textual evidence that most strongly supports an analysis of what the text says explicitly as well as inferences drawn from the text.

B. Determine a theme or central idea of a text and analyze its development over the course of the text, including its relationship to the characters, setting, and plot; provide an objective summary of the text.

C. Analyze how particular lines of dialogue or incidents in a story or drama propel the action, reveal aspects of a character, or provoke a decision.

D. Determine the meaning of words and phrases as they are used in a text, including figurative and connotative meanings; analyze the impact of specific word choices on meaning and tone, including analogies or allusions to other texts.

E. Compare and contrast the structure of two or more texts and analyze how the differing structure of each text contributes to its meaning and style.

F. Analyze how differences in the points of view of the characters and the audience or reader (e.g., created through the use of dramatic irony) create such effects as suspense or humor.

G. Analyze the extent to which non-print media (e.g., film, drama, live production, art) connects to or departs from the text or script, evaluating artistic choices.

H. Analyze how a modern work of fiction draws on themes, patterns of events, or character types from myths, traditional stories, or foundational religious works; describe how the material is rendered new.

I. By the end of the year, read and comprehend literature, including stories, dramas, and poems, at the high end of grades 6-8 text complexity band independently and proficiently.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1035 (July 2016).

§1903. Reading Informational Text

A. Cite the relevant textual evidence that most strongly supports an analysis of what the text says explicitly as well as inferences drawn from the text.

B. Determine a central idea of a text and analyze its development over the course of the text, including its relationship to supporting ideas; provide an objective summary of the text.

C. Analyze how a text makes connections among and distinctions between individuals, ideas, or events (e.g., through comparisons, analogies, or categories).

D. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze the impact of specific word choices on meaning and tone, including analogies or allusions to other texts.

E. Analyze in detail the structure of a specific paragraph in a text, including the role of particular sentences in developing and refining a key concept.

F. Determine an author's point of view or purpose in a text and analyze how the author acknowledges and responds to conflicting evidence or viewpoints.

G. Evaluate the advantages and disadvantages of using different mediums (e.g., print or digital text, video, multimedia) to present a particular topic or idea.

H. Delineate and evaluate the argument and specific claims in a text, assessing whether the reasoning is sound and the evidence is relevant and sufficient; recognize when irrelevant evidence is introduced.

I. Analyze a case in which two or more texts provide conflicting information on the same topic, and identify where the texts disagree on matters of fact or interpretation.

J. By the end of the year, read and comprehend literary nonfiction at the high end of the grades 6-8 text complexity band independently and proficiently.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1036 (July 2016).

§1905. Writing

A. Write arguments to support claims with clear reasons and relevant evidence.

1. Introduce claim(s), acknowledge and distinguish the claim(s) from alternate or opposing claims, and organize the reasons and evidence logically.

2. Support claim(s) with logical reasoning and relevant evidence, using accurate, credible sources and demonstrating an understanding of the topic or text.

3. Use words, phrases, and clauses to create cohesion and clarify the relationships among claim(s), counterclaims, reasons, and evidence.

4. Establish and maintain a formal style.

5. Provide a concluding statement or section that follows from and supports the argument presented.

B. Write informative/explanatory texts to examine a topic and convey ideas, concepts, and information through the selection, organization, and analysis of relevant content.

1. Introduce a topic clearly, previewing what is to follow; organize ideas, concepts, and information into broader categories; include formatting (e.g., headings), graphics (e.g., charts, tables), and multimedia when useful to aiding comprehension.

2. Develop the topic with relevant, well-chosen facts, definitions, concrete details, quotations, or other information and examples.

3. Use appropriate and varied transitions to create cohesion and clarify the relationships among ideas and concepts.

4. Use precise language and domain-specific vocabulary to inform about or explain the topic.

5. Establish and maintain a formal style.

6. Provide a concluding statement or section that follows from and supports the information or explanation presented.

C. Write narratives to develop real or imagined experiences or events using effective technique, relevant descriptive details, and well-structured event sequences.

1. Engage and orient the reader by establishing a context and point of view and introducing a narrator and/or characters; organize an event sequence that unfolds naturally and logically.

2. Use narrative techniques, such as dialogue, pacing, description, and reflection, to develop experiences, events, and/or characters.

3. Use a variety of transition words, phrases, and clauses to convey sequence, signal shifts from one time frame or setting to another, and show the relationships among experiences and events.

4. Use precise words and phrases, relevant descriptive details, and sensory language to capture the action and convey experiences and events.

5. Provide a conclusion that follows from and reflects on the narrated experiences or events.

D. Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

E. With some guidance and support from peers and adults, develop and strengthen writing as needed by planning,

revising, editing, rewriting, or trying a different approach, focusing on how well purpose and audience have been addressed.

F. Use technology, including the Internet, to produce and publish writing and present the relationships between information and ideas efficiently as well as to interact and collaborate with others.

G. Conduct short research projects to answer a question (including a self-generated question), drawing on several sources and generating additional related, focused questions that allow for multiple avenues of exploration.

H. Gather relevant information from multiple print and digital sources, using search terms effectively; assess the credibility and accuracy of each source; and quote or paraphrase the data and conclusions of others while avoiding plagiarism and following a standard format for citation.

I. Draw relevant evidence from grade-appropriate literary or informational texts to support analysis, reflection, and research.

1. Apply grade 8 reading standards to literature (e.g., "Analyze how a modern work of fiction draws on themes, patterns of events, or character types from myths, traditional stories, historical fiction, or foundational religious works, including describing how the material is rendered new").

2. Apply grade 8 reading standards to literary nonfiction (e.g., "Delineate and evaluate the argument and specific claims in a text, assessing whether the reasoning is sound and the evidence is relevant and sufficient; recognize when irrelevant evidence is introduced").

J. Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1036 (July 2016).

§1907. Speaking and Listening

A. Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 8 topics, texts, and issues, building on others' ideas and expressing their own clearly.

1. Come to discussions prepared, having read or researched material under study; explicitly draw on that preparation by referring to evidence on the topic, text, or issue to probe and reflect on ideas under discussion.

2. Follow rules for collegial discussions and decision-making, track progress toward specific goals and deadlines, and define individual roles as needed.

3. Pose questions that connect the ideas of several speakers and respond to others' questions and comments with relevant evidence, observations, and ideas.

4. Acknowledge new information expressed by others, and, when warranted, qualify or justify their own views in light of the evidence presented.

B. Analyze the purpose of information presented in diverse media and formats (e.g., visually, quantitatively, orally) and evaluate the motives (e.g., social, commercial, political) behind its presentation.

C. Delineate a speaker's argument and specific claims, evaluating the soundness of the reasoning and relevance and sufficiency of the evidence and identifying when irrelevant evidence is introduced.

D. Present claims and findings, emphasizing salient points in a focused, coherent manner with relevant evidence, sound valid reasoning, and well-chosen details; use appropriate eye contact, adequate volume, and clear pronunciation.

E. Integrate multimedia and visual displays into presentations to clarify information, strengthen claims and evidence, and add interest.

F. Adapt speech to a variety of contexts, audiences, and tasks, demonstrating command of formal English when indicated or appropriate.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1037 (July 2016).

§1909. Language

A. Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.

1. Explain the function of verbals (gerunds, participles, infinitives) in general and their function in particular sentences.

2. Form and use verbs in the active and passive voice.

3. Form and use verbs in the indicative, imperative, interrogative, conditional, and subjunctive mood.

4. Recognize and correct inappropriate shifts in verb voice and mood.

B. Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.

1. Use punctuation (comma, ellipsis, dash) to indicate a pause or break.

2. Use an ellipsis to indicate an omission.

3. Spell correctly.

C. Use knowledge of language and its conventions when writing, speaking, reading, or listening.

1. Use verbs in the active and passive voice and in the conditional and subjunctive mood to achieve particular effects (e.g., emphasizing the actor or the action; expressing uncertainty or describing a state contrary to fact).

D. Determine or clarify the meaning of unknown and multiple-meaning words or phrases based on grade 8 reading and content, choosing flexibly from a range of strategies.

1. Use context (e.g., the overall meaning of a sentence or paragraph; a word's position or function in a sentence) as a clue to the meaning of a word or phrase.

2. Use common, grade-appropriate Greek or Latin affixes and roots as clues to the meaning of a word (e.g., precede, recede, secede).

3. Consult general and specialized reference materials (e.g., dictionaries, glossaries, thesauruses), both print and digital, to find the pronunciation of a word or determine or clarify its precise meaning or its part of speech.

4. Verify the preliminary determination of the meaning of a word or phrase (e.g., by checking the inferred meaning in context or in a dictionary).

E. Demonstrate understanding of figurative language, word relationships, and nuances in word meanings.

1. Interpret figures of speech (e.g., verbal irony, puns) in context.

2. Use the relationship between particular words to better understand each of the words.

3. Distinguish among the connotations (associations) of words with similar denotations (definitions) (e.g., bullheaded, willful, firm, persistent, resolute).

F. Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases; gather vocabulary knowledge when considering a word or phrase important to comprehension or expression.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1037 (July 2016).

Chapter 21. Grades 9 and 10

§2101. Reading Literature

A. Cite relevant and thorough textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text.

B. Determine a theme or central idea of a text and analyze in detail its development over the course of the text, including how it emerges and is shaped and refined by specific details; provide an objective summary of the text.

C. Analyze how complex characters (e.g., those with multiple or conflicting motivations) develop over the course of a text, interact with other characters, and advance the plot or develop the theme.

D. Determine the meaning of words and phrases as they are used in the text, including figurative and connotative meanings; analyze the cumulative impact of specific word choices on meaning and tone (e.g., how the language evokes a sense of time and place; how it sets a formal or informal tone).

E. Analyze how an author's choices concerning how to structure a text, order events within it (e.g., parallel plots), and manipulate time (e.g., pacing, flashbacks) create such effects as mystery, tension, or surprise.

F. Analyze a particular point of view or cultural experience reflected in works of literature, drawing on a wide reading of world literature.

G. Analyze the representation of a subject or a key scene in two different artistic mediums, including what is emphasized or absent in each treatment (e.g., Auden's poem "Musée des Beaux Arts" and Breughel's painting "Landscape with the Fall of Icarus").

H. Analyze how an author draws on and transforms source material in a specific work (e.g., how Shakespeare treats a theme or topic from Ovid or the Bible or how a later author draws on a play by Shakespeare).

I. By the end of grade 9, read and comprehend literature, including stories, dramas, and poems, in the grades 9-10 text complexity band proficiently, with scaffolding as needed at the high end of the range.

J. By the end of grade 10, read and comprehend literature, including stories, dramas, and poems, at the high end of the grades 9-10 text complexity band independently and proficiently.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1038 (July 2016).

§2103. Reading Informational Text

A. Determine a central idea of a text and analyze its development over the course of the text, including how it emerges and is shaped and refined by specific details; provide an objective summary of the text.

B. Analyze how the author unfolds an analysis or series of ideas or events, including the order in which the points are made, how they are introduced and developed, and the connections that are drawn between them.

C. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze the cumulative impact of specific word choices on meaning and tone (e.g., how the language of a court opinion differs from that of a newspaper).

D. Analyze in detail how an author's ideas or claims are developed and refined by particular sentences, paragraphs, or larger portions of a text (e.g., a section or chapter).

E. Determine an author's point of view or purpose in a text and analyze how an author uses rhetoric to advance that point of view or purpose.

F. Analyze various accounts of a subject told in different mediums (e.g., a person's life story in both print and multimedia), determining which details are emphasized in each account.

G. Delineate and evaluate the argument and specific claims in a text, assessing whether the reasoning is valid and the evidence is relevant and sufficient; identify false statements and fallacious reasoning.

H. Analyze seminal U.S. documents of historical and literary significance (e.g., Washington's Farewell Address, the Gettysburg Address, Roosevelt's Four Freedoms speech, King's "Letter from Birmingham Jail"), including how they address related themes and concepts.

I. By the end of grade 9, read and comprehend literary nonfiction in the grades 9-10 text complexity band proficiently, with scaffolding as needed at the high end of the range.

J. By the end of grade 10, read and comprehend literary nonfiction at the high end of the grades 9-10 text complexity band independently and proficiently.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1038 (July 2016).

§2105. Writing

A. Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.

1. Introduce precise claim(s), distinguish the claim(s) from alternate or opposing claims, and create an organization that establishes clear relationships among claim(s), counterclaims, reasons, and evidence.

2. Develop claim(s) and counterclaims fairly, supplying evidence for each while pointing out the strengths and limitations of both in a manner that anticipates the audience's knowledge level and concerns.

3. Use words, phrases, and clauses to link the major sections of the text, create cohesion, and clarify the

relationships between claim(s) and reasons, between reasons and evidence, and between claim(s) and counterclaims.

4. Establish and maintain a formal style and objective tone while attending to the norms and conventions of the discipline in which they are writing.

5. Provide a concluding statement or section that follows from and supports the argument presented.

B. Write informative/explanatory texts to examine and convey complex ideas, concepts, and information clearly and accurately through the effective selection, organization, and analysis of content.

1. Introduce a topic; organize complex ideas, concepts, and information to make important connections and distinctions; include formatting (e.g., headings), graphics (e.g., figures, tables), and multimedia when useful to aiding comprehension.

2. Develop the topic with well-chosen, relevant, and sufficient facts, extended definitions, concrete details, quotations, or other information and examples appropriate to the audience's knowledge of the topic.

3. Use appropriate and varied transitions to link the major sections of the text, create cohesion, and clarify the relationships among complex ideas and concepts.

4. Use precise language and domain-specific vocabulary to manage the complexity of the topic.

5. Establish and maintain a formal style and objective tone while attending to the norms and conventions of the discipline in which they are writing.

6. Provide a concluding statement or section that follows from and supports the information or explanation presented (e.g., articulating implications or the significance of the topic).

C. Write narratives to develop real or imagined experiences or events using effective technique, well-chosen details, and well-structured event sequences.

1. Engage and orient the reader by setting out a problem, situation, or observation, establishing one or multiple point(s) of view, and introducing a narrator and/or characters; create a smooth progression of experiences or events.

2. Use narrative techniques, such as dialogue, pacing, description, reflection, and multiple plot lines, to develop experiences, mood, tone, events, and/or characters.

3. Use a variety of techniques to sequence events so that they build on one another to create a coherent whole.

4. Use precise words and phrases, telling details, and sensory language to convey a vivid picture of the experiences, events, setting, and/or characters.

5. Provide a conclusion (when appropriate to the genre) that follows from and reflects on what is experienced, observed, or resolved over the course of the narrative.

D. Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

E. Develop and strengthen writing as needed by planning, revising, editing, rewriting, or trying a different approach, focusing on addressing what is most significant for a specific purpose and audience.

F. Use technology, including the Internet, to produce, publish, and update individual or shared writing products, taking advantage of technology's capacity to link to other information and to display information flexibly and dynamically.

G. Conduct short as well as more sustained research projects to answer a question (including a self-generated question) or solve a problem; narrow or broaden the inquiry when appropriate; synthesize multiple sources on the subject, demonstrating understanding of the subject under investigation.

H. Gather relevant information from multiple authoritative sources, using advanced searches effectively; assess the strengths and limitations of each source in terms of the task, purpose, and audience; integrate information into the text selectively to maintain the flow of ideas, avoiding plagiarism and overreliance on any one source and following a standard format for citation.

I. Draw relevant evidence from grade-appropriate literary or informational texts to support analysis, reflection, and research.

1. Apply grades 9-10 reading standards to literature (e.g., "Analyze how an author draws on and transforms source material in a specific work [e.g., how Shakespeare treats a theme or topic from Ovid or the Bible or how a later author draws on a play by Shakespeare]").

2. Apply grades 9-10 reading standards to literary nonfiction (e.g., "Delineate and evaluate the argument and specific claims in a text, assessing whether the reasoning is valid and the evidence is relevant and sufficient; identify false statements and fallacious reasoning").

J. Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of tasks, purposes, and audiences.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1038 (July 2016).

§2107. Speaking and Listening

A. Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grades 9-10 topics, texts, and issues, building on others' ideas and expressing their own clearly and persuasively.

1. Come to discussions prepared, having read and researched material under study; explicitly draw on that preparation by referring to evidence from texts and other research on the topic or issue to stimulate a thoughtful, well-reasoned exchange of ideas.

2. Work with peers to set rules for collegial discussions and decision-making (e.g., informal consensus, taking votes on key issues, presentation of alternate views), clear goals and deadlines, and individual roles as needed.

3. Propel conversations by posing and responding to questions that relate the current discussion to broader themes or larger ideas; actively incorporate others into the discussion; and clarify, verify, or challenge ideas and conclusions.

4. Respond thoughtfully to diverse perspectives, summarize points of agreement and disagreement, and, when warranted, qualify or justify their own views and understanding and make new connections in light of the evidence and reasoning presented.

B.Integrate multiple sources of information presented in diverse media or formats (e.g., visually, quantitatively, orally) evaluating the credibility and accuracy of each source.

C.Evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric, identifying any fallacious reasoning or exaggerated or distorted evidence.

D. Present information, findings, and supporting evidence clearly, concisely, and logically such that listeners can follow the line of reasoning, and the organization, development, substance, and style are appropriate to purpose, audience, and task.

E.Make strategic use of digital media (e.g., textual, graphical, audio, visual, and interactive elements) in presentations to enhance understanding of findings, reasoning, and evidence and to add interest.

F. Adapt speech to a variety of contexts, audiences, and tasks, demonstrating command of formal English when indicated or appropriate.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1039 (July 2016).

§2109. Language

A. Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.

1. Use parallel structure.

2. Use various types of phrases (noun, verb, adjectival, adverbial, participial, prepositional, absolute) and clauses (independent, dependent; noun, relative, adverbial) to convey specific meanings and add variety and interest to writing or presentations.

B.Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.

1. Use a semicolon (and perhaps a conjunctive adverb) to link two or more closely related independent clauses.

2. Use a colon to introduce a list or quotation.

3. Spell correctly.

C.Apply knowledge of language to understand how language functions in different contexts, to make effective choices for meaning or style, and to comprehend more fully when reading or listening.

1. Write and edit work so that it conforms to the guidelines in a style manual (e.g., *MLA Handbook*, *Publication Manual of the American Psychological Association* (APA), Turabian's *A Manual for Writers*) appropriate for the discipline and writing type.

D. Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grades 9-10 reading and content, choosing flexibly from a range of strategies.

1. Use context (e.g., the overall meaning of a sentence, paragraph, or text; a word's position or function in a sentence) as a clue to the meaning of a word or phrase.

2. Identify and correctly use patterns of word changes that indicate different meanings or parts of speech (e.g., analyze, analysis, analytical; advocate, advocacy).

3. Consult general and specialized reference materials (e.g., dictionaries, glossaries, thesauruses), both print and digital, to find the pronunciation of a word or determine or clarify its precise meaning, its part of speech, or its etymology.

4. Verify the preliminary determination of the meaning of a word or phrase (e.g., by checking the inferred meaning in context or in a dictionary).

E.Demonstrate understanding of figurative language, word relationships, and nuances in word meanings.

1. Interpret figures of speech (e.g., euphemism, oxymoron) in context and analyze their role in the text.

2. Analyze nuances in the meaning of words with similar denotations.

F. Acquire and use accurately general academic and domain-specific words and phrases, sufficient for reading, writing, speaking, and listening at the college- and career-readiness (CCR) level; demonstrate independence in gathering vocabulary knowledge when considering a word or phrase important to comprehension or expression.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1040 (July 2016).

Chapter 23. Grades 11 and 12

§2301. Reading Literature

A. Cite strong, thorough, and relevant textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text, including determining where the text leaves matters uncertain.

B.Determine two or more themes or central ideas of a text and analyze their development over the course of the text, including how they interact and build on one another to produce a complex account; provide an objective summary of the text.

C.Analyze the impact of the author's choices regarding how to develop and relate elements of a story or drama, including how the author develops characters and setting, builds the plot and subplots, creates themes, and develops mood/atmosphere.

D. Determine the meaning of words and phrases as they are used in the text, including figurative and connotative meanings; analyze the impact of specific word choices on meaning and tone, including words with multiple meanings or language that could be considered particularly fresh, engaging, or beautiful.

E.Analyze how an author's choices concerning how to structure specific parts of a text (e.g., the choice of where to begin or end a story, the choice to provide a comedic or tragic resolution) contribute to its overall structure and meaning as well as its aesthetic impact.

F. Analyze a case in which grasping point of view requires distinguishing what is directly stated in a text from what is really meant (e.g., satire, sarcasm, irony, or understatement).

G.Analyze multiple interpretations of a story, drama, or poem (e.g., recorded or live production of a play or recorded novel or poetry), evaluating how each version interprets the source text.

H. Demonstrate knowledge of foundational works of U.S. and world literature, including how two or more texts from the same period treat similar themes or topics.

I. By the end of grade 11, read and comprehend literature, including stories, dramas, and poems, in the grades 11-CCR text complexity band proficiently, with scaffolding as needed at the high end of the range.

J. By the end of grade 12, read and comprehend literature, including stories, dramas, and poems, at the high end of the grades 11-CCR text complexity band independently and proficiently.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1040 (July 2016).

§2303. Reading Informational Text

A. Cite strong, thorough, and relevant textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text, including determining where the text leaves matters uncertain.

B. Determine two or more central ideas of a text and analyze their development over the course of the text, including how they interact and build on one another to provide a complex analysis; provide an objective summary of the text.

C. Analyze a complex set of ideas or sequence of events and explain how specific individuals, ideas, or events interact and develop over the course of the text.

D. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text (e.g., how Madison defines faction in "Federalist No. 10").

E. Analyze and evaluate the effectiveness of the structure an author uses in his or her exposition or argument, including whether the structure makes points clear, convincing, and engaging.

F. Determine an author's point of view or purpose in a text in which the rhetoric is considered particularly effective, analyzing how style and content contribute to the student interpretation of power, persuasiveness, or beauty of the text.

G. Integrate and evaluate multiple sources of information presented in different media or formats (e.g., visually, quantitatively) as well as in words in order to address a question or solve a problem.

H. Delineate and evaluate the reasoning in seminal U.S. texts, including the application of constitutional principles and use of legal reasoning (e.g., in U.S. Supreme Court majority opinions and dissents) and the premises, purposes, and arguments in works of public advocacy (e.g., *The Federalist*, presidential addresses).

I. Analyze foundational U.S. and world documents of historical and literary significance for their themes, purposes, and rhetorical features.

J. By the end of grade 11, read and comprehend literary nonfiction in the grades 11-CCR text complexity band proficiently, with scaffolding as needed at the high end of the range.

K. By the end of grade 12, read and comprehend literary nonfiction at the high end of the grades 11-CCR text complexity band independently and proficiently.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1041 (July 2016).

§2305. Writing Standards

A. Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.

1. Introduce precise, knowledgeable claim(s), establish the significance of the claim(s), distinguish the claim(s) from alternate or opposing claims, and create an organization that logically sequences claim(s), counterclaims, reasons, and evidence.

2. Develop claim(s) and counterclaims fairly and thoroughly, supplying the most relevant evidence for each while pointing out the strengths and limitations of both in a manner that anticipates the audience's knowledge level, concerns, values, and possible biases.

3. Use words, phrases, and clauses as well as varied syntax to link the major sections of the text, create cohesion, and clarify the relationships between claim(s) and reasons, between reasons and evidence, and between claim(s) and counterclaims.

4. Establish and maintain a formal style and objective tone while attending to the norms and conventions of the discipline in which they are writing.

5. Provide a concluding statement or section that follows from and supports the argument presented.

B. Write informative/explanatory texts to examine and convey complex ideas, concepts, and information clearly and accurately through the effective selection, organization, and analysis of content.

1. Introduce a topic; organize complex ideas, concepts, and information so that each new element builds on that which precedes it to create a unified whole; include formatting (e.g., headings), graphics (e.g., figures, tables), and multimedia when useful to aiding comprehension.

2. Develop the topic thoroughly by selecting the most significant and relevant facts, extended definitions, concrete details, quotations, or other information and examples appropriate to the audience's knowledge of the topic.

3. Use appropriate and varied transitions and syntax to link the major sections of the text, create cohesion, and clarify the relationships among complex ideas and concepts.

4. Use precise language, domain-specific vocabulary, and techniques such as metaphor, simile, and analogy to manage the complexity of the topic.

5. Establish and maintain a formal style and objective tone while attending to the norms and conventions of the discipline in which they are writing.

6. Provide a concluding statement or section that follows from and supports the information or explanation presented (e.g., articulating implications or the significance of the topic).

C. Write narratives to develop real or imagined experiences or events using effective technique, well-chosen details, and well-structured event sequences.

1. Engage and orient the reader by setting out a problem, situation, or observation and its significance, establishing one or multiple point(s) of view, and introducing a narrator and/or characters; create a smooth progression of experiences or events.

2. Use narrative techniques, such as dialogue, pacing, description, reflection, and multiple plot lines, to develop experiences, mood, tone, events, and/or characters.

3. Use a variety of techniques to sequence events so that they build on one another to create a coherent whole and build toward a particular tone and outcome (e.g., a sense of mystery, suspense, growth, or resolution).

4. Use precise words and phrases, telling details, and figurative and sensory language to convey a vivid picture of

the experiences, events, setting, mood, tone and/or characters.

5. Provide a conclusion (when appropriate to the genre) that follows from and reflects on what is experienced, observed, or resolved over the course of the narrative.

D. Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

E. Develop and strengthen writing as needed by planning, revising, editing, rewriting, or trying a new approach, focusing on addressing what is most significant for a specific purpose and audience.

F. Use technology, including the Internet, to produce, publish, and update individual or shared writing products in response to ongoing feedback, including new arguments or information.

G. Conduct short as well as more sustained research projects to answer a question (including a self-generated question) or solve a problem; narrow or broaden the inquiry when appropriate; synthesize multiple sources on the subject, demonstrating understanding of the subject under investigation.

H. Gather relevant information from multiple authoritative sources, using advanced searches effectively; assess the strengths and limitations of each source in terms of the task, purpose, and audience; integrate information into the text selectively to maintain the flow of ideas, avoiding plagiarism and overreliance on any one source and following a standard format for citation (e.g., MLA, APA).

I. Draw relevant evidence from grade-appropriate literary or informational texts to support analysis, reflection, and research.

1. Apply grades 11-12 reading standards to literature (e.g., "Demonstrate knowledge of foundational works of literature, including how two or more texts from the same period treat similar themes or topics").

2. Apply grades 11-12 reading standards to literary nonfiction (e.g., "Delineate and evaluate the reasoning in seminal U.S. and world texts, including the application of constitutional principles and use of legal reasoning and the premises, purposes, and arguments in works of public advocacy").

J. Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of tasks, purposes, and audiences.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1041 (July 2016).

§2307. Speaking and Listening

A. Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grades 11-12 topics, texts, and issues, building on others' ideas and expressing their own clearly and persuasively.

1. Come to discussions prepared, having read and researched material under study; explicitly draw on that preparation by referring to evidence from texts and other research on the topic or issue to stimulate a thoughtful, well-reasoned exchange of ideas.

2. Work with peers to promote civil, democratic discussions and decision-making, set clear goals and deadlines, and establish individual roles as needed.

3. Propel conversations by posing and responding to questions that probe reasoning and evidence; ensure a hearing for a full range of positions on a topic or issue; clarify, verify, or challenge ideas and conclusions; and promote divergent and creative perspectives.

4. Respond thoughtfully to diverse perspectives; synthesize comments, claims, and evidence made on all sides of an issue; resolve contradictions when possible; and determine what additional information or research is required to deepen the investigation or complete the task.

B. Integrate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, orally) in order to make informed decisions and solve problems, evaluating the credibility and accuracy of each source and noting any discrepancies among the data.

C. Evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric, assessing the stance, premises, links among ideas, word choice, points of emphasis, and tone used.

D. Present information, findings, and supporting evidence, while respecting intellectual property; convey a clear and distinct perspective, such that listeners can follow the line of reasoning; address alternative or opposing perspectives; and use organization, development, substance, and style that are appropriate to purpose, audience, and a range of formal and informal tasks.

E. Make strategic use of digital media (e.g., textual, graphical, audio, visual, and interactive elements) in presentations to enhance understanding of findings, reasoning, and evidence and to add interest.

F. Adapt speech to a variety of contexts, audiences, and tasks, demonstrating a command of formal English when indicated or appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1042 (July 2016).

§2309. Language

A. Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.

1. Apply the understanding that usage is a matter of convention, can change over time, and is sometimes contested.

2. Resolve issues of complex or contested usage, consulting references (e.g., Merriam-Webster's Dictionary of English Usage, Garner's Modern American Usage) as needed.

B. Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.

1. Observe hyphenation conventions.

2. Spell correctly.

C. Apply knowledge of language to understand how language functions in different contexts, to make effective choices for meaning or style, and to comprehend more fully when reading or listening.

1. Vary syntax for effect, consulting references (e.g., Tufte's Artful Sentences) for guidance as needed; apply an understanding of syntax to the study of complex texts when reading.

D. Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grades 11-12 reading and content, choosing flexibly from a range of strategies.

1. Use context (e.g., the overall meaning of a sentence, paragraph, or text; a word's position or function in a sentence) as a clue to the meaning of a word or phrase.

2. Identify and correctly use patterns of word changes that indicate different meanings or parts of speech (e.g., conceive, conception, conceivable).

3. Consult general and specialized reference materials (e.g., dictionaries, glossaries, thesauruses), both print and digital, to find the pronunciation of a word or determine or clarify its precise meaning, its part of speech, its etymology, or its standard usage.

4. Verify the preliminary determination of the meaning of a word or phrase (e.g., by checking the inferred meaning in context or in a dictionary).

E. Demonstrate understanding of figurative language, word relationships, and nuances in word meanings.

1. Interpret figures of speech (e.g., hyperbole, paradox) in context and analyze their role in the text.

2. Analyze nuances in the meaning of words with similar denotations.

F. Acquire and use accurately general academic and domain-specific words and phrases, sufficient for reading, writing, speaking, and listening at the college and career readiness level; demonstrate independence in gathering vocabulary knowledge when considering a word or phrase important to comprehension or expression.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17: 24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1042 (July 2016).

Shan N. Davis
Executive Director
1607#019

RULE

Board of Elementary and Secondary Education

Bulletin 142—Louisiana Student Standards for Mathematics
(LAC 28:CLXXI.Chapters 1-25)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has adopted *Bulletin 142—Louisiana Student Standards for Mathematics*. R.S. 17:24.4 requires BESE to develop state content standards for required subjects to be taught in the public elementary and secondary schools of this state. State content standards are statements that define what a student should know or be able to accomplish at the end of a specific time period or grade level or at the completion of a course. Act 329 of the 2015 Regular Session provided for the review and development of state content standards for English language arts (ELA) and mathematics. This bulletin contains the revised Louisiana student standards for mathematics.

Title 28
EDUCATION
Part CLXXI. Bulletin 142—Louisiana Student Standards for Mathematics

Chapter 1. General

§101. Introduction

A. The Louisiana student standards define what a public school student should know or be able to accomplish at the end of a specific time period or grade level or at the completion of a course. They represent the knowledge and skills needed for students to successfully transition from each grade and ultimately to postsecondary education and the workplace, as determined by content experts, elementary and secondary educators and school leaders, postsecondary education leaders, and business and industry leaders. The standards set forth what learning should be taught; local education agencies, their school leaders and classroom educators should determine how the standards should be taught, including the curricula and instructional materials that should be used to meet students' individual needs in mastering the standards.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1043 (July 2016).

Chapter 3. Kindergarten

§301. Counting and Cardinality

A. Count to 100 by ones and by tens.

B. Count forward beginning from a given number within the known sequence (instead of having to begin at 1).

C. Write numbers from 0 to 20. Represent a number of objects with a written numeral 0-20 (with 0 representing a count of no objects).

D. Understand the relationship between numbers and quantities; connect counting to cardinality.

1. When counting objects in standard order, say the number names as they relate to each object in the group, demonstrating one-to-one correspondence.

2. Understand that the last number name said tells the number of objects counted. The number of objects is the same regardless of their arrangement or the order in which they were counted.

3. Understand that each successive number name refers to a quantity that is one larger.

E. Count to answer "How many?" questions.

1. Count objects up to 20, arranged in a line, a rectangular array, or a circle.

2. Count objects up to 10 in a scattered configuration.

3. When given a number from 1-20, count out that many objects.

F. Identify whether the number of objects in one group is greater than, less than, or equal to the number of objects in another group, e.g., by using matching and counting strategies.

G. Compare two numbers between 1 and 10 presented as written numerals.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1043 (July 2016).

§303. Operations and Algebraic Thinking

A. Represent addition and subtraction with objects, fingers, mental images, drawings, sounds (e.g., claps), acting out situations, verbal explanations, expressions, or equations.

B. Solve addition and subtraction word problems, and add and subtract within 10 (e.g., by using objects or drawings to represent the problem).

C. Decompose numbers less than or equal to 10 into pairs in more than one way (e.g., by using objects or drawings), and record each decomposition by a drawing or equation (e.g., 5 = 2 + 3 and 5 = 4 + 1).

D. For any number from 1 to 9, find the number that makes 10 when added to the given number (e.g., by using objects or drawings), and record the answer with a drawing or equation.

E. Fluently add and subtract within 5.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1044 (July 2016).

§305. Number and Operations in Base Ten

A. Gain understanding of place value.

1. Understand that the numbers 11-19 are composed of 10 ones and 1, 2, 3, 4, 5, 6, 7, 8, or 9 ones.

2. Compose and decompose numbers 11 to 19 using place value (e.g., by using objects or drawings).

3. Record each composition or decomposition using a drawing or equation (e.g., 18 is 1 ten and 8 ones, 18 = 1 ten + 8 ones, 18 = 10 + 8).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1044 (July 2016).

§307. Measurement and Data

A. Describe measurable attributes of objects, such as length or weight. Describe several measurable attributes of a single object

B. Directly compare two objects with a measurable attribute in common to see which object has "more of"/"less of" the attribute, and describe the difference.

Example: Directly compare the heights of two children and describe one child as taller/shorter.

C. Classify objects into given categories based on their attributes; count the number of objects in each category; sort categories by quantity.

D. Recognize pennies, nickels, dimes, and quarters by name and value (e.g., This is a nickel and it is worth 5 cents.)

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1044 (July 2016).

§309. Geometry

A. Describe objects in the environment using names of shapes, and describe the relative positions of these objects using terms such as above, below, beside, in front of, behind, and next to.

B. Correctly name shapes regardless of their orientations or overall size.

C. Identify shapes as two-dimensional (lying in a plane, "flat") or three-dimensional ("solid").

D. Analyze and compare two- and three-dimensional shapes, in different sizes and orientations, using informal language to describe their similarities, differences, parts (e.g., number of sides and vertices/"corners"), and other attributes (e.g., having sides of equal length).

E. Model shapes in the world by building shapes from components (e.g., sticks and clay balls) and drawing shapes.

F. Compose simple shapes to form larger shapes.

Example: "Can you join these two triangles with full sides touching to make a rectangle?"

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1044 (July 2016).

Chapter 5. Grade 1

§501. Operations and Algebraic Thinking

A. Use addition and subtraction within 20 to solve word problems involving situations of adding to, taking from, putting together, taking apart, and comparing, with unknowns in all positions (e.g., by using objects, drawings, and equations with a symbol for the unknown number to represent the problem).

B. Solve word problems that call for addition of three whole numbers whose sum is less than or equal to 20, e.g., by using objects, drawings, and equations with a symbol for the unknown number to represent the problem.

C. Apply properties of operations to add and subtract.

Examples: If 8 + 3 = 11 is known, then 3 + 8 = 11 is also known (commutative property of addition). To add 2 + 6 + 4, the second two numbers can be added to make a 10, so 2 + 6 + 4 = 2 + 10 = 12 (associative property of addition).

D. Understand subtraction as an unknown-addend problem.

Example: Subtract 10 - 8 by finding the number that makes 10 when added to 8.

E. Relate counting to addition and subtraction (e.g., by counting on 2 to add 2).

F. Add and subtract within 20, demonstrating fluency for addition and subtraction within 10. Use mental strategies such as counting on; making ten (e.g., 8 + 6 = 8 + 2 + 4 = 10 + 4 = 14); decomposing a number leading to a ten (e.g., 13 - 4 = 13 - 3 - 1 = 10 - 1 = 9); using the relationship between addition and subtraction (e.g., knowing that 8 + 4 = 12, one knows 12 - 8 = 4); and creating equivalent but easier or known sums (e.g., adding 6 + 7 by creating the known equivalent 6 + 6 + 1 = 12 + 1 = 13).

G. Understand the meaning of the equal sign, and determine if equations involving addition and subtraction are true or false.

Example, which of the following equations are true and which are false? 6 = 6, 7 = 8 - 1, 5 + 2 = 2 + 5, 4 + 1 = 5 + 2.

H. Determine the unknown whole number in an addition or subtraction equation relating three whole numbers.

Example: Determine the unknown number that makes the equation true in each of the equations 8 + ? = 11, 5 = □ - 3, 6 + 6 = □)

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1044 (July 2016).

§503. Number and Operations in Base Ten

A. Count to 120, starting at any number less than 120. In this range, read and write numerals and represent a number of objects with a written numeral.

B.Understand that the two digits of a two-digit number represent amounts of tens and ones. Understand the following as special cases.

1. Ten can be thought of as a bundle of 10 ones, called a "ten."

2. The numbers from 11 to 19 are composed of a 10 and 1, 2, 3, 4, 5, 6, 7, 8, or 9 ones.

3. The numbers 10, 20, 30, 40, 50, 60, 70, 80, 90 refer to 1, 2, 3, 4, 5, 6, 7, 8, or 9 tens (and 0 ones).

C.Compare two two-digit numbers based on meanings of the tens and ones digits, recording the results of comparisons with the symbols >, =, and <.

D. Add within 100, including adding a two-digit number and a one-digit number, and adding a two-digit number and a multiple of 10.

1. Use concrete models or drawings and strategies based on place value, properties of operations, and/or the relationship between addition and subtraction; relate the strategy to a number sentence; justify the reasoning used with a written explanation.

2. Understand that in adding two-digit numbers, one adds tens and tens, ones and ones; and sometimes it is necessary to compose a ten.

E.Given a two-digit number, mentally find 10 more or 10 less than the number, without having to count; explain the reasoning used.

F. Subtract multiples of 10 in the range 10-90 from multiples of 10 in the range 10-90 (positive or zero differences), using concrete models or drawings and strategies based on place value, properties of operations, and/or the relationship between addition and subtraction; relate the strategy to a written method and explain the reasoning used.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1044 (July 2016).

§505. Measurement and Data

A. Order three objects by length; compare the lengths of two objects indirectly by using a third object.

B.Express the length of an object as a whole number of length units, by laying multiple copies of a shorter object (the length unit) end to end; understand that the length measurement of an object is the number of same-size length units that span it with no gaps or overlaps. (Limit to contexts where the object being measured is spanned by a whole number of length units with no gaps or overlaps.)

C.Tell and write time in hours and half-hours using analog and digital clocks.

D. Organize, represent, and interpret data with up to three categories; ask and answer questions about the total number of data points, how many in each category, and how many more or less are in one category than in another.

E.Determine the value of a collection of coins up to $0.50 (pennies, nickels, dimes, and quarters in isolation; not to include a combination of different coins).

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1045 (July 2016).

§507. Geometry

A. Distinguish between defining attributes (e.g., triangles are closed and three-sided) versus non-defining attributes (e.g., color, orientation, overall size); build and draw shapes that possess defining attributes.

B.Compose two-dimensional shapes (rectangles, squares, trapezoids, triangles, half-circles, and quarter-circles) and three-dimensional shapes (cubes, right rectangular prisms, right circular cones, and right circular cylinders) to create a composite shape, and compose new shapes from the composite shape.

C.Partition circles and rectangles into two and four equal shares, describe the shares using the words halves, fourths, and quarters, and use the phrases half of, fourth of, and quarter of. Describe the whole as two of or four of the shares. Understand for these examples that decomposing into more equal shares creates smaller shares.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1045 (July 2016).

Chapter 7. Grade 2

§701. Operations and Algebraic Thinking

A. Use addition and subtraction within 100 to solve one- and two-step word problems involving situations of adding to, taking from, putting together, taking apart, and comparing, with unknowns in all positions, e.g., by using drawings and equations with a symbol for the unknown number to represent the problem

B.Fluently add and subtract within 20 using mental strategies. By end of grade 2, know from memory all sums of two one-digit numbers.

C.Determine whether a group of objects (up to 20) has an odd or even number of members, e.g., by pairing objects or counting them by twos; write an equation to express an even number as a sum of two equal addends.

D. Use addition to find the total number of objects arranged in rectangular arrays with up to five rows and up to five columns; write an equation to express the total as a sum of equal addends.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1045 (July 2016).

§703. Numbers and Operations in Base Ten

A. Understand that the three digits of a three-digit number represent amounts of hundreds, tens, and ones; e.g., 706 equals 7 hundreds, 0 tens, and 6 ones. Understand the following as special cases.

1. 100 can be thought of as a bundle of 10 tens, called a "hundred."

2. The numbers 100, 200, 300, 400, 500, 600, 700, 800, 900 refer to 1, 2, 3, 4, 5, 6, 7, 8, or 9 hundreds (and 0 tens and 0 ones).

B.Count within 1000; skip-count by fives, tens, and hundreds.

C.Read and write numbers to 1000 using base-ten numerals, number names, and expanded form.

D. Compare two three-digit numbers based on meanings of the hundreds, tens, and ones digits, using >, =, and < symbols to record the results of comparisons.

E.Fluently add and subtract within 100 using strategies based on place value, properties of operations, and/or the relationship between addition and subtraction.

F. Add up to four two-digit numbers using strategies based on place value and properties of operations.

G. Add and subtract within 1000 using concrete models or drawings and strategies based on place value, properties of operations, and/or the relationship between addition and subtraction; justify the reasoning used with a written explanation. Understand that in adding or subtracting three-digit numbers, one adds or subtracts hundreds and hundreds, tens and tens, ones and ones; and sometimes it is necessary to compose or decompose tens or hundreds.

H. Mentally add 10 or 100 to a given number 100-900, and mentally subtract 10 or 100 from a given number 100-900.

I. Explain why addition and subtraction strategies work, using place value and the properties of operations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1045 (July 2016).

§705. Measurement and Data

A. Measure the length of an object by selecting and using appropriate tools such as rulers, yardsticks, meter sticks, and measuring tapes.

B. Measure the length of an object twice, using length units of different lengths for the two measurements; describe how the two measurements relate to the size of the unit chosen.

C. Estimate lengths using units of inches, feet, centimeters, and meters.

D. Measure to determine how much longer one object is than another, expressing the length difference in terms of a standard length unit.

E. Use addition and subtraction within 100 to solve word problems involving lengths that are given in the same units, e.g., by using drawings (such as drawings of rulers) and equations with a symbol for the unknown number to represent the problem.

F. Represent whole numbers as lengths from 0 on a number line diagram with equally spaced points corresponding to the numbers 0, 1, 2…, and represent whole-number sums and differences within 100 on a number line diagram.

G. Tell and write time from analog and digital clocks to the nearest five minutes, using a.m. and p.m.

H. Solve word problems involving dollar bills, quarters, dimes, nickels, and pennies, using $ and ¢ symbols appropriately.

Example: If you have 2 dimes and 3 pennies, how many cents do you have?

I. Generate measurement data by measuring lengths of several objects to the nearest whole unit, or by making repeated measurements of the same object. Show the measurements by making a line plot, where the horizontal scale is marked off in whole-number units.

J. Draw a picture graph and a bar graph (with single-unit scale) to represent a data set with up to four categories. Solve simple put-together, take-apart, and compare problems using information presented in a bar graph.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1046 (July 2016).

§707. Geometry

A. Recognize and draw shapes having specified attributes, such as a given number of angles or a given number of equal faces. Identify triangles, quadrilaterals, pentagons, hexagons, and cubes.

B. Partition a rectangle into rows and columns of same-size squares, and count to find the total number of them.

C. Partition circles and rectangles into two, three, or four equal shares, describe the shares using the words halves, thirds, half of, a third of, etc., and describe the whole as two halves, three thirds, four fourths. Recognize that equal shares of identical wholes need not have the same shape.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1046 (July 2016).

Chapter 9. Grade 3

§901. Operations and Algebraic Thinking

A. Interpret products of whole numbers, e.g., interpret 5 × 7 as the total number of objects in 5 groups of 7 objects each.

Example: describe a context in which a total number of objects can be expressed as 5 × 7.

B. Interpret whole-number quotients of whole numbers, e.g., interpret 56 ÷ 8 as the number of objects in each share when 56 objects are partitioned equally into 8 shares, or as a number of shares when 56 objects are partitioned into equal shares of 8 objects each.

Example: Describe a context in which a number of shares or a number of groups can be expressed as 56 ÷ 8.

C. Use multiplication and division within 100 to solve word problems in situations involving equal groups, arrays, and measurement quantities, e.g., by using drawings and equations with a symbol for the unknown number to represent the problem.

D. Determine the unknown whole number in a multiplication or division equation relating three whole numbers.

Example: Determine the unknown number that makes the equation true in each of the equations 8 × ? = 48, 5 = □ ÷ 3, 6 × 6 = ?.

E. Apply properties of operations as strategies to multiply and divide.

Examples: If 6 × 4 = 24 is known, then 4 × 6 = 24 is also known (commutative property of multiplication). 3 × 5 × 2 can be found by 3 × 5 = 15, then 15 × 2 = 30, or by 5 × 2 = 10, then 3 × 10 = 30 (associative property of multiplication). Knowing that 8 × 5 = 40 and 8 × 2 = 16, one can find 8 × 7 as 8 × (5 + 2) = (8 × 5) + (8 × 2) = 40 + 16 = 56 (distributive property).

F. Understand division as an unknown-factor problem.

Example: Find 32 ÷ 8 by finding the number that makes 32 when multiplied by 8.

G. Fluently multiply and divide within 100, using strategies such as the relationship between multiplication and division (e.g., knowing that 8 × 5 = 40, one knows 40 ÷ 5 = 8) or properties of operations. By the end of grade 3, know from memory all products of two one-digit numbers.

H. Solve two-step word problems using the four operations. Represent these problems using equations with a letter standing for the unknown quantity. Assess the reasonableness of answers using mental computation and estimation strategies, including rounding.

I. Identify arithmetic patterns (including patterns in the addition table or multiplication table), and explain them using properties of operations.

Example: Observe that 4 times a number is always even, and explain why 4 times a number can be decomposed into two equal addends.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1046 (July 2016).

§903. Number and Operations in Base Ten

A. Use place value understanding to round whole numbers to the nearest 10 or 100.

B. Fluently add and subtract within 1000 using strategies and algorithms based on place value, properties of operations, and/or the relationship between addition and subtraction.

C. Multiply one-digit whole numbers by multiples of 10 in the range 10-90 (e.g., 9 × 80, 5 × 60) using strategies based on place value and properties of operations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1047 (July 2016).

§905. Number and Operations—Fractions

A. Understand a fraction 1/*b*, with denominators 2, 3, 4, 6, and 8, as the quantity formed by 1 part when a whole is partitioned into *b* equal parts; understand a fraction *a/b* as the quantity formed by *a* parts of size 1/*b*.

B. Understand a fraction with denominators 2, 3, 4, 6, and 8 as a number on a number line diagram.

1. Represent a fraction 1/b on a number line diagram by defining the interval from 0 to 1 as the whole and partitioning it into *b* equal parts. Recognize that each part has size 1/*b* and that the endpoint of the part based at 0 locates the number 1/*b* on the number line.

2. Represent a fraction *a/b* on a number line diagram by marking off *a* lengths 1/*b* from 0. Recognize that the resulting interval has size *a/b* and that its endpoint locates the number *a/b* on the number line.

C. Explain equivalence of fractions with denominators 2, 3, 4, 6 and 8 in special cases, and compare fractions by reasoning about their size.

1. Understand two fractions as equivalent (equal) if they are the same size, or the same point on a number line.

2. Recognize and generate simple equivalent fractions, e.g., 1/2 = 2/4, 4/6 = 2/3. Explain why the fractions are equivalent, e.g., by using a visual fraction model.

3. Express whole numbers as fractions, and recognize fractions that are equivalent to whole numbers.

Examples: Express 3 in the form 3 = 3/1; recognize that 6/1 = 6; locate 4/4 and 1 at the same point of a number line diagram.

4. Compare two fractions with the same numerator or the same denominator by reasoning about their size. Recognize that comparisons are valid only when the two fractions refer to the same whole. Record the results of comparisons with the symbols >, =, or <, and justify the conclusions, e.g., by using a visual fraction model.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1047 (July 2016).

§907. Measurement and Data

A. Understand time to the nearest minute.

1. Tell and write time to the nearest minute and measure time intervals in minutes, within 60 minutes, on an analog and digital clock.

2. Calculate elapsed time greater than 60 minutes to the nearest quarter and half hour on a number line diagram.

3. Solve word problems involving addition and subtraction of time intervals in minutes, e.g., by representing the problem on a number line diagram.

B. Measure and estimate liquid volumes and masses of objects using standard units of grams (g), kilograms (kg), and liters (l). Add, subtract, multiply, or divide to solve one-step word problems involving masses or volumes that are given in the same units, e.g., by using drawings (such as a beaker with a measurement scale) to represent the problem

C. Draw a scaled picture graph and a scaled bar graph to represent a data set with several categories. Solve one- and two-step "how many more" and "how many less" problems using information presented in scaled bar graphs.

Example: Draw a bar graph in which each square in the bar graph might represent 5 pets.

D. Generate measurement data by measuring lengths using rulers marked with halves and fourths of an inch. Show the data by making a line plot, where the horizontal scale is marked off in appropriate units: whole numbers, halves, or quarters.

E. Recognize area as an attribute of plane figures and understand concepts of area measurement.

1. A square with side length 1 unit, called "a unit square," is said to have "1 square unit" of area, and can be used to measure area.

2. A plane figure that can be covered without gaps or overlaps by *n* unit squares is said to have an area of *n* square units.

F. Measure areas by counting unit squares (square cm, square m, square in, square ft, and improvised units).

G. Relate area to the operations of multiplication and addition.

1. Find the area of a rectangle with whole-number side lengths by tiling it, and show that the area is the same as would be found by multiplying the side lengths.

2. Multiply side lengths to find areas of rectangles with whole-number side lengths in the context of solving real-world and mathematical problems, and represent whole-number products as rectangular areas in mathematical reasoning.

3. Use tiling to show in a concrete case that the area of a rectangle with whole-number side lengths a and $b + c$ is the sum of $a \times b$ and $a \times c$. Use area models to represent the distributive property in mathematical reasoning.

H. Solve real-world and mathematical problems involving perimeters of polygons, including finding the perimeter given the side lengths, finding an unknown side length, and exhibiting rectangles with the same perimeter and different areas or with the same area and different perimeters.

I. Solve word problems involving pennies, nickels, dimes, quarters, and bills greater than one dollar, using the dollar and cent symbols appropriately.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1047 (July 2016).

§909. Geometry

A. Understand that shapes in different categories (e.g., rhombuses, rectangles, and others) may share attributes (e.g.,

having four sides), and that the shared attributes can define a larger category (e.g., quadrilaterals). Recognize rhombuses, rectangles, and squares as examples of quadrilaterals, and draw examples of quadrilaterals that do not belong to any of these subcategories.

B.Partition shapes into parts with equal areas. Express the area of each part as a unit fraction of the whole.

Example: Partition a shape into 4 parts with equal area, and describe the area of each part as 1/4 of the area of the shape.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1047 (July 2016).

Chapter 11. Grade 4

§1101. Operations and Algebraic Thinking

A. Interpret a multiplication equation as a comparison and represent verbal statements of multiplicative comparisons as multiplication equations, e.g., interpret 35 = 5 × 7 as a statement that 35 is 5 times as many as 7, and 7 times as many as 5.

B.Multiply or divide to solve word problems involving multiplicative comparison, e.g., by using drawings and/or equations with a symbol for the unknown number to represent the problem, distinguishing multiplicative comparison from additive comparison.

Example: 6 times as many vs. 6 more than

C.Solve multistep word problems posed with whole numbers and having whole-number answers using the four operations, including problems in which remainders must be interpreted. Represent these problems using equations with a letter standing for the unknown quantity. Assess the reasonableness of answers using mental computation and estimation strategies including rounding.

Example: Twenty-five people are going to the movies. Four people fit in each car. How many cars are needed to get all 25 people to the theater at the same time?

D. Using Whole Numbers in the Range 1-100

1. Find all factor pairs for a given whole number.

2. Recognize that a given whole number is a multiple of each of its factors.

3. Determine whether a given whole number is a multiple of a given one-digit number.

4. Determine whether a given whole number is prime or composite.

E.Generate a number or shape pattern that follows a given rule. Identify apparent features of the pattern that were not explicit in the rule itself.

Example: Given the rule "Add 3" and the starting number 1, generate terms in the resulting sequence and observe that the terms appear to alternate between odd and even numbers. Explain informally why the numbers will continue to alternate in this way.)

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1048 (July 2016).

§1103. Number and Operations in Base Ten

A. Recognize that in a multi-digit whole number less than or equal to 1,000,000, a digit in one place represents 10 times what it represents in the place to its right.

Examples: Recognize that 700 ÷ 70 = 10; in the number 7,246, the 2 represents 200, but in the number 7,426 the 2 represents 20, recognizing that 200 is 10 times as large as 20, by applying concepts of place value and division.

B.Read and write multi-digit whole numbers less than or equal to 1,000,000 using base-ten numerals, number names, and expanded form. Compare two multi-digit numbers less than 1,000,000 based on meanings of the digits in each place, using >, =, and < symbols to record the results of comparisons.

C.Use place value understanding to round multi-digit whole numbers, less than or equal to 1,000,000, to any place.

D. Fluently add and subtract multi-digit whole numbers with sums less than or equal to 1,000,000, using the standard algorithm.

E.Multiply a whole number of up to four digits by a one-digit whole number, and multiply two two-digit numbers. Illustrate and explain the calculation by using equations, rectangular arrays, and/or area models.

F. Find whole-number quotients and remainders with up to four-digit dividends and one-digit divisors, using strategies based on place value, the properties of operations, and/or the relationship between multiplication and division. Illustrate and explain the calculation by using equations, rectangular arrays, and/or area models.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1048 (July 2016).

§1105. Number and Operations—Fractions

A. Explain why a fraction a/b is equivalent to a fraction $(n \times a)/(n \times b)$ by using visual fraction models, with attention to how the number and size of the parts differ even though the two fractions themselves are the same size. Use this principle to recognize and generate equivalent fractions. (Denominators are limited to 2, 3, 4, 5, 6, 8, 10, 12, and 100.)

B.Compare two fractions with different numerators and different denominators, e.g., by creating common denominators or numerators, or by comparing to a benchmark fraction such as 1/2. Recognize that comparisons are valid only when the two fractions refer to the same whole. Record the results of comparisons with symbols >, =, or <, and justify the conclusions, e.g., by using a visual fraction model. (Denominators are limited to 2, 3, 4, 5, 6, 8, 10, 12, and 100.)

C.Understand a fraction a/b with $a > 1$ as a sum of fractions $1/b$. (Denominators are limited to 2, 3, 4, 5, 6, 8, 10, 12, and 100.)

1. Understand addition and subtraction of fractions as joining and separating parts referring to the same whole.

Example: 3/4 = 1/4 + 1/4 + 1/4

2. Decompose a fraction into a sum of fractions with the same denominator in more than one way, recording each decomposition by an equation. Justify decompositions, e.g., by using a visual fraction model.

Examples: 3/8 = 1/8 + 1/8 + 1/8; 3/8 = 1/8 + 2/8; 2 1/8 = 1 + 1 + 1/8 = 8/8 + 8/8 + 1/8.

3. Add and subtract mixed numbers with like denominators, e.g., by replacing each mixed number with an equivalent fraction, and/or by using properties of operations and the relationship between addition and subtraction.

4. Solve word problems involving addition and subtraction of fractions referring to the same whole and having like denominators, e.g., by using visual fraction models and equations to represent the problem.

D. Multiply a fraction by a whole number. (Denominators are limited to 2, 3, 4, 5, 6, 8, 10, 12, and 100.)

1. Understand a fraction *a/b* as a multiple of *1/b*.

Example: Use a visual fraction model to represent 5/4 as the product 5 × (1/4), recording the conclusion by the equation 5/4 = 5 × (1/4).)

2. Understand a multiple of *a/b* as a multiple of 1/*b*, and use this understanding to multiply a fraction by a whole number.

Example: Use a visual fraction model to express 3 × (2/5) as 6 × (1/5), recognizing this product as 6/5. (In general, $n \times (a/b) = (n \times a)/b$.)

3. Solve word problems involving multiplication of a fraction by a whole number, e.g., by using visual fraction models and equations to represent the problem.

Example: If each person at a party will eat 3/8 of a pound of roast beef, and there will be 5 people at the party, how many pounds of roast beef will be needed? Between what two whole numbers does your answer lie?

E. Express a fraction with denominator 10 as an equivalent fraction with denominator 100, and use this technique to add two fractions with respective denominators 10 and 100.

Example: Express 3/10 as 30/100, and add 3/10 + 4/100 = 34/100.

F. Use decimal notation for fractions with denominators 10 or 100.

Example: Rewrite 0.62 as 62/100; describe a length as 0.62 meters; locate 0.62 on a number line diagram; represent 62/100 of a dollar as $0.62.

G. Compare two decimals to hundredths by reasoning about their size. Recognize that comparisons are valid only when the two decimals refer to the same whole. Record the results of comparisons with the symbols >, =, or <, and justify the conclusions, e.g., by using a visual model.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1048 (July 2016).

§1107. Measurement and Data

A. Know relative sizes of measurement units within one system of units, including: ft, in; km, m, cm; kg, g; lb, oz.; l, ml; hr, min, sec. Within a single system of measurement, express measurements in a larger unit in terms of a smaller unit. (Conversions are limited to one-step conversions.)

Example: Know that 1 ft is 12 times as long as 1 in. Express the length of a 4 ft snake as 48 in. Generate a conversion table for feet and inches listing the number pairs (1, 12), (2, 24), (3, 36), …

B. Use the four operations to solve word problems involving distances, intervals of time, liquid volumes, masses of objects, and money, including problems involving whole numbers and/or simple fractions (addition and subtraction of fractions with like denominators and multiplying a fraction times a fraction or a whole number), and problems that require expressing measurements given in a larger unit in terms of a smaller unit. Represent measurement quantities using diagrams such as number line diagrams that feature a measurement scale.

C. Apply the area and perimeter formulas for rectangles in real-world and mathematical problems.

Example: Find the width of a rectangular room given the area of the flooring and the length, by viewing the area formula as a multiplication equation with an unknown factor.

D. Make a line plot to display a data set of measurements in fractions of a unit (1/2, 1/4, 1/8). Solve problems involving addition and subtraction of fractions by using information presented in line plots.

Example: From a line plot find and interpret the difference in length between the longest and shortest specimens in an insect collection.

E. Recognize angles as geometric shapes that are formed wherever two rays share a common endpoint, and understand concepts of angle measurement.

1. An angle is measured with reference to a circle with its center at the common endpoint of the rays, by considering the fraction of the circular arc between the points where two rays intersect the circle.

2. An angle that turns through 1/360 of a circle is called a "one-degree angle," and can be used to measure angles.

3. An angle that turns through *n* one-degree angles is said to have an angle measure of *n* degrees.

F. Measure angles in whole-number degrees using a protractor. Sketch angles of specified measure.

G. Recognize angle measure as additive. When an angle is decomposed into non-overlapping parts, the angle measure of the whole is the sum of the angle measures of the parts. Solve addition and subtraction problems to find unknown angles on a diagram in real-world and mathematical problems, e.g., by using an equation with a letter for the unknown angle measure.

H. Recognize area as additive. Find areas of rectilinear figures by decomposing them into non-overlapping rectangles and adding the areas of the non-overlapping parts, applying this technique to solve real-world problems.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1049 (July 2016).

§1109. Geometry

A. Draw points, lines, line segments, rays, angles (right, acute, obtuse), and perpendicular and parallel lines. Identify these in two-dimensional figures.

B. Classify two-dimensional figures based on the presence or absence of parallel or perpendicular lines, or the presence or absence of angles of a specified size. Recognize right triangles as a category, and identify right triangles.

C. Recognize a line of symmetry for a two-dimensional figure as a line across the figure such that the figure can be folded along the line into matching parts. Identify line-symmetric figures and draw lines of symmetry.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1049 (July 2016).

Chapter 13. Grade 5

§1301. Operations and Algebraic Thinking

A. Use parentheses or brackets in numerical expressions, and evaluate expressions with these symbols.

B. Write simple expressions that record calculations with whole numbers, fractions, and decimals, and interpret numerical expressions without evaluating them.

Example: Express the calculation "add 8 and 7, then multiply by 2" as 2 × (8 + 7). Recognize that 3 × (18,932 + 9.21) is three times as large as 18,932 + 9.21, without having to calculate the indicated sum or product.

C. Generate two numerical patterns using two given rules. Identify apparent relationships between corresponding

terms. Form ordered pairs consisting of corresponding terms from the two patterns, and graph the ordered pairs on a coordinate plane.

Example: Given the rule "Add 3" and the starting number 0, and given the rule "Add 6" and the starting number 0, generate terms in the resulting sequences, and observe that the terms in one sequence are twice the corresponding terms in the other sequence. Explain informally why this is so.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1049 (July 2016).

§1303. Number and Operations in Base Ten

A. Recognize that in a multi-digit number, a digit in one place represents 10 times as much as it represents in the place to its right and 1/10 of what it represents in the place to its left.

B.Explain and apply patterns in the number of zeros of the product when multiplying a number by powers of 10. Explain and apply patterns in the values of the digits in the product or the quotient, when a decimal is multiplied or divided by a power of 10. Use whole-number exponents to denote powers of 10.

Example: 100 = 1, 101 = 10 ... and 2.1 x 102 = 210.

C.Read, write, and compare decimals to thousandths.

1. Read and write decimals to thousandths using base-ten numerals, number names, and expanded form, e.g., 347.392 = 3 × 100 + 4 × 10 + 7 × 1 + 3 × (1/10) + 9 × (1/100) + 2 × (1/1000).

2. Compare two decimals to thousandths based on meanings of the digits in each place, using >, =, and < symbols to record the results of comparisons.

D. Use place value understanding to round decimals to any place.

E.Fluently multiply multi-digit whole numbers using the standard algorithm.

F. Find whole-number quotients of whole numbers with up to four-digit dividends and two-digit divisors, using strategies based on place value, the properties of operations, subtracting multiples of the divisor, and/or the relationship between multiplication and division. Illustrate and/or explain the calculation by using equations, rectangular arrays, area models, or other strategies based on place value.

G.Add, subtract, multiply, and divide decimals to hundredths, using concrete models or drawings and strategies based on place value, properties of operations, and/or the relationship between addition and subtraction; justify the reasoning used with a written explanation.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1050 (July 2016).

§1305. Number and Operations—Fractions

A. Add and subtract fractions with unlike denominators (including mixed numbers) by replacing given fractions with equivalent fractions in such a way as to produce an equivalent sum or difference of fractions with like denominators.

Example: 2/3 + 5/4 = 8/12 + 15/12 = 23/12. In general, $a/b + c/d = (ad + bc)/bd$.

B.Solve word problems involving addition and subtraction of fractions.

1. Solve word problems involving addition and subtraction of fractions referring to the same whole, including cases of unlike denominators, e.g., by using visual fraction models or equations to represent the problem.

2. Use benchmark fractions and number sense of fractions to estimate mentally and justify the reasonableness of answers.

Example: Recognize an incorrect result 2/5 + 1/2 = 3/7, by observing that 3/7 < 1/2.

C.Interpret a fraction as division of the numerator by the denominator ($a/b = a \div b$). Solve word problems involving division of whole numbers leading to answers in the form of fractions or mixed numbers, e.g., by using visual fraction models or equations to represent the problem.

Example: Interpret 3/4 as the result of dividing 3 by 4, noting that 3/4 multiplied by 4 equals 3, and that when 3 wholes are shared equally among 4 people each person has a share of size 3/4. If 9 people want to share a 50-pound sack of rice equally by weight, how many pounds of rice should each person get? Between what two whole numbers does your answer lie?

D. Apply and extend previous understandings of multiplication to multiply a fraction or whole number by a fraction.

1. Interpret the product $(m/n) \times q$ as m parts of a partition of q into n equal parts; equivalently, as the result of a sequence of operations, $m \times q \div n$.

Example: Use a visual fraction model to show understanding, and create a story context for $(m/n) \times q$.

2. Construct a model to develop understanding of the concept of multiplying two fractions and create a story context for the equation. (In general, $(m/n) \times (c/d) = (mc)/(nd)$)

3. Find the area of a rectangle with fractional side lengths by tiling it with unit squares of the appropriate unit fraction side lengths, and show that the area is the same as would be found by multiplying the side lengths.

4. Multiply fractional side lengths to find areas of rectangles, and represent fraction products as rectangular areas.

E.Interpret multiplication as scaling (resizing), by:

1. comparing the size of a product to the size of one factor on the basis of the size of the other factor, without performing the indicated multiplication;

2. explaining why multiplying a given number by a fraction greater than 1 results in a product greater than the given number (recognizing multiplication by whole numbers greater than 1 as a familiar case);

3. explaining why multiplying a given number by a fraction less than 1 results in a product smaller than the given number; and

4. relating the principle of fraction equivalence $a/b = (n \times a)/(n \times b)$ to the effect of multiplying a/b by 1.

F. Solve real-world problems involving multiplication of fractions and mixed numbers, e.g., by using visual fraction models or equations to represent the problem.

G.Apply and extend previous understandings of division to divide unit fractions by whole numbers and whole numbers by unit fractions.

1. Interpret division of a unit fraction by a non-zero whole number, and compute such quotients.

Example: Create a story context for (1/3) ÷ 4, and use a visual fraction model to show the quotient. Use the relationship between multiplication and division to explain that (1/3) ÷ 4 = 1/12 because (1/12) × 4 = 1/3.

2. Interpret division of a whole number by a unit fraction, and compute such quotients.

Example: Create a story context for 4 ÷ (1/5), and use a visual fraction model to show the quotient. Use the relationship between multiplication and division to explain that 4 ÷ (1/5) = 20 because 20 × (1/5) = 4.

3. Solve real-world problems involving division of unit fractions by non-zero whole numbers and division of whole numbers by unit fractions, e.g., by using visual fraction models and equations to represent the problem.

Example: How much chocolate will each person get if 3 people share 1/2 lb of chocolate equally? How many 1/3-cup servings are in 2 cups of raisins?)

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1050 (July 2016).

§1307. Measurement and Data

A. Convert among different-sized standard measurement units within a given measurement system, and use these conversions in solving multi-step, real-world problems (e.g., convert 5 cm to 0.05 m; 9 ft to 108 in).

B.Make a line plot to display a data set of measurements in fractions of a unit (1/2, 1/4, 1/8). Use operations on fractions for this grade to solve problems involving information presented in line plots.

Example: Given different measurements of liquid in identical beakers, find the amount of liquid each beaker would contain if the total amount in all the beakers were redistributed equally.

C.Recognize volume as an attribute of solid figures and understand concepts of volume measurement.

1. A cube with side length 1 unit, called a "unit cube," is said to have "one cubic unit" of volume, and can be used to measure volume.

2. A solid figure which can be packed without gaps or overlaps using n unit cubes is said to have a volume of n cubic units.

D. Measure volumes by counting unit cubes, using cubic cm, cubic in, cubic ft, and improvised units.

E.Relate volume to the operations of multiplication and addition and solve real world and mathematical problems involving volume.

1. Find the volume of a right rectangular prism with whole-number side lengths by packing it with unit cubes, and show that the volume is the same as would be found by multiplying the edge lengths, equivalently by multiplying the height by the area of the base. Represent threefold whole-number products as volumes, e.g., to represent the associative property of multiplication.

2. Apply the formulas $V = l \times w \times h$ and $V = b \times h$ for rectangular prisms to find volumes of right rectangular prisms with whole-number edge lengths in the context of solving real world and mathematical problems.

3. Recognize volume as additive. Find volumes of solid figures composed of two non-overlapping right rectangular prisms by adding the volumes of the non-overlapping parts, applying this technique to solve real-world problems.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1051 (July 2016).

§1309. Geometry

A. Use a pair of perpendicular number lines, called axes, to define a coordinate system, with the intersection of the lines (the origin) arranged to coincide with the 0 on each line and a given point in the plane located by using an ordered pair of numbers, called its coordinates. Understand that the first number in the ordered pair indicates how far to travel from the origin in the direction of one axis, and the second number in the ordered pair indicates how far to travel in the direction of the second axis, with the convention that the names of the two axes and the coordinates correspond (e.g., x-axis and x-coordinate, y-axis and y-coordinate).

B.Represent real world and mathematical problems by graphing points in the first quadrant of the coordinate plane, and interpret coordinate values of points in the context of the situation.

C.Understand that attributes belonging to a category of two-dimensional figures also belong to all subcategories of that category.

Example: All rectangles have four right angles and squares are rectangles, so all squares have four right angles.

D. Classify two-dimensional figures in a hierarchy based on properties. (Students will define a trapezoid as a quadrilateral with at least one pair of parallel sides.)

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1051 (July 2016).

Chapter 15. Grade 6

§1501. Ratios and Proportional Relationships

A. Understand the concept of a ratio and use ratio language to describe a ratio relationship between two quantities.

Example: "The ratio of wings to beaks in the bird house at the zoo was 2:1, because for every 2 wings there was 1 beak." "For every vote candidate A received, candidate C received nearly three votes."

B.Understand the concept of a unit rate a/b associated with a ratio $a:b$ with $b \neq 0$, and use rate language in the context of a ratio relationship.

Example: This recipe has a ratio of 3 cups of flour to 4 cups of sugar, so there is 3/4 cup of flour for each cup of sugar." "We paid $75 for 15 hamburgers, which is a rate of $5 per hamburger.

C.Use ratio and rate reasoning to solve real-world and mathematical problems, e.g., by reasoning about tables of equivalent ratios, tape diagrams, double number line diagrams, or equations.

1. Make tables of equivalent ratios relating quantities with whole-number measurements, find missing values in the tables, and plot the pairs of values on the coordinate plane. Use tables to compare ratios.

2. Solve unit rate problems including those involving unit pricing and constant speed.

Example: If it took 7 hours to mow 4 lawns, then at that rate, how many lawns could be mowed in 35 hours? At what unit rate were lawns being mowed?

3. Find a percent of a quantity as a rate per 100 (e.g., 30 percent of a quantity means 30/100 times the quantity);

solve problems involving finding the whole, given a part and the percent.

4. Use ratio reasoning to convert measurement units; manipulate and transform units appropriately when multiplying or dividing quantities.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1051 (July 2016).

§1503. The Number System

A. Interpret and compute quotients of fractions, and solve word problems involving division of fractions by fractions, e.g., by using visual fraction models and equations to represent the problem.

Example: Create a story context for (2/3) ÷ (3/4) and use a visual fraction model to show the quotient; use the relationship between multiplication and division to explain that (2/3) ÷ (3/4) = 8/9 because 3/4 of 8/9 is 2/3. (In general, $(a/b) \div (c/d) = ad/bc$.) How much chocolate will each person get if 3 people share 1/2 lb of chocolate equally? How many 3/4-cup servings are in 2/3 of a cup of yogurt? How wide is a rectangular strip of land with length 3/4 mi and area 1/2 square mi?)

B.Fluently divide multi-digit numbers using the standard algorithm.

C.Fluently add, subtract, multiply, and divide multi-digit decimals using the standard algorithm for each operation.

D. Find the greatest common factor of two whole numbers less than or equal to 100 and the least common multiple of two whole numbers less than or equal to 12. Use the distributive property to express a sum of two whole numbers 1-100 with a common factor as a multiple of a sum of two whole numbers with no common factor.

Example: Express 36 + 8 as 4 (9 + 2)

E.Understand that positive and negative numbers are used together to describe quantities having opposite directions or values (e.g., temperature above/below zero, elevation above/below sea level, credits/debits, positive/negative electric charge); use positive and negative numbers to represent quantities in real-world contexts, explaining the meaning of zero in each situation.

F. Understand a rational number as a point on the number line. Extend number line diagrams and coordinate axes familiar from previous grades to represent points on the line and in the plane with negative number coordinates.

1. Recognize opposite signs of numbers as indicating locations on opposite sides of 0 on the number line; recognize that the opposite of the opposite of a number is the number itself, e.g., -(-3) = 3, and that 0 is its own opposite.

2. Understand signs of numbers in ordered pairs as indicating locations in quadrants of the coordinate plane; recognize that when two ordered pairs differ only by signs, the locations of the points are related by reflections across one or both axes.

3. Find and position integers and other rational numbers on a horizontal or vertical number line diagram; find and position pairs of integers and other rational numbers on a coordinate plane.

G.Understand ordering and absolute value of rational numbers.

1. Interpret statements of inequality as statements about the relative position of two numbers on a number line diagram.

Example: Interpret -3 > -7 as a statement that -3 is located to the right of -7 on a number line oriented from left to right.

2. Write, interpret, and explain statements of order for rational numbers in real-world contexts.

Example: Write -3 °C > -7 °C to express the fact that -3 °C is warmer than -7 °C.)

3. Understand the absolute value of a rational number as its distance from 0 on the number line; interpret absolute value as magnitude for a positive or negative quantity in a real-world situation.

Example: For an account balance of -30 dollars, write |-30| = 30 to describe the size of the debt in dollars.

4. Distinguish comparisons of absolute value from statements about order.

Example: Recognize that an account balance less than -30 dollars represents a debt greater than 30 dollars.

H. Solve real-world and mathematical problems by graphing points in all four quadrants of the coordinate plane. Include use of coordinates and absolute value to find distances between points with the same first coordinate or the same second coordinate.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1052 (July 2016).

§1505. Expressions and Equations

A. Write and evaluate numerical expressions involving whole-number exponents.

B.Write, read, and evaluate expressions in which letters stand for numbers.

1. Write expressions that record operations with numbers and with letters standing for numbers.

Example: Express the calculation "Subtract y from 5" as $5 - y$.

2. Identify parts of an expression using mathematical terms (sum, term, product, factor, quotient, coefficient); view one or more parts of an expression as a single entity.

Example: Describe the expression 2 (8 + 7) as a product of two factors; view (8 + 7) as both a single entity and a sum of two terms.

3. Evaluate expressions at specific values of their variables. Include expressions that arise from formulas used in real-world problems. Perform arithmetic operations, including those involving whole-number exponents, in the conventional order when there are no parentheses to specify a particular order (order of operations).

Example: Use the formulas $V = s3$ and $A = 6\ s2$ to find the volume and surface area of a cube with sides of length $s = 1/2$.

C.Apply the properties of operations to generate equivalent expressions.

Example: Apply the distributive property to the expression $3\ (2 + x)$ to produce the equivalent expression $6 + 3x$; apply the distributive property to the expression $24x + 18y$ to produce the equivalent expression $6\ (4x + 3y)$; apply properties of operations to $y + y + y$ to produce the equivalent expression $3y$.

D. Identify when two expressions are equivalent (i.e., when the two expressions name the same number regardless of which value is substituted into them).

Example: The expressions $y + y + y$ and $3y$ are equivalent because they name the same number regardless of which number y stands for.

E.Understand solving an equation or inequality as a process of answering a question: which values from a specified set, if any, make the equation or inequality true?

Use substitution to determine whether a given number in a specified set makes an equation or inequality true.

F. Use variables to represent numbers and write expressions when solving a real-world or mathematical problem; understand that a variable can represent an unknown number, or, depending on the purpose at hand, any number in a specified set.

G. Solve real-world and mathematical problems by writing and solving equations and inequalities of the form $x + p = q$ and $px = q$ for cases in which p, q, and x are all nonnegative rational numbers. Inequalities will include <, >, ≤, and ≥.

H. Write an inequality of the form $x > c$ or $x < c$ to represent a constraint or condition in a real-world or mathematical problem. Recognize that inequalities of the form $x > c$ or $x < c$ have infinitely many solutions; represent solutions of such inequalities on number line diagrams.

I. Use variables to represent two quantities in a real-world problem that change in relationship to one another; write an equation to express one quantity, thought of as the dependent variable, in terms of the other quantity, thought of as the independent variable. Analyze the relationship between the dependent and independent variables using graphs and tables, and relate these to the equation.

Example: In a problem involving motion at constant speed, list and graph ordered pairs of distances and times, and write the equation $d = 65t$ to represent the relationship between distance and time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1052 (July 2016).

§1507. Geometry

A. Find the area of right triangles, other triangles, special quadrilaterals, and polygons by composing into rectangles or decomposing into triangles and other shapes; apply these techniques in the context of solving real-world and mathematical problems.

B. Find the volume of a right rectangular prism with fractional edge lengths by packing it with unit cubes of the appropriate unit fraction edge lengths, and show that the volume is the same as would be found by multiplying the edge lengths of the prism. Apply the formulas $V = lwh$ and $V = bh$ to find volumes of right rectangular prisms with fractional edge lengths in the context of solving real-world and mathematical problems.

C. Draw polygons in the coordinate plane given coordinates for the vertices; use coordinates to find the length of a side joining points with the same first coordinate or the same second coordinate. Apply these techniques in the context of solving real-world and mathematical problems.

D. Represent three-dimensional figures using nets made up of rectangles and triangles, and use the nets to find the surface area of these figures. Apply these techniques in the context of solving real-world and mathematical problems.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1053 (July 2016).

§1509. Statistics and Probability

A. Recognize a statistical question as one that anticipates variability in the data related to the question and accounts for it in the answers.

Example: "How old am I?" is not a statistical question, but "How old are the students in my school?" is a statistical question because one anticipates variability in students' ages.

B. Understand that a set of data collected to answer a statistical question has a distribution that can be described by its center, spread, and overall shape.

C. Recognize that a measure of center for a numerical data set summarizes all of its values with a single number, while a measure of variation describes how its values vary with a single number.

D. Display numerical data in plots on a number line, including dot plots, histograms, and box plots.

E. Summarize numerical data sets in relation to their context, such as by:

1. reporting the number of observations;

2. describing the nature of the attribute under investigation, including how it was measured and its units of measurement;

3. giving quantitative measures of center (median and/or mean) and variability (interquartile range), as well as describing any overall pattern and any striking deviations from the overall pattern with reference to the context in which the data were gathered; and

4. relating the choice of measures of center and variability to the shape of the data distribution and the context in which the data were gathered.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1053 (July 2016).

Chapter 17. Grade 7

§1701. Ratios and Proportional Relationships

A. Compute unit rates associated with ratios of fractions, including ratios of lengths, areas, and other quantities measured in like or different units.

Example: If a person walks 1/2 mile in each 1/4 hour, compute the unit rate as the complex fraction (1/2)/(1/4) miles per hour, equivalently 2 miles per hour.

B. Recognize and represent proportional relationships between quantities.

1. Decide whether two quantities are in a proportional relationship, e.g., by testing for equivalent ratios in a table or graphing on a coordinate plane and observing whether the graph is a straight line through the origin.

2. Identify the constant of proportionality (unit rate) in tables, graphs, equations, diagrams, and verbal descriptions of proportional relationships.

3. Represent proportional relationships by equations.

Example: If total cost t is proportional to the number n of items purchased at a constant price p, the relationship between the total cost and the number of items can be expressed as $t = pn$.

4. Explain what a point (x, y) on the graph of a proportional relationship means in terms of the situation, with special attention to the points (0, 0) and (1, r) where r is the unit rate.

C. Use proportional relationships to solve multistep ratio and percent problems of simple interest, tax, markups and markdowns, gratuities and commissions, fees, percent increase and decrease, and percent error.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1053 (July 2016).

§1703. The Number System

A. Apply and extend previous understandings of addition and subtraction to add and subtract rational numbers;

represent addition and subtraction on a horizontal or vertical number line diagram.

1. Describe situations in which opposite quantities combine to make 0.

Example: A hydrogen atom has 0 charge because its two constituents are oppositely charged.

2. Understand $p + q$ as the number located a distance $|q|$ from p, in the positive or negative direction depending on whether q is positive or negative. Show that a number and its opposite have a sum of 0 (are additive inverses). Interpret sums of rational numbers by describing real-world contexts.

3. Understand subtraction of rational numbers as adding the additive inverse, $p - q = p + (-q)$. Show that the distance between two rational numbers on the number line is the absolute value of their difference, and apply this principle in real-world contexts.

4. Apply properties of operations as strategies to add and subtract rational numbers.

B. Apply and extend previous understandings of multiplication and division and of fractions to multiply and divide rational numbers.

1. Understand that multiplication is extended from fractions to rational numbers by requiring that operations continue to satisfy the properties of operations, particularly the distributive property, leading to products such as $(-1)(-1) = 1$ and the rules for multiplying signed numbers. Interpret products of rational numbers by describing real-world contexts.

2. Understand that integers can be divided, provided that the divisor is not zero, and every quotient of integers (with non-zero divisor) is a rational number. If p and q are integers, then $-(p/q) = (-p)/q = p/(-q)$. Interpret quotients of rational numbers by describing real-world contexts.

3. Apply properties of operations as strategies to multiply and divide rational numbers.

4. Convert a rational number to a decimal using long division; know that the decimal form of a rational number terminates in zeros or eventually repeats.

C. Solve real-world and mathematical problems involving the four operations with rational numbers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1054 (July 2016).

§1705. Expressions and Equations

A. Apply properties of operations as strategies to add, subtract, factor, and expand linear expressions with rational coefficients to include multiple grouping symbols (e.g., parentheses, brackets, and braces).

B. Understand that rewriting an expression in different forms in a problem context can shed light on the problem and how the quantities in it are related.

Example: $a + 0.05a = 1.05a$ means that "increase by 5 percent" is the same as "multiply by 1.05."

C. Solve multistep real-life and mathematical problems posed with positive and negative rational numbers in any form (whole numbers, fractions, and decimals), using tools strategically. Apply properties of operations to calculate with numbers in any form; convert between forms as appropriate; and assess the reasonableness of answers using mental computation and estimation strategies.

Example: If a woman making $25 an hour gets a 10 percent raise, she will make an additional 1/10 of her salary an hour, or $2.50, for a new salary of $27.50. If you want to place a towel bar 9 3/4 inches long in the center of a door that is 27 1/2 inches wide, you will need to place the bar about 9 inches from each edge; this estimate can be used as a check on the exact computation.

D. Use variables to represent quantities in a real-world or mathematical problem, and construct simple equations and inequalities to solve problems by reasoning about the quantities.

1. Solve word problems leading to equations of the form $px + q = r$ and $p(x + q) = r$, where p, q, and r are specific rational numbers. Solve equations of these forms fluently. Compare an algebraic solution to an arithmetic solution, identifying the sequence of the operations used in each approach.

Example: The perimeter of a rectangle is 54 cm. Its length is 6 cm. What is its width?

2. Solve word problems leading to inequalities of the form $px + q > r$, $px + q \geq r$, $px + q < r$, or $px + q \leq r$, where p, q, and r are specific rational numbers. Graph the solution set of the inequality and interpret it in the context of the problem.

Example: As a salesperson, you are paid $50 per week plus $3 per sale. This week you want your pay to be at least $100. Write an inequality for the number of sales you need to make, and describe the solutions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1054 (July 2016).

§1707. Geometry

A. Solve problems involving scale drawings of geometric figures, such as computing actual lengths and areas from a scale drawing and reproducing a scale drawing at a different scale.

B. Draw (freehand, with ruler and protractor, or with technology) geometric shapes with given conditions. (Focus is on triangles from three measures of angles or sides, noticing when the conditions determine one and only one triangle, more than one triangle, or no triangle.)

C. Describe the two-dimensional figures that result from slicing three-dimensional figures, as in plane sections of right rectangular prisms and right rectangular pyramids.

D. Know the formulas for the area and circumference of a circle and solve problems; give an informal derivation of the relationship between the circumference and area of a circle.

E. Use facts about supplementary, complementary, vertical, and adjacent angles in a multi-step problem to write and use them to solve simple equations for an unknown angle in a figure.

F. Solve real-world and mathematical problems involving area, volume, and surface area of two- and three-dimensional objects composed of triangles, quadrilaterals, polygons, cubes, and right prisms. (Pyramids limited to surface area only.)

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1054 (July 2016).

§1709. Statistics and Probability

A. Understand that statistics can be used to gain information about a population by examining a sample of the population; generalizations about a population from a sample are valid only if the sample is representative of that

population. Understand that random sampling tends to produce representative samples and support valid inferences.

B. Use data from a random sample to draw inferences about a population with an unknown characteristic of interest. Generate multiple samples (or simulated samples) of the same size to gauge the variation in estimates or predictions.

Example: Estimate the mean word length in a book by randomly sampling words from the book; predict the winner of a school election based on randomly sampled survey data. Gauge how far off the estimate or prediction might be.

C. Informally assess the degree of visual overlap of two numerical data distributions with similar variabilities using quantitative measures of center (median and/or mean) and variability (interquartile range and/or mean absolute deviation), as well as describing any overall pattern and any striking deviations from the overall pattern with reference to the context in which the data were gathered.

D. Use measures of center and measures of variability for numerical data from random samples to draw informal comparative inferences about two populations.

Example: Decide whether the words in a chapter of a seventh-grade science book are generally longer than the words in a chapter of a fourth-grade science book.

E. Understand that the probability of a chance event is a number between 0 and 1 that expresses the likelihood of the event occurring. Larger numbers indicate greater likelihood. A probability near 0 indicates an unlikely event, a probability around 1/2 indicates an event that is neither unlikely nor likely, and a probability near 1 indicates a likely event.

F. Approximate the probability of a chance event by collecting data on the chance process that produces it and observing its long-run relative frequency, and predict the approximate relative frequency given the probability.

Example: When rolling a number cube 600 times, predict that a 3 or 6 would be rolled roughly 200 times, but probably not exactly 200 times.

G. Develop a probability model and use it to find probabilities of events. Compare probabilities from a model to observed frequencies; if the agreement is not good, explain possible sources of the discrepancy.

1. Develop a uniform probability model by assigning equal probability to all outcomes, and use the model to determine probabilities of events.

Example: If a student is selected at random from a class, find the probability that Jane will be selected and the probability that a girl will be selected.

2. Develop a probability model (which may not be uniform) by observing frequencies in data generated from a chance process.

Example: Find the approximate probability that a spinning penny will land heads up or that a tossed paper cup will land open-end down. Do the outcomes for the spinning penny appear to be equally likely, based on the observed frequencies?

H. Find probabilities of compound events using organized lists, tables, tree diagrams, and simulation.

1. Understand that, just as with simple events, the probability of a compound event is the fraction of outcomes in the sample space for which the compound event occurs.

2. Represent sample spaces for compound events using methods such as organized lists, tables, and tree diagrams. For an event described in everyday language (e.g., "rolling double sixes"), identify the outcomes in the sample space that compose the event.

3. Design and use a simulation to generate frequencies for compound events.

Example: Use random digits as a simulation tool to approximate the answer to the question: If 40 percent of donors have type A blood, what is the probability that it will take at least 4 donors to find one with type A blood?

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1055 (July 2016).

Chapter 19. Grade 8

§1901. The Number System

A. Know that numbers that are not rational are called irrational. Understand informally that every number has a decimal expansion; for rational numbers, show that the decimal expansion repeats eventually. Convert a decimal expansion that repeats eventually into a rational number by analyzing repeating patterns.

B. Use rational approximations of irrational numbers to compare the size of irrational numbers, locate them approximately on a number line diagram, and estimate the value of expressions (e.g., π^2).

Example: By truncating the decimal expansion of $\sqrt{2}$, show that $\sqrt{2}$ is between 1and 2, then between 1.4 and 1.5, and explain how to continue on to get better approximations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1055 (July 2016).

§1903. Expressions and Equations

A. Know and apply the properties of integer exponents to generate equivalent numerical expressions.

Example: $3^2 \times 3^{-5} = 3^{-3} = 1/3^3 = 1/27$

B. Use square root and cube root symbols to represent solutions to equations of the form $x^2 = p$ and $x^3 = p$, where p is a positive rational number. Evaluate square roots of small perfect squares and cube roots of small perfect cubes. Know that $\sqrt{2}$ is irrational.

C. Use numbers expressed in the form of a single digit times an integer power of 10 to estimate very large or very small quantities, and to express how many times as much one is than the other.

Example: Estimate the population of the United States as 3×10^8 and the population of the world as 7×10^9, and determine that the world population is more than 20 times larger.

D. Perform operations with numbers expressed in scientific notation, including problems where both decimal and scientific notation are used. Use scientific notation and choose units of appropriate size for measurements of very large or very small quantities (e.g., use millimeters per year for seafloor spreading). Interpret scientific notation that has been generated by technology.

E. Graph proportional relationships, interpreting the unit rate as the slope of the graph. Compare two different proportional relationships represented in different ways.

Example: Compare a distance-time graph to a distance-time equation to determine which of two moving objects has greater speed.

F. Use similar triangles to explain why the slope m is the same between any two distinct points on a non-vertical line in the coordinate plane; derive the equation $y = mx$ for a line through the origin and the equation $y = mx + b$ for a line intercepting the vertical axis at b.

G. Solve linear equations in one variable.

1. Give examples of linear equations in one variable with one solution, infinitely many solutions, or no solutions. Show which of these possibilities is the case by successively transforming the given equation into simpler forms, until an

equivalent equation of the form $x = a$, $a = a$, or $a = b$ results (where a and b are different numbers).

2. Solve systems of two linear equations in two variables algebraically, and estimate solutions by graphing the equations. Solve simple cases by inspection.

Example: $3x + 2y = 5$ and $3x + 2y = 6$ have no solution because $3x + 2y$ cannot simultaneously be 5 and 6.

H. Analyze and solve pairs of simultaneous linear equations.

1. Understand that solutions to a system of two linear equations in two variables correspond to points of intersection of their graphs, because points of intersection satisfy both equations simultaneously.

2. Solve systems of two linear equations in two variables algebraically, and estimate solutions by graphing the equations. Solve simple cases by inspection.

Example: $3x + 2y = 5$ and $3x + 2y = 6$ have no solution because $3x + 2y$ cannot simultaneously be 5 and 6.

3. Solve real-world and mathematical problems leading to two linear equations in two variables.

Example: Given coordinates for two pairs of points, determine whether the line through the first pair of points intersects the line through the second pair.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1055 (July 2016).

§1905. Functions

A. Understand that a function is a rule that assigns to each input exactly one output. The graph of a function is the set of ordered pairs consisting of an input and the corresponding output. (Function notation is not required in this grade level.)

B. Compare properties of two functions each represented in a different way (algebraically, graphically, numerically in tables, or by verbal descriptions).

Example: Given a linear function represented by a table of values and a linear function represented by an algebraic expression, determine which function has the greater rate of change.

C. Interpret the equation $y = mx + b$ as defining a linear function whose graph is a straight line; categorize functions as linear or nonlinear when given equations, graphs, or tables.

Example: The function $A = s^2$ giving the area of a square as a function of its side length is not linear, because its graph contains the points (1,1), (2,4), and (3,9), which are not on a straight line.

D. Construct a function to model a linear relationship between two quantities. Determine the rate of change and initial value of the function from a description of a relationship or from two (x, y) values, including reading these from a table or from a graph. Interpret the rate of change and initial value of a linear function in terms of the situation it models, and in terms of its graph or a table of values.

E. Describe qualitatively the functional relationship between two quantities by analyzing a graph (e.g., where the function is increasing or decreasing, linear or nonlinear). Sketch a graph that exhibits the qualitative features of a function that has been described verbally.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1056 (July 2016).

§1907. Geometry

A. Verify experimentally the properties of rotations, reflections, and translations.

1. Lines are taken to lines, and line segments to line segments of the same length.

2. Angles are taken to angles of the same measure.

3. Parallel lines are taken to parallel lines.

B. Explain that a two-dimensional figure is congruent to another if the second can be obtained from the first by a sequence of rotations, reflections, and translations; given two congruent figures, describe a sequence that exhibits the congruence between them. (Rotations are only about the origin and reflections are only over the y-axis and x-axis in grade 8.)

C. Describe the effect of dilations, translations, rotations, and reflections on two-dimensional figures using coordinates. (Rotations are only about the origin, dilations only use the origin as the center of dilation, and reflections are only over the y-axis and x-axis in grade 8.)

D. Explain that a two-dimensional figure is similar to another if the second can be obtained from the first by a sequence of rotations, reflections, translations, and dilations; given two similar two-dimensional figures, describe a sequence that exhibits the similarity between them. (Rotations are only about the origin, dilations only use the origin as the center of dilation, and reflections are only over the y-axis and x-axis in grade 8.)

E. Use informal arguments to establish facts about the angle sum and exterior angle of triangles, about the angles created when parallel lines are cut by a transversal, and the angle-angle criterion for similarity of triangles.

Example: Arrange three copies of the same triangle so that the sum of the three angles appears to form a line, and give an argument in terms of transversals why this is so.

F. Explain a proof of the Pythagorean Theorem and its converse using the area of squares.

G. Apply the Pythagorean Theorem to determine unknown side lengths in right triangles in real-world and mathematical problems in two and three dimensions.

H. Apply the Pythagorean Theorem to find the distance between two points in a coordinate system.

I. Know the formulas for the volumes of cones, cylinders, and spheres and use them to solve real-world and mathematical problems.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1056 (July 2016).

§1909. Statistics and Probability

A. Construct and interpret scatter plots for bivariate measurement data to investigate patterns of association between two quantities. Describe patterns such as clustering,

outliers, positive or negative association, linear association, and nonlinear association.

B.Know that straight lines are widely used to model relationships between two quantitative variables. For scatter plots that suggest a linear association, informally fit a straight line, and informally assess the model fit by judging the closeness of the data points to the line.

C.Use the equation of a linear model to solve problems in the context of bivariate measurement data, interpreting the slope and intercept.

Example: In a linear model for a biology experiment, interpret a slope of 1.5 cm/hr as meaning that an additional hour of sunlight each day is associated with an additional 1.5 cm in mature plant height.

D. Understand that patterns of association can also be seen in bivariate categorical data by displaying frequencies and relative frequencies in a two-way table. Construct and interpret a two-way table summarizing data on two categorical variables collected from the same subjects. Use relative frequencies calculated for rows or columns to describe possible association between the two variables.

Example: Collect data from students in your class on whether or not they have a curfew on school nights and whether or not they have assigned chores at home. Is there evidence that those who have a curfew also tend to have chores?

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1056 (July 2016).

Chapter 21. Algebra I

§2101. Number and Quantity

A. Explain why the sum or product of two rational numbers is rational; that the sum of a rational number and an irrational number is irrational; and that the product of a nonzero rational number and an irrational number is irrational.

B.Use units as a way to understand problems and to guide the solution of multi-step problems; choose and interpret units consistently in formulas; choose and interpret the scale and the origin in graphs and data displays.

C.Define appropriate quantities for the purpose of descriptive modeling.

D. Choose a level of accuracy appropriate to limitations on measurement when reporting quantities.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1057 (July 2016).

§2103. Algebra

A. Interpret expressions that represent a quantity in terms of its context.

1. Interpret parts of an expression, such as terms, factors, and coefficients.

2. Interpret complicated expressions by viewing one or more of their parts as a single entity.

Example: Interpret $P(1+r)n$ as the product of P and a factor not depending on P.

B.Use the structure of an expression to identify ways to rewrite it.

Example: $x^4 - y^4$ as $(x^2)^2 -(y^2)^2$, thus recognizing it as a difference of squares that can be factored as $(x^2 - y^2)(x^2 + y^2)$ or see $2x^2+8x$ as $(2x)(x)+(2x)(4)$, thus recognizing it as a polynomial whose terms are products of monomials and the polynomial can be factored as $2x(x+4)$.

C.Choose and produce an equivalent form of an expression to reveal and explain properties of the quantity represented by the expression.

1. Factor a quadratic expression to reveal the zeros of the function it defines.

2. Complete the square in a quadratic expression to reveal the maximum or minimum value of the function it defines.

3. Use the properties of exponents to transform expressions for exponential functions emphasizing integer exponents.

Example: The growth of bacteria can be modeled by either $f(t) = 3^{(t+2)}$ or $g(t) = 9(3^t)$ because the expression $3^{(t+2)}$ can be rewritten as $(3^t)(3^2) = 9(3^t)$.

D. Understand that polynomials form a system analogous to the integers, namely, they are closed under the operations of addition, subtraction, and multiplication; add, subtract, and multiply polynomials.

E.Identify zeros of quadratic functions and use the zeros to sketch a graph of the function defined by the polynomial.

F. Create equations and inequalities in one variable and use them to solve problems. (Include equations arising from linear, quadratic, and exponential functions.)

G.Create equations in two or more variables to represent relationships between quantities; graph equations on coordinate axes with labels and scales.

H. Represent constraints by equations or inequalities, and by systems of equations and/or inequalities, and interpret solutions as viable or nonviable options in a modeling context.

Example: Represent inequalities describing nutritional and cost constraints on combinations of different foods.

I. Rearrange formulas to highlight a quantity of interest, using the same reasoning as in solving equations.

Example: Rearrange Ohm's law $V = IR$ to highlight resistance R.

J.Explain each step in solving a simple equation as following from the equality of numbers asserted at the previous step, starting from the assumption that the original equation has a solution. Construct a viable argument to justify a solution method.

K. Solve linear equations and inequalities in one variable, including equations with coefficients represented by letters.

L.Solve quadratic equations in one variable.

1. Use the method of completing the square to transform any quadratic equation in x into an equation of the form $(x - p)2 = q$ that has the same solutions. Derive the quadratic formula from this form.

2. Solve quadratic equations by inspection (e.g., for $x^2 = 49$), taking square roots, completing the square, the quadratic formula, and factoring, as appropriate to the initial form of the equation. Recognize when the quadratic formula gives complex solutions and write them as "no real solution."

M. Prove that, given a system of two equations in two variables, replacing one equation by the sum of that equation and a multiple of the other produces a system with the same solutions.

N. Solve systems of linear equations exactly and approximately (e.g., with graphs), focusing on pairs of linear equations in two variables.

O. Understand that the graph of an equation in two variables is the set of all its solutions plotted in the coordinate plane, often forming a curve (which could be a line).

P. Explain why the x-coordinates of the points where the graphs of the equations $y = f(x)$ and $y = g(x)$ intersect are the solutions of the equation $f(x) = g(x)$; find the solutions approximately, e.g., using technology to graph the functions, make tables of values, or find successive approximations. Include cases where $f(x)$ and/or $g(x)$ are linear, polynomial, rational, piecewise linear (to include absolute value), and exponential functions.

Q. Graph the solutions to a linear inequality in two variables as a half-plane (excluding the boundary in the case of a strict inequality), and graph the solution set to a system of linear inequalities in two variables as the intersection of the corresponding half-planes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1057 (July 2016).

§2105. Functions

A. Understand that a function from one set (called the domain) to another set (called the range) assigns to each element of the domain exactly one element of the range. If f is a function and x is an element of its domain, then $f(x)$ denotes the output of f corresponding to the input x. The graph of f is the graph of the equation $y = f(x)$.

B. Use function notation, evaluate functions for inputs in their domains, and interpret statements that use function notation in terms of a context.

C. Recognize that sequences are functions whose domain is a subset of the integers. Relate arithmetic sequences to linear functions and geometric sequences to exponential functions.

D. For linear, piecewise linear (to include absolute value), quadratic, and exponential functions that model a relationship between two quantities, interpret key features of graphs and tables in terms of the quantities, and sketch graphs showing key features given a verbal description of the relationship. (Key features include: intercepts; intervals where the function is increasing, decreasing, positive, or negative; relative maximums and minimums; symmetries; and end behavior.)

E. Relate the domain of a function to its graph and, where applicable, to the quantitative relationship it describes.

Example: If the function $h(n)$ gives the number of person-hours it takes to assemble n engines in a factory, then the positive integers would be an appropriate domain for the function.

F. Calculate and interpret the average rate of change of a linear, quadratic, piecewise linear (to include absolute value), and exponential function (presented symbolically or as a table) over a specified interval. Estimate the rate of change from a graph.

G. Graph functions expressed symbolically, and show key features of the graph, by hand in simple cases and using technology for more complicated cases.

1. Graph linear and quadratic functions and show intercepts, maxima, and minima.

2. Graph piecewise linear (to include absolute value) and exponential functions.

H. Write a function defined by an expression in different but equivalent forms to reveal and explain different properties of the function.

1. Use the process of factoring and completing the square in a quadratic function to show zeros, extreme values, and symmetry of the graph, and interpret these in terms of a context.

I. Compare properties of two functions (linear, quadratic, piecewise linear [to include absolute value] or exponential) each represented in a different way (algebraically, graphically, numerically in tables, or by verbal descriptions).

Example: Given a graph of one quadratic function and an algebraic expression for another, determine which has the larger maximum.

J. Write a linear, quadratic, or exponential function that describes a relationship between two quantities.

1. Determine an explicit expression, a recursive process, or steps for calculation from a context.

K. Identify the effect on the graph of replacing $f(x)$ by $f(x) + k$, $k\,f(x)$, $f(kx)$, and $f(x + k)$ for specific values of k (both positive and negative). Without technology, find the value of k given the graphs of linear and quadratic functions. With technology, experiment with cases and illustrate an explanation of the effects on the graphs that include cases where $f(x)$ is a linear, quadratic, piecewise linear (to include absolute value), or exponential function.

L. Distinguish between situations that can be modeled with linear functions and with exponential functions.

1. Prove that linear functions grow by equal differences over equal intervals, and that exponential functions grow by equal factors over equal intervals.

2. Recognize situations in which one quantity changes at a constant rate per unit interval relative to another.

3. Recognize situations in which a quantity grows or decays by a constant percent rate per unit interval relative to another.

M. Construct linear and exponential functions, including arithmetic and geometric sequences, given a graph, a description of a relationship, or two input-output pairs (include reading these from a table).

N. Observe, using graphs and tables, that a quantity increasing exponentially eventually exceeds a quantity increasing linearly, quadratically, or (more generally) as a polynomial function.

O. Interpret the parameters in a linear, quadratic, or exponential function in terms of a context.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1058 (July 2016).

§2107. Statistics and Probability

A. Use statistics appropriate to the shape of the data distribution to compare center (median, mean) and spread (interquartile range, standard deviation) of two or more different data sets.

B. Interpret differences in shape, center, and spread in the context of the data sets, accounting for possible effects of extreme data points (outliers).

C. Summarize categorical data for two categories in two-way frequency tables. Interpret relative frequencies in the context of the data (including joint, marginal, and conditional relative frequencies). Recognize possible associations and trends in the data.

D. Represent data on two quantitative variables on a scatter plot, and describe how the variables are related.

1. Fit a function to the data; use functions fitted to data to solve problems in the context of the data. (Use given

functions or choose a function suggested by the context. Emphasize linear and quadratic models.)

2. Informally assess the fit of a function by plotting and analyzing residuals.

3. Fit a linear function for a scatter plot that suggests a linear association.

E. Interpret the slope (rate of change) and the intercept (constant term) of a linear model in the context of the data.

F. Compute (using technology) and interpret the correlation coefficient of a linear fit.

G. Distinguish between correlation and causation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1058 (July 2016).

Chapter 23. Algebra II

§2301. Number and Quantity

A. Explain how the definition of the meaning of rational exponents follows from extending the properties of integer exponents to those values, allowing for a notation for radicals in terms of rational exponents.

Example: We define $5^{1/3}$ to be the cube root of 5 because we want $(5^{1/3})^3 = 5^{(1/3)3}$ to hold, so $(5^{1/3})^3$ must equal 5.

B. Rewrite expressions involving radicals and rational exponents using the properties of exponents.

C. Define appropriate quantities for the purpose of descriptive modeling.

D. Know there is a complex number i such that $i^2 = -1$, and every complex number has the form a + bi with a and b real.

E. Use the relation $i^2 = -1$ and the commutative, associative, and distributive properties to add, subtract, and multiply complex numbers.

F. Solve quadratic equations with real coefficients that have complex solutions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1059 (July 2016).

§2303. Algebra

A. Use the structure of an expression to identify ways to rewrite it.

Example: See $x^4 - y^4$ as $(x^2)^2 - (y^2)^2$, thus recognizing it as a difference of squares that can be factored as $(x^2 - y^2)(x^2 + y^2)$.

B. Choose and produce an equivalent form of an expression to reveal and explain properties of the quantity represented by the expression.

1. Use the properties of exponents to transform expressions for exponential functions.

Example: The expression 1.15^t can be rewritten as $(1.15^{1/12})^{12t} \approx 1.012^{12t}$ to reveal the approximate equivalent monthly interest rate if the annual rate is 15 percent.

C. Apply the formula for the sum of a finite geometric series (when the common ratio is not 1) to solve problems.

Example: Calculate mortgage payments.

D. Know and apply the Remainder Theorem: For a polynomial $p(x)$ and a number a, the remainder on division by $x - a$ is $p(a)$, so $p(a) = 0$ if and only if $(x - a)$ is a factor of $p(x)$.

E. Identify zeros of polynomials when suitable factorizations are available, and use the zeros to construct a rough graph of the function defined by the polynomial.

F. Use polynomial identities to describe numerical relationships.

Example: The polynomial identity $(x^2 + y^2)^2 = (x^2 - y^2)^2 + (2xy)^2$ can be used to generate Pythagorean triples.

G. Rewrite simple rational expressions in different forms; write $a(x)/b(x)$ in the form $q(x) + r(x)/b(x)$, where $a(x)$, $b(x)$, $q(x)$, and $r(x)$ are polynomials with the degree of $r(x)$ less than the degree of $b(x)$, using inspection, long division, or, for the more complicated examples, a computer algebra system.

H. Create equations and inequalities in one variable and use them to solve problems. (Include equations arising from linear and quadratic functions, and simple rational and exponential functions.)

I. Explain each step in solving an equation as following from the equality of numbers asserted at the previous step, starting from the assumption that the original equation has a solution. Construct a viable argument to justify a solution method.

J. Solve simple rational and radical equations in one variable, and give examples showing how extraneous solutions may arise.

K. Solve quadratic equations in one variable.

1. Solve quadratic equations by inspection (e.g., for $x^2 = 49$), taking square roots, completing the square, the quadratic formula, and factoring, as appropriate to the initial form of the equation. Recognize when the quadratic formula gives complex solutions, and write them as a ± bi for real numbers a and b.

L. Solve systems of linear equations exactly and approximately (e.g., with graphs), limited to systems of at most three equations and three variables. With graphic solutions, systems are limited to two variables.

M. Solve a simple system consisting of a linear equation and a quadratic equation in two variables algebraically and graphically.

Example: Find the points of intersection between the line $y = -3x$ and the circle $x^2 + y^2 = 3$.

N. Explain why the x-coordinates of the points where the graphs of the equations $y = f(x)$ and $y = g(x)$ intersect are the solutions of the equation $f(x) = g(x)$; find the solutions approximately, e.g., using technology to graph the functions, make tables of values, or find successive approximations. Include cases where $f(x)$ and/or $g(x)$ are linear, polynomial, rational, absolute value, exponential, and logarithmic functions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1059 (July 2016).

§2305. Functions

A. For a function that models a relationship between two quantities, interpret key features of graphs and tables in terms of the quantities, and sketch graphs showing key features given a verbal description of the relationship. (Key features include: intercepts; intervals where the function is increasing, decreasing, positive, or negative; relative maximums and minimums; symmetries; end behavior; and periodicity.)

B. Calculate and interpret the average rate of change of a function (presented symbolically or as a table) over a specified interval. Estimate the rate of change from a graph.

C. Graph functions expressed symbolically and show key features of the graph, by hand in simple cases and using technology for more complicated cases.

1. Graph square root, cube root, and piecewise-defined functions, including step functions and absolute value functions.

2. Graph polynomial functions, identifying zeros when suitable factorizations are available, and showing end behavior.

3. Graph exponential and logarithmic functions, showing intercepts and end behavior, and trigonometric functions, showing period, midline, and amplitude.

D. Write a function defined by an expression in different but equivalent forms to reveal and explain different properties of the function.

1. Use the properties of exponents to interpret expressions for exponential functions.

Example: Identify percent rate of change in functions such as $y = (1.02)^t$, $y = (0.97)^t$, $y = (1.01)^{12t}$, $y = (1.2)^{t/10}$ and classify them as representing exponential growth or decay.

E. Compare properties of two functions each represented in a different way (algebraically, graphically, numerically in tables, or by verbal descriptions).

Example: Given a graph of one quadratic function and an algebraic expression for another, determine which has the larger maximum.

F. Write a function that describes a relationship between two quantities.

1. Determine an explicit expression, a recursive process, or steps for calculation from a context.

2. Combine standard function types using arithmetic operations.

Example: Build a function that models the temperature of a cooling body by adding a constant function to a decaying exponential, and relate these functions to the model.

G. Write arithmetic and geometric sequences both recursively and with an explicit formula, use them to model situations, and translate between the two forms.

H. Identify the effect on the graph of replacing $f(x)$ by $f(x) + k$, $k\,f(x)$, $f(kx)$, and $f(x + k)$ for specific values of k (both positive and negative); find the value of k given the graphs. Experiment with cases and illustrate an explanation of the effects on the graph using technology. Include recognizing even and odd functions from their graphs and algebraic expressions for them.

I. Find inverse functions.

1. Solve an equation of the form $f(x) = c$ for a simple function f that has an inverse, and write an expression for the inverse.

Example: $f(x) = 2x^3$ or $f(x) = (x+1)/(x-1)$ for $x \neq 1$

J. Given a graph, a description of a relationship, or two input-output pairs (include reading these from a table), construct linear and exponential functions, including arithmetic and geometric sequences, to solve multistep problems.

K. For exponential models, express as a logarithm the solution to $ab^{(ct)} = d$ where a, c, and d are numbers and the base b is 2, 10, or e; evaluate the logarithm using technology.

L. Interpret the parameters in a linear, quadratic, or exponential function in terms of a context.

M. Understand radian measure of an angle as the length of the arc on the unit circle subtended by the angle.

N. Explain how the unit circle in the coordinate plane enables the extension of trigonometric functions to all real numbers, interpreted as radian measures of angles traversed counterclockwise around the unit circle.

O. Choose trigonometric functions to model periodic phenomena with specified amplitude, frequency, and midline.

P. Prove the Pythagorean identity $\sin^2(\theta) + \cos^2(\theta) = 1$ and use it find $\sin(\theta)$, $\cos(\theta)$, or $\tan(\theta)$ given $\sin(\theta)$, $\cos(\theta)$, or $\tan(\theta)$ and the quadrant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1059 (July 2016).

§2307. Statistics and Probability

A. Use the mean and standard deviation of a data set to fit it to a normal distribution and to estimate population percentages. Recognize that there are data sets for which such a procedure is not appropriate. Use calculators, spreadsheets, and tables to estimate areas under the normal curve.

B. Represent data on two quantitative variables on a scatter plot, and describe how the variables are related.

1. Fit a function to the data; use functions fitted to data to solve problems in the context of the data. (Use given functions or choose a function suggested by the context. Emphasize exponential models.)

C. Understand statistics as a process for making inferences to be made about population parameters based on a random sample from that population.

D. Decide if a specified model is consistent with results from a given data-generating process, e.g., using simulation.

Example: A model says a spinning coin falls heads up with probability 0.5. Would a result of 5 tails in a row cause you to question the model?

E. Recognize the purposes of and differences among sample surveys, experiments, and observational studies; explain how randomization relates to each.

F. Use data from a sample survey to estimate a population mean or proportion; develop a margin of error through the use of simulation models for random sampling.

G. Use data from a randomized experiment to compare two treatments; use simulations to decide if differences between parameters are significant.

H. Evaluate reports based on data.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1060 (July 2016).

Chapter 25. Geometry

§2501. Geometry

A. Know precise definitions of angle, circle, perpendicular line, parallel line, and line segment, based on the undefined notions of point, line, distance along a line, and distance around a circular arc.

B. Represent transformations in the plane using, e.g., transparencies, tracing paper, or geometry software; describe transformations as functions that take points in the plane as

inputs and give other points as outputs. Compare transformations that preserve distance and angle to those that do not (e.g., translation versus horizontal stretch).

C. Given a rectangle, parallelogram, trapezoid, or regular polygon, describe the rotations and reflections that carry it onto itself.

D. Develop definitions of rotations, reflections, and translations in terms of angles, circles, perpendicular lines, parallel lines, and line segments.

E. Given a geometric figure and a rotation, reflection, or translation, draw the transformed figure using, e.g., graph paper, tracing paper, or geometry software. Specify a sequence of transformations that will carry a given figure onto another.

F. Use geometric descriptions of rigid motions to transform figures and to predict the effect of a given rigid motion on a given figure; given two figures, use the definition of congruence in terms of rigid motions to decide if they are congruent.

G. Use the definition of congruence in terms of rigid motions to show that two triangles are congruent if and only if corresponding pairs of sides and corresponding pairs of angles are congruent.

H. Explain how the criteria for triangle congruence (ASA, SAS, and SSS) follow from the definition of congruence in terms of rigid motions.

I. Prove and apply theorems about lines and angles. (Theorems include: vertical angles are congruent; when a transversal crosses parallel lines, alternate interior angles are congruent and corresponding angles are congruent; points on a perpendicular bisector of a line segment are exactly those equidistant from the segment's endpoints.)

J. Prove and apply theorems about triangles. (Theorems include: measures of interior angles of a triangle sum to 180 degrees; base angles of isosceles triangles are congruent; the segment joining midpoints of two sides of a triangle is parallel to the third side and half the length; the medians of a triangle meet at a point.)

K. Prove and apply theorems about parallelograms. (Theorems include: opposite sides are congruent, opposite angles are congruent, the diagonals of a parallelogram bisect each other, and conversely, rectangles are parallelograms with congruent diagonals.)

L. Make formal geometric constructions with a variety of tools and methods, e.g., compass and straightedge, string, reflective devices, paper folding, or dynamic geometric software.

Examples: Copying a segment; copying an angle; bisecting a segment; bisecting an angle; constructing perpendicular lines, including the perpendicular bisector of a line segment; and constructing a line parallel to a given line through a point not on the line.

M. Construct an equilateral triangle, a square, and a regular hexagon inscribed in a circle.

N. Verify experimentally the properties of dilations given by a center and a scale factor.

1. A dilation takes a line not passing through the center of the dilation to a parallel line, and leaves a line passing through the center unchanged.

2. The dilation of a line segment is longer or shorter in the ratio given by the scale factor.

O. Given two figures, use the definition of similarity in terms of similarity transformations to decide if they are similar; explain using similarity transformations the meaning of similarity for triangles as the equality of all corresponding pairs of angles and the proportionality of all corresponding pairs of sides.

P. Use the properties of similarity transformations to establish the AA criterion for two triangles to be similar.

Q. Prove and apply theorems about triangles. (Theorems include: a line parallel to one side of a triangle divides the other two proportionally, and conversely; the Pythagorean Theorem proved using triangle similarity; SAS similarity criteria; SSS similarity criteria; ASA similarity.)

R. Use congruence and similarity criteria for triangles to solve problems and to prove relationships in geometric figures.

S. Understand that by similarity, side ratios in right triangles, including special right triangles (30-60-90 and 45-45-90), are properties of the angles in the triangle, leading to definitions of trigonometric ratios for acute angles.

T. Explain and use the relationship between the sine and cosine of complementary angles.

U. Use trigonometric ratios and the Pythagorean Theorem to solve right triangles in applied problems.

V. Prove that all circles are similar.

W. Identify and describe relationships among inscribed angles, radii, and chords, including the following: the relationship that exists between central, inscribed, and circumscribed angles; inscribed angles on a diameter are right angles; and a radius of a circle is perpendicular to the tangent where the radius intersects the circle.

X. Construct the inscribed and circumscribed circles of a triangle, and prove properties of angles for a quadrilateral inscribed in a circle.

Y. Use similarity to determine that the length of the arc intercepted by an angle is proportional to the radius, and define the radian measure of the angle as the constant of proportionality; derive the formula for the area of a sector.

Z. Derive the equation of a circle of given center and radius using the Pythagorean Theorem; complete the square to find the center and radius of a circle given by an equation.

AA. Use coordinates to prove simple geometric theorems algebraically.

Example: Prove or disprove that a figure defined by four given points in the coordinate plane is a rectangle; prove or disprove that the point $(1, \sqrt{3})$ lies on the circle centered at the origin and containing the point $(0, 2)$.

BB. Prove the slope criteria for parallel and perpendicular lines, and use them to solve geometric problems (e.g., find the equation of a line parallel or perpendicular to a given line that passes through a given point).

CC. Find the point on a directed line segment between two given points that partitions the segment in a given ratio.

DD. Use coordinates to compute perimeters of polygons and areas of triangles and rectangles, e.g., using the distance formula.

EE. Give an informal argument, e.g., dissection arguments, Cavalieri's principle, or informal limit arguments, for the formulas for the circumference of a circle; area of a circle; volume of a cylinder, pyramid, and cone.

FF. Use volume formulas for cylinders, pyramids, cones, and spheres to solve problems.

GG. Identify the shapes of two-dimensional cross-sections of three-dimensional objects, and identify three-dimensional objects generated by rotations of two-dimensional objects.

HH. Use geometric shapes, their measures, and their properties to describe objects (e.g., modeling a tree trunk or a human torso as a cylinder).

II. Apply concepts of density based on area and volume in modeling situations (e.g., persons per square mile, BTUs per cubic foot).

JJ. Apply geometric methods to solve design problems (e.g., designing an object or structure to satisfy physical constraints or minimize cost; working with typographic grid systems based on ratios).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1060 (July 2016).

§2503. Statistics and Probability

A. Describe events as subsets of a sample space (the set of outcomes) using characteristics (or categories) of the outcomes, or as unions, intersections, or complements of other events ("or," "and," "not").

B. Understand that two events A and B are independent if the probability of A and B occurring together is the product of their probabilities, and use this characterization to determine if they are independent.

C. Understand the conditional probability of A given B as $P(A \text{ and } B)/P(B)$, and interpret independence of A and B as saying that the conditional probability of A given B is the same as the probability of A, and the conditional probability of B given A is the same as the probability of B.

D. Construct and interpret two-way frequency tables of data when two categories are associated with each object being classified. Use the two-way table as a sample space to decide if events are independent and to approximate conditional probabilities.

Example: Collect data from a random sample of students in your school on their favorite subject among math, science, and English. Estimate the probability that a randomly selected student from your school will favor science, given that the student is in grade 10. Do the same for other subjects, and compare the results.

E. Recognize and explain the concepts of conditional probability and independence in everyday language and everyday situations.

Example: Compare the chance of having lung cancer if you are a smoker with the chance of being a smoker if you have lung cancer.

F. Find the conditional probability of A given B as the fraction of B's outcomes that also belong to A, and interpret the answer in terms of the model.

G. Apply the addition rule, $P(A \text{ or } B) = P(A) + P(B) - P(A \text{ and } B)$, and interpret the answer in terms of the model.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1062 (July 2016).

Shan N. Davis
Executive Director
1607#020

RULE

Board of Elementary and Secondary Education

Bulletin 741—Louisiana Handbook for School Administrators (LAC 28:CXV.2318 and 2353)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 741—Louisiana Handbook for School Administrators*: §2318, The TOPS University Diploma; and §2353, Mathematics. The policy revisions add AP computer science as an equivalent advanced mathematics course for the purposes of satisfying high school graduation requirements and for determining student eligibility to receive a Taylor Opportunity Program for Students (TOPS) award.

Title 28
EDUCATION
Part CXV. Bulletin 741—Louisiana Handbook for School Administrators
Chapter 23. Curriculum and Instruction
Subchapter A. Standards and Curricula
§2318. The TOPS University Diploma

A. - C. …

1. For incoming freshmen in 2008-2009 through 2013-2014 who are completing the Louisiana basic core curriculum, the minimum course requirements for graduation shall be the following.

* * *

a. - a.iv. …

b. Mathematics—4 units:

i. all students must complete one of the following:

(a). algebra I (1 unit);

(b). applied algebra I (1 unit); or

(c). algebra I-Pt. 1 and algebra I-Pt. 2 (2 units);

ii. geometry or applied geometry;

iii. the remaining unit(s) shall come from the following:

(a). algebra II;

(b). financial mathematics;

(c). math essentials;

(d). advanced math—pre-calculus;

(e). advanced math—functions and statistics;

(f). pre-calculus*;

(g). calculus*;

(h). probability and statistics*;

(i). discrete mathematics;

(j). AP computer science A; or

(k). a locally initiated elective approved by BESE as a math substitute.

c. - h. …

2. For incoming freshmen in 2008-2009 through 2013-2014 who are completing the Louisiana Core 4 curriculum, the minimum course requirements shall be the following.

* * *

a. - a.iv. …

b. Mathematics—4 units:

i. algebra I, applied algebra I, or algebra I-Pt. 2;

ii. geometry or applied geometry;

iii. algebra II;

iv. the remaining unit shall come from the following:

(a). financial mathematics;

(b). math essentials;

(c). advanced math—pre-calculus;

(d). advanced math—functions and statistics;

(e). pre-calculus*;

(f). calculus*;

(g). probability and statistics*;

(h). discrete mathematics;

(i). AP calculus BC;

(j). AP computer science A; or

(k). a locally initiated elective approved by BESE as a math substitute.

c. - j. …

3. For incoming freshmen in 2014-2015 and beyond who are completing the TOPS university diploma, the minimum course requirements shall be the following:

a. - a .iv.(e). …

b. mathematics—four units:

i. algebra I;

ii. geometry;

iii. algebra II;

NOTE: Integrated Mathematics I, II, and III may be substituted for the Algebra I, Geometry, and Algebra II sequence.

iv. one of the following:

(a). algebra III;

(b). advanced math—functions and statistics;

(c). advanced math—pre-calculus;

(d). pre-calculus;

(e). IB math studies (math methods);

(f). calculus;

(g). AP calculus AB;

(h). IB mathematics SL;

(i). AP calculus BC;

(j). AP statistics;

(k). IB further mathematics HL;

(l). IB mathematics HL;

(m). probability and statistics; or

(n). AP computer science A;

3.c. - 6.a.vi. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:7, R.S. 17:24.4, R.S. 17:183.2, and R.S. 17:395.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1291 (June 2005), amended LR 31:2211 (September 2005), LR 31:3070 (December 2005), LR 31:3072 (December 2005), LR 32:1414 (August 2006), LR 33:429 (March 2007), LR 33:432 (March 2007), LR 33:2050 (October 2007), LR 33:2354 (November 2007), LR 33:2601 (December 2007), LR 34:1607 (August 2008), LR 36:1486 (July 2010), LR 37:547 (February 2011), LR 37:1128 (April 2011), LR 37:2129 (July 2011), LR 37:2132 (July 2011), LR 37:3193 (November 2011), LR 38:754, 761 (March 2012), LR 38:1001 (April 2012), LR 38:1584 (July 2012), LR 40:994 (May 2014), LR 40:1328 (July 2014), LR 40:1679 (September 2014), LR 40:2525 (December 2014), LR 41:915 (May 2015), LR 41:1482 (August 2015), LR 41:2126 (October 2015), LR 42:232 (February 2016), LR 42:1062 (July 2016).

Subchapter B. Academic Programs of Study

§2353. Mathematics

A. The mathematics course offerings for the college diploma shall be as follows.

Course Title(s)	Units
Advanced Math—Pre-Calculus	1
Advanced Math—Functions and Statistics	1
Algebra I, II	1 each
Applied Algebra I	1
Algebra I—Part 1	1
Algebra I—Part 2	1
AP Computer Science A	1
Calculus	1
Discrete Mathematics	1
Financial Mathematics (Literacy)	1
Geometry	1
Applied Geometry	1
Integrated Mathematics I, II, III	1 each
Pre-Calculus	1
Probability and Statistics	1
Math Essentials	1
AP Calculus BC	1
AP Calculus AB	1
AP Statistics	1
IB Math Studies (Math Methods)	1
IB Mathematics SL	1
IB Further Mathematics HL	1
IB Mathematics HL	1

B. - C.…

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:7 and R.S. 17:24.4.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:1296 (June 2005), amended LR 33:2605 (December 2007), LR 34:1609 (August 2008), LR 35:2322 (November 2009), LR 36:1493 (July 2010), LR 38:760 (March 2012), LR 40:999 (May 2014), LR 40:2527 (December 2014), LR 42:1063 (July 2016).

Shan N. Davis
Executive Director
1607#007

RULE

Board of Elementary and Secondary Education

Bulletin 741 (Nonpublic)—Louisiana Handbook
for Nonpublic School Administrators
(LAC 28:LXXIX.2109 and 2323)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has amended *Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators*: §2109, High School Graduation Requirements; and §2323, Mathematics. The policy revisions add AP computer science as an equivalent advanced mathematics course for the purposes of satisfying high school graduation requirements and for determining student eligibility to receive a Taylor Opportunity Program for Students (TOPS) award.

Title 28
EDUCATION
Part LXXIX. Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators
Chapter 21. Curriculum and Instruction
Subchapter C. Secondary Schools
§2109. High School Graduation Requirements

A. …

B.For incoming freshmen from 2009-2010 to 2013-2014 who are completing the Louisiana Core 4 curriculum, the minimum course requirements shall be the following:

1. …

2. mathematics—4 units, shall be:

a. algebra I (1 unit) or algebra I-pt. 2;

b. geometry;

c. algebra II;

d. the remaining unit shall come from the following: financial mathematics, math essentials, advanced mathematics-pre-calculus, advanced mathematics-functions and statistics, pre-calculus, calculus, probability and statistics, discrete mathematics, AP calculus BC, AP computer science A, or a locally-initiated elective as a math substitute;

3. - 9. …

C.For incoming freshmen in 2009-2010 through 2013-2014 who are completing the Louisiana Basic Core curriculum, the minimum course requirements for graduation shall be the following.

1. …

2. Mathematics—4 units, shall be:

a. algebra I (1 unit) or algebra I-pt. 1 and algebra I-pt. 2 (2 units);

b. geometry;

c. the remaining units shall come from the following:

i. algebra II;
ii. financial mathematics;
iii. math essentials;
iv. advanced mathematics-pre-calculus;
v. advanced mathematics-functions and statistics;
vi. pre-calculus;
vii. calculus;
viii. probability and statistics;
ix. discrete mathematics;
x. AP computer science A; or
xi. a locally initiated elective approved by BESE as a math substitute.

3. - 7. …

D. For incoming freshmen in 2014-2015 and beyond who are completing the TOPS university diploma, the minimum course requirements shall be the following:

1. - 1.d.v. …

2. mathematics—four units:

a. algebra I;

b. geometry;

c. algebra II;

NOTE: Integrated Mathematics I, II, and III may be substituted for the Algebra I, Geometry, and Algebra II sequence.

d. one of the following:

i. algebra III;
ii. advanced math—functions and statistics;
iii. advanced math—pre-calculus;
iv. pre-calculus;
v. IB math studies (math methods);
vi. calculus;
vii. AP calculus AB;
viii. IB mathematics SL;
ix AP calculus BC;
x. AP statistics;
xi. IB further mathematics HL;
xii. IB mathematics HL;
xiii. probability and statistics; or
xiv. AP computer science A;

D.3. - F.3.b. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2351 (November 2003), amended LR 30:2776 (December 2004), LR 31:3081 (December 2005), LR 34:2099 (October 2008), LR 36:2849 (December 2010), LR 37:2142, 2144 (July 2011), repromulgated LR 37:2390 (August 2011), amended LR 37:2597 (September 2011), LR 38:769 (March 2012), LR 38:1008 (April 2012), LR 39:1444 (June 2013), LR 40:1682 (September 2014), LR 40:2535 (December 2014), LR 41:915 (May 2015), LR 41:1485 (August 2015), LR 41:2127 (October 2015), LR 42:1064 (July 2016).

Chapter 23. High School Program of Studies
§2323. Mathematics

A. The mathematics course offerings shall be as follows.

Course Title	Unit(s)
Advanced Mathematics I	1
Advanced Mathematics II	1
Algebra I	1
Algebra I-Part I	1
Algebra 1-Part II	1
Algebra II	1
AP Computer Science A	1
Calculus	1
Discrete Mathematics	1
Financial Mathematics (Literacy)	1
Geometry	1
Integrated Mathematics I	1
Integrated Mathematics II	1
Integrated Mathematics III	1
Pre-Calculus	1
Probability and Statistics	1
Math Essentials	1
AP Calculus BC	1
AP Calculus AB	1
AP Statistics	1
IB Math Studies (Math Methods)	1
IB Mathematics SL	1
IB Further Mathematics HL	1
IB Mathematics HL	1

B.Financial mathematics may be taught by the business education department.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.1, and R.S. 44:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:2354 (November 2003), amended LR 30:2776 (December 2004), LR 31:3086 (December 2005), LR 34:2101 (October 2008), LR 36:2849 (December 2010), LR 38:771 (March 2012), LR 39:1449 (June 2013), LR 40:1685 (September 2014), LR 40:2538 (December 2014), LR 42:1064 (July 2016).

Shan N. Davis
Executive Director
1607#008

RULE

Board of Elementary and Secondary Education

Bulletin 1955—Louisiana Content Standards, Benchmarks, and Grade Expectations for Mathematics
(LAC 28:CXIX.Chapters 1-17)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education (BESE) has repealed *Bulletin 1955—Louisiana Student Standards for Mathematics*. This action is required because these standards, initially approved by BESE in 2003, are obsolete having been replaced by standards approved by BESE in 2010.

Title 28
EDUCATION
Part CXIX. Bulletin 1955—Louisiana Content Standards, Benchmarks, and Grade Expectations for Mathematics

Chapter 1. General

§101. Introduction

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2834 (November 2005), repealed LR 42:1065 (July 2016).

§103. Information Literacy Model for Lifelong Learning

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2834 (November 2005), repealed LR 42:1065 (July 2016).

§105. Philosophy

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2835 (November 2005), repealed LR 42:1065 (July 2016).

§107. Educational Environment

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2837 (November 2005), repealed LR 42:1065 (July 2016).

§109. Assessment

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2838 (November 2005), repealed LR 42:1065 (July 2016).

§111. Content Strands

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2839 (November 2005), repealed LR 42:1065 (July 2016).

Chapter 3. Strand One: Number and Number Relations

§301. Number and Number Relations

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2839 (November 2005), repealed LR 42:1065 (July 2016).

§303. Benchmarks K-4

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2839 (November 2005), repealed LR 42:1065 (July 2016).

§305. Benchmarks 5-8

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2840 (November 2005), repealed LR 42:1065 (July 2016).

§307. Benchmarks 9-12

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2840 (November 2005), repealed LR 42:1065 (July 2016).

Chapter 5. Strand Two: Algebra

§501. Algebra

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2840 (November 2005), repealed LR 42:1065 (July 2016).

§503. Benchmarks K-4

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2841 (November 2005), repealed LR 42:1065 (July 2016).

§505. Benchmarks 5-8

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2841 (November 2005), repealed LR 42:1065 (July 2016).

§507. Benchmarks 9-12

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2841 (November 2005), repealed LR 42:1065 (July 2016).

Chapter 7. Strand Three: Measurement

§701. Measurement

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2841 (November 2005), repealed LR 42:1066 (July 2016).

§703. Benchmarks K-4

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2841 (November 2005), repealed LR 42:1066 (July 2016).

§705. Benchmarks 5-8

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2842 (November 2005), repealed LR 42:1066 (July 2016).

§707. Benchmarks 9-12

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2842 (November 2005), repealed LR 42:1066 (July 2016).

Chapter 9. Strand Four: Geometry

§901. Geometry

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2842 (November 2005), repealed LR 42:1066 (July 2016).

§903. Benchmarks K-4

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2843 (November 2005), repealed LR 42:1066 (July 2016).

§905. Benchmarks 5-8

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2843 (November 2005), repealed LR 42:1066 (July 2016).

§907. Benchmarks 9-12

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2843 (November 2005), repealed LR 42:1066 (July 2016).

Chapter 11. Strand Five: Data Analysis, Probability, and Discrete Math

§1101. Data Analysis, Probability, and Discrete Math

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2843 (November 2005), repealed LR 42:1066 (July 2016).

§1103. Benchmarks K-4

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2844 (November 2005), repealed LR 42:1066 (July 2016).

§1105. Benchmarks 5-8

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2844 (November 2005), repealed LR 42:1066 (July 2016).

§1107. Benchmarks 9-12

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2844 (November 2005), repealed LR 42:1066 (July 2016).

Chapter 13. Strand Six: Patterns, Relations, and Functions

§1301. Patterns, Relations, and Functions

Repealed.
AUTHORITY NOTE: Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2844 (November 2005), repealed LR 42:1066 (July 2016).

§1303. Benchmarks K-4

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2845 (November 2005), repealed LR 42:1066 (July 2016).

§1305. Benchmarks 5-8

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2845 (November 2005), repealed LR 42:1066 (July 2016).

§1307. Benchmarks 9-12

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2845 (November 2005), repealed LR 42:1066 (July 2016).

Chapter 15. Grade Level Expectations

§1501. Prekindergarten

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2845 (November 2005), repealed LR 42:1067 (July 2016).

§1503. Kindergarten

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2846 (November 2005), repealed LR 42:1067 (July 2016).

§1505. First Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2846 (November 2005), repealed LR 42:1067 (July 2016).

§1507. Second Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2847 (November 2005), repealed LR 42:1067 (July 2016).

§1509. Third Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2848 (November 2005), repealed LR 42:1067 (July 2016).

§1511. Fourth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2849 (November 2005), repealed LR 42:1067 (July 2016).

§1513. Fifth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2850 (November 2005), repealed LR 42:1067 (July 2016).

§1515. Sixth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2851 (November 2005), repealed LR 42:1067 (July 2016).

§1517. Seventh Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2852 (November 2005), repealed LR 42:1067 (July 2016).

§1519. Eighth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2853 (November 2005), repealed LR 42:1067 (July 2016).

§1521. Ninth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2855 (November 2005), repealed LR 42:1067 (July 2016).

§1523. Tenth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2856 (November 2005), repealed LR 42:1067 (July 2016).

§1525. Eleventh and Twelfth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2856 (November 2005), repealed LR 42:1067 (July 2016).

Chapter 17. Glossary and References

§1701. Definitions

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17.6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 31:2857 (November 2005), repealed LR 42:1067 (July 2016).

Shan N. Davis
Executive Director
1607#009

RULE

Board of Elementary and Secondary Education

Bulletin 1965—Louisiana Content Standards, Benchmarks, and Grade Expectations for English Language Arts
(LAC 28:LXIII.Chapters 1-19)

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Board of Elementary and Secondary Education has repealed *Bulletin 1965—Louisiana Content Standards, Benchmarks, and Grade Expectations for English Language Arts*. This action is required because these standards, initially approved by BESE in 2003, are obsolete having been replaced by standards approved by BESE in 2010.

Title 28
EDUCATION
Part LXIII. Bulletin 1965—Louisiana Content Standards, Benchmarks, and Grade Expectations for English Language Arts

Chapter 1. General

§101. Introduction

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2858 (November 2005), repealed LR 42:1067 (July 2016).

§103. Louisiana Content Standards Foundation Skills

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2858 (November 2005), repealed LR 42:1068 (July 2016).

§105. Information Literacy Model for Lifelong Learning

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2859 (November 2005), repealed LR 42:1068 (July 2016).

§107. Louisiana English Language Arts Content Standards

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2859 (November 2005), repealed LR 42:1068 (July 2016).

Chapter 3. Standard One

§301. General Provisions

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:308 (March 2003), amended LR 31:2860 (November 2005), repealed LR 42:1068 (July 2016).

§303. Benchmarks K-4

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:308 (March 2003), amended LR 31:2860 (November 2005), repealed LR 42:1068 (July 2016).

§305. Benchmarks 5-8

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:308 (March 2003), amended LR 31:2860 (November 2005), repealed LR 42:1068 (July 2016).

§307. Benchmarks 9-12

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:308 (March 2003), amended LR 31:2860 (November 2005), repealed LR 42:1068 (July 2016).

Chapter 5. Standard Two

§501. General Provisions

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:309 (March 2003), amended LR 31:2861 (November 2005), repealed LR 42:1068 (July 2016).

§503. Benchmarks K-4

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:309 (March 2003), amended LR 31:2861 (November 2005), repealed LR 42:1068 (July 2016).

§505. Benchmarks 5-8

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:309 (March 2003), amended LR 31:2861 (November 2005), repealed LR 42:1068 (July 2016).

§507. Benchmarks 9-12

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:308 (March 2003), amended LR 31:2861 (November 2005), repealed LR 42:1068 (July 2016).

Chapter 7. Standard Three

§701. General Provisions

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:308 (March 2003), amended LR 31:2861 (November 2005), repealed LR 42:1068 (July 2016).

§703. Benchmarks K-4

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:308 (March 2003), amended LR 31:2862 (November 2005), repealed LR 42:1068 (July 2016).

§705. Benchmarks 5-8

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:308 (March 2003), amended LR 31:2862 (November 2005), repealed LR 42:1068 (July 2016).

§707. Benchmarks 9-12

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:308 (March 2003), amended LR 31:2862 (November 2005), repealed LR 42:1068 (July 2016).

Chapter 9. Standard Four

§901. General Provisions

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:308 (March 2003), amended LR 31:2862 (November 2005), repealed LR 42:1069 (July 2016).

§903. Benchmarks K-4

Repealed.
AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.
HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:309 (March 2003), amended LR 31:2862 (November 2005), repealed LR 42:1069 (July 2016).

§905. Benchmarks 5-8

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:309 (March 2003), amended LR 31:2862 (November 2005), repealed LR 42:1069 (July 2016).

§907. Benchmarks 9-12

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:309 (March 2003), amended LR 31:2863 (November 2005), repealed LR 42:1069 (July 2016).

Chapter 11. Standard Five

§1101. General Provisions

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:309 (March 2003), amended LR 31:2863 (November 2005), repealed LR 42:1069 (July 2016).

§1103. Benchmarks K-4

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:309 (March 2003), amended LR 31:2863 (November 2005), repealed LR 42:1069 (July 2016).

§1105. Benchmarks 5-8

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:310 (March 2003), amended LR 31:2863 (November 2005), repealed LR 42:1069 (July 2016).

§1107. Benchmarks 9-12

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:310 (March 2003), amended LR 31:2864 (November 2005), repealed LR 42:1069 (July 2016).

Chapter 13. Standard Six

§1301. General Provisions

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:610 (March 2003), amended LR 31:2/864 (November 2005), repealed LR 42:1069 (July 2016).

§1303. Benchmarks K-4

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:310 (March 2003), amended LR 31:2864 (November 2005), repealed LR 42:1069 (July 2016).

§1305. Benchmarks 5-8

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:310 (March 2003), amended LR 31:2864 (November 2005), repealed LR 42:1069 (July 2016).

§1307. Benchmarks 9-12

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2858 (November 2005), repealed LR 42:1069 (July 2016).

Chapter 15. Standard Seven

§1501. General Provisions

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:311 (March 2003), amended LR 31:2865 (November 2005), repealed LR 42:1069 (July 2016).

§1503. Benchmarks K-4

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:311 (March 2003), amended LR 31:2865 (November 2005), repealed LR 42:1069 (July 2016).

§1505. Benchmarks 5-8

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:311 (March 2003), amended LR 31:2865 (November 2005), repealed LR 42:1069 (July 2016).

§1507. Benchmarks 9-12

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2858 (November 2005), repealed LR 42:1069 (July 2016).

Chapter 17. Grade Level Expectations

§1701. Prekindergarten

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2865 (November 2005), repealed LR 42:1070 (July 2016).

§1703. Kindergarten

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2866 (November 2005), repealed LR 42:1070 (July 2016).

§1705. First Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2868 (November 2005), repealed LR 42:1070 (July 2016).

§1707. Second Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2870 (November 2005), repealed LR 42:1070 (July 2016).

§1709. Third Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2871 (November 2005), repealed LR 42:1070 (July 2016).

§1711. Fourth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2873 (November 2005), repealed LR 42:1070 (July 2016).

§1713. Fifth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2875 (November 2005), repealed LR 42:1070 (July 2016).

§1715. Sixth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2877 (November 2005), repealed LR 42:1070 (July 2016).

§1717. Seventh Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2880 (November 2005), repealed LR 42:1070 (July 2016).

§1719. Eighth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2882 (November 2005), repealed LR 42:1070 (July 2016).

§1721. Ninth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2884 (November 2005), repealed LR 42:1070 (July 2016).

§1723. Tenth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2886 (November 2005), repealed LR 42:1070 (July 2016).

§1725. Eleventh and Twelfth Grade

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2889 (November 2005), repealed LR 42:1070 (July 2016).

Chapter 19. Glossary and References

§1901. Definitions

Repealed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:6, R.S. 17:24.4, and R.S. 17:154.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 29:306 (March 2003), amended LR 31:2892 (November 2005), repealed LR 42:1070 (July 2016).

Shan N. Davis
Executive Director
1607#010

RULE

Tuition Trust Authority
Office of Student Financial Assistance

START Saving Program
(LAC 28:VI.Chapters 1 and 3)

The Louisiana Tuition Trust Authority has amended its START Saving Program rules (R.S. 17:3091 et seq.). (ST16168R)

Title 28
EDUCATION
Part VI. Student Financial Assistance—Higher Education Savings
Chapter 1. General Provisions
Subchapter A. Tuition Trust Authority
§101. General Provisions

A. The Louisiana Student Tuition Assistance and Revenue Trust (START Saving) Program was enacted in 1995 to provide a program of savings for future college costs to:

1. help make education affordable and accessible to all citizens of Louisiana;

2. assist in the maintenance of state institutions of postsecondary education by helping to provide a more stable financial base to these institutions;

3. provide the citizens of Louisiana with financing assistance for education and protection against rising postsecondary education costs, to encourage savings to enhance the ability of citizens to obtain access to institutions of postsecondary education;

4. encourage academic excellence, to promote a well-educated and financially secure population to the ultimate benefit of all citizens of the state; and

5. encourage recognition that financing an education is an investment in the future.

B.The START Saving Program establishes education savings accounts (ESAs) by individuals, groups, or organizations with provisions for routine deposits of funds to cover the future educational costs of a designated beneficiary.

1. In addition to earning regular interest at competitive rates, certain accounts are also eligible for earnings enhancements (EEs) provided by the state to help offset the beneficiary's cost of qualified higher education expenses.

2. The EE amount is determined by the account owner's classification, annual federal adjusted gross income, and total annual deposits of principal.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:711 (June 1997), amended LR 24:1267 (July 1998), repromulgated LR 26:2260 (October 2000), amended LR 27:1876 (November 2001), LR 28:2334 (November 2002), LR 42:1071 (July 2016).

§103. Legislative Authority

A. Act Number 547 of the 1995 Regular Legislative Session, effective June 18, 1995, enacted the Louisiana Student Tuition Assistance and Revenue Trust (START) Saving Program as chapter 22-A, title 17 of the *Louisiana Revised Statutes* (R.S. 17:3091-3099.2).

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:711 (June 1997), repromulgated LR 24:1267 (July 1998), LR 26:2260 (October 2000), amended LR 27:1876 (November 2001), LR 42:1071 (July 2016).

§105. Program Administration

A. The Louisiana Tuition Trust Authority (LATTA) is a statutory authority whose membership consists of the Louisiana Student Financial Assistance Commission (LASFAC), plus one member from the Louisiana Bankers Association, the state treasurer, and one member each from the House of Representatives and Senate.

B.The LATTA administers the START Saving Program through the Louisiana Office of Student Financial Assistance (LOSFA).

C.LOSFA is the organization created to perform the functions of the state relating to programs of financial assistance and certain scholarship programs for higher education in accordance with directives of its governing bodies and applicable law, and as such is responsible for administering the START Saving Program under the direction of the LATTA.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:711 (June 1997), repromulgated LR 24:1267 (July 1998), amended LR 26:2260 (October 2000), LR 27:1876 (November 2001), LR 42:1071 (July 2016).

§107. Applicable Definitions

A. Words and terms not otherwise defined in these rules shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa.

Account Owner—the *person*(s), independent student, organization or group that completes the START Saving Program owner's agreement on behalf of a beneficiary and is the account owner of record of all funds credited to the account.

Beneficiary—the person named by the account owner in the Education Savings Account (ESA) owner's agreement or the person named by the LATTA when authorized to make such a designation by the owner of an account that is classified under §303.A.6. as the individual entitled to apply the account balance, or portions thereof, toward payment of their qualified higher education expenses.

Beneficiary's Family—for the purpose of §303.A.6 one of the following persons:

a. the beneficiary's parent(s) or court ordered custodian; or

b. a person who claims the beneficiary as a dependent on his or her federal income tax return for the previous year; or

c. a person who certified that the beneficiary lives with him, that he provides more than 50 percent of the beneficiary's support for the previous year and that he was not required to file an income tax return for the previous year.

Current Value—the value of an education savings account at a given point in time.

a. The current value of fixed earnings investment options includes the accumulated value of the principal deposited, earnings on deposits, earnings enhancements (EEs) allocated to the account and the earnings on the EEs.

b. The current value of variable earnings investment options includes the number of units in the investment option purchased multiplied by the current value of each unit plus the earnings enhancements (EEs) allocated to the account and the earnings on the EEs. This value may be more or less than the amount originally deposited.

Deposits—the actual amount of money received from an account owner for investment in an education savings account. Deposits do not include earnings on deposits nor earnings enhancements or interest earned thereon.

Disabled or *Disability*—an individual who is considered to be disabled because he/she is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long-continued and indefinite duration. An individual shall not be considered disabled unless he furnishes proof of the existence thereof in such form and manner as the LATTA may require.

Earnings Enhancement (EE)—a payment allocated to an ESA on behalf of the beneficiary of the account by the state. The amount of the annual EE is calculated based upon the classification of an account, the annual federal adjusted gross income of the account owner, and total annual deposits of principal into an ESA, including deposits in fixed earning and variable earnings options. EEs and the interest earned thereon may only be used to pay the beneficiary's qualified higher education expenses, or portion thereof, at an eligible educational institution and cannot be refunded.

Earnings Enhancement Cap—the maximum of deposits in an account for which earnings enhancements will be paid. The earnings enhancement cap is reached when an account has a current value that is equal to or exceeds five times the annual qualified higher education expenses at the highest cost Louisiana public college or university, projected to the scheduled date of first enrollment. The projected qualified higher education expenses at each eligible educational institution shall be updated by the administering agency. On the date of the beneficiary's first enrollment in an eligible educational institution, the earnings enhancement cap will be fixed at five times the annual qualified higher education expenses at the highest cost Louisiana public college or university, for the academic year of enrollment or the projected amount, whichever is greater.

Education Savings Account (ESA)—a savings account established by a natural person or a legal entity to pay qualified higher education expenses of the designated beneficiary.

Educational Term—a semester, quarter, term, summer session, inter-session, or an equivalent unit.

Eligible Educational Institution—either:

a. a state college or university or a technical college or institute or an independent college or university located in this state that is approved by the U.S. Secretary of Education to participate in a program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1088), as amended; or

b. a public or independent college or a university located outside this state that is approved by the U.S. secretary of education to participate in a program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1088), as amended; or

c. a Louisiana licensed proprietary school, licensed pursuant to R.S. chapter 24-A of title 17, and any subsequent amendments thereto and is eligible to participate in a program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1088), as amended.

False or Misleading Information—a statement or response made by a person, which is knowingly false or misleading, and made for the purpose of establishing a program account and/or receiving benefits to which the person would not otherwise be entitled.

Fixed Earnings—the placement of all deposits in an ESA, including the interest earned thereon, in investments that normally provide a fixed rate of return for a specific period of time.

Independent Student—is a person who is defined as an independent student by the Higher Education Act of 1965 (20 U.S.C. 1088) (HEA), as amended, and if required, files an individual federal income tax return in his/her name and designates him/herself as the beneficiary of an ESA.

a. The HEA defines *independent student* as a student who:

i. reached 24 years of age prior to January of the year preceding the academic year for which the student is applying for aid;

ii. is a veteran of the U.S. Armed Forces, including a student who was activated to serve in Operation Desert Storm or is currently serving on active duty in the Armed Forces for other than training purposes;

iii. is an orphan, in foster care, or a ward of the court or was in foster care or was a ward of the court until the individual reached the age of 18;

iv. has legal dependents other than a spouse;

v. is a graduate or professional student;

vi. is married; or

vii. has been determined independent by a financial aid officer exercising professional judgment in accordance with applicable provisions of the HEA.

b. An independent student may only open an account as an account owner if he/she is 18 years or older.

Legal Entity—juridical person including, but not limited to, groups, trusts, estates, associations, organizations, partnerships, and corporations that are incorporated, organized, established, or authorized to conduct business in accordance with the laws of one or more states or territories of the United States. A natural person is not a legal entity.

Louisiana Education Tuition and Savings Fund (*the Fund*)—is a special permanent fund maintained by the Louisiana state treasurer for the purpose of the START Saving Program and is the account into which all initial deposits made to ESAs are deposited. The fund includes the Savings Enhancement Fund, which is a special sub-account designated to receive earnings enhancements appropriated by the state, and interest earned thereon.

Louisiana Office of Student Financial Assistance (*LOSFA)*—the agency of state government responsible for administering the START Saving Program under the direction of the Louisiana Tuition Trust Authority.

Louisiana Resident—

a. any person who resided in the state of Louisiana on the date of the application and who has manifested intent to remain in the state by establishing Louisiana as legal domicile, as demonstrated by compliance with all of the following:

i. if registered to vote, is registered to vote in Louisiana;

ii. if licensed to drive a motor vehicle, is in possession of a Louisiana driver's license;

iii. if owning a motor vehicle located within Louisiana, is in possession of a Louisiana registration for that vehicle;

iv. if earning an income, has complied with state income tax laws and regulations;

b. a member of the Armed Forces stationed outside of Louisiana who claims Louisiana on his/her official DD

Form 2058 as his/her legal residence for tax purposes, and is in compliance with state income tax laws and regulations, shall be considered eligible for program participation;

c. a member of the Armed Forces stationed in Louisiana under permanent change of station orders shall be considered eligible for program participation;

d. persons less than 21 years of age are considered Louisiana residents if they reside with and are dependent upon one or more persons who meet the above requirements;

e. a legal entity is considered to be a Louisiana resident if it is incorporated, organized, established or authorized to conduct business in accordance with the laws of Louisiana or registered with the Louisiana Secretary of State to conduct business in Louisiana and has a physical place of business in Louisiana.

Louisiana Tuition Trust Authority (LATTA)—the statutory body responsible for the administration of the START Saving Program.

Maximum Allowable Account Balance—$500,000.

Member of the Family (with respect to the designated beneficiary)—

a. the spouse of such beneficiary; or

b. an individual who bears one of the following relationships to such beneficiary:

i. a son or daughter of the beneficiary, or a descendant of either;

ii. a stepson or stepdaughter of the beneficiary;

iii. a brother, sister, stepbrother, or stepsister of the beneficiary;

iv. the father or mother of the beneficiary, or an ancestor of either;

v. a stepfather or stepmother of the beneficiary;

vi. a son or daughter of a brother or sister of the beneficiary;

vii. a brother or sister of the father or mother of the beneficiary; or

viii. a son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law of the beneficiary; or

ix. a first cousin of the beneficiary; or

c. the spouse of an individual listed in Clauses b.i-viii.

Natural Person—a human being.

Other Person (with respect to any designated beneficiary)—any person, other than the beneficiary, whether natural or juridical, who is not a member of the family, including but not limited to individuals, groups, trusts, estates, associations, organizations, partnerships, corporations, and custodians under the Uniform Transfer to Minors Act (UTMA).

Owner's Agreement—the agreement for program participation that the account owner completes and signs. It incorporates, by reference, R.S. 17:3091 et seq., and the rules promulgated by the LATTA to implement this statutory provision and any other state or federal laws applicable to the agreement and the terms and conditions as set forth therein.

Person—a human being or a juridical entity.

Qualified Higher Education Expenses—

a. tuition, fees, books, supplies, and equipment required for the enrollment or attendance of a designated beneficiary at an eligible educational institution; and

b. room and board; and

c. expenses for special needs services in the case of a special needs beneficiary, which are incurred in connection with such enrollment or attendance; and

d. for the calendar years 2009 and 2010 only, expenses paid or incurred for the purchase of any computer technology or equipment or Internet access and related services, if such technology, equipment, or services are to be used by the beneficiary and the beneficiary's family during any of the years the beneficiary is enrolled at an eligible educational institution, but shall not include expenses for computer software designed for sports, games, or hobbies unless the software is predominately educational in nature;

e. for calendar year 2015 and thereafter, expenses for the purchase of computer or peripheral equipment, computer software, or Internet access and related services, if such equipment, software, or services are to be used primarily by the beneficiary during any of the years the beneficiary is enrolled at an eligible educational institution, but shall not include expenses for computer software designed for sports, games, or hobbies unless the software is predominately educational in nature.

Rate of Expenditure—the rate (see §309.B) per educational term at which the EEs may be disbursed from an ESA to pay for the beneficiary's qualified higher education expenses at an eligible educational institution. For each disbursement requested by an account owner, EEs and the earnings thereon will be disbursed from the account in the same ratio that they bear to the current value of the account.

Redemption Value—the cash value of the money in an ESA invested in a fixed earnings option that are attributable to the sum of the principal deposited and the earnings on principal authorized to be credited to the account by the LATTA, less any disbursements and refunds. The redemption value does not include any EEs allocated to the account or the earnings on EEs. Redemption value is not applicable to an ESA invested in variable earnings.

Refund Recipient—the person designated by the account owner in the START Saving Program owner's agreement or by operation of law to receive refunds from the account. The refund recipient can only be the account owner or the beneficiary.

Room and Board—the reasonable cost for the educational term incurred by the designated beneficiary for room and board while attending an eligible educational institution on at least a half time basis, not to exceed the maximum amount included for *room and board* for such period in the cost of attendance (as currently defined in §472 of the Higher Education Act of 1965, 20 U.S.C. 1087ll) as determined by the eligible educational institution for such period, or if greater, the actual invoice amount the student residing in housing owned or operated by the eligible education institution is charged by such institution for room and board.

Saving Enhancement Fund—the sub-account established within the Tuition and Savings Fund by the State Treasurer to receive funds appropriated by the legislature or donated from any other source for the purpose of funding EEs.

Scheduled Date of First-Enrollment (for a dependent beneficiary)—the month and year in which the beneficiary turns 18 years of age. For an independent student over the age of 18, the scheduled date of first-enrollment is the date the account is opened. This date is used to determine eligibility for EEs. See the term *earnings enhancement cap*.

Special Needs Services and Beneficiary—services provided to a beneficiary because the student has one or more disabilities.

Trade Date—the date that a deposit to an investment option that includes variable earnings is assigned a value in units, the date a disbursement or refund from an investment option that includes variable earnings is assigned a value, or the date of a change in investment options that includes variable earnings is assigned a value, whichever is applicable.

Tuition—the mandatory educational charge required as a condition of enrollment and is limited to undergraduate enrollment. It does not include non-residence fees, laboratory fees, room and board or other similar fees and charges.

Variable Earnings—refers to that portion of funds in an ESA, invested in equities, bonds, short-term fixed income investments or a combination of any of the three.

Variable Earnings Transaction Fund—the subaccount established within the Louisiana Education Tuition and Savings Fund to receive funds as directed by rule.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:712 (June 1997), amended LR 24:1268 (July 1998), LR 25:1794 (October 1999), LR 26:2260 (October 2000), LR 27:37 (January 2001), LR 27:1222 (August 2001), LR 27:1876 (November 2001), LR 28:450 (March 2002), LR 28:777 (April 2002), LR 28:2334 (November 2002), LR 29:556 (April 2003), LR 30:786 (April 2004), LR 30:1169 (June 2004), LR 30:2302 (October 2004), LR 31:639 (March 2005), LR 32:1433 (August 2006), LR 32:2240 (December 2006), LR 33:443 (March 2007), LR 34:1885 (September 2008), LR 35:1491 (August 2009), LR 38:3162 (December 2012), LR 42:1071 (July 2016).

Chapter 3. Education Savings Account

§301. Education Savings Accounts

A. An education savings account (ESA) is established on behalf of a designated beneficiary to provide the funding necessary for the beneficiary to acquire an undergraduate certificate, associate degree, undergraduate degree, graduate degree or professional degree. ESAs may offer investment options that provide either fixed earnings or variable earnings.

1. The account owner classified under §303.A.1, 2, 3, 4, and 5 shall designate the beneficiary in the owner's agreement.

2. The account owner classified under §303.A.6 may designate the beneficiary in the owner's agreement, provided the beneficiary is not a member of the account owner's family, or authorize the LATTA to select a beneficiary for the account.

3. A beneficiary selected by the LATTA must meet the following criteria:

a. the beneficiary is a Louisiana resident;

b. the federal adjusted income of the beneficiary's family is less than $30,000 or the beneficiary is eligible for a free lunch under the Richard B. Russell National School Act (42 USC 1751 et seq.);

c. the beneficiary is not a member of the account owner's family nor a member of the family of any member or employee of the authority or the Office of Student Financial Assistance;

d. demonstrate superior early academic preparation in the third grade by achieving a score on the Iowa Tests of Basic Skills, Stanford 9 Test or TerraNova Test that is in the top two quartiles; and

e. the guidelines provided by the account owner, if any; provided such guidelines are lawful.

4. Procedure for Selection (Reserved)

B.Program Enrollment Period. An account may be opened and an eligible beneficiary may be enrolled at any time during the calendar year.

C.Completing the Owner's Agreement

1. This agreement must be completed, in full, by the account owner.

2. The account owner shall designate a beneficiary, except as provided in Paragraph A.2 above.

3. The account owner may designate a limited power of attorney to another person who would be authorized to act on the account owner's behalf, in the event the account owner becomes incapacitated.

4. Transfer of account ownership is only permitted as set forth in §313.

D. Agreement to Terms. Upon executing an owner's agreement, the account owner agrees to the following statements.

1. Admission to a Postsecondary Educational Institution—that participation in the START Program does not guarantee that a beneficiary will be admitted to any institution of postsecondary education.

2. Payment of Qualified Higher Education Expenses—that participation in the START Program does not guarantee that the full cost of the beneficiary's qualified higher education expenses will be paid at an institution of postsecondary education nor does it guarantee enrollment as a resident student.

3. Maintenance of Continuous Enrollment—that once admitted to an institution of postsecondary education, participation in the START Program does not guarantee that the beneficiary will be permitted to continuously enroll or receive a degree, diploma, or any other affirmation of program completion.

4. Guarantee of Redemption Value—that the LATTA guarantees payment of the redemption value of an ESA that is invested in fixed earnings, subject to the limitations imposed by R.S. 17:3098; however, the LATTA does not guarantee the value of an ESA that is invested in variable earnings.

5. Conditions for Payment of Education Expenses—that payments for qualified higher education expenses under the START Saving Program are conditional upon the beneficiary's acceptance and enrollment at an eligible educational institution.

6. Fees

a. That except for penalties which may be imposed on refunds, the LATTA shall not charge fees for the opening

or the maintenance of a fixed earnings account at standard fees established by the LATTA.

b. That fees imposed by investment institutions for opening or maintenance of variable earnings accounts may be charged to the account owner.

c. That financial and investment institutions may be authorized by the LATTA to offer prospective owners information and assistance in opening a START Program account.

7. That an account whose owner is a legal entity or is classified under §303.A.6. cannot be terminated and the funds deposited in the account will not be refunded to the account owner.

8. That an account owner who is a legal entity or is classified under §303.A.6, can change the beneficiary of an account to one or more persons who are not members of the family of the beneficiary in accordance with §313.A.4.c, however, in such case:

a. these transfers may be treated as refunds under federal and state tax laws in which case the account owner will be subject to any associated tax consequences; and

b. the EEs and interest thereon will not be transferred to the new beneficiary (Note that the deposit(s) will be eligible for EEs for the year of the deposit.);

c. the provisions of §301.A.2 shall apply to account owners classified in accordance with §303.A.6.

9. Only the account owner or the beneficiary may be designated to receive refunds from the account owned by an account owner who is a natural person other than a natural person classified as an account owner under §303.A.6. In the event of the death of the account owner when the account owner is designated to receive the refund and there is no substitute account owner named, the refund shall be made to the account owner's estate.

10. That in the event an account owner who is a legal entity classified as an account owner under §303.A.4 or 5 is dissolved, the beneficiary will become the owner of the account.

11. That in the event an other person classified as an account owner under §303.A.6 dies or is dissolved, the beneficiary will become the account owner, provided that, all the restriction provided in law and these rules regarding account owners classified under §303.A.6, including, but not limited to, use of the funds, refunds, terminations, designation of beneficiary, etc., shall be applicable to the beneficiary that becomes the owner of an account established under §303.A.6. If an account owner classified under §303.A.6 dies or is dissolved and the beneficiary has died or failed to enroll in an eligible college or university by age 25, and no substitute beneficiary has been designated by the account owner, the authority is authorized to designate a new beneficiary who must meet the requirements of §301.A.3 and §303.A.6.

E. Acceptance of the Owner's Agreement

1. A properly completed and submitted owner's agreement will be accepted upon receipt.

2. Upon acceptance of the owner's agreement, the LATTA will establish the account of the named beneficiary.

F. Citizenship Requirements. Both an account owner who is not a legal entity and the beneficiary must meet the following citizenship requirements:

1. be a United States citizen; or

2. be a permanent resident of the United States as defined by the U.S. Citizenship and Immigration Services (USCIS) or its successor and provide copies of USCIS documentation with the submission of the owner's agreement; or

3. be lawfully residing in the United States and have a valid Social Security number.

G. Residency Requirements

1. On the date an account is opened, either the account owner or his designated beneficiary must be a *Louisiana resident*, as defined in §107 of these rules.

2. The LATTA may request documentation to clarify circumstances and formulate a decision that considers all facts relevant to residency.

H. Providing Personal Information

1. The account owner is required to disclose personal information in the owner's agreement, including:

a. his Social Security number;

b. the designated beneficiary's Social Security number;

c. the beneficiary's date of birth;

d. the familial relationship between the account owner and the designated beneficiary, if any;

e. the account owner's prior year's federal adjusted gross income as reported to the Internal Revenue Service; and

f. in the case of an account owner classified under §303.A.6:

i. the Social Security number of the beneficiary's family and authorization from that person for the LATTA to access his annual tax records through the Louisiana Department of Revenue, for the purpose of verifying federal adjusted gross income; and

ii. if applicable, proof that the beneficiary is a ward of the court; or

iii. if applicable, proof the beneficiary is eligible for a free lunch under the Richard B. Russell National School Act (42 USC 1751 et seq.).

2. By signing the owner's agreement, the account owner who is classified under §303.A.1, 2, or 3 (does not include legal entities or other persons classified as account owners under §303.A.6) provides written authorization for the LATTA to access his annual tax records through the Louisiana Department of Revenue, for the purposes of verifying federal adjusted gross income.

3. By signing the owner's agreement:

a. the account owner who is a natural person, other than a natural person classified as an account owner under §303.A.6, certifies that:

i. both account owner and beneficiary are United States citizens or permanent residents of the United States as defined by the U.S. Citizenship and Immigration Services (USCIS) or its successor or be lawfully residing in the United States and have a valid Social Security number; and

(a). if permanent residents have provided copies of USCIS documentation with the submission of the application and owner's agreement; or

(b). if in the United States lawfully with a valid Social Security number have provided the visa or other document(s) from the USCIS evidencing lawful residency and a copy of the Social Security card from the Social Security Administration; and

ii. the information provided in the application is true and correct;

b. the person signing on behalf of an account owner who is a legal entity certifies that:

i. the account owner is a *legal entity* as defined in rule and the application;

ii. he or she is the designated agent of the legal entity;

iii. he or she is authorized to take any action permitted the account owner;

iv. the account owner acknowledges and agrees that once funds are deposited in a START account, neither the deposits nor the interest earned thereon can be refunded to the account owner;

v. the information provided in the application is true and correct; and

vi. if the beneficiary is not a Louisiana resident, the legal entity fulfills the definition of *Louisiana resident* as found in rule and the application;

c. the natural person classified as an account owner under §303.A.6 certifies that:

i. the beneficiary is a Louisiana resident;

ii. the federal adjusted income of the beneficiary's family is less than $30,000 or the beneficiary is eligible for a free lunch under the Richard B. Russell National School Act (42 USC 1751 et seq.);

iii. the beneficiary is not a member of the account owner's family nor a member of the family of any member or employee of the authority or the Office of Student Financial Assistance;

iv. the account owner acknowledges and agrees that once funds are deposited in a START account, neither the deposits nor the interest earned thereon can be refunded to the account owner; and

v. the information provided in the application is true and correct.

4. Social Security numbers and federal and state employer identification numbers will be used for purposes of federal and state income tax reporting and to access individual account information for administrative purposes (see §315).

I. Number of Accounts for a Beneficiary. There is no limit on the number of ESAs that may be opened for one beneficiary by different account owners; however, the cumulative credits in all accounts for the same beneficiary may not exceed the maximum allowable account balance for that beneficiary and the cumulative credits in all ESAs for the same beneficiary will be used to determine when these accounts are fully funded and are no longer eligible for EEs.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:713 (June 1997), amended LR 24:436 (March 1998), LR 24:1269 (July 1998), LR 25:1794 (October 1999), LR 26:2262 (October 2000), LR 27:1878 (November 2001), LR 28:450 (March 2002), LR 28:778 (April 2002), LR 28:2334 (November 2002), LR 30:786 (April 2004), LR 33:443 (March 2007), LR 36:313 (February 2010), LR 41:669 (April 2015), LR 42:1074 (July 2016).

§303. Account Owner Classifications

A. An account owner shall be classified by the authority under one of the following classifications:

1. a person or persons determined by the authority to be the parent, grandparent, or court ordered custodian of the person being designated as beneficiary of the account or who claim the person being designated as beneficiary as a dependent on their federal income tax return, and, at the time of the initiation of the agreement, the person or beneficiary is a resident of the state; or

2. a person determined by the authority to be a member of the family of the beneficiary and, at the time of the initiation of the agreement, the person or the beneficiary is a resident of the state; or

3. an independent student who is a resident of the state;

4. any other person and, at the time of the initiation of the agreement, the beneficiary is a resident of the state; or

5. any other person who, at the time of the initiation of the agreement, is a resident of the state and the beneficiary is not a resident of the state;

6. any other person or any government entity, and at the time of the initiation of the agreement:

a. the beneficiary is a resident of the state;

b. the federal adjusted income of the beneficiary's family is less than $30,000 or the beneficiary must be eligible for a free lunch under the Richard B. Russell National School Act (42 USC 1751 et seq.);

c. the beneficiary is not a member of the account owner's family nor a member of the family of any member or employee of the authority or the Office of Student Financial Assistance;

d. the deposits to the account are an irrevocable donation by the owner.

B.In order to qualify as an account owner in any classification, a natural person, to include an independent student, must be of the age of majority under Louisiana law.

C.Account owner classification is made at the time of the initiation of the agreement. Changes in the residency of the account owner or beneficiary after the initiation of the agreement do not change the account owner's classification.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 27:1879 (November 2001), amended LR 28:779 (April 2002), LR 28:2334 (November 2002), LR 30:787 (April 2004), LR 42:1076 (July 2016).

§305. Deposits to Education Savings Accounts

A. Application Fee and Initial Deposit Amount

1. No application fee will be charged to participants applying for a START Program account directly to the LATTA.

2. Financial and investment institutions may be authorized by the LATTA to offer assistance in establishing a START Program account. (See *fees* in §301.D.6.)

3. An initial deposit is not required to open an ESA; however, a deposit of at least $10 must be made within 180 days from the date on the letter of notification of approval of the account.

4. A lump sum deposit may not exceed the maximum allowable account balance (see §107).

B.Deposit Options

1. The account owner shall select one of the following deposit options during the completion of the owner's agreement; however, the account owner may change the

monthly deposit amount at any time and the payment method by notifying the LATTA:

a. occasional lump sum payment(s) made directly to the LATTA or to a LATTA-approved investment institution;

b. monthly payments made directly to the LATTA or to a LATTA-approved financial or investment institution;

c. automatic account debit, direct monthly transfer from the account owner's checking or savings account to the LATTA or a LATTA-approved investment institution;

d. payroll deduction, if available through the account owner's employer.

2. Account owners are encouraged to maintain a schedule of regular monthly deposits.

3. Through completion of schedule D of the Louisiana state income tax return, account owners may designate all or any portion of a state income tax refund due them as a deposit to their ESA. If the account owner has established more than one ESA, the amount of the refund identified on schedule D of the Louisiana state income tax return shall be divided by the number of accounts owned and an equal share shall be deposited into each such account.

C.Limitations on Deposits

1. All deposits must be rendered in amounts of at least $10 and must be made in cash, check, money order, automatic account debit or payroll deduction, defined as any of the deposit options listed in §305.B.1.

2. Once the balance in an account reaches the earnings enhancement cap (see §107), it will no longer be considered for EEs, regardless of the total amount of annual deposits that may be subsequently made to the account.

3. Once the cumulative contributions, earnings on contributions, EEs and interest accrued thereon has reached or exceeded the maximum allowable account balance (see §107), principal deposits will no longer be accepted to the account until a qualified distribution is made which reduces the account balance below the maximum allowable account balance.

D. Investment Options

1. The state treasurer shall select fixed earnings and variable earnings investment options.

2. The authority shall furnish each account owner with information that discloses each of the investment options offered by the program.

3. The account owner:

a. shall select one investment option in completing the owner's agreement, and

b. beginning December 1, 2009, may select the same or a different investment option at the time of each deposit.

4. Changing the Investment Option

a. Through 2008, the investment option can be changed only once in any 12-month period.

b. For the 2009 calendar year, the investment option may be changed at any time, but no more than two times.

c. Beginning December 1, 2009, if an ESA has funds in two or more investment options:

i. each option in the account may be changed to one different option or allowed to remain the same.

ii. all funds in each option changed must be transferred.

iii. funds in one option may not be moved to more than one option.

iv. all changes in investment options must take place in one transaction.

v. whether the funds are moved from one option or all options, the change is considered the one per calendar year investment option change.

d. Beginning the 2010 calendar year and thereafter, the investment option may be changed one time each calendar year.

5. Once a selection is made, all deposits shall be directed to the last investment option selected.

E.Effective Date of Deposits

1. Deposits for investment options that are limited to fixed earnings will be considered to have been deposited on the date of receipt.

2. Deposits for investment options that include variable earnings will be assigned a trade date based on the method of deposit and the date of receipt.

a. Deposits by check will be assigned a trade date three business days after the business day during which they were received.

b. Deposits made by electronic funds transfer through the Automated Clearing House (ACH) Network, or its successor, will be assigned a trade date of three business days after the business day during which they were received.

c. Deposits made by all other means of electronic funds transfer, including deposits made by transferring funds from a variable earnings option in which they are currently deposited to another option, will be assigned a trade date of one business day after the business day during which they were received.

3. Deposits for investment options that include variable earnings which are received via check or electronic funds transfer through the Automated Clearing House Network will be deposited into the fixed earnings option until the trade date. Earnings accrued on these deposits prior to the trade date shall be deposited in the Variable Earnings Transaction Fund.

4. Deposits received on weekends and holidays will be considered received on the next business day.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:715 (June 1997), amended LR 24:1270 (July 1998), LR 26:2263 (October 2000), LR 27:1880 (November 2001), LR 30:788 (April 2004), LR 30:1169 (June 2004), LR 30:2302 (October 2004), LR 32:1433 (August 2006), LR 32:2240 (December 2006), LR 35:236 (February 2009), LR 35:1234 (July 2009), LR 36:492 (March 2010), LR 36:2550 (November 2010), LR 42:1076 (July 2016).

§307. Allocation of Earnings Enhancements (EEs)

A. EEs are state-appropriated funds allocated to an ESA on behalf of the beneficiary named in the account.

1.a. The EEs for account owners who are classified under §303.A.1, 2 and 3 are calculated based upon the account owner's annual federal adjusted gross income for the year immediately preceding the year for which the beneficiary of the account is being considered for EEs and the account owner's total annual deposits of principal.

b. The EEs for account owners who are classified under §303.A.6 are calculated based:

i. upon the beneficiary's family's annual federal adjusted gross income for the year immediately preceding the year for which the beneficiary of the account is being

considered for EEs and the account owner's total annual deposits of principal; or

ii. if the beneficiary is a ward of the court, using the highest EE available and the account owner's total annual deposits of principal.

2. Although allocated to individual accounts, EEs are state funds and shall be held in an escrow account maintained by the state treasurer until disbursed to pay qualified higher education expenses at an eligible education institution as set forth in §307.G.

B.Providing Proof of Annual Federal Adjusted Gross Income.

1.a. For account owners who are classified under §303.A.1, 2, or 3 (does not include legal entities nor other persons classified as account owners under §303.A.6), the account owner's annual federal adjusted gross income for the year immediately preceding the year for which the beneficiary of the account is being considered for EEs is used in computing the annual EE allocation.

b. For account owners who are classified under §303.A.6, the beneficiary's family's annual federal adjusted gross income for the year immediately preceding the year for which the beneficiary of the account is being considered for EEs is used in computing the annual EEs or proof that the beneficiary is a ward of the court.

2.a. To be eligible in any given year for EEs in accordance with §307.D, the account owner of an ESA classified under §303.A.1, 2, 3, or 4 must:

i. authorize the LATTA to access the account owner's state tax return filed with the Louisiana Department of Revenue for the purpose of obtaining the account owner's federal adjusted gross income; or

ii provide the LATTA a copy of the account owner's federal or state income tax return filed for the year immediately preceding the year in which the beneficiary of the account is being considered for EEs.

b. To be eligible in any given year for EEs in accordance with §307.D, the account owner of an ESA classified under §303.A.6 must:

i. provide authorization from the beneficiary's family for the LATTA to access the beneficiary's family's state tax return filed with the Louisiana Department of Revenue for the purpose of obtaining the federal adjusted gross income of the beneficiary's family; or

ii. provide the LATTA a copy of the beneficiary's family's federal or state income tax return filed for the year immediately preceding the year in which the beneficiary of the account is being considered for EEs; or

iii. provide documentation establishing that the beneficiary is a ward of the court.

3.a. In completing the owner's agreement, account owners who are classified under §303.A.1, 2, or 3 (does not include legal entities or other persons classified as account owners under §303.A.6) authorize the LATTA to access their records with the Louisiana Department of Revenue for the purpose of verifying the account owners' federal adjusted gross income. In the event the account owner does not file tax information with the Louisiana Department of Revenue, they must provide the LATTA with:

i. a copy of the form filed with the Internal Revenue Service; or

ii. a statement as to why no income tax filing was required of the account owner.

b. In completing the owner's agreement, account owners who are classified under §303.A.6 provide authorization from the beneficiary's family for the LATTA to access their records with the Louisiana Department of Revenue for the purpose of verifying the beneficiary's family's federal adjusted gross income. In the event the beneficiary's family does not file tax information with the Louisiana Department of Revenue, the beneficiary's family must provide:

i. a copy of the form filed with the Internal Revenue Service; or

ii. a statement that the beneficiary lives with them, that they provide more than 50 percent of the beneficiary's support and an explanation as to why the beneficiary's family was not required to file an income tax return; or

iii. provide documentation establishing that the beneficiary is a ward of the court.

4. EEs at the rate prescribed in §307.D cannot be allocated to an ESA unless the LATTA has received verification of an account owner's federal adjusted gross income by the deadline contained in §307.B.5. Interest on EEs will not accrue to the benefit of an ESA until the LATTA has allocated the EEs to the account.

5. If an account owner is classified in §305.A.1 or 2 and the tax documents required by §307.B.2 are not received by February 15 immediately following the year for which the beneficiary of the account is being considered for EEs, as an exception to §307.D, the account shall be allocated EEs for the year being considered at the EE rate shown in §307.D for account owners who are members of the family of the beneficiary who report an adjusted gross income of $100,000 and above.

6. Example. An account owner has made deposits in a START account for a beneficiary during calendar year 2010 and desires to receive the highest EE rate authorized for those deposits. If the account owner did not file a Louisiana income tax return for the tax year 2009 or is notified by the LATTA that the Louisiana Department of Revenue could not validate his federal adjusted gross income, he must submit the tax documents for tax year 2009 required by §307.B.2.b so that they are received by the LATTA no later than February 15, 2011, or his EE rate will be defaulted to the rate for account owners who are members of the family of the beneficiary who report an adjusted gross income of $100,000 and above.

C.Earnings Enhancement Rates.

1. The EE rates applicable to an ESA under §303.A.1, 2, 3 and 6 are determined by the federal adjusted gross income of the account owner or the beneficiary's family, as applicable, according to the following schedule.

Reported Federal Adjusted Gross Income	Earnings Enhancement Rate
0 to $29,999	14 percent
$30,000 to $44,999	12 percent
$45,000 to $59,999	9 percent
$60,000 to $74,999	6 percent
$75,000 to $99,999	4 percent
$100,000 and above	2 percent

2. The availability of EEs to be allocated to ESAs is subject to an appropriation by the Louisiana Legislature.

3. In the event that sufficient EEs are not appropriated during any given year, the LATTA shall reduce EE rates, pro rata, as required to limit EEs to the amount appropriated.

D. The EE rates applicable to an ESA established by a person or persons identified in §303.A.4 shall be fixed at the EE rate for account owners who are members of the family of the beneficiary who report an adjusted gross income of $100,000 and above.

E. An ESA established by an authorized account owner identified in §303.A.5 shall not be eligible for EEs.

F. Restrictions on allocation of EEs to ESAs. The allocation of EEs is limited to ESAs which:

1. have not reached the earnings enhancement cap (see §107); and

2. have an account owner who falls under one of the classifications described in §303.A.1, 2, 3, 4, or 6.

G. Frequency of Allocation of EEs to ESAs. EEs will be allocated annually, posted to the accounts as of December 31 of the year earned and reported to account owners before March 31 following the allocation.

H. Rate of Interest Earned on EEs. The rate of interest earned on EEs shall be the rate of return earned on the Savings Enhancement Fund as reported by the state treasurer.

I. Restriction on Use of Earnings Enhancements

1. EEs, and any interest which may accrue thereon, may only be expended in payment of the beneficiary's qualified higher education expenses, or a portion thereof, at an eligible educational institution.

2. EEs, although allocated to a beneficiary's account and reported on the account owner's annual statement, are assets of the state of Louisiana and are not the property of the account owner until disbursed to pay a beneficiary's qualified higher education expenses at an eligible education institution.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:715 (June 1997), amended LR 24:1271 (July 1998), LR 25:1794 (October 1999), LR 26:1263 (June 2000), LR 26:2263 (October 2000), LR 27:37 (January 2001), LR 27:1222 (August 2001), LR 27:1880 (November 2001), LR 28:779 (April 2002), LR 30:788 (April 2004), LR 30:2302 (October 2004), LR 34:1886 (September 2008), LR 36:2550 (November 2010), LR 42:1077 (July 2016).

§309. Disbursement of Account Funds for Payment of Qualified Higher Education Expenses of a Beneficiary

A. Request for Disbursement

1. For each term the account owner intends to fund the beneficiary's qualified higher education expenses, the account owner shall submit a request for disbursement.

2. The request for disbursement must include:

a. the START account number;

b. the account owner's name, address, Social Security number and signature (may be electronic);

c. the beneficiary's name, address, and Social Security number;

d. the amount to be disbursed and to whom; and

e. the name and address of the eligible educational institution.

3. In the event funds are invested in more than one investment option, the disbursement shall be made proportionally from each investment option in the account.

4. If there is more than one account with the same beneficiary, each account owner requesting a disbursement must complete a request for disbursement and the disbursements shall be made from each account, in turn, in the order the disbursement requests were received.

5. Disbursements from all accounts with the same beneficiary shall not exceed the qualified higher education expenses of the beneficiary for the school attended.

6. Disbursements may be made to the eligible educational institution, account owner, and/or beneficiary. If all of the disbursement is made to the account owner and/or the beneficiary and LOSFA determines that the beneficiary is not enrolled in an eligible educational institution during the semester or term for which the disbursement was intended, LOSFA shall notify the account owner that the disbursement will constitute a refund for state and federal income tax purposes unless returned to the START account. If the disbursement is not returned to the account within 60 days of the original notice, LOSFA shall recover the amount of the EEs and interest thereon included in the disbursement from any principal and interest remaining in the account, and, in the authority's sole discretion, may refund any balance remaining thereafter and close the account.

7. Disbursements from investment options with variable earnings shall be assigned a trade date of one business day after the business day of receipt of the transfer request.

B. Rate of Expenditure

1. As authorized by the account owner, the amount to be disbursed from an account shall be drawn from deposits (including earnings on deposits) and EEs (including earnings on EEs) in the same ratio as these funds bear to the total value of the account as of the date of the disbursement.

2. The account owner may not withdraw an amount in excess of the beneficiary's qualified higher education expenses for a specific term of enrollment or the value of the account, whichever is less.

C. Payments to Eligible Educational Institutions

1. Upon the beneficiary's enrollment and the institution's receipt of a START disbursement, the institution may credit the student's account. Should the amount received exceed the amount owed to the institution, the institution shall disburse the balance to the beneficiary, unless the beneficiary directs otherwise.

2. If the designated beneficiary of an ESA account enrolls, but fails to attend or withdraws from the institution prior to the end of the educational term and disbursements from the ESA were made to the eligible educational institution to pay all or part of his qualified higher education

expenses for that educational term, an institutional refund to the ESA may be required.

3. If any refund is due the beneficiary from the eligible educational institution, a pro rata share of any refund of qualified higher education expenses equal to that portion of the qualified higher education expenses paid by disbursements from the ESA shall be made by the eligible educational institution to the LATTA.

4. The LATTA will credit any refunded amount to the appropriate ESA.

D. Advance Enrollment. A beneficiary may enroll in an eligible educational institution prior to his scheduled date of first-enrollment (see §107) and utilize ESA funds; however, a beneficiary may not utilize funds from an ESA prior to one year from the date the beneficiary made the first deposit opening the account.

E. Part-Time Attendance and Nonconsecutive Enrollment. A beneficiary may utilize funds in an ESA for enrollments which are nonconsecutive and for part-time attendance at an eligible educational institution, including enrollment in college classes while still in high school. Room and board is only a qualified higher education expense for students who are enrolled at least half time; however, room and board is not a qualified higher education expense for students who are enrolled in college classes while still in high school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:716 (June 1997), amended LR 24:1272 (July 1998), LR 24:2238 (December 1998), LR 26:2265 (October 2000), LR 27:1881 (November 2001), LR 30:789 (April 2004), LR 30:1169 (June 2004), LR 32:1433 (August 2006), LR 33:444 (March 2007), LR 35:236 (February 2009), LR 42:1079 (July 2016).

§311. Termination, Refund, and Rollovers of an Education Savings Account

A. Account Termination

1. The account owner who is a natural person, other than a natural person classified as an account owner under §303.A.6, may terminate an account at any time.

2. The LATTA may terminate an account in accordance with this Subsection, §309.A.6. and §311.E.

3. The LATTA may terminate an account if no deposit of at least $10 has been made within 180 days from the date on the letter of notification of approval of the account.

4. The LATTA may terminate an account if the beneficiary dies and a new beneficiary is not named within 60 days of the death.

5. The LATTA may terminate an account if the beneficiary becomes disabled and a new beneficiary is not named by the time the beneficiary who has become disabled reaches age 25.

6. The account owner who is a legal entity or is classified under §303.A.6, may not terminate an account; however, the account owner who is a legal entity or is classified under §303.A.6 may designate a substitute beneficiary in accordance with §313.A.5.b.

B. Refunds

1. A partial refund of an account may only be made as described in §311.E.3.

2. All other requests for refund may result in the termination of the account and in the refund of:

a. the deposits invested in fixed earnings, if the account has been open for less than 12 months;

b. the redemption value, if the account has been open for 12 or more months;

c. the deposits to or the current value of an account invested in a variable earnings option, whichever is less, less earning enhancements allocated to the account and earnings thereon if the account has been open for less than 12 months. Any increase in the value of an account invested in a variable earnings option over the amount deposited shall be forfeited by the account owner and deposited in the Variable Earnings Transaction Fund, if the account was invested in a variable earnings option and terminated within 12 months of the date the account was opened;

d. the current value (less earning enhancements allocated to the account and earnings thereon) of an account invested in variable earnings, if the account has been open for 12 or more months.

3. No refunds shall be made to an account owner who is a legal entity classified under §303.A.4 or 5. If an account owned by a legal entity classified as an account owner under §303.A.4 or 5 is terminated by the LATTA or by the account owner in accordance with §311.E or F, the refund will be made to the beneficiary or to the beneficiary's estate if no substitute beneficiary has been designated by the account owner.

4. No refunds shall be paid to account owner classified under §303.A.6. If such an account is terminated by the LATTA in accordance with §311.E, the beneficiary shall become the owner of the account, provided that, all the rights and restrictions provided in law and these rules regarding account owners classified under §303.A.6, including, but not limited to, use of the funds, refunds, terminations, designation of beneficiary, etc., shall be applicable to the beneficiary that becomes the owner of such an account. If an account owner classified under §303.A.6 dies or is dissolved and the beneficiary has died or failed to enroll in an eligible college or university by age 25, and no substitute beneficiary has been designated by the account owner, the authority shall designate a new beneficiary who must meet the requirements of §301.A.4 and §303.A.6.

5. Refunds from investment options with variable earnings shall be assigned a trade date of one business day after the business day of receipt.

C. Designation of a Refund Recipient

1. In the owner's agreement, the account owner who is a natural person, except one who is classified under §303.A.6, may designate himself or the beneficiary to receive refunds from the account.

2. Refunds of interest earnings will be reported as income to the individual receiving the refund for both federal and state tax purposes.

3. In the event the beneficiary receives any refund of principal and earnings from the account, the tax consequences must be determined by the recipient.

4. The beneficiary of an account owned by a legal entity classified as an account owner under §303.A.4 or 5 is automatically designated as the refund recipient.

5. Funds in an account classified under §303.A.6 shall not be refunded.

D. Involuntary Termination of an Account with Penalty

1. The LATTA may terminate an owner's agreement if it finds that the account owner or beneficiary provided *false or misleading information* (see §107).

2. If the LATTA terminates an owner's agreement under this Section, all interest earnings on principal deposits may be withheld and forfeited, with only principal being refunded.

3. An individual who obtains program benefits by providing false or misleading information will be prosecuted to the full extent of the law.

E. Voluntary Termination of an Account

1. Refunds shall be equal to the redemption value of the ESA at the time of the refund, and shall be made to the person designated in the owner's agreement or by rule.

2. The person receiving the refund shall be responsible for any state or federal income tax that may be payable due to the refund.

3. Except for accounts classified in accordance with §303.A.6, accounts may be terminated and fully refunded for the following reasons:

a. the death of the beneficiary in which case the refund shall be equal to the redemption value of the account and shall be made to:

i. the account owner, if the account owner is a natural person; or

ii. the beneficiary's estate, if the account owner is a legal entity;

b. the disability of the beneficiary, in which case the refund shall be equal to the redemption value of the account and shall be made to:

i. the account owner or the beneficiary, as designated in the owner's agreement, if the account owner is a natural person; or

ii. the beneficiary, if the account owner is a legal entity;

c. the beneficiary receives a scholarship, waiver of tuition, or similar subvention that the LATTA determines cannot be converted into money by the beneficiary, to the extent the amount of the refund does not exceed the amount of the scholarship, waiver of tuition, or similar subvention awarded to the beneficiary. In such case, the refund shall be equal to the scholarship, waiver of tuition, or similar subvention that the LATTA determines cannot be converted into money by the beneficiary of the account, or the redemption value, whichever is less, and shall be made to:

i. the account owner or the beneficiary, as designated in the owner's agreement, if the account owner is a natural person; or

ii. the beneficiary, if the account owner is a legal entity.

4. Refunds made under this §311.E.3 are currently exempt from additional federal taxes.

F. Effective Date of Account Termination. Account termination shall be effective at midnight on the business day on which the request for account termination and all supporting documents are received. Accounts will be credited with interest earned on principal deposits through the effective date of the closure of the account.

G. Refund Payments. Payment of refunds for voluntary termination under §311.E or partial refunds of accounts pursuant to §311.E.3 shall be made within 30 days of the date on which the account was terminated. The termination refund shall consist of the principal remaining in the account and interest remaining in the account accrued on the principal through the end of the calendar year preceding the year in which the request to terminate an account is made. Interest earned in excess of $10 during the calendar year of termination will be refunded within 45 days of the date the state treasurer announces the interest rate for the preceding calendar year. Interest earned of $10 or less during the calendar year of termination will be forfeited to the Louisiana Education and Tuition Savings Fund.

H. Rollovers

1. Rollovers among ESAs of the Same Account Owner

a. Beginning October 1, 2009, an account owner may rollover any part or all of the value of an ESA to another ESA if the beneficiary of the account receiving the funds is a member of the family of the beneficiary of the original account.

b. If the current value of an ESA is transferred, all EEs and earnings thereon shall be included in the transfer.

2. Rollover to another Qualified Tuition Program

a. An account owner may request a rollover of the current value of the account less EEs and earnings thereon to another qualified tuition program.

b. EEs and the earnings thereon allocated to an ESA that is rolled over to another qualified tuition program are forfeited.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:717 (June 1997), amended LR 24:1273 (July 1998), repromulgated LR 26:2265 (October 2000), amended LR 27:38 (January 2001), LR 27:1882 (November 2001), LR 28:779 (April 2002), LR 30:790 (April 2004), LR 31:639 (March 2005), LR 32:1434 (August 2006), LR 32:2240 (December 2006), LR 33:444 (March 2007), LR 35:236 (February 2009), LR 36:492 (March 2010), LR 36:2551 (November 2010), LR 39:2238 (August 2013), LR 42:1080 (July 2016).

§313. Substitution, Assignment, and Transfer

A. Substitute Beneficiary. The beneficiary of an ESA may be changed to a substitute beneficiary provided the account owner completes a beneficiary substitution form and the following requirements are met:

1. the substitute beneficiary is a member of the family as defined under §107;

2. the substitute beneficiary meets the citizen/resident alien requirements of §301.F, and, if the account owner is a nonresident of the state of Louisiana, the substitute beneficiary meets the applicable residency requirements (see §301.G);

3. if the substitute beneficiary is not a member of the family of the previous beneficiary:

a. and the account owner is a natural person classified under §303.A.1-5, the account must be refunded to the account owner and a new account must be opened;

b. and the account owner is a legal entity classified under §303.A.4 or 5, a new account shall be opened in the name of the new beneficiary; and

i. these transfers may be treated as refunds under federal and state tax laws in which case the account owner will be subject to any associated tax consequences; and

ii. the EEs and interest thereon for an account whose owner is classified under §303.A.4 will not be transferred to the new beneficiary; however, the new account will be eligible for EEs for the year the new account is opened;

c. and the account owner is classified under §303.A.6, a new account shall be opened in the name of the new beneficiary only if the beneficiary meets all the requirements of §303.A.6; and

i. these transfers may be treated as refunds under federal and state tax laws in which case the account owner will be subject to any associated tax consequences; and

ii. the EEs and interest thereon will not be transferred to the new beneficiary; however, the new account will be eligible for EEs for the year the new account is opened;

iii. the provisions of §301.A.2 shall apply to account owners classified in accordance with §305.A.5.

B.Substitution/Transfer of Account Ownership. The ownership of an ESA is transferable only with the written approval of the LATTA and only as follows.

1. The account owner who is a natural person, other than a natural person classified as an account owner under §303.A.6, may designate a person who will become the substitute account owner in the event of the original account owner's death. Eligibility for EEs will be based on the substitute account owner's classification at the time of the original account owner's death.

2. In the event of the death of an account owner who is a natural person, other than a natural person classified as an account owner under §303.A.6, who has not named a substitute account owner, the account shall be terminated and the account shall be refunded to the beneficiary, if designated to receive the refund by the account owner, or the account owner's estate.

3. An account owner who is a legal entity classified under §303.A.4 or 5 may indicate in the owner's agreement that the account shall be transferred to the beneficiary of the account upon his 18th birthday, or upon his enrollment in an eligible postsecondary institution full time, whichever is later. If the account owner transfers the account in accordance with this section, disbursements may only be made for payment of the qualified higher education expenses of the beneficiary.

4. In the event of the dissolution of an account owner who is a legal entity classified as an account owner under §303.A.4 or 5, the beneficiary shall become the substitute account owner. If the account owner who is a legal entity classified as an account owner under §303.A.4 or 5 is dissolved, the beneficiary designated to receive the refund has died, and there is no substitute beneficiary named, the refund shall be made to the beneficiary's estate.

5. In the event of the death or dissolution of an other person classified as an account owner under §303.A.6, the beneficiary shall become the substitute account owner, provided that all the rights and restrictions provided in law and these rules regarding account owners classified under §303.A.6, including, but not limited to, use of the funds, refunds, terminations, designation of beneficiary, etc., shall be applicable to the beneficiary that becomes the owner of an account established under §303.A.6. If an account owner classified under §303.A.6 dies or is dissolved and the beneficiary has died or failed to enroll in an eligible educational institution by age 25, and no substitute beneficiary has been designated by the account owner, the LATTA shall designate a new beneficiary who must meet the requirements of §301.A.4 and §303.A.6.

C.Assignment of Account Ownership. Ownership of an ESA cannot be assigned.

D. Changes to the Owner's Agreement

1. The account owner may request changes to the owner's agreement.

2. Changes must be requested in writing and be signed by the account owner.

3. Changes, if accepted, will take effect as of the date the notice is received by the LATTA.

4. The LATTA shall not be liable for acting upon inaccurate or invalid data which was submitted by the account owner.

5. The account owner will be notified by the LATTA in writing of any changes affecting the owner's agreement which result from changes in applicable federal and state statutes and rules.

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:718 (June 1997), amended LR 24:1274 (July 1998), repromulgated LR 26:2266 (October 2000), amended LR 27:1883 (November 2001), LR 28:780 (April 2002), LR 30:791 (April 2004), LR 42:1081 (July 2016).

§315. Miscellaneous Provisions

A. Account Statements and Reports

1. The LATTA will forward to each account owner an annual statement of account which itemizes the:

a. date and amount of deposits and interest earned during the prior year;

b. total principal and interest accrued to the statement date; and

c. total EEs and interest thereon allocated to the account as of the statement date.

2. EEs shall be allocated annually and reported after March 1, following the account owners' required disclosure of their reported federal adjusted gross income for the year immediately preceding the year in which the beneficiary of the account is being considered for an EEs.

3. The account owner must report errors on the annual statement of account to the LATTA within 60 days from the date on the account statement or the statement will be deemed correct.

B.Earned Interest

1. Interest earned on principal deposits during a calendar year will be credited to accounts and reported to account owners after the conclusion of the calendar year in which the interest was earned.

2. The rate of interest earned shall be the rate of return earned on the fund as reported by the state treasurer and approved by the LATTA.

3. For the year ending December 31, 2000, the Louisiana Education Tuition and Savings Fund earned an interest rate of 6.51 percent.

4. For the year ending December 31, 2000, the Tuition Assistance Grant (TAGs) Fund earned an interest rate of 6.83 percent.
5. For the year ending December 31, 2001, the Louisiana Education Tuition and Savings Fund earned an interest rate of 6.33 percent.
6. For the year ending December 31, 2001, the Savings Enhancement Fund earned an interest rate of 6.38 percent.
7. For the year ending December 31, 2002, the Louisiana Education Tuition and Savings Fund earned an interest rate of 5.82 percent.
8. For the year ending December 31, 2002, the Savings Enhancement Fund earned an interest rate of 5.91 percent.
9. For the year ending December 31, 2003, the Louisiana Education Tuition and Savings Fund earned an interest rate of 5.33 percent.
10. For the year ending December 31, 2003, the Savings Enhancement Fund earned an interest rate of 5.17 percent.
11. For the year ending December 31, 2004, the Louisiana Education Tuition and Savings Fund earned an interest rate of 4.72 percent.
12. For the year ending December 31, 2004, the Savings Enhancement Fund earned an interest rate of 5.12 percent.
13. For the year ending December 31, 2005, the Louisiana Education Tuition and Savings Fund earned an interest rate of 3.64 percent.
14. For the year ending December 31, 2005, the Savings Enhancement Fund earned an interest rate of 4.92 percent.
15. For the year ending December 31, 2006, the Louisiana Education Tuition and Savings Fund earned an interest rate of 5.11 percent.
16. For the year ending December 31, 2006, the Savings Enhancement Fund earned an interest rate of 4.67 percent.
17. For the year ending December 31, 2007, the Louisiana Education Tuition and Savings Fund earned an interest rate of 5.28 percent.
18. For the year ending December 31, 2007, the Savings Enhancement Fund earned an interest rate of 5.25 percent.
19. For the year ending December 31, 2008, the Louisiana Education Tuition and Savings Fund earned an interest rate of 4.65 percent.
20. For the year ending December 31, 2008, the Savings Enhancement Fund earned an interest rate of 4.39 percent.
21. For the year ending December 31, 2009, the Louisiana Education Tuition and Savings Fund earned an interest rate of 3.22 percent.
22. For the year ending December 31, 2009, the Savings Enhancement Fund earned an interest rate of 3.08 percent.
23. For the year ending December 31, 2010, the Louisiana Education Tuition and Savings Fund earned an interest rate of 2.69 percent.
24. For the year ending December 31, 2010, the Savings Enhancement Fund earned an interest rate of 2.56 percent.
25. For the year ending December 31, 2011, the Louisiana Education Tuition and Savings Fund earned an interest rate of 2.53 percent.
26. For the year ending December 31, 2011, the Savings Enhancement Fund earned an interest rate of 2.47 percent.
27. For the year ending December 31, 2012, the Louisiana Education Tuition and Savings Fund earned an interest rate of 2.52 percent.
28. For the year ending December 31, 2012, the Savings Enhancement Fund earned an interest rate of 2.57 percent.
29. For the year ending December 31, 2013, the Louisiana Education Tuition and Savings Fund earned an interest rate of 2.168 percent.
30. For the year ending December 31, 2013, the Savings Enhancement Fund earned an interest rate of 1.715 percent.
31. For the year ending December 31, 2014, the Louisiana Education Tuition and Savings Fund earned an interest rate of 2.08 percent.
32. For the year ending December 31, 2014, the Savings Enhancement Fund earned an interest rate of 1.31 percent.

C. Refunded Amounts

1. Interest earned on an ESA which is refunded to the account owner or beneficiary will be taxable for state and federal income tax purposes.
2. No later than January 31 of the year following the year of the refund, the LATTA will furnish the State Department of Revenue, the Internal Revenue Service and the recipient of the refund an Internal Revenue Service Form 1099, or whatever form is appropriate according to applicable tax codes.

D. Annual Report

1. The account owner of an ESA will be notified annually, in writing, of the following:
a. the maximum allowable account balance; and
b. the minimum recommended account balance which is an amount equal to five times the qualified higher education expenses for the eligible educational institution designated on the owner's agreement, projected to the date of the beneficiary's eighteenth birthday; or
2. If the account owner changes the institution designated on the owner's agreement, a revised minimum recommended account balance will be calculated and the account owner will be notified of any change.

E. Rule Changes. The LATTA reserves the right to amend the rules regulating the START Program's policies and procedures; however, any amendments to rules affecting participants will be published in accordance with the Administrative Procedure Act and distributed to account owners for public comment prior to the adoption of final rules.

F. Determination of Facts. The LATTA shall have sole discretion in making a determination of fact regarding the application of these rules.

G. Individual Accounts. The LATTA will maintain an individual account for each beneficiary, showing the redemption value of the account.

H. Confidentiality of Records. All records of the LATTA identifying account owners and designated beneficiaries of ESAs, amounts deposited, expended or refunded, are confidential and are not public records.

I. No Investment Direction. No account owner or beneficiary of an ESA may direct the investment of funds credited to an account, except to make an annual election among investment options that offer fixed earnings, variable earnings or both. Deposits will be invested on behalf of the START Savings Program by the state treasurer.

J. No Pledging of Interest as Security. No interest in an ESA may be pledged as security for a loan.

K. Excess Funds

1. Principal deposits to an ESA are no longer accepted once the account total reaches the maximum allowable account balance (see §305.C); however, the principal and interest earned thereon may continue to earn interest and any EEs allocated to the account may continue to accrue interest.

2. Funds in excess of the maximum allowable account balance may remain in the account and continue to accrue interest and may be disbursed in accordance with §309, or will be refunded in accordance with §311 upon termination of the account.

L. Withdrawal of Funds. Funds may not be withdrawn from an ESA except as set forth in §309 and §311.

M. NSF Procedure

1. A check received for deposit to an ESA which is returned due to insufficient funds in the owner's account on which the check is drawn, will be redeposited and processed a second time by the START Program's financial institution.

2. If the check is returned due to insufficient funds a second time, the check will be returned to the depositor.

3. Earnings reported by the state treasurer on deposits made by check or an ACH transfer which is not honored by the financial institution on which it was drawn subsequent to the trade date shall be forfeited by the account owner and deposited into the Variable Earnings Transaction Fund.

N. Effect of a Change in Residency. On the date an account is opened, either the account owner or beneficiary must be a resident of the state of Louisiana (see §301.G); however, if the account owner or beneficiary, or both, temporarily or permanently move to another state after the account is opened, they may continue participation in the program in accordance with the terms of the owner's agreement.

O. Effect on Other Financial Aid. Participation in the START Program does not disqualify a student from participating in other federal, state or private student financial aid programs; however, depending upon the regulations which govern these other programs at the time of enrollment, the beneficiary may experience reduced eligibility for aid from these programs.

P. Change in Projected School of Enrollment

1. The account owner may redesignate the beneficiary's projected school of enrollment, but not more than once annually.

2. If the change in school results in a change in the account's EE cap, the account owner will be notified.

Q. Abandoned Accounts. Abandoned accounts will be defined and treated in accordance with R.S. 9:151 et seq., as amended, the Louisiana Uniform Unclaimed Property Act.

R. Investment in Variable Earnings. When an account owner selects a variable earnings account, up to 100 percent of the deposits may be invested in equity securities.

S. Variable Earnings Transaction Fund

1. Monies in the Variable Earnings Transaction Fund shall be used to pay any charges assessed to the START Saving Program by a financial institution and to pay any loss of value between the purchase and redemption of units in a variable earnings option that are incurred when a check or ACH transfer is dishonored after the trade date by the financial institution on which it was drawn.

2. After the payment of expenses as provided in Paragraph 1, above, the LATTA may declare monies remaining in the Variable Earnings Transaction Fund as surplus. Such surplus shall be appropriated to the Saving Enhancement Fund to be used as EEs.

AUTHORITY NOTE: Promulgated in accordance with 17:3091-3099.2.

HISTORICAL NOTE: Promulgated by the Tuition Trust Authority, Office of Student Financial Assistance, LR 23:718 (June 1997), amended LR 24:1274 (July 1998), LR 26:1263 (June 2000), repromulgated LR 26:2267 (October 2000), amended LR 27:1221 (August 2001), LR 27:1884 (November 2001), LR 28:1761 (August 2002), LR 28:2335 (November 2002), LR 29:2038 (October 2003), repromulgated LR 29:2374 (November 2003), amended LR 30:791 (April 2004), LR 30:1472 (July 2004), LR 31:2216 (September 2005), LR 32:1434 (August 2006), LR 32:2240 (December 2006), LR 33:2359 (November 2007), LR 34:1886 (September 2008), LR 35:1492 (August 2009), LR 36:492 (March 2010), LR 36:2030 (September 2010), LR 38:1954 (August 2012), LR 39:2238 (August 2013), LR 40:1926 (October 2014), LR 41:1487 (August 2015), LR 42:1082 (July 2016).

Robyn Rhea Lively
Senior Attorney
1607#016

RULE

Department of Environmental Quality
Office of the Secretary
Legal Division

Incorporation by Reference
Federal Air Quality Regulations—2015
(LAC 33:III.506, 507, 2160, 3003,
5116, 5311 and 5901)(AQ359ft)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary has amended the Air regulations, LAC 33:III.506, 507, 2160, 3003, 5116, 5311 and 5901 (Log #AQ359ft).

This Rule is identical to federal regulations found in 40 CFR part 51, appendix M; 40 CFR part 60; 40 CFR part 61; 40 CFR part 63; 40 CFR part 68; 40 CFR part 70.6(a); 40 CFR part 96, which are applicable in Louisiana. For more information regarding the federal requirement, contact the Regulation Development Section at (225) 219-3985 or P.O. Box 4302, Baton Rouge, LA 70821-4302. No fiscal or

economic impact will result from the Rule. This Rule is promulgated in accordance with the procedures in R.S. 49:953(F)(3) and (4).

This Rule incorporates by reference (IBR) into the *Louisiana Administrative Code* (LAC), Title 33, Part III, Air the following federal regulations included in the July 1, 2015 edition of the *Code of Federal Regulations* (CFR): 40 CFR parts 51-appendix M, 60, 61, 63, 68 and 70.6(a). Any exception to the IBR is explicitly listed in the Rule. This updates the references to July 1, 2015, for standard of performance for new stationary sources, 40 CFR part 60. The Rule also updates the references to July 1, 2015, for the national emission standards for hazardous air pollutants (NESHAP) and for NESHAP for source categories, 40 CFR 61 and 63. In order for Louisiana to maintain equivalency with federal regulations, certain regulations in the most current *Code of Federal Regulations*, July 1, 2015, must be adoped into the *Louisiana Administrative Code* (LAC). This rulemaking is also necessary to maintain delegation authority granted to Louisiana by the Environmental Protection Agency. The basis and rationale for this Rule are to mirror the federal regulation as they apply to Louisiana's affected sources. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

Title 33
ENVIRONMENTAL QUALITY
Part III. Air

Chapter 5. Permit Procedures

§506. Clean Air Interstate Rule Requirements

A. - B.4. …

C.Annual Sulfur Dioxide. Except as specified in this Section, the federal SO_2 model Rule, published in the *Code of Federal Regulation* at 40 CFR 96, July 1, 2015, is hereby incorporated by reference, except for subpart III-CAIR SO_2 opt-in units and all references to opt-in units.

D. - E.…

AUTHORITY NOTE:Promulgated in accordance with R.S. 30.2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 32:1597 (September 2006), amended LR 33:1622 (August 2007), LR 33:2083 (October 2007), LR 34:978 (June 2008), LR 35:1107 (June 2009), LR 36:2272 (October 2010), repromulgated LR 36:2551 (November 2010), amended LR 37:2989 (October 2011), LR 38:1229 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1276 (May 2013), LR 40:1334 (July 2014), LR 42:1085 (July 2016).

§507. Part 70 Operating Permits Program

A. - B.1. …

2. No part 70 source may operate after the time that the owner or operator of such source is required to submit a permit application under Subsection C of this Section, unless an application has been submitted by the submittal deadline and such application provides information addressing all applicable sections of the application form and has been certified as complete in accordance with LAC 33:III.517.B.1. No part 70 source may operate after the deadline provided for supplying additional information requested by the permitting authority under LAC 33:III.519, unless such additional information has been submitted within the time specified by the permitting authority. Permits issued to the part 70 source under this Section shall include the elements required by 40 CFR 70.6. The department hereby adopts and incorporates by reference the provisions of 40 CFR 70.6(a), July 1, 2015. Upon issuance of the permit, the part 70 source shall be operated in compliance with all terms and conditions of the permit. Noncompliance with any federally applicable term or condition of the permit shall constitute a violation of the Clean Air Act and shall be grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.

C. - J.5. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 30:2011, 2023, 2024, and 2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), LR 20:1375 (December 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2447 (November 2000), LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 29:698 (May 2003), LR 30:1008 (May 2004), amended by the Office of Environmental Assessment, LR 31:1061 (May 2005), LR 31:1568 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2437 (October 2005), LR 32:808 (May 2006), LR 33:1619 (August 2007), LR 33:2083 (October 2007), LR 33:2630 (December 2007), LR 34:1391 (July 2008), LR 35:1107 (June 2009), LR 36:2272 (October 2010), LR 37:2990 (October 2011), LR 38:1229 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1276 (May 2013), LR 40:1334 (July 2014), LR 41:1274 (July 2015), LR:42:1085 (July 2016).

Chapter 21. Control of Emission of Organic Compounds

Subchapter N. Method 43—Capture Efficiency Test Procedures

[Editor's Note: This Subchapter was moved and renumbered from Chapter 61 (December 1996).]

§2160. Procedures

A. Except as provided in Subsection C of this Section, the regulations at 40 CFR 51, appendix M, July 1, 2015, are hereby incorporated by reference.

B. - C.2.b.iv. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:653 (July 1991), amended LR 22:1212 (December 1996), LR 23:1680 (December 1997), LR 24:1286 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:1224 (August 2001), LR 29:698 (May 2003), LR 30:1009 (May 2004), amended by the Office of Environmental Assessment, LR 31:1568 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:809 (May 2006), LR 33:1620 (August 2007), LR 34:1391 (July 2008), LR 35:1107 (June 2009), LR 36:2272 (October 2010), LR 37:2990 (October 2011), LR 38:1230 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1277 (May 2013), LR 40:1334 (July 2014), LR 41:1274 (July 2015), LR 42:1085 (July 2016).

Chapter 30. Standards of Performance for New Stationary Sources (NSPS)

Subchapter A. Incorporation by Reference

§3003. Incorporation by Reference of 40 *Code of Federal Regulations* (CFR) Part 60

A. Except for 40 CFR 60, subpart AAA, and as modified in this Section, standards of performance for new stationary sources, published in the *Code of Federal Regulations* at 40 CFR 60, July 1, 2015, are hereby incorporated by reference as they apply to the state of Louisiana.

B. - C.…

AUTHORITY NOTE:Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 22:1212 (December 1996), amended LR 23:1681 (December 1997), LR 24:1287 (July 1998), LR 24:2238 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1239 (July 1999), LR 25:1797 (October 1999), LR 26:1607 (August 2000), LR 26:2460, 2608 (November 2000), LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 28:2179 (October 2002), LR 29:316 (March 2003), LR 29:698 (May 2003), LR 30:1009 (May 2004), amended by the Office of Environmental Assessment, LR 31:1568 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2446 (October 2005), LR 32:809 (May 2006), LR 32:1596 (September 2006), LR 33:1620 (August 2007), LR 33:2092 (October 2007), LR 33:2626 (December 2007), LR 34:1391 (July 2008), LR 35:1107 (June 2009), LR 36:2273 (October 2010), LR 37:2990 (October 2011), LR 38:1230 (May 2012), amended by the Office of the Secretary, Legal Division, LR 38:2754 (November 2012), LR 39:1039 (April 2013), LR 39:1277 (May 2013), LR 40:1335 (July 2014), LR 40:2540 (December 2014), LR:41:1274 (July 2015), LR 42:1086 (July 2016).

Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program

Subchapter B. Incorporation by Reference of 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants)

§5116. Incorporation by Reference of 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants)

A. Except as modified in this Section and specified below, national emission standards for hazardous air pollutants, published in the *Code of Federal Regulations* at 40 CFR 61, July 1, 2015, and specifically listed in the following table, are hereby incorporated by reference as they apply to sources in the state of Louisiana.

40 CFR Part 61	Subpart/Appendix Heading
* * *	

B. - C.…

AUTHORITY NOTE:Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:61 (January 1997), amended LR 23:1658 (December 1997), LR 24:1278 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1464 (August 1999), LR 25:1797 (October 1999), LR 26:2271 (October 2000), LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:2179 (October 2002), LR 29:699 (May 2003), LR 30:1009 (May 2004), amended by the Office of Environmental Assessment, LR 31:1569 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2448 (October 2005), LR 32:809 (May 2006), LR 33:1620 (August 2007), LR 33:2094 (October 2007), LR 34:1391 (July 2008), LR 35:1108 (June 2009), LR 36:2273 (October 2010), LR 37:2990 (October 2011), LR 38:1230 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1277 (May 2013), LR 40:1335 (July 2014), LR 41:1274 (July 2015), LR 42:1086 (July 2016).

Subchapter C. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Major Sources

§5122. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Major Sources

A. Except as modified in this Section and specified below, national emission standards for hazardous air pollutants for source categories, published in the *Code of Federal Regulations* at 40 CFR 63, July 1, 2015, are hereby incorporated by reference as they apply to major sources in the state of Louisiana.

B. - C.3. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:61 (January 1997), amended LR 23:1659 (December 1997), LR 24:1278 (July 1998), LR 24:2240 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1464 (August 1999), LR 25:1798 (October 1999), LR 26:690 (April 2000), LR 26:2271 (October 2000), LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:2180 (October 2002), LR 29:699 (May 2003), LR 29:1474 (August 2003), LR 30:1010 (May 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2449 (October 2005), LR 31:3115 (December 2005), LR 32:810 (May 2006), LR 33:1620 (August 2007), LR 33:2095 (October 2007), LR 33:2627 (December 2007), LR 34:1392 (July 2008), LR 35:1108 (June 2009), LR 36:2273 (October 2010), LR 37:2991 (October 2011), LR 38:1231 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1278 (May 2013), LR 40:1335 (July 2014), LR:41:1275 (July 2015), LR 42:1086 (July 2016).

Chapter 53. Area Sources of Toxic Air Pollutants

Subchapter B. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Area Sources

§5311. Incorporation by Reference of 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Area Sources

A. Except as modified in this Section and specified below, national emission standards for hazardous air pollutants for source categories, published in the *Code of Federal Regulations* at 40 CFR 63, July 1, 2015, are hereby incorporated by reference as they apply to area sources in the state of Louisiana.

B. - C.…

AUTHORITY NOTE:Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:63 (January 1997),

amended LR 23:1660 (December 1997), LR 24:1279 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1464 (August 1999), LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:2180 (October 2002), LR 29:699 (May 2003), LR 30:1010 (May 2004), amended by the Office of Environmental Assessment, LR 31:1569 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2451 (October 2005), LR 32:810 (May 2006), LR 33:1620 (August 2007), LR 33:2096 (October 2007), LR 34:1392 (July 2008), LR 35:1108 (June 2009), LR 36:2274 (October 2010), LR 37:2991 (October 2011), LR 38:1231 (May 2012), amended by the Office of the Secretary, Legal Division, LR 38:2756 (November 2012), LR 39:1278 (May 2013), LR 40:1336 (July 2014), LR 41:1275 (July 2015), LR 42:1086 (July 2016).

Chapter 59. Chemical Accident Prevention and Minimization of Consequences

Subchapter A. General Provisions

§5901. Incorporation by Reference of Federal Regulations

A. Except as provided in Subsection C of this Section, the department incorporates by reference 40 CFR 68, July 1, 2015.

B. - C.6. …

* * *

AUTHORITY NOTE:Promulgated in accordance with R.S. 30:2054 and 30:2063.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:421 (April 1994), amended LR 22:1124 (November 1996), repromulgated LR 22:1212 (December 1996), amended LR 24:652 (April 1998), LR 25:425 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:70 (January 2000), LR 26:2272 (October 2000), LR 28:463 (March 2002), LR 29:699 (May 2003), LR 30:1010 (May 2004), amended by the Office of Environmental Assessment, LR 30:2463 (November 2004), LR 31:1570 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:810 (May 2006), LR 33:1621 (August 2007), LR 34:1392 (July 2008), LR 35:1109 (June 2009), LR 36:2274 (October 2010), LR 37:2991 (October 2011), LR 38:1231 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1278 (May 2013), LR 40:1336 (July 2014), LR 41:1275 (July 2015), LR 42:1087 (July 2016).

Herman Robinson
General Counsel
1607#036

RULE

Office of the Governor
Board of Pardons

Clemency Consideration Eligibility and Application Filing (LAC 22:V.Chapter 2)

In accordance with the provisions of the Administrative Procedure Act (R.S. 49:950), the Board of Pardons has amended its rules in LAC 22:V.203, 205, and 211. These Rule changes revise application filing procedures and eligibility for clemency reconsideration. Section 203 provides that an incarcerated applicant must be free of disciplinary reports for a period of 24 months prior to submitting an application for clemency and for the 24-month period prior to a clemency hearing. Section 205 establishes procedures for an applicant to request reconsideration when notified by the board that no action was taken by the governor on their initial application.

Title 22

CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT

Part V. Board of Pardons

Chapter 2. Clemency

§203. Eligibility for Clemency Consideration

A. - C.2.a. ...

b. must have been disciplinary report free for a period of at least 24 months prior to the date of the application or at the time of the hearing (if a hearing is granted); and

C.2.c. - E. ...

AUTHORITY NOTE:Promulgated in accordance with R.S. 15:573.1, 15:574.12 and 44:1 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, LR 39:2255 (August 2013), amended LR 42:1087 (July 2016).

§205. Application Filing Procedures

A. - D.4. ...

5. Denial/No Action Taken by Governor after Favorable Recommendation. The board shall notify an applicant after its receipt of notification from the governor that the board's favorable recommendation was denied or no action was taken.

a. If the applicant is notified of denial by the governor, the applicant may not reapply for clemency for at least four years from the date of the denial. The application filing procedures in Subsections A-D.3 of this Section shall apply.

b. If the applicant is notified that no action was taken by the governor, the applicant may request reconsideration of the board's favorable recommendation. Applicant must submit a re-application within one year from the date on the board's notification to the applicant of no action taken by the governor.

i. Upon receipt of the re-application in accordance with this section, the board shall set the matter for an administrative review. At least 30 days prior to the scheduled docket date for administrative review, the board shall give written notice of the date, time, and place to the following:

(a). the district attorney and sheriff of the parish in which the applicant was convicted and, in Orleans Parish, the superintendent of police;

(b). the applicant;

(c). the victim who has been physically or psychologically injured by the applicant (if convicted of that offense), and the victim's spouse or next of kin, unless the injured victim 's spouse or next of kin advises the board, in writing, that such notification is not desired;

(d). the spouse or next of kin of a deceased victim when the offender responsible for the death is the applicant (if convicted of that offense), unless the spouse or next of kin advises the board in writing that such notification is not desired;

(e). the Crime Victim Services Bureau of the Department of Public Safety and Corrections; and

(f). any other interested person who has notified the board of pardons, in writing, requesting such notice providing their name and return address.

c. The board shall evaluate the record of the applicant. Action on the re-application may include setting the matter for a clemency hearing, affirming the board's previous favorable recommendation, or denying the re-application.

d. If the applicant does not apply for reconsideration within the one-year period, the application filing procedures in Subsections A-D.3 of this Section shall apply.

E. Notice of Action Taken on Application. After review of application for clemency by the board, applicants shall be notified, in writing, of action taken by the board. Action can include granting a hearing before the board or denial of a hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:573.1, 15:574.12 and 44:1 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, LR 39:2255 (August 2013), amended by the Office of the Governor, Board of Pardons, Committee on Parole, LR 41:42 (January 2015), amended by the Office of the Governor, Board of Pardons LR 42:1087 (July 2016).

§211. Hearings before the Pardon Board

A. - F. ...

G. Applicant's failure to attend and/or notify the Board of Pardons office of his/her inability to attend the hearing will result in an automatic denial. The applicant may reapply two years from the date of scheduled hearing. Lifers who fail to attend and/or advise of inability to attend may reapply in five years, and every five years thereafter.

H. Four members of the board shall constitute a quorum for the transaction of business, and all actions of the board shall require the favorable vote of at least four members of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:572.4, 15:574.12 and 44:1 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Pardons, LR 39:2256 (August 2013), amended LR 42:1088 (July 2016).

Sheryl M. Ranatza
Board Chair
1607#034

RULE

Office of the Governor
Office of Financial Institutions

Investment Adviser Registration Procedure
(LAC 10:XIII.Chapter 13)

In accordance with the Louisiana Securities Law, R.S. 51:701 et seq., and pursuant to the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., the commissioner of financial institutions, in his capacity as the commissioner of securities (hereinafter "the commissioner") has amended LAC 10:XIII.1301-1311, a Rule to place a requirement on registered investment adviser firms that in order for such firms to be registered with the commissioner, all of their investment adviser representatives must either satisfy the examination criteria set out in §1303 or qualify for one of the waivers set out in §1305. The Sections below have been amended and adopted to ensure that all investment adviser representatives are properly qualified to provide investment advice to Louisiana citizens.

Title 10
FINANCIAL INSTITUTIONS, CONSUMER CREDIT, INVESTMENT SECURITIES AND UCC
Part XIII. Investment Securities
Subpart 1. Securities

Chapter 13. Investment Adviser Registration Procedure

§1301. Definitions

Third-Party Solicitor—an investment adviser representative who meets all of the following criteria:

1. investment advisory business consists solely of referring individuals to other investment adviser firm(s);
2. provides no advice to individuals regarding specific investments;
3. fees consist entirely of referral fees received from the investment adviser firms to whom the investment adviser representative makes referrals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:703(D).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Financial Institutions, LR 32:2055 (November 2006), effective January 1, 2007, amended LR 34:2125 (October 2008), LR 42:1088 (July 2016).

§1303. Examination Requirements

A. Any investment adviser firm applying for registration under R.S. 51:703(D), or renewal of any such registration, shall provide the commissioner with proof that each of its investment adviser representatives has met one of the two following examination requirements:

1. successfully passed the uniform investment adviser law examination (series 65 examination) after January 1, 2000; or
2. …
3. successfully passed the general securities representative examination (series 7 examination) and uniform registered investment adviser examination (series 65 examination) prior to January 1, 2000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:703(D).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Financial Institutions, LR 32:2055 (November 2006), effective January 1, 2007, amended LR 42:1088 (July 2016).

§1309. Grandfather Provision

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:703(D).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Financial Institutions, LR 32:2056 (November 2006), effective January 1, 2007, repealed LR 42:1088 (July 2016).

§1311. Exemptions

A. The requirements of this Chapter shall not apply to third-party solicitors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:703(D).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Financial Institutions, LR 32:2056 (November 2006), effective January 1, 2007, amended LR 34:2126 (October 2008), LR 42:1088 (July 2016).

John Ducrest, CPA
Commissioner of Securities
1607#041

RULE

Department of Health
Board of Examiners of Psychologists

Provisional Licensure of Psychologists
(LAC 46:LXIII.102, 105, 601, 603, 701, 705, 709, 901, 902, 1101, 1301, 1503, 1901, and 2103)

Editor's Note: The following Sections are being repromulgated to correct submission and citation errors. The original Rule can be viewed in the December 2015 edition of the *Louisiana Register* on pages 2617-2621.

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the Department of Health and Hospitals, Board of Examiners of Psychologists has amended LAC 46:LXIII.Chapters 1-21 to include references to provisionally licensed psychologists. The amendments are necessary pursuant to Act 137 of the 2014 Legislative Session.

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part LXIII. Psychologists
Subpart 1. General Provisions

Chapter 7. Supervised Practice Leading toward Licensure

§701. Preface

A. This document details reasonable minimal standards for supervised practice and establishes the legal, administrative and professional responsibility of the licensed psychologist or medical psychologist licensed in accordance with R.S. 27:1360.51 et seq., designated as supervisor.

B....

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:249 (August 1979), amended LR 7:187 (April 1981), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 41:2618 (December 2015), repromulgated by the Department of Health, Board of Examiners of Psychologists, LR 42:1089 (July 2016).

§705. Qualifications of Supervisors

A. Responsibility for the overall supervision of the supervisee's professional growth resides in the licensed psychologist or medical psychologist. Supervising psychologists shall at least be licensed for one year and have training in the specific area of practice in which they are offering supervision. Specific skill training may be assigned to other specialists, under the authority of the supervising psychologist. The non-psychologist specialist shall have clearly established practice and teaching skills demonstrable to the satisfaction of both the supervising psychologist and the supervisee.

B.The supervisor shall limit the number of persons supervised so as to be certain to maintain a level of supervision and practice consistent with professional standards insuring the welfare of the supervisee and the client. The supervisor must be licensed for one year and may not supervise any more than two candidates for licensure at the same time.

C....

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 5:249 (August 1979), amended LR 7:187 (April 1981), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 41:2619 (December 2015), repromulgated by the Department of Health, Board of Examiners of Psychologists, LR 42:1089 (July 2016).

Chapter 15. Rules for Disciplinary Action

Subchapter A. Applicability; Processing Complaints

§1503. Complaints

A. A *complaint* is defined as the receipt of any information by the board indicating that there may be grounds for disciplinary action against a licensed psychologist or provisional licensed psychologist, or any other individual, under the provisions of title 37, chapter 28 of the *Louisiana Revised Statutes*, or other applicable law, regulation or rule.

B. - F. ...

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Examiners of Psychologists, LR 9:461 (July 1983), amended LR 12:833 (December 1986), amended by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 36:1008 (May 2010), LR 41:2620 (December 2015), repromulgated by the Department of Health, Board of Examiners of Psychologists, LR 42:1089 (July 2016).

Chapter 21. Disclosure of Financial Interests and Prohibited Payments

§2103. Definitions

A. ...

* * *

Provisional Licensed Psychologist—any individual who practices under the supervision of a Louisiana licensed psychologist and has met all minimal requirements as determined by the Louisiana State Board of Examiners of Psychologists.

* * *

B....

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:2353.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, LR 21:1335 (December 1995), amended LR 41:2620 (December 2015), repromulgated by the Department of Health, Board of Examiners of Psychologists, LR 42:1089 (July 2016).

Jaime T. Monic
Executive Director
1607#042

RULE

Department of Health
Board of Pharmacy

Controlled Substance Prescriptions
(LAC 46:LIII.2525 and 2745)

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 has amended Chapter 25, Prescriptions, Drugs, and Devices as well as Chapter 27, Controlled Dangerous Substances, of its rules. In particular, the board intends to amend §2525, relative to the expiration date of prescriptions for controlled substances, in compliance with Act 865 of the 2014 Legislature, as well as §2745, amending the list of practitioners authorized to prescribe controlled substances, in compliance with Act 453 of the 2015 Legislature.

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part LIII. Pharmacists
Chapter 25. Prescriptions, Drugs, and Devices
Subchapter B. Prescriptions
§2525. Prescription Expiration

A. …

B.A prescription for a controlled dangerous substance shall expire:

1. 90 days after the date of issue if the drug is listed in schedule II; or

2. 6 months after the date of issue if the drug is listed in schedule III, IV, or V.

C.…

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 29:2104 (October 2003), effective January 1, 2004, amended by the Department of Health, Board of Pharmacy, LR 42:1090 (July 2016).

Chapter 27. Controlled Dangerous Substances
Subchapter F. Production, Distribution, and Utilization
§2745. Prescriptions

A. - A.1.c. …

d. a physician assistant;

e. an advanced practice registered nurse;

f. an optometrist; or

A.1.g. - C.7.a.ii. …

iii. The prescription form shall contain no more than four prescription drug or device orders. While nothing in these rules shall prohibit the pre-printing of any number of prescription drugs or devices on the prescription form, no prescription form issued by a prescriber shall identify more than four prescription drugs or devices to be dispensed.

iv. For each prescription drug or device ordered on a prescription form, there shall be a pre-printed check box labeled “Dispense as Written”, or “DAW”, or both.

v. For each prescription drug or device ordered on a prescription form, there shall be a refill instruction, if any.

vi. The prescription form shall bear a single printed signature line, and the prescriber shall manually sign the prescription.

C.7.b. - G.3. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 40:972.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 34:2149 (October 2008), amended LR 41:685 (April 2015), amended by the Department of Health, Board of Pharmacy, LR 42:1090 (July 2016).

Malcolm J. Broussard
Executive Director

1607#031

RULE

Department of Health
Bureau of Health Services Financing

Emergency Medical Transportation Services
Ambulance Licensing Standards
(LAC 48:I.6037)

The Department of Health, Bureau of Health Services Financing has amended LAC 48:I.6037 in the Medical Assistance Program as authorized by R.S. 36:254, R.S. 40:1133.14 and R.S. 40:1135.3. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq.

Title 48
PUBLIC HEALTH—GENERAL
Part I. General Administration
Subpart 3. Licensing and Certification
Chapter 60. Emergency Medical Transportation Services
Subchapter B. Provider Responsibilities
§6037. Medical Protocol

A. - C.21. ...

D. The EMS service shall adopt the protocols established by the Louisiana Emergency Response Network (LERN) or develop an agency specific protocol with specific language related to the transportation of the following patients:

1. Acute stroke patients shall be transported to the closest appropriate primary stroke center, acute stroke ready hospital, or closest appropriate hospital if the patient exhibits a compromise of airway, breathing or circulatory function, or other potential life threatening emergency as defined by the protocols implemented by the ambulance service’s medical director. Acute stroke patients may also be diverted to the closest appropriate hospital by order of LERN or online medical control from the local facility, potential receiving facility or medical director.

2. ...

3. In any case where the treating emergency medical technician's evaluation, according to protocol, indicates a potentially unstable condition or potential medical emergency that, if traveling the extra distance to the recommended appropriate facility could put the patient at higher risk, the emergency medical technician in his/her discretion may divert to the nearest appropriate facility.

E. - E.4. ...

F. Ambulance services are accountable for assuring compliance with applicable protocols by their personnel. Exceptions to these protocols must be reviewed on a case-by-case basis by the physician medical director.

1. Treatment decisions shall be considered given the current health status of the patient in conjunction with all of the associated risks factors including, but not limited to, distance to the nearest stroke facility.

G. ...

AUTHORITY NOTE:Promulgated in accordance with R.S. 40:1133.14 and 40:1135.3.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 35:476 (March 2009), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:2153 (October 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 42:1090 (July 2016).

Rebekah E. Gee MD, MPH
Secretary
1607#052

RULE

Department of Health
Bureau of Health Services Financing

Medicaid Eligibility
Federally-Facilitated Marketplace Determinations
(LAC 50:III.505)

The Department of Health, Bureau of Health Services Financing has amended LAC 50:III.505 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part III. Eligibility
Subpart 1. General Administration
Chapter 5. Application Processing
§505. Federally-Facilitated Marketplace Determinations

A. Effective April 20, 2016, Louisiana Medicaid will delegate its Medicaid eligibility determination authority to the federally-facilitated marketplace (FFM) in order to begin accepting eligibility determinations made by the FFM for only those individuals who apply for healthcare coverage through the FFM. This action will result in the state becoming a determination state.

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:1489 (August 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 42:1091 (July 2016).

Rebekah E. Gee MD, MPH
Secretary
1607#053

RULE

Department of Health
Bureau of Health Services Financing

Medical Transportation Program
Non-Emergency Medical Transportation
(LAC 50:XXVII.Chapter 5)

The Department of Health, Bureau of Health Services Financing repealed and replaced the provisions of the October 20, 1994 Rule governing non-emergency medical transportation, and amended LAC 50:XXVII.Chapter 5 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part XXVII. Medical Transportation Program
Chapter 5. Non-Emergency Medical Transportation
Subchapter A. General Provisions
§501. Introduction

A. Non-emergency medical transportation (NEMT) is non-emergency transportation to and from the providers of routine Medicaid covered services for Medicaid recipients. NEMT is intended to provide transportation only after all reasonable means of free transportation have been explored and found to be unavailable.

B.Medicaid covered transportation is available to Medicaid recipients when:

1. the individual is enrolled in either a full-coverage Medicaid benefit program or a limited-coverage Medicaid benefit program that explicitly includes transportation services; and

2. the recipient or their representative has stated that they have no other means of transportation.

C.The requested destination must be to a medical or behavioral health service provider currently enrolled in the Medicaid Program.

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1091 (July 2016).

§503. Prior Authorization

A. NEMT services require prior authorization. The department or its designee will authorize transportation after verifying the recipient's Medicaid eligibility and validity of medical or behavioral health appointment(s).

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1091 (July 2016).

§505. Requirements for Coverage

A. When transportation is not available through family and friends, payment shall be authorized for the least costly means of transportation available. The least costly means of

transportation shall be determined by the department and shall be determined according to the following hierarchy:

1. city or parish public transportation;

2. family and friends who meet the state license and insurance requirements and who are willing to:

a. enroll in the Medicaid Program; and

b. be paid a published rate for providing non-emergency transportation;

3. intrastate public conveyance (such as bus, train or plane);

4. nonprofit agencies and organizations that provide a transportation service and who are enrolled in the Medicaid Program; and

5. for profit providers enrolled in the Medicaid Program.

B. Recipients shall be allowed a choice of providers when the costs of two or more providers are equal.

C. Recipients are encouraged to utilize medical or behavioral health providers of their choice in the community in which they reside when the recipient is also in need of Medicaid reimbursed transportation services. The fact that the department will still pay for the actual medical or behavioral health service received outside the community in which the recipient resides does not obligate the department to reimburse for transportation to accommodate such a choice.

D. When the recipient chooses to utilize a medical or behavioral health provider outside of the community due to preference and/or history, payment may be authorized only for the cost of transportation to the nearest available provider.

E. The recipient may be responsible for securing any agreements with family and friends, nonprofit or profit providers to make the longer trip for the payment authorized. If the recipient needs help with making such arrangements, the department will help but the help given will imply no obligation to provide a greater reimbursement.

F. When specialty treatment required by the recipient necessitates travel over extended distances, authorization for payment for intrastate transportation shall be determined according to the following criteria.

1. Intrastate transportation reimbursement shall be authorized when medical or behavioral health services are not available to the recipient in his/her community.

2. Payment shall be authorized when free transportation is not available.

3. The department shall still authorize payment only for the most economical means of transportation. This may be through negotiating payment for transportation with family and or friends or through accessing the public conveyance systems such as bus, train or plane.

4. The determination as to use of public conveyance shall be based on least cost, medical or behavioral health condition of the recipient to be transported, and availability of public conveyance.

G. When it has been verified that public conveyance is unavailable or inappropriate for intrastate transportation the recipient shall solicit transportation from family and friends. The department will authorize payment to assist the family in accessing the needed medical services.

1. Payment will be based on distance to be traveled to the nearest available similar or appropriate medical or behavioral health services, parking and tolls. In determining the amount of payment the cost of the least costly public conveyance shall be used as the base cost to be paid to the family. Payment shall not be available for room and board or meals.

H. When no other means of transportation is available through family and friends or public conveyance, the department will solicit intrastate transportation through a nonprofit provider.

1. The nonprofit provider will be paid a fee based on the current fee schedule.

2. If the nonprofit provider cannot accept the trip then the department will reimburse for-profit providers based on the current fee schedule.

I. The department will not authorize "same day" trips except in the instance of need for immediate medical care due to injury or illness. Same day trips will not be authorized for scheduled appointments for predictable or routine medical or behavioral health care. Recipients will be asked to reschedule the appointment and make the subsequent request for transportation timely.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1091 (July 2016).

Subchapter B. Recipient Participation

§521. General Provisions

A. Recipients shall participate in securing transportation at a low cost and shall agree to use public transportation or solicit transportation from family and friends as an alternative to more costly means of transport.

B. When the recipient alleges that public conveyance cannot be used due to medical reasons, then verification shall be provided by giving the department a written statement from a doctor that includes the specific reason(s) that the use of public conveyance is contraindicated by the medical or behavioral health condition of the recipient. In no case can preference of the recipient be the sole determining factor in excluding use of public conveyance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1092 (July 2016).

§523. Recipient Appeals

A. Recipients shall have a right to request a fair hearing for the denial of NEMT services in full or in part. This includes requests for a fair hearing for denial of meals and lodging expenses associated with authorized trips.

B. Recipients shall be provided written notice of the service denial (including denials for meals and/or lodging expenses) and given the opportunity to request a fair hearing to appeal the department's decision.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1092 (July 2016).

Subchapter C. Provider Responsibilities

§541. Provider Enrollment

A. All transportation providers must comply with the published rules and regulations governing the Medicaid Transportation Program, all state laws, and the regulations of any other governing state agency or commission or local entity to which they are subject as a condition of enrollment and continued participation in the Medicaid Program.

B.Non-emergency medical transportation profit providers shall have a minimum liability insurance coverage of $100,000 per person and $300,000 per accident or a $300,000 combined service limits policy.

1. The liability policy shall cover any and all:

a. autos;

b. hired autos; and

c. non-owned autos.

2. Premiums shall be prepaid for a period of six months. Proof of prepaid insurance must be a true and correct copy of the policy issued by the home office of the insurance company. Statements from the agent writing the policy will not be acceptable. Proof must include the dates of coverage and a 30-day cancellation notification clause. Proof of renewal must be received by the department no later than 48 hours prior to the end date of coverage. The policy must provide that the 30-day cancellation notification be issued to the Bureau of Health Services Financing.

3. Upon notice of cancellation or expiration of the coverage, the department will immediately cancel the provider agreement for participation. The ending date of participation shall be the ending date of insurance coverage. Retroactive coverage statements will not be accepted. Providers who lose the right to participate due to lack of prepaid insurance may re-enroll in the transportation program and will be subject to all applicable enrollment procedures, policies, and fees for new providers.

C.As a condition of reimbursement for transporting Medicaid recipients to medical or behavioral health services, family and friends must maintain the state minimum automobile liability insurance coverage, a current state inspection sticker, and a current valid driver's license. No special inspection by the department will be conducted. Proof of compliance with the three listed requirements for this class of provider must be submitted when enrollment in the department is sought. Proof shall be the sworn and notarized statement of the individual enrolling for payment, certifying that all three requirements are met. Family and friends shall be enrolled and shall be allowed to transport up to three specific Medicaid recipients or all members of one Medicaid assistance unit. The recipients to be transported by each such provider will be noted in the computer files of the department. Individuals transporting more than three Medicaid recipients shall be considered profit providers and shall be enrolled as such.

D. As a condition of participation for out-of-state transport, providers of transportation to out-of-state medical or behavioral health services must be in compliance with all applicable federal intrastate commerce laws regarding such transportation, including but not limited to, the $1,000,000 insurance requirement. Proof of compliance with all interstate commerce laws must be submitted when enrollment in the Medicaid Program is sought or prior to providing any out-of-state Medicaid transportation.

E.A provider must agree to cover the entire parish or parishes for which he provides non-emergency medical transportation services.

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1092 (July 2016).

§543. Trip Coordination

A. Dispatch personnel will coordinate to the extent possible, trips for family members so that all recipients in a family are transported as a unit at one time to the same or close proximity providers.

B.Providers must submit a signed affidavit with claims certifying that a true and correct bill is being submitted.

C.If the provider has declined to accept a trip on a particular day the dispatch personnel will not assign additional trips to that provider for that same day.

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1093 (July 2016).

§545. Provider Suspension and Termination

A. Providers are subject to suspension from the NEMT Program upon department documentation of inappropriate billing practices or other practices that egregiously violate Medicaid Program policy.

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1093 (July 2016).

§547. Audits

A. The department shall conduct regular audits of service authorization, reimbursement, service delivery and documentation in order to ensure compliance with published rules and regulations.

B.Lack of compliance on the part of transportation providers shall be addressed as described in the provider policy manual.

C.Lack of compliance on the part of department contractors shall be met with corrective action as described in contract documents.

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1093 (July 2016).

Subchapter D. Reimbursement

§565. General Provisions

A. Reimbursement for NEMT services shall be based upon the current fee schedule. An additional per-mile rate may be included when the department determines that a provider requires compensation for travelling far outside of their service areas. This additional payment shall be made when there are no providers in the recipient's service area

B.Reimbursement for NEMT to regular, predictable and continuing medical services, such as hemodialysis, chemotherapy or rehabilitation therapy, as determined by the department, shall be based on a capitated rate paid by individual trip.

C.Reimbursement will not be made for any additional person(s) who must accompany the recipient to the medical provider.

D. An individual provider will be reimbursed for a trip to the nearest facility that will meet the recipient's medical or behavioral health needs. However, the individual provider

may transport the recipient to a more distant facility if the individual provider will accept reimbursement from the department to the nearest facility and assumes responsibility for additional expenses incurred.

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:1093 (July 2016).

§573. Non-Emergency, Non-Ambulance Transportation

A. - F.5. ...

G.Effective for dates of service on or after October 1, 2014, the monthly payment of capitated rates shall be replaced with a per trip payment methodology.

1. Payments previously made using the monthly capitated rate shall be made by dividing the monthly rate by the number of authorized trips within a given month. Each trip will then be reimbursed separately.

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 33:462 (March 2007), LR 34:878 (May 2008), amended by the Department of Health, Bureau of Health Services Financing, LR 36:2564 (November 2010), LR 37:3030 (October 2011), amended LR 38:3214 (December 2012), amended by the Department of Health, Bureau of Health Services Financing, LR 42:1094 (July 2016).

Rebekah E. Gee MD, MPH
Secretary
1607#054

RULE

Department of Health
Office of Public Health

Backflow and Cross Connection Control in Water Supplies
(LAC 51:XII.344 and 346)

Under the authority of R.S. 40:4 and 40:5 and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the state health officer, acting through the Department of Health, Office of Public Health (LDH-OPH), has amended Part XII (Water Supplies) of the Louisiana state *Sanitary Code* (LAC 51). The amendments are necessary to ensure that public water supplies continue to protect their water systems from backflow and cross connections which may occur on customer premises and which can cause contamination of the water supply.

As required by Act 836 of the 2014 Regular Legislative Session, Part XIV (Louisiana state Plumbing Code) of the Louisiana state *Sanitary Code* (LAC 51, *Public Health—Sanitary Code*) became null and void on January 1, 2016. In accordance with the Act, the Louisiana state Uniform Construction Code Council (LSUCCC) promulgated new state plumbing regulations through emergency rules under the state *Uniform Construction Code* (LAC 17:I). Before January 1, 2016, comprehensive backflow protection/cross connection control regulations designed to protect public health applicable to plumbing were contained in Part XIV (Plumbing) of the state *Sanitary Code*. Effective January 1, 2016, some of these same backflow protection/cross connection control regulations applicable to plumbing have been adopted by the LSUCCC under the state *Uniform Construction Code*, particularly within the 2012 *International Plumbing Code* and within the 2012 *International Residential Code* (see December 20, 2015 *Louisiana Register*, Volume 41, page 2545 and June 2016 *Louisiana Register*, Volume 42, page 826).

The state health officer, through LDH-OPH, has promulgated a Rule that finalizes the requirements of an Emergency Rule (the "ER") concerning cross connection control/protection of the water supply which became effective on February 23, 2016. This Rule maintains the requirements of the ER which amended Part XII (Water Supplies) of Title 51 (*Public Health—Sanitary Code*) in order to direct public water systems to utilize the backflow and cross connection control regulations contained in the state *Uniform Construction Code*. Prior to the adoption of these ERs, Part XII was outdated because it directed water suppliers to Part XIV of the state *Sanitary Code* relative to protecting its system from backflow and cross connections on customer premises. As mentioned above, plumbing regulations formerly contained under Part XIV of the state *Sanitary Code* have been repealed effective January 1, 2016.

In addition, these ERs adopted comprehensive qualification requirements for persons involved in installing, repairing, testing, and maintaining backflow prevention devices and methods. This Rule keeps those requirements in place to ensure that all persons involved in the installation, repair, testing and maintenance of backflow prevention devices are qualified to perform such work.

For these reasons, Part XII (Water Supplies) of the Louisiana state *Sanitary Code* (LAC 51:XII) is amended as follows.

Title 51
PUBLIC HEALTH—SANITARY CODE
Part XII. Water Supplies

Chapter 3. Water Quality Standards

§344. Protection of Water Supply/Containment Practices

A. As used in this Section, "mandatory containment practices" means the containment practices prescribed in and required by the state *Uniform Construction Code*, LAC 17:I, including maintenance and testing requirements, and any additional or related requirements of this Part.

B.In order to protect its water supply from potential contamination, each water supplier shall develop and implement a written backflow prevention plan outlining the policies and procedures it will use to verify that its customers comply with mandatory containment practices, and shall make a reasonable effort to ensure that only customers who comply with mandatory containment practices connect or remain connected to its water supply.

C.Unless otherwise directed by the state health officer, a water supplier shall disconnect or refuse to connect customers who:

1. fail to comply with mandatory containment practices; or

2. fail to provide or allow adequate confirmation of such compliance.

D. If a water supplier has a reasonable basis to believe that an unprotected or improperly protected cross connection exists on the premise of any customer not required to comply with mandatory containment practices, the water

supplier shall take reasonable steps to perform one or more of the following:

1. confirm that the cross connection on the premise is eliminated or does not exist;

2. confirm that approved fixture isolation backflow protection is installed at the cross connection on the premise in accordance with the fixture isolation practices prescribed in and required by the state *Uniform Construction Code* (LAC 17:I);

3. confirm that approved containment backflow protection is installed; or

4. discontinue water service to the customer.

E. When deemed necessary to protect public health, the state health officer may issue an administrative order or emergency order requiring a water supplier to comply with this Section.

AUTHORITY NOTE: Promulgated in accordance with the provisions of R.S. 40:4(A)(8) and 40:5(A)(2)(3)(5)(6)(17)(20).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 38:2795 (November 2012), amended by the Department of Health, Office of Public Health, LR 42:1094 (July 2016).

§346. Installer, Repairer, Tester and Maintainer Qualifications for Backflow Prevention Devices and Methods

A. Installer/Repairer/Maintainer Qualifications. Backflow preventers shall be installed, repaired and/or maintained by a state Plumbing Board of Louisiana (SPBLA) -licensed plumber who holds an SPBLA water supply protection specialist endorsement on his/her plumbing license pursuant to R.S. 37:1361 et seq., and its implementing regulations (LAC 46:LV.101 et seq.). Backflow preventers associated with a landscape irrigation system may be installed, repaired and/or maintained by a Horticulture Commission of Louisiana-licensed landscape irrigation contractor who holds an SPBLA-issued special water supply protection specialist endorsement in accordance with R.S. 3:3808(P). Backflow preventers located on public property or otherwise under the complete control of the water supplier (for example, water meter and the piping upstream of the water meter, if provided), may be installed, repaired and/or maintained by a backflow prevention assembly repairer who meets the ASSE 5130-2009 (backflow prevention assembly repairer professional qualification standard) or other individuals holding a backflow prevention assembly repairer certificate from a nationally recognized backflow certification organization approved by the state health officer.

B. Field Tester Qualifications. Backflow preventers shall be tested by a state Plumbing Board of Louisiana (SPBLA) -licensed plumber who holds an SPBLA water supply protection specialist endorsement on his/her plumbing license pursuant to R.S. 37:1361 et seq., and its implementing regulations (LAC 46:LV.101 et seq.); or, by a backflow prevention assembly tester who meets ASSE 5110-2009 (backflow prevention assembly tester professional qualification standard), or other individuals holding a testing certificate from a nationally recognized backflow certification organization approved by the state health officer. Backflow preventers associated with a landscape irrigation system may be tested by a Horticulture Commission of Louisiana-licensed landscape irrigation contractor who holds an SPBLA-issued special water supply protection specialist endorsement in accordance with R.S. 3:3808(P).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:4(A)(8) and R.S. 40:5(A)(2)(3)(5)(6)(17)(20).

HISTORICAL NOTE: Promulgated by the Department of Health, Office of Public Health, LR 42:1095 (July 2016).

Rebekah E. Gee MD, MPH
Secretary
1607#035

RULE

Department of Insurance
Office of the Commissioner

Regulation 32—Group and Individual Coordination of Benefits (LAC 37:XIII.Chapter 3)

The Department of Insurance, pursuant to the authority of the *Louisiana Insurance Code*, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act., R.S. 49:950 et seq., hereby gives notice of its intent to amend and promulgate Regulation 32—Group Coordination of Benefits. The purpose of the regulation is to establish a uniform order of benefit determinations.

The purpose for amending Regulation 32 is for the Department of Insurance to adopt the National Association of Insurance Commissioners' Model regulation entitled "Coordination of Benefits Model Regulation".

Title 37
INSURANCE
Part XIII. Regulations

Chapter 3. Regulation 32—Group Coordination of Benefits

§301. Purpose and Applicability

A. The purpose of this regulation is to:

1. establish a uniform order of benefit determination under which plans pay claims;

2. reduce duplication of benefits by permitting a reduction of the benefits to be paid by plans that, pursuant to rules established by this regulation, do not have to pay their benefits first; and

3. provide greater efficiency in the processing of claims when a person is covered under more than one plan.

B. This regulation applies to all plans which includes all accident and health products and health maintenance organization products that are issued on or after the effective date of this regulation, which is [insert date].

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:3.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 17:67 (January 1991), amended LR 20:52 (January 1994), LR 23:415 (April 1997), LR 41:1095 (July 2016).

§303. Definitions

A. As used in this regulation, these words and terms have the following meanings, unless the context clearly indicates otherwise.

Allowable Expense—except as set forth below or where a statute requires a different definition, means any health care expense, including coinsurance or copayments and without reduction for any applicable deductible, that is covered in full or in part by any of the plans covering the person.

a. If a plan is advised by a covered person that all plans covering the person are high-deductible health plans and the person intends to contribute to a health savings account established in accordance with section 223 of the *Internal Revenue Code* of 1986, the primary high-deductible health plan's deductible is not an allowable expense, except for any health care expense incurred that may not be subject to the deductible as described in section 223(c)(2)(C) of the *Internal Revenue Code* of 1986.

b. An expense or a portion of an expense that is not covered by any of the plans is not an allowable expense.

c. Any expense that a provider by law or in accordance with a contractual agreement is prohibited from charging a covered person is not an allowable expense.

d. The following are examples of expenses that are not allowable expenses.

i. If a person is confined in a private hospital room, the difference between the cost of a semi-private room in the hospital and the private room is not an allowable expense, unless one of the plans provides coverage for private hospital room expenses.

ii. If a person is covered by two or more plans that compute their benefit payments on the basis of usual and customary fees or relative value schedule reimbursement or other similar reimbursement methodology, any amount charged by the provider in excess of the highest reimbursement amount for a specified benefit is not an allowable expense.

iii. If a person is covered by two or more plans that provide benefits or services on the basis of negotiated fees, any amount in excess of the highest of the negotiated fees is not an allowable expense.

iv. If a person is covered by one plan that calculates its benefits or services on the basis of usual and customary fees or relative value schedule reimbursement or other similar reimbursement methodology and another plan that provides its benefits or services on the basis of negotiated fees, the primary plan's payment arrangement shall be the allowable expense for all plans. However, if the provider has contracted with the secondary plan to provide the benefit or service for a specific negotiated fee or payment amount that is different than the primary plan's payment arrangement and if the provider's contract permits, that negotiated fee or payment shall be the allowable expense used by the secondary plan to determine its benefits.

e. The definition of allowable expense may exclude certain types of coverage or benefits such as dental care, vision care, prescription drug or hearing aids. A plan that limits the application of COB to certain coverages or benefits may limit the definition of allowable expense in its contract to expenses that are similar to the expenses that it provides. When COB is restricted to specific coverages or benefits in a contract, the definition of allowable expense shall include similar expenses to which COB applies.

f. When a plan provides benefits in the form of services, the reasonable cash value of each service will be considered an allowable expense and a benefit paid.

g. The amount of the reduction may be excluded from allowable expense when a covered person's benefits are reduced under a primary plan:

i. because the covered person does not comply with the plan provisions concerning second surgical opinions or precertification of admissions or services; or

ii. because the covered person has a lower benefit because the covered person did not use a preferred provider.

Birthday—refers only to month and day in a calendar year and does not include the year in which the individual is born.

Claim—a request that benefits of a plan be provided or paid. The benefits claimed may be in the form of:

a. services (including supplies);

b. payment for all or a portion of the expenses incurred;

c. a combination of Subparagraphs a and b of this Paragraph; or

d. an indemnification.

Claim Determination Period or *Plan Year*—a period of not less than 12 consecutive months over which allowable expenses shall be compared with total benefits payable in the absence of COB to determine whether overinsurance exists and how much each plan will pay or provide.

a. The claim determination period is usually a calendar year, but a plan may use some other period of time that fits the coverage of the group or individual contract. A person is covered by a plan during a portion of a claim determination period if that person's coverage starts or ends during the claim determination period.

b. As each claim is submitted, each plan determines its liability and pays or provides benefits based upon allowable expenses incurred to that point in the claim determination period. That determination is subject to adjustment as later allowable expenses are incurred in the same claim determination period.

Closed Panel Plan—a plan that provides health benefits to covered persons primarily in the form of services through a panel of providers that have contracted with or are employed by the plan, and that excludes benefits for services provided by other providers, except in cases of emergency or referral by a panel member.

Consolidated Omnibus Budget Reconciliation Act of 1985 or *COBRA*—coverage provided under a right of continuation pursuant to federal law.

Coordination of Benefits or *COB*—a provision establishing an order in which plans pay their claims, and permitting secondary plans to reduce their benefits so that the combined benefits of all plans do not exceed total allowable expenses.

Custodial Parent—

a. the parent awarded custody of a child by a court decree; or

b. in the absence of a court decree, the parent with whom the child resides more than one half of the calendar year without regard to any temporary visitation.

Group-Type Contract—a contract that is not available to the general public and is obtained and maintained only because of membership in or a connection with a particular organization or group, including blanket coverage. Group-

type contract does not include an individually underwritten and issued guaranteed renewable policy even if the policy is purchased through payroll deduction at a premium savings to the insured since the insured would have the right to maintain or renew the policy independently of continued employment with the employer.

High-Deductible Health Plan—the meaning given the term under section 223 of the *Internal Revenue Code* of 1986, as amended by the Medicare Prescription Drug, Improvement and Modernization Act of 2003.

Hospital Indemnity Benefits—benefits not related to expenses incurred. Hospital indemnity benefits does not include reimbursement-type benefits even if they are designed or administered to give the insured the right to elect indemnity-type benefits at the time of claim.

Plan—a form of coverage with which coordination is allowed. Separate parts of a plan for members of a group that are provided through alternative contracts that are intended to be part of a coordinated package of benefits are considered one plan and there is no COB among the separate parts of the plan. If a plan coordinates benefits, its contract shall state the types of coverage that will be considered in applying the COB provision of that contract. Whether the contract uses the term "plan" or some other term such as "program," the contractual definition may be no broader than the definition of "plan" in this subsection. The definition of "plan" in the model COB provision in Appendix A of §321 of this Chapter is an example.

a. Plan includes:

i. group and nongroup insurance contracts and subscriber contracts;

ii. uninsured arrangements of group or group-type coverage;

iii. group and nongroup coverage through closed panel plans;

iv. group-type contracts;

v. the medical care components of long-term care contracts, such as skilled nursing care;

vi. the medical benefits coverage in automobile "no fault" and traditional automobile "fault" type contracts;

vii. Medicare or other governmental benefits, as permitted by law, except as provided in Subparagraph b of this Paragraph. That part of the definition of plan may be limited to the hospital, medical and surgical benefits of the governmental program; and

viii. group and nongroup insurance contracts and subscriber contracts that pay or reimburse for the cost of dental care.

b. Plan does not include:

i. hospital indemnity coverage benefits or other fixed indemnity coverage;

ii. accident only coverage;

iii. specified disease or specified accident coverage;

iv. limited benefit health coverage as defined in R.S. 22:47(2)(c);

v. school accident-type coverages that cover students for accidents only, including athletic injuries, either on a 24-hour basis or on a "to and from school" basis;

vi. benefits provided in long-term care insurance policies for non-medical services, for example, personal care, adult day care, homemaker services, assistance with activities of daily living, respite care and custodial care or for contracts that pay a fixed daily benefit without regard to expenses incurred or the receipt of services;

vii. Medicare supplement policies;

viii. a state plan under Medicaid; or

ix. a governmental plan, which, by law, provides benefits that are in excess of those of any private insurance plan or other non-governmental plan.

Policyholder or *Subscriber*—the primary insured named in a nongroup insurance policy.

Primary Plan—a plan whose benefits for a person's health care coverage must be determined without taking the existence of any other plan into consideration. A plan is a primary plan if:

a. the plan either has no order of benefit determination rules, or its rules differ from those permitted by this regulation; or

b. all plans that cover the person use the order of benefit determination rules required by this regulation, and under those rules the plan determines its benefits first.

Provider—a health care professional or health care facility.

Secondary Plan—a plan that is not a primary plan.

AUTHORITY NOTE:Promulgated in accordance with R.S. 22:3.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 17:67 (January 1991), amended LR 20:52 (January 1994), LR 23:415 (April 1997), LR 42:1095 (July 2016).

§305. Use of Model COB Contract Provision

A. Appendix A of §321 of this Chapter contains a model COB provision for use in contracts. The use of this model COB provision is subject to the provisions of Subsections B, C and D of this Section and to the provisions of §307 of this regulation.

B.Appendix B of §323 of this Chapter is a plain language description of the COB process that explains to the covered person how health plans will implement coordination of benefits. It is not intended to replace or change the provisions that are set forth in the contract. Its purpose is to explain the process by which the two or more plans will pay for or provide benefits.

C.The COB provision contained in Appendix A of §321 of this Chapter and the plain language explanation in Appendix B of §323 of this Chapter do not have to use the specific words and format shown in Appendix A of §321 of this Chapter or Appendix B of §323 of this Chapter. Changes may be made to fit the language and style of the rest of the contract or to reflect differences among plans that provide services, that pay benefits for expenses incurred and that indemnify. No substantive changes are permitted.

D. A COB provision may not be used that permits a plan to reduce its benefits on the basis that:

1. another plan exists and the covered person did not enroll in that plan;

2. a person is or could have been covered under another plan, except with respect to Part B of Medicare; or

3. a person has elected an option under another plan providing a lower level of benefits than another option that could have been elected.

E.No plan may contain a provision that its benefits are "always excess" or "always secondary" except in accordance with the rules permitted by this regulation and R.S. 22:1072.

F. Under the terms of a closed panel plan, benefits are not payable if the covered person does not use the services of a

closed panel provider. In most instances, COB does not occur if a covered person is enrolled in two or more closed panel plans and obtains services from a provider in one of the closed panel plans because the other closed panel plan (the one whose providers were not used) has no liability. However, COB may occur during the plan year when the covered person receives emergency services that would have been covered by both plans. Then the secondary plan shall use the provisions of §309 of this regulation to determine the amount it should pay for the benefit.

G.No plan may use a COB provision, or any other provision that allows it to reduce its benefits with respect to any other coverage its insured may have that does not meet the definition of plan as defined in this regulation and pursuant to R.S. 22:1072.

AUTHORITY NOTE:Promulgated in accordance with R.S. 22:3.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 17:67 (January 1991), amended LR 20:52 (January 1994), LR 23:415 (April 1997), LR 42:1097 (July 2016).

§307. Rules for Coordination of Benefits

A. When a person is covered by two or more plans, the rules for determining the order of benefit payments are as follows.

1. The primary plan shall pay or provide its benefits as if the secondary plan or plans did not exist.

2. If the primary plan is a closed panel plan and the secondary plan is not a closed panel plan, the secondary plan shall pay or provide benefits as if it were the primary plan when a covered person uses a non-panel provider, except for emergency services or authorized referrals that are paid or provided by the primary plan.

3. When multiple contracts providing coordinated coverage are treated as a single plan under this regulation, this section applies only to the plan as a whole, and coordination among the component contracts is governed by the terms of the contracts. if more than one carrier pays or provides benefits under the plan, the carrier designated as primary within the plan shall be responsible for the plan's compliance with this regulation.

4. If a person is covered by more than one secondary plan, the order of benefit determination rules of this regulation decide the order in which secondary plans benefits are determined in relation to each other. Each secondary plan shall take into consideration the benefits of the primary plan or plans and the benefits of any other plan, which, under the rules of this regulation, has its benefits determined before those of that secondary plan.

5. Except as provided in Paragraph 2 of this Subsection, a plan that does not contain order of benefit determination provisions that are consistent with this regulation is always the primary plan unless the provisions of both plans, regardless of the provisions of this Paragraph, state that the complying plan is primary.

6. Coverage that is obtained by virtue of membership in a group and designed to supplement a part of a basic package of benefits may provide that the supplementary coverage shall be excess to any other parts of the plan provided by the contract holder. Examples of these types of situations are major medical coverages that are superimposed over base plan hospital and surgical benefits, and insurance type coverages that are written in connection with a closed panel plan to provide out-of-network benefits.

B.A plan may take into consideration the benefits paid or provided by another plan only when, under the rules of this regulation, it is secondary to that other plan.

C.Order of Benefit Determination. Each plan determines its order of benefits using the first of the following rules that applies:

1. Non-Dependent or Dependent

a. Subject to Subparagraph b of this Paragraph, the plan that covers the person other than as a dependent, for example as an employee, member, subscriber, policyholder or retiree, is the primary plan and the plan that covers the person as a dependent is the secondary plan.

b. If the person is a Medicare beneficiary, and, as a result of the provisions of title XVIII of the Social Security Act and implementing regulations, Medicare is:

i. secondary to the plan covering the person as a dependent; and

ii. primary to the plan covering the person as other than a dependent (e.g. a retired employee).

c. Then the order of benefits is reversed so that the plan covering the person as an employee, member, subscriber, policyholder or retiree is the secondary plan and the other plan covering the person as a dependent is the primary plan.

4. Dependent Child Covered Under More Than One Plan. Unless there is a court decree stating otherwise, plans covering a dependent child shall determine the order of benefits as follows:

a. For a dependent child whose parents are married or are living together, whether or not they have ever been married:

i. the plan of the parent whose birthday falls earlier in the calendar year is the primary plan; or

ii. if both parents have the same birthday, the plan that has covered the parent longest is the primary plan.

b. For a dependent child whose parents are divorced or separated or are not living together, whether or not they have ever been married:

i. if a court decree states that one of the parents is responsible for the dependent child's health care expenses or health care coverage and the plan of that parent has actual knowledge of those terms, that plan is primary. If the parent with responsibility has no health care coverage for the dependent child's health care expenses, but that parent's spouse does, that parent's spouse's plan is the primary plan. This item shall not apply with respect to any plan year during which benefits are paid or provided before the entity has actual knowledge of the court decree provision;

ii. if a court decree states that both parents are responsible for the dependent child's health care expenses or health care coverage, the provisions of Subparagraph a of this Paragraph shall determine the order of benefits;

iii. if a court decree states that the parents have joint custody without specifying that one parent has responsibility for the health care expenses or health care coverage of the dependent child, the provisions of Subparagraph a of this Paragraph shall determine the order of benefits; or

iv. if there is no court decree allocating responsibility for the child's health care expenses or health care coverage, the order of benefits for the child are as follows:

(a). the plan covering the custodial parent;

(b). the plan covering the custodial parent's spouse;

(c). the plan covering the non-custodial parent; and then

(d). the plan covering the non-custodial parent's spouse.

c. For a dependent child covered under more than one plan of individuals who are not the parents of the child, the order of benefits shall be determined, as applicable, under Subparagraph a or b of this Paragraph as if those individuals were parents of the child.

d. For a dependent child covered under spouse's plan

i. For a dependent child who has coverage under either or both parents' plans and also has his or her own coverage as a dependent under a spouse's plan, the rule in Paragraph 5 of this Subsection applies.

ii. In the event the dependent child's coverage under the spouse's plan began on the same date as the dependent child's coverage under either or both parents' plans, the order of benefits shall be determined by applying the birthday rule in Subparagraph a of this Paragraph to the dependent child's parent(s) and the dependent's spouse.

3. Active Employee or Retired or Laid-Off Employee

a. The plan that covers a person as an active employee that is, an employee who is neither laid off nor retired or as a dependent of an active employee is the primary plan. The plan covering that same person as a retired or laid-off employee or as a dependent of a retired or laid-off employee is the secondary plan.

b. If the other plan does not have this rule, and as a result, the plans do not agree on the order of benefits, this rule is ignored.

c. This rule does not apply if the rule in Paragraph 1 of this Subsection can determine the order of benefits.

4. COBRA or State Continuation Coverage

a. If a person whose coverage is provided pursuant to COBRA or under a right of continuation pursuant to state or other federal law is covered under another plan, the plan covering the person as an employee, member, subscriber or retiree or covering the person as a dependent of an employee, member, subscriber or retiree is the primary plan and the plan covering that same person pursuant to COBRA or under a right of continuation pursuant to state or other federal law is the secondary plan.

b. If the other plan does not have this rule, and if, as a result, the plans do not agree on the order of benefits, this rule is ignored.

c. This rule does not apply if the rule in Paragraph 1 of this Subsection can determine the order of benefits

5. Longer or Shorter Length of Coverage

a. If the preceding rules do not determine the order of benefits, the plan that covered the person for the longer period of time is the primary plan and the plan that covered the person for the shorter period of time is the secondary plan.

b. To determine the length of time a person has been covered under a plan, two successive plans shall be treated as one if the covered person was eligible under the second plan within 24 hours after coverage under the first plan ended.

c. The start of a new plan does not include:

i. a change in the amount or scope of a plan's benefits;

ii. a change in the entity that pays, provides or administers the plan's benefits; or

iii. a change from one type of plan to another, such as, from a single employer plan to a multiple employer plan.

d. The person's length of time covered under a plan is measured from the person's first date of coverage under that plan. If that date is not readily available for a group plan, the date the person first became a member of the group shall be used as the date from which to determine the length of time the person's coverage under the present plan has been in force.

6. If none of the preceding rules determines the order of benefits, the allowable expenses shall be shared equally between the plans.

AUTHORITY NOTE:Promulgated in accordance with R.S. 22:3.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 17:67 (January 1991), amended LR 20:52 (January 1994), LR 23:415 (April 1997), LR 42:1098 (July 2016).

§309. Procedure to be followed by Secondary Plan to Calculate Benefits and Pay a Claim

A. In determining the amount to be paid by the secondary plan on a claim, the secondary plan shall calculate the benefits it would have paid on the claim in the absence of other health care coverage and apply that calculated amount to any allowable expense under its plan that is unpaid by the primary plan. The secondary plan shall reduce its payment by the amount so that, when combined with the amount paid by the primary plan, the total benefits paid or provided by all plans for the claim do not exceed 100 percent of the total allowable expense for that claim. In addition, the secondary plan shall credit to its plan coinsurance, copayments or deductible (benefit reserves) any amounts it would have credited to its coinsurance, copayments or deductible in the absence of other health care coverage. Such credit shall be utilized for the policyholder. As each claim is submitted, the secondary plan must:

1. determine its obligation, pursuant to its contract;

2. determine whether a benefit reserve has been recorded for the covered person; and

3. determine whether there are any unpaid allowable expenses during that claims determination period.

B.If there is a credit, the secondary plan shall use the covered person's recorded credit to pay up to 100 percent of total allowable expenses incurred during the claim determination period. At the end of the claim determination period the benefit reserve returns to zero. A new benefit reserve must be created for each new claim determination period.

C.The benefits of the secondary plan shall be reduced when the sum of the benefits that would be payable for the allowable expenses under the secondary plan in the absence

of this COB provision and the benefits that would be payable for the allowable expenses under the other plans, in the absence of provisions with a purpose like that of this COB provision, whether or not a claim is made, exceeds the allowable expenses in a claim determination period. In that case, the benefits of the secondary plan shall be reduced so that they and the benefits payable under the other plans do not total more than the allowable expenses.

1. When the benefits of a plan are reduced as described above, each benefit is reduced in proportion. It is then charged against any applicable benefit limit of the plan.

2. The requirements of Paragraph 1 of this Subsection do not apply if the plan provides only one benefit, or may be altered to suit the coverage provided.

AUTHORITY NOTE:Promulgated in accordance with R.S. 22:3.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 17:67 (January 1991), amended LR 20:52 (January 1994), LR 23:415 (April 1997), LR 42:1099 (July 2016).

§311. Notice to Covered Persons

A. A plan shall, in its explanation of benefits provided to covered persons, include the following language: "If you are covered by more than one health benefit plan, you should file all your claims with each plan."

AUTHORITY NOTE:Promulgated in accordance with R.S. 22:3.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 17:67 (January 1991), amended LR 20:52 (January 1994), LR 23:415 (April 1997), LR 42:1100 (July 2016).

§315. Miscellaneous Provisions

A. A secondary plan that provides benefits in the form of services may recover the reasonable cash value of the services from the primary plan, to the extent that benefits for the services are covered by the primary plan and have not already been paid or provided by the primary plan. Nothing in this provision shall be interpreted to require a plan to reimburse a covered person in cash for the value of services provided by a plan that provides benefits in the form of services.

1. A plan with order of benefit determination rules that comply with this regulation (complying plan) may coordinate its benefits with a plan that is "excess" or "always secondary" or that uses order of benefit determination rules that are inconsistent with those contained in this regulation (non-complying plan) on the following basis:

a. if the complying plan is the primary plan, it shall pay or provide its benefits first;

b. if the complying plan is the secondary plan, it shall pay or provide its benefits first, but the amount of the benefits payable shall be determined as if the complying plan were the secondary plan. In such a situation, the payment shall be the limit of the complying plan's liability; and

c. if the non-complying plan does not provide the information needed by the complying plan to determine its benefits within a reasonable time after it is requested to do so, the complying plan shall assume that the benefits of the non-complying plan are identical to its own, and shall pay its benefits accordingly. If, within two years of payment, the complying plan receives information as to the actual benefits of the non-complying plan, it shall adjust payments accordingly.

2. If the non-complying plan reduces its benefits so that the covered person receives less in benefits than the covered person would have received had the complying plan paid or provided its benefits as the secondary plan and the non-complying plan paid or provided its benefits as the primary plan, and governing state law allows the right of subrogation set forth below, then the complying plan shall advance to the covered person or on behalf of the covered person an amount equal to the difference.

3. In no event shall the complying plan advance more than the complying plan would have paid had it been the primary plan less any amount it previously paid for the same expense or service. In consideration of the advance, the complying plan shall be subrogated to all rights of the covered person against the non-complying plan. The advance by the complying plan shall also be without prejudice to any claim it may have against a non-complying plan in the absence of subrogation.

B.COB differs from subrogation. Provisions for one may be included in health care benefits contracts without compelling the inclusion or exclusion of the other.

C.If the plans cannot agree on the order of benefits within 30 calendar days after the plans have received all of the information needed to pay the claim, the plans shall immediately pay the claim in equal shares and determine their relative liabilities following payment, except that no plan shall be required to pay more than it would have paid had it been the primary plan.

AUTHORITY NOTE:Promulgated in accordance with R.S. 22:3.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 17:67 (January 1991), amended LR 20:52 (January 1994), LR 23:415 (April 1997), LR 42:1100 (July 2016).

Should this really be: §13737. Severability Provision

§317. Severability Provision

A. If any Section or provision of Regulation 32 or the application to any person or circumstance is held invalid, such invalidity or determination shall not affect other Sections or provisions or the application of Regulation 32 to any persons or circumstances that can be given effect without the invalid section or provisions or application, and for these purposes the Sections and provisions of Regulation 32 and the applications to any persons or circumstances are severable.

AUTHORITY NOTE:Promulgated in accordance with R.S. 22:3.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 17:67 (January 1991), amended LR 20:52 (January 1994), LR 23:415 (April 1997), LR 42:1100 (July 2016).

§319. Effective Date for Existing Contracts

A. A contract that provides health care benefits and that was issued before the effective date of this regulation shall be brought into compliance with this regulation, whichever occurs first, by:

1. the later of:

a. the next anniversary date or renewal date of the contract; or

b. 12 months following [insert date that the amended regulation is adopted]; or

2. the expiration of any applicable collectively bargained contract pursuant to which it was written.

B.For the transition period between the adoption of this regulation and the timeframe for which plans are to be in

compliance pursuant to Subsection A of this Section, a plan that is subject to the prior COB requirements shall not be considered a non-complying plan by a plan subject to the new COB requirements and if there is a conflict between the prior COB requirements under the prior regulation and the new COB requirements under the amended regulation, the prior COB requirements shall apply.

AUTHORITY NOTE:Promulgated in accordance with R.S. 22:3.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 17:67 (January 1991), amended LR 20:52 (January 1994), LR 23:415 (April 1997), LR 42:1100 (July 2016).

§321. Appendix A—Model COB Contract Provisions

COORDINATION OF THIS CONTRACT'S BENEFITS WITH OTHER BENEFITS

The Coordination of Benefits (COB) provision applies when a person has health care coverage under more than one Plan. Plan is defined below.

The order of benefit determination rules govern the order in which each Plan will pay a claim for benefits. The Plan that pays first is called the Primary plan. The Primary plan must pay benefits in accordance with its policy terms without regard to the possibility that another Plan may cover some expenses. The Plan that pays after the Primary plan is the Secondary plan. The Secondary plan may reduce the benefits it pays so that payments from all Plans do not exceed 100% of the total Allowable expense.

DEFINITIONS

A. A Plan is any of the following that provides benefits or services for medical or dental care or treatment. If separate contracts are used to provide coordinated coverage for members of a group, the separate contracts are considered parts of the same plan and there is no COB among those separate contracts.

(1) Plan includes: group and nongroup insurance contracts, health maintenance organization (HMO) contracts, closed panel plans or other forms of group or group-type coverage (whether insured or uninsured); medical care components of long-term care contracts, such as skilled nursing care; medical benefits under group or individual automobile contracts; and Medicare or any other federal governmental plan, as permitted by law.

(2) Plan does not include: hospital indemnity coverage or other fixed indemnity coverage; accident only coverage; specified disease or specified accident coverage; limited benefit health coverage, as defined by state law; school accident type coverage except those enumerated in LSA-R.S. 22:1000 A.3C; benefits for non-medical components of long-term care policies; Medicare supplement policies; Medicaid policies; or coverage under other federal governmental plans, unless permitted by law.

Each contract for coverage under (1) or (2) is a separate Plan. If a Plan has two parts and COB rules apply only to one of the two, each of the parts is treated as a separate Plan.

B. This plan means, in a COB provision, the part of the contract providing the health care benefits to which the COB provision applies and which may be reduced because of the benefits of other plans. Any other part of the contract providing health care benefits is separate from this plan. A contract may apply one COB provision to certain benefits, such as dental benefits, coordinating only with similar benefits, and may apply another COB provision to coordinate other benefits.

C. The order of benefit determination rules determine whether This plan is a Primary plan or Secondary plan when the person has health care coverage under more than one Plan. When This plan is primary, it determines payment for its benefits first before those of any other Plan without considering any other Plan's benefits. When This plan is secondary, it determines its benefits after those of another Plan and may reduce the benefits it pays so that all Plan benefits do not exceed 100% of the total Allowable expense.

D. Allowable expense is a health care expense, including deductibles, coinsurance and copayments, that is covered at least in part by any Plan covering the person. When a Plan provides benefits in the form of services, the reasonable cash value of each service will be considered an Allowable expense and a benefit paid. An expense that is not covered by any Plan covering the person is not an Allowable expense. In addition, any expense that a provider by law or in accordance with a contractual agreement is prohibited from charging a covered person is not an Allowable expense.

The following are examples of expenses that are not Allowable expenses:

(1) The difference between the cost of a semi-private hospital room and a private hospital room is not an Allowable expense, unless one of the Plans provides coverage for private hospital room expenses.

(2) If a person is covered by 2 or more Plans that compute their benefit payments on the basis of usual and customary fees or relative value schedule reimbursement methodology or other similar reimbursement methodology, any amount in excess of the highest reimbursement amount for a specific benefit is not an Allowable expense.

(3) If a person is covered by 2 or more Plans that provide benefits or services on the basis of negotiated fees, an amount in excess of the highest of the negotiated fees is not an Allowable expense.

(4) If a person is covered by one Plan that calculates its benefits or services on the basis of usual and customary fees or relative value schedule reimbursement methodology or other similar reimbursement methodology and another Plan that provides its benefits or services on the basis of negotiated fees, the Primary plan's payment arrangement shall be the Allowable expense for all Plans. However, if the provider has contracted with the Secondary plan to provide the benefit or service for a specific negotiated fee or payment amount that is different than the Primary plan's payment arrangement and if the provider's contract permits, the negotiated fee or payment shall be the Allowable expense used by the Secondary plan to determine its benefits.

(5) The amount of any benefit reduction by the Primary plan because a covered person has failed to comply with the Plan provisions is not an Allowable expense. Examples of these types of plan provisions include second surgical opinions, precertification of admissions, and preferred provider arrangements.

E. Closed panel plan is a Plan that provides health care benefits to covered persons primarily in the form of services through a panel of providers that have contracted with or are employed by the Plan, and that excludes coverage for services provided by other providers, except in cases of emergency or referral by a panel member.

F. Custodial parent is the parent awarded custody by a court decree or, in the absence of a court decree, is the parent with whom the child resides more than one half of the calendar year excluding any temporary visitation.

ORDER OF BENEFIT DETERMINATION RULES

When a person is covered by two or more Plans, the rules for determining the order of benefit payments are as follows:

A. The Primary plan pays or provides its benefits according to its terms of coverage and without regard to the benefits of under any other Plan.

(1) Except as provided in Paragraph (2), a Plan that does not contain a coordination of benefits provision that is consistent with this regulation is always primary unless the provisions of both Plans state that the complying plan is primary.

(2) Coverage that is obtained by virtue of membership in a group that is designed to supplement a part of a basic package of benefits and provides that this supplementary coverage shall be excess to any other parts of the Plan provided by the contract holder. Examples of these types of situations are major medical coverages that are superimposed over base

plan hospital and surgical benefits, and insurance type coverages that are written in connection with a Closed panel plan to provide out-of-network benefits.

C. A Plan may consider the benefits paid or provided by another Plan in calculating payment of its benefits only when it is secondary to that other Plan.

D. Each Plan determines its order of benefits using the first of the following rules that apply:

(1) Non-Dependent or Dependent. The Plan that covers the person other than as a dependent, for example as an employee, member, policyholder, subscriber or retiree is the Primary plan and the Plan that covers the person as a dependent is the Secondary plan. However, if the person is a Medicare beneficiary and, as a result of federal law, Medicare is secondary to the Plan covering the person as a dependent; and primary to the Plan covering the person as other than a dependent (e.g. a retired employee); then the order of benefits between the two Plans is reversed so that the Plan covering the person as an employee, member, policyholder, subscriber or retiree is the Secondary plan and the other Plan is the Primary plan.

(2) Dependent Child Covered Under More Than One Plan. Unless there is a court decree stating otherwise, when a dependent child is covered by more than one Plan the order of benefits is determined as follows:

(a) For a dependent child whose parents are married or are living together, whether or not they have ever been married:

The Plan of the parent whose birthday falls earlier in the calendar year is the Primary plan; or

If both parents have the same birthday, the Plan that has covered the parent the longest is the Primary plan.

(b) For a dependent child whose parents are divorced or separated or not living together, whether or not they have ever been married:

(i) If a court decree states that one of the parents is responsible for the dependent child's health care expenses or health care coverage and the Plan of that parent has actual knowledge of those terms, that Plan is primary. This rule applies to plan years commencing after the Plan is given notice of the court decree;

(ii) If a court decree states that both parents are responsible for the dependent child's health care expenses or health care coverage, the provisions of Subparagraph (a) above shall determine the order of benefits;

(iii) If a court decree states that the parents have joint custody without specifying that one parent has responsibility for the health care expenses or health care coverage of the dependent child, the provisions of Subparagraph (a) above shall determine the order of benefits; or

(iv) If there is no court decree allocating responsibility for the dependent child's health care expenses or health care coverage, the order of benefits for the child are as follows:

(a.) The Plan covering the Custodial parent;

(b.) The Plan covering the spouse of the Custodial parent;

(c.) The Plan covering the non-custodial parent; and then

(d.) The Plan covering the spouse of the non-custodial parent.

(c) For a dependent child covered under more than one Plan of individuals who are the parents of the child, the provisions of Subparagraph (a) or (b) above shall determine the order of benefits as if those individuals were the parents of the child.

(d) For a dependent child covered under spouse's plan

(i) For a dependent child who has coverage under either or both parents' plans and also has his or her own coverage as a dependent under a spouse's plan, the rule in Paragraph (5) applies.

(ii) In the event the dependent child's coverage under the spouse's plan began on the same date as the dependent child's coverage under either or both parents' plans, the order of benefits shall be determined by applying the birthday rule in Subparagraph (a) to the dependent child's parent(s) and the dependent's spouse.

(3) Active Employee or Retired or Laid-off Employee. The Plan that covers a person as an active employee, that is, an employee who is neither laid off nor retired, is the Primary plan. The Plan covering that same person as a retired or laid-off employee is the Secondary plan. The same would hold true if a person is a dependent of an active employee and that same person is a dependent of a retired or laid-off employee. If the other Plan does not have this rule, and as a result, the Plans do not agree on the order of benefits, this rule is ignored. This rule does not apply if the rule labeled D(1) can determine the order of benefits.

(4) COBRA or State Continuation Coverage. If a person whose coverage is provided pursuant to COBRA or under a right of continuation provided by state or other federal law is covered under another Plan, the Plan covering the person as an employee, member, subscriber or retiree or covering the person as a dependent of an employee, member, subscriber or retiree is the Primary plan and the COBRA or state or other federal continuation coverage is the Secondary plan. If the other

Plan does not have this rule, and as a result, the Plans do not agree on the order of benefits, this rule is ignored. This rule does not apply if the rule labeled D(1) can determine the order of benefits.

(5) Longer or Shorter Length of Coverage. The Plan that covered the person as an employee, member, policyholder, subscriber or retiree longer is the Primary plan and the Plan that covered the person the shorter period of time is the Secondary plan.

(6) If the preceding rules do not determine the order of benefits, the Allowable expenses shall be shared equally between the Plans meeting the definition of Plan. In addition, This plan will not pay more than it would have paid had it been the Primary plan.

EFFECT ON THE BENEFITS OF THIS PLAN

A. When this plan is secondary, it may reduce its benefits so that the total benefits paid or provided by all Plans during a plan year are not more than the total Allowable expenses. In determining the amount to be paid for any claim, the Secondary plan will calculate the benefits it would have paid in the absence of other health care coverage and apply that calculated amount to any Allowable expense under its Plan that is unpaid by the Primary plan. The Secondary plan may then reduce its payment by the amount so that, when combined with the amount paid by the Primary plan, the total benefits paid or provided by all Plans for the claim do not exceed the total Allowable expense for that claim. In addition, the Secondary plan shall credit to its plan deductible, coinsurance, copayments and any amounts it would have credited to its deductible in the absence of other health care coverage.

B. If a covered person is enrolled in two or more Closed panel plans and if, for any reason, including the provision of service by a non-panel provider, benefits are not payable by one Closed panel plan, COB shall not apply between that Plan and other Closed panel plans.

RIGHT TO RECEIVE AND RELEASE NEEDED INFORMATION

Certain facts about health care coverage and services are needed to apply these COB rules and to determine benefits payable under This plan and other Plans. [Organization responsibility for COB administration] may get the facts it needs from or give them to other organizations or persons for the purpose of applying these rules and determining benefits payable under This plan and other Plans covering the person claiming benefits. [Organization responsibility for COB administration] need not tell, or get the consent of, any person to do this. Each person claiming benefits under This plan must give [Organization responsibility for COB administration] any facts it needs to apply those rules and determine benefits payable.

FACILITY OF PAYMENT

A payment made under another Plan may include an amount that should have been paid under This plan. If it does, [Organization responsibility for COB administration] may pay that amount to the organization that made that payment. That amount will then be treated as though it were a benefit paid under This plan. [Organization responsibility for COB administration] will not have to pay that amount again. The term "payment made" includes providing benefits in the form of services, in which case "payment made"

means the reasonable cash value of the benefits provided in the form of services.

RIGHT OF RECOVERY

If the amount of the payments made by [Organization responsible for COB administration] is more than it should have paid under this COB provision, it may recover the excess from one or more of the persons it has paid or for whom it has paid; or any other person or organization that may be responsible for the benefits or services provided for the covered person. The "amount of the payments made" includes the reasonable cash value of any benefits provided in the form of services.

AUTHORITY NOTE:Promulgated in accordance with R.S. 22:3.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 17:67 (January 1991), amended LR 20:52 (January 1994), LR 23:415 (April 1997), LR 42:1101 (July 2016).

§323. Appendix B—Consumer Explanatory Booklet Coordination of Benefits

COORDINATION OF BENEFITS

IMPORTANT NOTICE

This is a summary of only a few of the provisions of your health plan to help you understand coordination of benefits, which can be very complicated. This is not a complete description of all of the coordination rules and procedures, and does not change or replace the language contained in your insurance contract, which determines your benefits.

Double Coverage

It is common for family members to be covered by more than one health care plan. This happens, for example, when a husband and wife both work and choose to have family coverage through both employers.

When you are covered by more than one health plan, state law permits your insurers to follow a procedure called "coordination of benefits" to determine how much each should pay when you have a claim. The goal is to make sure that the combined payments of all plans do not add up to more than your covered health care expenses.

Coordination of benefits (COB) is complicated, and covers a wide variety of circumstances. This is only an outline of some of the most common ones. If your situation is not described, read your evidence of coverage or contact your state insurance department.

Primary or Secondary?

You will be asked to identify all the plans that cover members of your family. We need this information to determine whether we are the "primary" or "secondary" benefit payer. The primary plan always pays first when you have a claim.

Any plan that does not contain your state's COB rules will always be primary.

When This Plan is Primary

If you or a family member are covered under another plan in addition to this one, we will be primary when:

Your Own Expenses

The claim is for your own health care expenses, unless you are covered by Medicare and both you and your spouse are retired.

Your Spouse's Expenses

The claim is for your spouse, who is covered by Medicare, and you are not both retired.

Your Child's Expenses

The claim is for the health care expenses of your child who is covered by this plan and

You are married and your birthday is earlier in the year than your spouse's or you are living with another individual, regardless of whether or not you have ever been married to that individual, and your birthday is earlier than that other individual's birthday. This is known as the "birthday rule";

or

You are separated or divorced and you have informed us of a court decree that makes you responsible for the child's health care expenses;

or

There is no court decree, but you have custody of the child.

Other Situations

We will be primary when any other provisions of state or federal law require us to be.

How We Pay Claims When We Are Primary?

When we are the primary plan, we will pay the benefits in accordance with the terms of your contract, just as if you had no other health care coverage under any other plan.

How We Pay Claims When We Are Secondary?

We will be secondary whenever the rules do not require us to be primary.

How We Pay Claims When We Are Secondary?

When we are the secondary plan, we do not pay until after the primary plan has paid its benefits. We will then pay part or all of the allowable expenses left unpaid, as explained below. An "allowable expense" is a health care expense covered by one of the plans, including copayments, coinsurance and deductibles.

If there is a difference between the amount the plans allow, we will base our payment on the higher amount. However, if the primary plan has a contract with the provider, our combined payments will not be more than the amount called for in our contract or the amount called for in the contract of the primary plan, whichever is higher. Health maintenance organizations (HMOs) and preferred provider organizations (PPOs) usually have contracts with their providers.

We will determine our payment by subtracting the amount the primary plan paid from the amount we would have paid if we had been primary. We may reduce our payment by any amount so that, when combined with the amount paid by the primary plan, the total benefits paid do not exceed the total allowable expense for your claim. We will credit any amount we would have paid in the absence of your other health care coverage toward our own plan deductible.

If the primary plan covers similar kinds of health care expenses, but allows expenses that we do not cover, we may pay for those expenses.

We will not pay an amount the primary plan did not cover because you did not follow its rules and procedures. For example, if your plan has reduced its benefit because you did not obtain pre-certification, as required by that plan, we will not pay the amount of the reduction, because it is not an allowable expense.

AUTHORITY NOTE:Promulgated in accordance with R.S. 22:3.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 17:67 (January 1991), amended LR 20:52 (January 1994), LR 23:415 (April 1997), LR 42:1103 (July 2016).

James J. Donelon
Commissioner
1607#018

RULE

Department of Transportation and Development
Professional Engineering and Land Surveying Board

Examinations and Continuing Professional Development
(LAC 46:LXI.707, 1301, and Chapter 31)

Under the authority of the Louisiana professional engineering and land surveying licensure law, R.S. 37:681 et seq., and in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., the Louisiana Professional Engineering and Land Surveying Board has amended its rules contained in LAC 46:LXI.707, 1301, 3103, 3105, 3109, 3111, 3113, 3115, 3119 and 3121.

This is a technical revision of existing rules under which LAPELS operates. The revisions: (a). eliminate the requirement that applications to take the principles and practice of land surveying and Louisiana laws of land surveying examinations must be received by the board by certain dates; (b). remove the ability of the board to pre-approve individuals, firms and certain educational institutions as continuing professional development sponsor/providers; (c). change the continuing professional development requirements from a biennial licensure renewal period basis to a calendar year basis; and (d). permit licensees to obtain continuing professional development credit for serving on technical committees that are assisting federal, state or local governmental agencies in developing standards related to engineering or land surveying.

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part LXI. Professional Engineers and Land Surveyors
Chapter 7. Bylaws
§707. Board Organization

A. - E.10. …

11. Continuing Professional Development Committee. The chairman of the board shall appoint a continuing professional development committee composed of not less than two board members. The continuing professional development committee shall review and make recommendations to the board regarding continuing professional development rules and policies.

12. - 13. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:52 (February 1976), amended LR 5:110 (May 1979), LR 11:1179 (December 1985), LR 19:54 (January 1993), LR 21:1353 (December 1995), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1024 (July 2001), LR 30:1707 (August 2004), LR 33:2788 (December 2007), LR 35:1908 (September 2009), LR 37:2411 (August 2011), LR 38:2563 (October 2012), LR 40:1388 (July 2014), LR 42:1104 (July 2016).

Chapter 13. Examinations
§1301. General

A.1. - C.1. …

2. To be considered for the following examinations, the application for the examination must be submitted to NCEES:

a. fundamentals of engineering; and

b. fundamentals of land surveying.

3. To be considered for a specific examination date, the application for the principles and practice of engineering examination must be received at the board office no later than December 1 for the April examination administration and June 1 for the October examination administration.

4. To be considered for the following examinations, the application for the examination must be submitted to the board:

a. principles and practice of land surveying; and

b. Louisiana laws of land surveying.

D. - F.2. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:113 (May 1979), amended LR 7:647 (December 1981), LR 11:363 (April 1985), LR 16:774 (September 1990), LR 19:57 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1030 (July 2001), LR 30:1714 (August 2004), LR 35:1909 (September 2009), LR 37:2413 (August 2011), repromulgated 37:2752 (September 2011), amended LR 38:2565 (October 2012), LR 39:2282 (August 2013), LR 42:1104 (July 2016).

Chapter 31. Continuing Professional Development (CPD)
§3103. Definitions

A. Terms used in this Chapter are defined as follows.

* * *

Board-Approved Sponsor/Provider—the Louisiana Engineering Society; the Louisiana Society of Professional Surveyors; professional and technical engineering or land surveying societies; federal, state or local governmental agencies; and colleges or universities. All sponsors/providers must conduct courses which will enhance and improve a licensee's professional development as a professional engineer or a professional land surveyor, and/or serve to safeguard life, health and property and promote the public welfare.

* * *

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2152 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1047 (July 2001), LR 30:1730 (August 2004), LR 42:1104 (July 2016).

§3105. Requirements

A. During each biennial licensure renewal period beginning before January 1, 2017, every professional engineer licensee, including those licensed in two or more disciplines, is required to obtain 30 PDHs in engineering related activities. Effective January 1, 2017 and beginning with professional engineer licensees whose biennial licensure renewal periods begin after January 1, 2017, every professional engineer licensee, including those licensed in two or more disciplines, is required to obtain 15 PDHs per calendar year in engineering related activities. Effective January 1, 2017 and beginning with professional engineer licensees whose biennial licensure renewal periods begin after January 1, 2017, professional engineer licensees may not obtain more than 8 PDHs within a single calendar day.

1. During each biennial licensure renewal period beginning before January 1, 2017, at least one PDH shall be in professional ethics. Effective January 1, 2017 and beginning with professional engineer licensees whose biennial licensure renewal periods begin after January 1, 2017, at least one PDH per calendar year shall be in professional ethics. Professional ethics concerns the standard of professional conduct and responsibility required of a professional engineer.

2. During each biennial licensure renewal period beginning before January 1, 2017, a minimum of eight PDHs shall be earned in *Life Safety Code*, building codes and/or Americans with Disabilities Act Accessibility Guidelines by every professional engineer licensee who designs buildings and/or building systems. Effective January 1, 2017 and beginning with professional engineer licensees whose biennial licensure renewal periods begin after January 1, 2017, a minimum of four PDHs per calendar year shall be earned in *Life Safety Code*, building codes and/or Americans with Disabilities Act Accessibility Guidelines by every professional engineer licensee who designs buildings and/or building systems.

B.During each biennial licensure renewal period beginning before January 1, 2017, every professional land surveyor licensee is required to obtain 15 PDHs in land surveying related activities. Effective January 1, 2017 and beginning with professional land surveyor licensees whose biennial licensure renewal periods begin after January 1, 2017, every professional land surveyor licensee is required to obtain 8 PDHs per calendar year in land surveying related activities.

1. During each biennial licensure renewal period beginning before January 1, 2017, at least one PDH shall be in professional ethics. Effective January 1, 2017 and beginning with professional land surveyor licensees whose biennial licensure renewal periods begin after January 1, 2017, at least one PDH per calendar year shall be in professional ethics. Professional ethics concerns the standard of professional conduct and responsibility required of a professional land surveyor.

2. During each biennial licensure renewal period beginning before January 1, 2017, a minimum of two PDHs shall be earned in the Standards of Practice for Boundary Surveys in Louisiana. Effective January 1, 2017 and beginning with professional land surveyor licensees whose biennial licensure renewal periods begin after January 1, 2017, a minimum of one PDH per calendar year shall be earned in the standards of practice for boundary surveys in Louisiana.

C.During each biennial licensure renewal period beginning before January 1, 2017, each dual licensee shall obtain 30 PDHs; however, at least one-third of the PDHs shall be obtained separately for each profession. Effective January 1, 2017 and beginning with dual licensees whose biennial licensure renewal periods begin after January 1, 2017, each dual licensee shall obtain 15 PDHs per calendar year; however, at least one-third of the PDHs for each calendar year shall be obtained separately for each profession.

1. During each biennial licensure renewal period beginning before January 1, 2017, at least one PDH shall be in professional ethics. Effective January 1, 2017 and beginning with dual licensees whose biennial licensure renewal periods begin after January 1, 2017, at least one PDH per calendar year shall be in professional ethics. Professional ethics concerns the standard of professional conduct and responsibility required of a professional engineer and/or professional land surveyor.

2. During each biennial licensure renewal period beginning before January 1, 2017, a minimum of two PDHs shall be earned in the standards of practice for boundary surveys in Louisiana. Effective January 1, 2017 and beginning with dual licensees whose biennial licensure renewal periods begin after January 1, 2017, a minimum of one PDH per calendar year shall be earned in the standards of practice for boundary surveys in Louisiana.

3. During each biennial licensure renewal period beginning before January 1, 2017, a minimum of eight PDHs shall be earned in *Life Safety Code*, building codes and/or Americans with Disabilities Act accessibility guidelines by every professional engineer licensee who designs buildings and/or building systems. Effective January 1, 2017 and beginning with dual licensees whose biennial licensure renewal periods begin after January 1, 2017, a minimum of four PDHs per calendar year shall be earned in *Life Safety Code*, building codes and/or Americans with Disabilities Act accessibility guidelines by every professional engineer licensee who designs buildings and/or building systems.

D. Excess PDHs

1. Effective for biennial licensure renewal periods beginning before January 1, 2017, if a licensee exceeds the biennial licensure renewal period requirements, a maximum of 15 PDHs may be carried forward into the subsequent biennial licensure renewal period. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, if a licensee exceeds the annual requirements, a maximum of 7 PDHs may be carried forward into the subsequent calendar year.

D.2. - E. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2152 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1047 (July 2001), LR 30:1730 (August 2004), LR 37:2420 (August 2011), LR 42:1104 (July 2016).

§3109. Exemptions

A. A licensee may be exempt from the CPD requirements for any one or more of the following reasons.

1. …

2. Effective for biennial licensure renewal periods beginning before January 1, 2017, licensees serving on active duty in the armed forces of the United States for a period of time exceeding 180 consecutive days in a biennial licensure renewal period shall be exempt from obtaining the PDHs required during that biennial licensure renewal period. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January

1, 2017, licensees serving on active duty in the armed forces of the United States for a period of time exceeding 180 consecutive days in a calendar year shall be exempt from obtaining the PDHs required during that calendar year.

3. Effective for biennial licensure renewal periods beginning before January 1, 2017, licensees experiencing physical disability, serious illness, or serious injury of a nature and duration which has prevented the licensee from completing his/her CPD requirements for the past renewal period may be exempted from CPD requirements for said renewal period. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, licensees experiencing physical disability, serious illness, or serious injury of a nature and duration which has prevented the licensee from completing his/her CPD requirements for the past calendar year may be exempted from CPD requirements for said calendar year. Supporting documentation such as a letter from a physician who has treated the disability, illness or injury is required. This letter shall be on the letterhead of the physician and set forth the nature of the disability, illness or injury and the period of time under treatment by the physician, and contain a statement by the physician as to any limitations placed upon the licensee which would limit his ability to complete any type of CPD. Effective for biennial licensure renewal periods beginning before January 1, 2017, this exemption may be granted for one biennial licensure renewal period. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, this exemption may be granted for one calendar year. Additional exemptions for medical reasons may be granted on a case-by-case basis.

4. Effective for biennial licensure renewal periods beginning before January 1, 2017, licensees working outside of the United States for more than 180 days in a biennial licensure renewal period where the completion of CPD is impractical due to location, working hours, mail restrictions, etc., may be granted an exemption from CPD requirements for the period of time the licensee is in the foreign location. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, licensees working outside of the United States for more than 180 days in a calendar year where the completion of CPD is impractical due to location, working hours, mail restrictions, etc., may be granted an exemption from CPD requirements for the period of time the licensee is in the foreign location. Supporting documentation of the foreign assignment must be provided by the employer on the employer's letterhead or by other documentation satisfactory to the board. The letter shall at a minimum set forth both the location and the period of time the person has been in the foreign location.

5. - 6. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2153 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1048 (July 2001), LR 30:1731 (August 2004), LR 42:1105 (July 2016).

§3111. Determination of Credit

A. PDHs may be earned as indicated in §3113 for the following acceptable activities:

1. - 6. …

7. formal, documented problem preparation for NCEES or state professional exams;

8. serving as thesis directors for students pursuing a masters or doctoral degree in engineering; and

9. serving on technical committees that are assisting federal, state or local governmental agencies in developing standards related to engineering or land surveying.

B. - D. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2153 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1048 (July 2001), LR 30:1731 (August 2004), LR 37:2420 (August 2011), LR 39:1481 (June 2013), LR 42:1106 (July 2016).

§3113. Units

A. - A.3. …

B.Effective for biennial licensure renewal periods beginning before January 1, 2017, PDH credit will be awarded as follows:

1. - 6. …

7. serving as thesis directors for students pursuing a masters or doctoral degree in engineering = 1 PDH per hour of thesis credit. A maximum of 10 PDHs will be allowed per biennial licensure renewal period for each such thesis director;

8. serving on technical committees that are assisting federal, state or local governmental agencies in developing standards related to engineering or land surveying = 1 PDH per 50 contact minutes of attendance at committee meetings. A maximum of 10 PDHs will be allowed per biennial licensure renewal period for service on all of such committees.

C.Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, PDH credit will be awarded as follows:

1. fifty contact minutes of instruction or verified attendance at an activity, or problem preparation for a NCEES or state professional exam = one PDH. A maximum of five PDHs will be allowed per calendar year for problem preparation;

2. membership in engineering and land surveying professional associations or technical societies = one PDH per calendar year for each professional or technical association or society. A maximum of two PDHs will be allowed per calendar year for all such memberships;

3. in accordance with §3111.A.1-3, credit for teaching or making presentations may be earned at twice the PDHs allowed for attending a course, but shall not exceed 15 PDHs in any calendar year;

4. authoring and publishing peer reviewed (refereed) articles/papers in engineering or land surveying journals; or authoring and publishing peer reviewed (refereed) books related to engineering or land surveying = 10 PDHs;

5. authoring and publishing non-peer reviewed (nonrefereed) articles/papers in engineering or land surveying journals = 5 PDHs;

6. each patent = 10 PDHs;

7. serving as thesis directors for students pursuing a masters or doctoral degree in engineering = 1 PDH per hour of thesis credit. A maximum of 5 PDHs will be allowed per calendar year for each such thesis director;

8. serving on technical committees that are assisting federal, state or local governmental agencies in developing standards related to engineering or land surveying = 1 PDH per 50 contact minutes of attendance at committee meetings. A maximum of 5 PDHs will be allowed per calendar year for service on all of such committees.

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1048 (July 2001), LR 30:1732 (August 2004), LR 37:2421 (August 2011), LR 39:1481 (June 2013), LR 42:1106 (July 2016).

§3115. Record Keeping

A. - B. …

C.Maintaining records to be used to support PDHs claimed is the responsibility of the licensee. Effective for biennial licensure renewal periods beginning before January 1, 2017, these records must be maintained for at least three consecutive biennial licensure renewal periods (six years) and copies may be requested by the board at any time. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, these records must be maintained for at least six consecutive calendar years and copies may be requested by the board at any time.

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1049 (July 2001), LR 30:1732 (August 2004), LR 42:1107 (July 2016).

§3119. Failure to Comply

A. …

B.Effective for biennial licensure renewal periods beginning before January 1, 2017, CPD hours acquired and used to satisfy a not-in-compliance situation may not be used to meet the CPD hours required for the current licensure renewal period. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, CPD hours acquired and used to satisfy a not-in-compliance situation may not be used to meet the CPD hours required for the current calendar year.

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:697.l.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1049 (July 2001), LR 30:1732 (August 2004), LR 42:1107 (July 2016).

§3121. CPD Reinstatement

A. Effective for biennial licensure renewal periods beginning before January 1, 2017, to become reinstated, an expired, inactive, or retired licensee must show proof of having obtained all delinquent PDHs; however, the maximum number required will be the number of PDHs required for one biennial licensure renewal period as provided in §3105. Effective January 1, 2017 and beginning with licensees whose biennial licensure renewal periods begin after January 1, 2017, to become reinstated, an expired, inactive, or retired licensee must show proof of having obtained all delinquent PDHs; however, the maximum number required will be the number of PDHs required for two calendar years as provided in §3105.

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:697.l.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1049 (July 2001), LR 30:1732 (August 2004), LR 42:1107 (July 2016).

Donna D. Sentell
Executive Director
1607#001

RULE

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Resident Game Hunting Season
(LAC 76:XIX.Chapter 1)

The Wildlife and Fisheries Commission has amended the general and wildlife management area rules and regulations for the 2016-2017 season, the resident game hunting season for the 2016-2018 hunting seasons, the general and wildlife management area rules and regulations for the turkey season, the turkey hunting areas, and seasons, and bag limits for the 2017 turkey season, and the migratory bird seasons, regulations, and bag limits for the 2016-17 hunting season.

Title 76
WILDLIFE AND FISHERIES
Part XIX. Hunting and WMA Regulations
Chapter 1. Resident Game Hunting Season

§101. General

A. The resident game hunting season regulations have been adopted by the Wildlife and Fisheries Commission. A complete copy of the regulation pamphlet may be obtained from the department.

AUTHORITY NOTE:Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), LR 30:1493 (July 2004), LR 31:1627 (July 2005), LR 32:1253 (July 2006), LR 33:1399 (July

2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 36:1580 (July 2010), LR 37:2206 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1534 (August 2014), LR 41:958 (May 2015), LR 42:1107 (July 2016).

§103. Resident Game Birds and Animals

A. Shooting Hours—one-half hour before sunrise to one-half hour after sunset.

B.Consult Regulation Pamphlet for Seasons or Specific Regulations on Wildlife Management Areas or Specific Localities

Species	Season Dates	Daily Bag Limit	Possession Limit
Quail	OPENS: 3rd Saturday of November CLOSES: Last Day of February	10	20
Rabbit and Squirrel	OPENS: 1st Saturday of October CLOSES: Last Day of February	8	16
Squirrel*	OPENS: 1st Saturday of May for 23 days	3	6
Deer 2016-18	See Schedule	1 antlered and 1 antlerless (when legal)	6/season (not to exceed 3 antlered deer or 4 antlerless deer)

*NOTE: Spring squirrel season is closed on the Kisatchie National Forest, National Wildlife Refuges, U.S. Army Corps of Engineers property. Some state wildlife management areas will be open, check WMA season schedule.

C.Deer Hunting Schedule 2016-2017

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
1	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Nov. CLOSES: Fri. after 2nd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan.
2	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: Next to last Sat. of Oct. CLOSES: Fri. before last Sat. of Oct. OPENS: Mon. after the last day of Modern Firearm Season in Jan. CLOSES: After 7 days.	OPENS: Last Sat. of Oct. CLOSES: Tues. before 2nd Sat. of Dec. in odd numbered years and on Wed. during even numbered years EXCEPT when there are 5 Sats. in Nov. and then it will close on the Tues. in odd numbered years or Wed. during even numbered years before the 1st Sat. of Dec.	OPENS: Wed. before the 2nd Sat. of Dec. in odd numbered years and on Thurs. during even numbered years EXCEPT when there are 5 Sats. in Nov., then it will open on the Wed. before the 1st Sat. of Dec. on odd years and Thurs. during even numbered years CLOSES: 40 days after opening in odd numbered years or 39 days after opening in even numbered years
3	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after Thanksgiving Day CLOSES: Fri. before 1st Sat. of Dec.	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day OPENS: 1st Sat. of Dec. CLOSES: After 37 days	
4	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Nov. CLOSES: Fri. after 2nd Sat. of Nov.(EITHER SEX) OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan. (EITHER SEX FOR 1ST 7 DAYS, BUCKS ONLY FOR REMAINDER OF SEASON)	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 3rd Sat. of Nov. CLOSES: Sun. after 3rd Sat. of Nov. (EITHER SEX) OPENS: Friday after Thanksgiving CLOSES: Sun. after Thanksgiving. (EITHER SEX)	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2nd Sat. of Dec. CLOSES: Sun. after 2nd Sat. of Dec. (EITHER SEX) OPENS: 3rd Sat. of Dec. CLOSES: Sun. after 3rd Sat. of Dec. (EITHER SEX) OPENS: 4th Sat. of Dec. CLOSES: Sun. after 4th Sat. of Dec. (EITHER SEX) OPENS: 1st Sat. of Jan. CLOSES: Sun. after 1st Sat. of Jan. (EITHER SEX)

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
			OPENS: 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Dec. (EITHER SEX) OPENS: 2nd Sat. of Jan. CLOSES: Sun. after 2nd Sat. of Jan. (EITHER SEX) OPENS: 3rd Sat. of Jan. CLOSES: Sun. after 3rd Sat. of Jan. (EITHER SEX)	
5	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov.(BUCKS ONLY) OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.(EITHER SEX 1ST 7 DAYS, BUCKS ONLY FOR REMAINDER OF SEASON)	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2nd Sat. of Dec. CLOSES: Sun. after 2nd Sat. of Dec. (EITHER SEX) OPENS: Sat. after Christmas. CLOSES: Sun. after Christmas. (EITHER SEX) OPENS: 2nd Sat. in Jan. CLOSES: Sun. after 2nd Sat. in Jan. (EITHER SEX)
6	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec.	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan.
7	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct.(EITHER SEX) OPENS: 1st Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Nov. (BUCKS ONLY).	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after 3rd Sat. of Oct. (EITHER SEX) OPENS: Mon. after 3rd Sun. of Oct. CLOSES: Fri Before 1st Sat. of Nov. (BUCKS ONLY) OPENS: 2nd Sat of Nov. CLOSES: Sun. after Thanksgiving (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 3rd Sat. of Nov. CLOSES: Sun. after 3rd Sat. of Nov. (EITHER SEX) OPENS: Fri. after Thanksgiving. CLOSES: Sun. after Thanksgiving. (EITHER SEX)	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days(BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. after Christmas. CLOSES: Sun. after Christmas. (EITHER SEX)
8	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after Thanksgiving Day CLOSES: Fri. before 1st Sat. of Dec.	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day.	OPENS: 1st Sat. of Dec. CLOSES: After 37 days.
9	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov.(BUCKS ONLY) OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.(EITHER SEX 1ST 7 DAYS, BUCKS ONLY FOR REMAINDER OF SEASON)	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2nd Sat. of Dec. CLOSES: Sun. after 2nd Sat. of Dec. (EITHER SEX) OPENS: Sat. after Christmas. CLOSES: Sun. after Christmas. (EITHER SEX) OPENS: 2nd Sat. in Jan. CLOSES: Sun. after 2nd Sat. in Jan. (EITHER SEX)

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
10	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. (EITHER SEX) OPENS: Mon. after Thanksgiving Day CLOSES: Fri. before 1st Sat. of Dec. (BUCKS ONLY)	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day(BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 1st Sat. of Dec. CLOSES: After 37 days(BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 3rd Sat. of Oct. CLOSES: Sun. after 3rd Sat. in Oct. (EITHER SEX) OPENS: 2nd Sat. of Nov. CLOSES: Sun. after 2nd Sat. of Nov. (EITHER SEX) OPENS: Fri. after Thanksgiving. CLOSES: Sun. after Thanksgiving. (EITHER SEX) OPENS: Sat. after Christmas. CLOSES: Sun. after Christmas. (EITHER SEX)	

D. Deer Hunting Schedule 2017-2018

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
1	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Nov. CLOSES: Fri. after 2nd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan.
2	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: Next to last Sat. of Oct. CLOSES: Fri. before last Sat. of Oct. OPENS: Mon. after the last day of Modern Firearm Season in Jan. CLOSES: After 7 days.	OPENS: Last Sat. of Oct. CLOSES: Tues. before 2nd Sat. of Dec. in odd numbered years and on Wed. during even numbered years EXCEPT when there are 5 Sats. in Nov. and then it will close on the Tues. in odd numbered years or Wed. during even numbered years before the 1st Sat. of Dec.	OPENS: Wed. before the 2nd Sat. of Dec. in odd numbered years and on Thurs. during even numbered years EXCEPT when there are 5 Sats. in Nov., then it will open on the Wed. before the 1st Sat. of Dec. on odd years and Thurs. during even numbered years CLOSES: 40 days after opening in odd numbered years or 39 days after opening in even numbered years
3	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after Thanksgiving Day CLOSES: Fri. before 1st Sat. of Dec.	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day OPENS: 1st Sat. of Dec. CLOSES: After 37 days	
4	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Nov. CLOSES: Fri. after 2nd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan. (EITHER SEX FOR 1ST 7 DAYS, BUCKS ONLY FOR REMAINDER OF SEASON)	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 3rd Sat. of Nov. CLOSES: Sun. after 3rd Sat. of Nov. (EITHER SEX)	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2nd Sat. of Dec. CLOSES: Sun. after 2nd Sat. of Dec. (EITHER SEX) OPENS: 3rd Sat. of Dec. CLOSES: Sun. after 3rd Sat. of Dec. (EITHER SEX) OPENS: 4th Sat. of Dec. CLOSES: Sun. after 4th Sat. of Dec. (EITHER SEX) OPENS: 1st Sat. of Jan.

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
			OPENS: Friday after Thanksgiving CLOSES: Sun. after Thanksgiving. (EITHER SEX) OPENS: 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Dec. (EITHER SEX) OPENS: 2nd Sat. of Jan. CLOSES: Sun. after 2nd Sat. of Jan. (EITHER SEX) OPENS: 3rd Sat. of Jan. CLOSES: Sun. after 3rd Sat. of Jan. (EITHER SEX)	CLOSES: Sun. after 1st Sat. of Jan. (EITHER SEX)
5	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov.(BUCKS ONLY) OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.(EITHER SEX 1ST 7 DAYS, BUCKS ONLY FOR REMAINDER OF SEASON)	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2nd Sat. of Dec. CLOSES: Sun. after 2nd Sat. of Dec. (EITHER SEX) OPENS: Sat. after Christmas. CLOSES: Sun. after Christmas. (EITHER SEX) OPENS: 2nd Sat. in Jan. CLOSES: Sun. after 2nd Sat. in Jan. (EITHER SEX)
6	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec.	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan.
7	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct.(EITHER SEX) OPENS: 1st Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Nov. (BUCKS ONLY).	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after 3rd Sat. of Oct. (EITHER SEX) OPENS: Mon. after 3rd Sun. of Oct. CLOSES: Fri Before 1st Sat. of Nov. (BUCKS ONLY) OPENS: 2nd Sat of Nov. CLOSES: Sun. after Thanksgiving (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 3rd Sat. of Nov. CLOSES: Sun. after 3rd Sat. of Nov. (EITHER SEX) OPENS: Fri. after Thanksgiving. CLOSES: Sun. after Thanksgiving. (EITHER SEX)	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days(BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. after Christmas. CLOSES: Sun. after Christmas. (EITHER SEX)
8	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after Thanksgiving Day CLOSES: Fri. before 1st Sat. of Dec.	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day.	OPENS: 1st Sat. of Dec. CLOSES: After 37 days.
9	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov.(BUCKS ONLY) OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.(EITHER SEX 1ST 7 DAYS, BUCKS ONLY FOR REMAINDER OF SEASON)	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2nd Sat. of Dec. CLOSES: Sun. after 2nd Sat. of Dec. (EITHER SEX) OPENS: Sat. after Christmas. CLOSES: Sun. after Christmas. (EITHER SEX) OPENS: 2nd Sat. in Jan. CLOSES: Sun. after 2nd Sat. in Jan. (EITHER SEX)

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
10	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. (EITHER SEX) OPENS: Mon. after Thanksgiving Day CLOSES: Fri. before 1st Sat. of Dec. (BUCKS ONLY)		

E. Farm-raised white-tailed deer on supplemented shooting preserves:

1. archery, firearm, primitive firearms—October 1-January 31 (either-sex).

F. Exotics on supplemented shooting preserves:

1. either sex—no closed season.

G. Spring squirrel hunting:

1. season dates—opens 1st Saturday of May for 23 days;

2. closed areas:

a. Kisatchie National Forest, national wildlife refuges, and U.S. Army Corps of Engineers property and all WMAs except as provided in Paragraph 3 below;

3. wildlife management area schedule—opens first Saturday of May for nine days on all WMAs except Fort Polk, Peason Ridge, Camp Beauregard, Pass-a-Loutre and Salvador. Dogs are allowed during this season for squirrel hunting. Feral hogs may be taken on wildlife management areas during this season;

4. limits—daily bag limit is three and possession limit is nine.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:109(B) and R.S. 56:141(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), repromulgated LR 25:1526 (August 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), repromulgated LR 29:1521 (August 2003), amended LR 30:1494 (July 2004), LR 31:1627 (July 2005), LR 32:1254 (July 2006), LR 33:115 (January 2007), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 35:2856 (December 2009), LR 36:1580 (July 2010), LR 37:2207 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1535 (August 2014), LR 41:958 (May 2015), LR 42:1108 (July 2016).

§111. General and Wildlife Management Area Hunting Rules and Regulations

A. Hunting Seasons and Wildlife Management Area (WMA) Regulations

1. The rules and regulations contained within this digest have been officially approved and adopted by the Wildlife and Fisheries Commission under authority vested by sections 115 and 116 of title 56 of the *Louisiana Revised Statutes* of 1950 and are in full force and effect in conjunction with all applicable statutory laws. The secretary of the Department of Wildlife and Fisheries (LDWF) has the authority to close or alter seasons in emergency situations in order to protect fish and wildlife resources.

2. Pursuant to section 40.1 of title 56 of the *Louisiana Revised Statutes* of 1950, the Wildlife and Fisheries Commission has adopted monetary values which are assigned to all illegally taken, possessed, injured or destroyed fish, wild birds, wild quadrupeds and other wildlife and aquatic life. Anyone taking, possessing, injuring or destroying fish, wild birds, wild quadrupeds and other wildlife and aquatic life shall be required to reimburse the LDWF a sum of money equal to the value of the wildlife illegally taken, possessed, injured or destroyed. This monetary reimbursement shall be in addition to any and all criminal penalties imposed for the illegal act.

B. Resident Game Birds and Animals

1. Shooting hours: one-half hour before sunrise to one-half hour after sunset.

C. Other Season Dates

1. Turkey. Please refer to turkey regulations.

2. Raccoon and Opossum. No closed season. Raccoon and opossum can be taken at night by one or more licensed hunters with one or more dogs and one .22 caliber or smaller rimfire firearm. A licensed hunter may take raccoon or opossum with .22 caliber or smaller rimfire firearm, .36 caliber or smaller muzzleloader rifle or shotgun during daylight hours. Hunting from boats or motor vehicles is prohibited. No bag limit for nighttime or daytime raccoon or opossum hunting during the open trapping season except on certain WMAs as listed. The remainder of the year, the raccoon and opossum bag limit for daytime or nighttime is two per person per day or night. No one who hunts raccoons or opossums as prescribed above shall pelt during the closed trapping season nor sell skins or carcasses of raccoons and opossums taken during the open trapping season unless he is the holder of a valid trapping license which shall be required in addition to his basic hunting license. Pelting or selling carcasses is illegal during closed trapping season.

3. Nutria. On WMAs and private property nutria may be taken recreationally by licensed hunters from September 1 through the last day of February, during legal shooting hours by any legal hunting method with a daily limit of five. Except nutria may be taken on Atchafalaya Delta, Salvador/Timken, Pointe-Aux-Chenes and Pass-a-Loutre WMAs from September 1 to March 31. When taken with a shotgun, non-toxic shot must be used. On WMAs during waterfowl seasons, nutria may be taken only with the use of shotguns with shot no larger than F steel, and during gun deer seasons, anyone taking nutria must display 400 square inches of "hunter orange" and wear a "hunter orange" cap or hat. Recreational nutria hunters must remove each nutria carcass in whole condition from the hunting area, except that nutria may be gutted. Possession of detached nutria parts, including nutria tails, by recreational hunters is illegal. Nutria harvested recreationally may not be pelted nor may such nutria or any nutria parts from recreationally taken nutria be sold, including the tail. Trespassing upon private property for the purpose of taking nutria or other furbearing animals is punishable by fines and possible jail time (R.S. 56:265). The Coastwide Nutria Control Program is a

separate program and is in no way related to the nutria recreational season. For questions on the Coastwide Nutria Control Program, call the New Iberia office (337) 373-0032.

4. Blackbirds and Crows. The season for crows shall be September 1 through January 1 with no limit; however crows, blackbirds, cowbirds and grackles may be taken year round during legal shooting hours if they are depredating or about to depredate upon ornamentals or shade trees, agricultural crops, livestock, wildlife, or when concentrated in such numbers as to cause a health hazard. Louisiana has determined that the birds listed above are crop depredators and that crows have been implicated in the spread of the West Nile virus in humans. As described in 50 CFR Part 21, non-toxic shot must be used for the take of crows, blackbirds, cowbirds and grackles under the special depredation order. In addition an annual report has to be submitted to the U.S. Fish and Wildlife Service for those that participate in the take of these species.

5. Pheasant. Open concurrently with the quail season; no limit.

6. Falconry. Special permit required. Resident and migratory game species may be taken except turkeys. Seasons and bag limits are the same as for statewide and WMA regulations. Refer to LAC 76:V.301 for specific falconry rules.

7. Licensed Hunting Preserve, October 1-April 30, Pen-Raised Birds Only. No limit entire season. Refer to LAC 76:V.305 for specific hunting preserve rules.

8. Deer Management Assistance Program (DMAP). Refer to LAC 76:V.111 for specific DMAP rules. Deer management assistance tags must be in the possession of the hunter in order to harvest an antlerless deer. The tag shall be attached through the hock in such a manner that it cannot be removed before the deer is transported (including those taken on either-sex days and those taken with approved archery equipment or primitive firearms). Failure to do so is a violation of R.S. 56:115. Deer harvested on property enrolled in DMAP do not count in the season or daily bag limit for hunters when legally tagged with DMAP tags. Failing to follow DMAP rules and regulations may result in suspension and cancellation of the program on those lands involved.

9. Farm Raised White-tailed Deer and Exotics on Licensed Supplemented Shooting Preserves

a. Definitions

Exotics—for purposes of this Section means any animal of the family *Bovidae* (except the *Tribe Bovini* [cattle]) or *Cervidae* which is not indigenous to Louisiana and which is confined on a supplemented hunting preserve. *Exotics* shall include, but are not limited to, fallow deer, red deer, elk, sika deer, axis deer, and black buck antelope.

Hunting—in its different tenses and for purposes of this Section means to take or attempt to take, in accordance with R.S. 56:8.

Same as Outside—for purposes of this Section means hunting on a supplemented hunting preserve must conform to applicable statutes and rules governing hunting and deer hunting, as provided for in title 56 of the *Louisiana Revised Statutes* and as established annually by the Wildlife and Fisheries Commission.

Supplemented Hunting Preserve—for purposes of this Section means any enclosure for which a current farm-raising license has been issued by the Department of Agriculture and Forestry (LDAF) with concurrence of the LDWF and is authorized in writing by the LDAF and LDWF to permit hunting.

White-Tailed Deer—for purposes of this Rule means any animal of the species *Odocoileus virginianus* which is confined on a supplemented hunting preserve.

b. Seasons:

i. farm-raised white-tailed deer: consult the regulations pamphlet;

ii. exotics: year round.

c. Methods of take:

i. white-tailed deer: same as outside;

ii. exotics: exotics may be taken with traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means; shotguns not larger than 10 gauge, loaded with buckshot or rifled slug; handguns and rifles no smaller than .22 caliber centerfire; or muzzleloading rifles or pistols, .44 caliber minimum, or shotguns 10 gauge or smaller, all of which must load exclusively from the muzzle or cap and ball cylinder, using black powder or an approved substitute only, and using ball or bullet projectile, including saboted bullets only and other approved primitive firearms.

d. Shooting hours:

i. white-tailed deer: same as outside;

ii. exotics: one-half hour before sunrise to one-half hour after sunset.

e. Bag limit:

i. farm-raised white-tailed deer: same as outside;

ii. exotics: no limit.

f. Hunting licenses:

i. white-tailed deer: same as outside;

ii. exotics: no person shall hunt any exotic without possessing a valid basic and big game hunting license.

g. Tagging. White-tailed deer and exotics: each animal shall be tagged in the left ear or left antler immediately upon being killed and before being moved from the site of the kill with a tag provided by the LDAF. The tag shall remain with the carcass at all times.

10. Bobcat. No person other than the holder of a valid big game license may take or possess bobcat, except licensed trappers who may take or possess bobcat during the open trapping season. A big game licensee shall only take bobcat during the time period from one-half hour before sunrise to one-half hour after sunset with approved archery equipment, shotgun, muzzleloader or centerfire firearm. A big game licensee shall not take more than one bobcat per calendar year. This regulation applies only to property that is privately owned, state WMAs, Kisatchie National Forest, and the Bayou des Ourses, Bodcau, Bonnet Carre, and Indian Bayou tracts owned by the Corps of Engineers, but does not apply to state wildlife refuges, or other federally owned refuges and lands. On state WMAs and Kisatchie National Forest, the take of bobcat is restricted to those open seasons on the WMAs which require the respective legal weapons noted above.

D. Hunting—General Provisions

1. A basic resident or non-resident hunting license is required of all persons to hunt, take, possess or cause to be transported by any other person any wild bird or quadruped. See information below for exceptions.

2. No person born on or after September 1, 1969, shall hunt unless that person has first been issued a certificate of satisfactory completion of a firearm and hunter education course approved by the department, except any active or veteran member of the United States armed services or any POST-certified law enforcement officer. Application for the exemption shall be filed in person at the LDWF main office building in the city of Baton Rouge. A person under 16 years of age may hunt without such certificate if he/she is accompanied by and is under the direct supervision of a person who was born before September 1, 1969, and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department.

3. A big game license is required in addition to the basic hunting license to hunt, take, possess or cause to be transported any deer. A separate wild turkey license is required in addition to the basic hunting license and the big game license to hunt, take, possess or cause to be transported any turkey.

4. Taking game quadrupeds or birds from aircraft or participating in the taking of deer with the aid of aircraft or from automobiles or other moving land vehicles is prohibited.

5. Methods of Taking Resident Game Birds and Quadrupeds

a. It is illegal to intentionally feed, deposit, place, distribute, expose, scatter, or cause to be fed, deposited, placed, distributed, exposed, or scattered raw sweet potatoes to wild game quadrupeds.

b. Use of a traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means or a shotgun not larger than a 10 gauge fired from the shoulder shall be legal for taking all resident game birds and quadrupeds. Also, the use of a handgun, rifle and falconry (special permit required) shall be legal for taking all game species except turkey. It shall be illegal to hunt or take squirrels or rabbits at any time with a breech-loaded rifle or handgun larger than .22 caliber, any centerfire firearm, or a muzzleloading firearm larger than .36 caliber. It shall be legal to hunt or take squirrels, rabbits, and outlaw quadrupeds with air rifles.

c. Still hunting is defined as stalking or stationary stand hunting without the use of dog(s). Pursuing, driving or hunting deer with dogs is prohibited when or where a still hunting season or area is designated, and will be strictly enforced. Shotguns larger than 10 gauge or capable of holding more than three shells shall be prohibited. Plugs used in shotguns must be incapable of being removed without disassembly. Refer to game schedules contained within these regulations for specific restrictions on the use of firearms and other devices.

d. No person shall take or kill any game bird or wild quadruped with a firearm fitted with an infrared sight, laser sight, or except as provided in R.S. 56:116(A)(8) any sighting device which projects a beam of light to the target or otherwise electronically illuminates the target, or device specifically designed to enhance vision at night [R.S. 56:116.1(B)(3)].

6. Nuisance Animals. Landowners or their designees may remove beaver and nutria causing damage to their property without a special permit. Water set traps and firearms may be used to remove beaver; nutria may be removed by any means except that nutria cannot be taken by the use of headlight and gun between the hours of sunset and sunrise. With a special permit issued by the LDWF, beavers may be taken between one-half hour after official sunset to one-half hour before official sunrise for a period of three consecutive calendar evenings from the effective date of the permit. Any nuisance beaver or nutria trapped or shot outside open trapping season cannot be pelted or sold. A trapping license is required to sell or pelt nuisance beavers or nutria taken during open trapping season. Squirrels found depredating commercial crops of pecans may be taken year-round by permit issued by the LDWF. This permit shall be valid for 30 days from the date of issuance. Contact the local region office for details.

7. Threatened and endangered species: Louisiana black bear, Louisiana pearl shell (mussel), sea turtles, gopher tortoise, ringed sawback turtle, brown pelican, bald eagle, peregrine falcon, whooping crane, Eskimo curlew, piping plover, interior least tern, ivory-billed woodpecker, red-cockaded woodpecker, Bachman's warbler, West Indian manatee, Florida panther, pallid sturgeon, Gulf sturgeon, Atwater's greater prairie chicken, whales and red wolf. Taking or harassment of any of these species is a violation of state and federal laws.

8. Outlaw Quadrupeds. Holders of a legal hunting license may take coyotes, feral hogs, and armadillos year round during legal daylight shooting hours. The running of coyotes with dogs is prohibited in all turkey hunting areas during the open turkey season. Coyote hunting is restricted to chase only when using dogs during still hunting segments of the firearm and archery only seasons for deer. Foxes are protected quadrupeds and may be taken only with traps by licensed trappers during the trapping season. Remainder of the year "chase only" allowed by licensed hunters.

9. Nighttime Take of Nuisance Animals and Outlaw Quadrupeds. On private property, the landowner, or his lessee or agent with written permission and the landowner's contact information in his possession, may take outlaw quadrupeds (coyotes, armadillos and feral hogs), nutria, or beaver during the nighttime hours from one-half hour after official sunset on the last day of February to one-half hour after official sunset the last day of August of that same year. Such taking may be with or without the aid of artificial light, infrared or laser sighting devices, or night vision devices. In addition, pursuant to R.S. 56:116(D)(3) any person who is authorized to possess a firearm suppressor may use a firearm fitted with a sound suppressor when taking outlaw quadrupeds, nutria, or beaver. Any person attempting to take outlaw quadrupeds under the provisions of the paragraph, within 24 hours prior to the attempted taking, shall notify the sheriff of the parish in which the property is located and the LDWF Enforcement Division by calling (800) 442-2511 of their intention to attempt to take outlaw quadrupeds under the provision of this Paragraph.

10. Hunting and/or Discharging Firearms on Public Roads. Hunting, standing, loitering or shooting game

quadrupeds or game birds while on a public road or public road right-of-way is prohibited. Hunting or the discharge of firearms on roads or highways located on public levees or within 100 feet from the centerline of such levee roads or highways is prohibited. Spot lighting or shining from public roads is prohibited by state law. Hunting from all public roads and public road rights-of-way is prohibited.

11. Tags. Any part of the deer or wild turkey divided shall have affixed thereto the name, date, address and big game license number of the person killing the deer or wild turkey and the sex of that animal. This information shall be legibly written in pen or pencil, on any piece of paper or cardboard or any material, which is attached or secured to or enclosing the part or parts. On lands enrolled in DMAP, deer management assistance tags must be attached and locked through the hock of antlerless deer, (including those taken with approved archery and primitive firearms, and those antlerless deer taken on either-sex days) in a manner that it cannot be removed, before the deer is moved from the site of the kill.

12. Sex Identification. Positive evidence of sex identification, including the head or sex organs, shall remain on any deer taken or killed within the state of Louisiana, or on all turkeys taken or killed so long as such deer or turkey is kept in camp or field, or is in route to the domicile of its possessor, or until such deer or turkey has been stored at the domicile of its possessor or divided at a cold storage facility and has become identifiable as food rather than as wild game.

E. General Deer Hunting Regulations

1. Prior to hunting deer, all deer hunters, regardless of age or license status, must obtain deer tags and have in possession when hunting deer. Immediately upon harvesting a deer, the hunter must tag the deer with the appropriate carcass tag and document the kill on the deer tag license. Within seven days the hunter must validate the kill. Hunters harvesting deer on DMAP lands can validate deer per instructions by LDWF using the DMAP harvest data sheets. Hunters on WMAS can validate deer during mandatory deer check hunts, when deer check stations are in operation. Hunters may validate deer by calling the validation toll free number or using the validation website.

2. 2016-2017 Season. One antlered and one antlerless deer per day (when legal) except on Kisatchie National Forest , Indian Bayou Area owned by the US Army Corps of Engineers, and some federal refuges (check refuge regulations) where the daily limit shall be one deer per day. Season limit is six, not to exceed three antlered deer or four antlerless deer (all segments included) by all methods of take, except antlerless harvest on property enrolled in DMAP does not count in the season or daily bag limit for hunters. Antlerless deer may be harvested during entire deer season on private lands (all seasons included) except as specified in deer hunting schedule. Consult deer hunting schedule in the regulations pamphlet for either-sex days for these parishes and areas. This does not apply to public lands (WMAs, national forest lands, and federal refuges) which will have specified either-sex days.

3. 2017-2018 Season. One antlered and one antlerless deer per day (when legal) except on Kisatchie National Forest, Indian Bayou area owned by the US Army Corps of Engineers, and some federal refuges (check refuge regulations) where the daily limit shall be one deer per day. Season limit is six, not to exceed three antlered deer or four antlerless deer (all segments included) by all methods of take, except antlerless harvest on property enrolled in DMAP does not count in the season or daily bag limit for hunters. Antlerless deer may be harvested during entire deer season on private lands (all seasons included) except as specified in deer hunting schedule. Consult deer hunting schedule in the regulations pamphlet for either-sex days for these parishes and areas. This does not apply to public lands (WMAs, national forest lands, and federal refuges) which will have specified either-sex days.

4. A legal antlered deer is a deer with at least one visible antler of hardened bony material, broken naturally through the skin, except on Alexander State Forest WMA, Bayou Macon WMA, Big Lake WMA, Bodcau WMA, Boeuf WMA, Buckhorn WMA, Dewey Wills WMA, Jackson-Bienville WMA, Loggy Bayou WMA, Ouachita WMA, Pearl River WMA, Pomme de Terre WMA, Red River WMA, Russell Sage WMA, Sicily Island Hills WMA, Spring Bayou WMA, Three Rivers WMA and Union WMA during the experimental quality deer season (See the specific WMA schedule for more information.). A legal antlered deer during the experimental quality deer season shall be defined as a deer with at least four points on one side. To be counted as a point, a projection must be at least on inch long and its length must exceed the length of its base. The beam tip is counted as a point but not measured as a point. Killing antlerless deer is prohibited except where specifically allowed.

5. *Either-sex deer* is defined as male or female deer. Taking or possessing spotted fawns is prohibited.

6. It is illegal to hunt or shoot deer with firearms smaller than .22 caliber centerfire or a shotgun loaded with anything other than buckshot or slug. Handguns may be used for hunting.

7. Taking game quadrupeds or birds from aircraft, participating in the taking of deer with the aid of aircraft or from automobiles or other moving land vehicles is prohibited.

8. Still hunting is defined as stalking or stationary stand hunting without the use of dog(s). Pursuing, driving or hunting deer with dogs or moving vehicles, including ATVs, when or where a still hunting season or area is designated, is prohibited and will be strictly enforced. The training of deer dogs is prohibited in all still hunting areas during the gun still hunting and archery only season. Deer hunting with dogs is allowed in all other areas having open deer seasons that are not specifically designated as still hunting only. A leashed dog may be used to trail and retrieve wounded or unrecovered deer during legal hunting hours. Any dog used to trail or retrieve wounded or unrecovered deer shall have on a collar with owner's name, address, and phone number. In addition, a dog may be used to trail and retrieve

unrecovered deer after legal hunting hours; however, no person accompanying a dog after legal hunting hours may carry a firearm of any sort.

9. It is illegal to take deer while deer are swimming or while the hunter is in a boat with motor attached in operating position; however the restriction in this Paragraph shall not apply to any person who has lost one or more limbs.

10. Areas not specifically designated as open are closed.

11. Primitive Firearms Season: Still Hunt Only. Specific WMAs will also be open, check WMA schedule for specific details. Primitive firearms license is required for resident hunters between the ages of 16 and 59 inclusive and non-residents 16 years of age and older. Either-sex deer may be taken in all deer hunting areas except as otherwise specified. It is unlawful to carry a gun, other than a primitive firearm, including those powered by air or other means, while hunting during the special primitive firearms segment. Except, it is lawful to carry a .22 caliber rimfire pistol loaded with #12 shot (ratshot only).

a. Legal Firearms for Primitive Firearms Season

i. Rifles or pistols, .44 caliber minimum, or shotguns 10 gauge or smaller, all of which must load exclusively from the muzzle, use black powder or approved substitute only, take ball, shot, or bullet projectile only, including saboted bullets, and may be fitted with magnified scopes.

ii. Single shot, breech loading rifles or single shot, breech loading pistols, .35 caliber or larger, having an exposed hammer, that use metallic cartridges loaded either with black powder or modern smokeless powder, and may be fitted with magnified scopes.

iii. Single shot, breech loading shotguns, 10 gauge or smaller, having an exposed hammer, loaded with buckshot or slug.

iv. Youths 17 or younger may hunt deer with any legal weapon during the primitive firearms season in each deer hunting area.

12. Archery Season. Archery license required for resident bow hunters between the ages of 16 and 59 inclusive and non-residents 16 years of age and older. Either-sex deer may be taken in all areas open for deer hunting except when a bucks only season is in progress for gun hunting, and except in areas 6 and 9 from October 1-15. Archers must conform to the bucks only regulations. Either-sex deer may be taken on WMAs at any time during archery season except when bucks only seasons are in progress on the respective WMA. Also, archery season restricted on Atchafalaya Delta, Salvador, Lake Boeuf, and Pointe-aux-Chenes WMAs (see schedule).

a. Bow and Arrow Regulations. Traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means will be a legal means of take for all properly licensed hunters. Hunting arrows for deer must have well-sharpened broadhead points. Bow and arrow fishermen must have a sport fishing license and may not carry any arrows with broadhead points unless a big game season is in progress.

i. It is unlawful:

(a). to have in possession or use any poisoned or drugged arrow or arrows with explosive tips;

(b). to hunt deer with a bow having a pull less than 30 pounds;

(c). to hunt with a bow or crossbow fitted with an infrared, laser sight, electrically-operated sight or device specifically designed to enhance vision at night (does not include non-projecting red dot sights) [R.S. 56:116.1.B.(4)].

13. Hunter Orange. Any person hunting any wildlife during the open gun deer hunting season and possessing buckshot, slugs, a primitive firearm, or a centerfire rifle shall display on his head, chest and/or back a total of not less than 400 square inches of "hunter orange". Persons hunting on privately owned land may wear a hunter orange cap or hat in lieu of the 400 square inches. These provisions shall not apply to persons hunting deer from elevated stands on property that is privately owned or to archery deer hunters hunting on lands where firearm hunting is not allowed by agreement of the landowner or lessee. However, anyone hunting deer on such lands where hunting with firearms is allowed shall be required to display the 400 square inches or a hunter orange cap or hat while walking to and from elevated stands. While a person is hunting from an elevated stand, the 400 square inches or cap or hat may be concealed. Warning: deer hunters are cautioned to watch for persons hunting other game or engaged in activities not requiring "hunter orange".

14. Physically Challenged Season on Private Lands (Either-Sex): first Saturday of October for two days. Restricted to individuals with physically challenged hunter permit.

15. Youth and Honorably Discharged Veterans Season on Private Lands (Either-Sex). Areas 1, 4, 5, 6 and 9: last Saturday of October for seven days; area 2: second Saturday of October for seven days; and areas 3, 7, 8 and 10: fourth Saturday of September for seven days. Youths 17 or younger only. Youths must be accompanied by an adult 18 years of age or older. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for the youth. Adults may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. The supervising adult shall maintain visual andvoice contact with the youth at all times. Except properly licensed youths 16-17 years old and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. One of the following must be carried by veterans while hunting:

a. Louisiana OMV issued U.S. Veterans Driver's License; or

b. U.S. Department of Defense Form 214 or one of the following DD_214 equivalents:

i. pre DD 214 era documents (1941_1950):

(a). WE AGO (war department adjutant general) forms, to include WD AGO 53, WD AGO 55, WD AGO 53_55;

(b). JAVPERS (naval personnel) discharge documents, to include NAVPERS 553, NAVMC78PD, NAVCG 553;

ii. National Personnel Records Center NPRC "statement of service," issued as a result of a destroyed discharge record during the 1973 National Archives fire;

iii. National Guard/Air National Guard must have NGB_22 with 6 or more years of service.

F. Description of Areas, 2015-2017

1. Area 1

a. All of the following parishes are open: Concordia, East Carroll, Franklin, Madison, Richland, Tensas, West Carrol.

b. Portions of the following parishes are also open:

i. Catahoula—east of Boeuf River to Ouachita River, east of Ouachita River from its confluence with Boeuf River to LA 8, south and east of LA 8 southwesterly to parish line;

ii. Grant—east of US 165 and south of LA 8;

iii. LaSalle—south of a line beginning where Little River enters Catahoula Lake following the center of the lake eastward to Old River then to US 84, east of US 84 northward to LA 8, south of LA 8 eastward to parish line;

iv. Ouachita—south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse line at Wham Bake;

v. Rapides—east of US 165 and north of Red River.

c. Still hunting only in all or portions of the following parishes:

i. Catahoula—south of Deer Creek to Boeuf River, east of Boeuf and Ouachita Rivers to LA 8 at Harrisonburg, west of LA 8 to LA 913, west of LA 913 and LA 15 to Deer Creek;

ii. East Carroll—all;

iii. Franklin—all;

iv. Morehouse—east of US 165 (from Arkansas state line) to Bonita, south and east of LA 140 to junction of LA 830-4 (Cooper Lake Road), east of LA 830-4 to Bastrop, east of LA 139 at Bastrop to junction of LA 593, east and north of LA 593 to Collinston, east of LA 138 to junction of LA 134 and south of LA 134 to Ouachita line at Wham Brake;

v. Ouachita—south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse line at Wham Bake;

vi. Richland—all;

vii. West Carroll.

2. Area 2

a. All of the following parishes are open:

i. Bienville, Bossier, Caddo, Caldwell, Claiborne, DeSoto, Jackson, Lincoln, Natchitoches, Red River, Sabine, Union, Webster, Winn;

ii. except: Kisatchie National Forest which has special regulations. Caney, Corney, Middlefork tracts of Kisatchie have the same regulations as area 2, except still hunting only for deer.

b. Portions of the following parishes are also open:

i. Allen—north of US 190 from parish line westward to Kinder, east of US 165 from Kinder northward to LA 10 at Oakdale, north of LA 10 from Oakdale westward to the parish line;

ii. Avoyelles—that portion west of I-49;

iii. Catahoula—west of Boeuf River to Ouachita River, west of Ouachita River from its confluence with Boeuf River to LA 8, north and west of LA 8 southwesterly to parish line;

iv. Evangeline—all except the following portions: east of I-49 to junction of LA 29, east of LA 29 south of I-49 to Ville Platte, and north of US 167 east of Ville Platte;

v. Grant—all except that portion south of LA 8 and east of US 165;

vi. Jefferson Davis—north of US 190;

vii. LaSalle—north of a line beginning where Little River enters Catahoula Lake, following the center of the lake eastward to Old River then to US 84, west of US 84 northward to LA 8, north of LA 8 eastward to parish line;

viii. Morehouse—west of US 165 (from Arkansas state line) to Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to Bastrop, west of LA 139 to junction of LA 593, west and south of LA 593 to Collinston, west of LA 138 to junction of LA 134 and north of LA 134 to Ouachita Parish line at Wham Brake;

ix. Ouachita—all except south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse Parish line at Wham Brake;

x. Rapides—all except north of Red River and east of US 165, south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill, and north of LA 113 from Union Hill to Vernon Parish line, and that portion south of Alexandria between Red River and US 167 to junction of US 167 with I-49 at Turkey Creek exit, east of I-49 southward to parish line;

xi. Vernon—north of LA 10 from the parish line westward to LA 113, south of LA 113 eastward to parish line. Also the portion north of LA 465 west of LA 117 from Kurthwood to Leesville and north of LA 8 from Leesville to Texas state line.

c. Still hunting only in all or portions of the following parishes:

i. Claiborne and Webster—Caney, Corney and Middlefork tracts of Kisatchie National Forest (see Kisatchie National Forest regulations);

ii. Ouachita—east of Ouachita River;

iii. Rapides—west of US 167 from Alexandria southward to I-49 at Turkey Creek exit, west of I-49 southward to parish line, north of parish line westward to US 165, east of US 165 northward to US 167 at Alexandria. North of LA 465 from Vernon Parish line to LA 121, west of LA 121 to I-49, west of I-49 to LA 8, south and east of LA 8 to LA 118 (Mora Road), south and west of LA 118 to Natchitoches Parish line;

iv. Vernon—east of Mora-Hutton Road from Natchitoches Parish line to Hillman Loop Road, south and east of Hillman Loop Road to Comrade Road, south of Comrade Road to LA 465, east and north of LA 465 to Rapides Parish line.

3. Area 3

a. Portions of the following parishes are open:

i. Acadia—north of I-10;

ii. Allen—south of US 190 and west of LA 113;

iii. Beauregard—west of LA 113 and east of LA 27 from the parish line northward to DeRidder and north of US 190 westward from DeRidder to Texas state line;

iv. Calcasieu—east of LA 27 from Sulphur northward to the parish line, and north of I-10;

v. Jefferson Davis—north of I-10 and south of US 190;

vi. Lafayette—west of I-49 and north of I-10;

vii. Rapides—south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill and north of LA 113 from Union Hill to Vernon Parish line;

viii. St. Landry—west of US 167;

ix. Vernon—west and north of LA 113, south of LA 465, east of LA 117 from Kurthwood to Leesville, and south of LA 8 from Leesville to Texas state line.

4. Area 4

a. All of St. Helena and Washington Parishes are open.

b. Portions of the following parishes are also open:

i. East Baton Rouge—all except that portion north of I-110 and west of US 61;

ii. East Feliciana—east of US 61;

iii. West Feliciana—east of US 61;

iv. Livingston—north of I-12;

v. Tangipahoa—north of I-12;

vi. St. Tammany—all except that portion south of I-12, west of LA 1077 to LA 22, south of LA 22 to Tchefuncte River, west of Tchefuncte River southward to Lake Pontchartrain.

c. Still hunting only in all or portions of the following parishes:

i. East Feliciana and East Baton Rouge—east of Thompson Creek from the Mississippi state line to LA 10, north of LA 10 from Thompson Creek to LA 67 at Clinton, west of LA 67 from Clinton to Mississippi state line, south of Mississippi state line from LA 67 to Thompson Creek. Also that portion of East Baton Rouge Parish east of LA 67 from LA 64 north to Parish Line, south of Parish Line from LA 64 eastward to Amite River, west of Amite River southward to LA 64, north of LA 64 to LA 37 at Magnolia, east of LA 37 northward to LA 64 at Indian Mound, north of LA 64 from Indian Mound to LA 67. Also, that portion of East Feliciana Parish east of LA 67 from parish line north to LA 959, south of LA 959 east to LA 63, west of LA 63 to Amite River, west of Amite River southward to parish line, north of parish line westward to LA 67;

ii. St. Helena—north of LA 16 from Tickfaw River at Montpelier westward to LA 449, east and south of LA 449 from LA 16 at Pine Grove northward to Rohner Road, south of Rohner Road to LA 1045, south of LA 1045 to the Tickfaw River, west of the Tickfaw River from LA 1045 southward to LA 16 at Montpelier;

iii. Tangipahoa—that portion of Tangipahoa Parish north of LA 10 from the Tchefuncte River to LA 1061 at Wilmer, east of LA 1061 to LA 440 at Bolivar, south of LA 440 to the Tchefuncte River, west of the Tchefuncte River from LA 440 southward to LA 10;

iv. Washington and St. Tammany—east of LA 21 from the Mississippi state line southward to the Bogue Chitto River, north of the Bogue Chitto River from LA 21 eastward to the Pearl River Navigation Canal, east of the Pearl River Navigation Canal southward to the West Pearl River, north of the West Pearl River from the Pearl River Navigation Canal to Holmes Bayou, west of Holmes Bayou from the West Pearl River northward to the Pearl River, west of the Pearl River from Holmes Bayou northward to the Mississippi state line, south of the Mississippi state line from the Pearl River westward to LA 21. Also, that portion of Washington Parish west of LA 25 from the Mississippi state line southward to the Bogue Chitto River, then west of the Bogue Chitto River to its junction with the St. Tammany Parish line, north of the St. Tammany Parish line to the Tangipahoa Parish line, east of the Tangipahoa Parish line to the Mississippi state line, south of the Mississippi state line to its junction with LA 25;

v. West Feliciana—west of Thompson Creek to Illinois-Central Railroad, north of Illinois-Central Railroad to Parish Road #7, east of Parish Road #7 to the junction of US 61 and LA 966, east of LA 966 from US 61 to Chaney Creek, south of Chaney Creek to Thompson Creek.

5. Area 5

a. Portions of the following parishes are open:

i. St. Martin Parish south of I-10 and east of the West Atchafalaya Basin Protection Levee and west of the East Atchafalaya Basin Protection Levee;

ii. Iberville Parish—south of I-10 and west of the East Atchafalaya Basin Protection Levee;

iii. Iberia Parish—east of the West Atchafalaya Basin Protection Levee and west of the East Atchafalaya Basin Protection Levee;

iv. St. Mary Paris—east of the West Atchafalaya Basin Protection Levee;

v. high water benchmark closure. Deer hunting in those portions of Iberville and St. Martin parishes south of I-10, west of the East Atchafalaya Basin Protection Levee, east of the West Atchafalaya Basin Protection Levee, and north of Alligator Bayou and Bayou Sorrel will be closed when the river stage of the Atchafalaya River reaches 18 feet at Butte LaRose. Deer hunting in those portions of Iberville, St. Martin, St. Mary and Iberia parishes west of the East Atchafalaya Basin Protection Levee, east of the West Atchafalaya Basin Protection Levee and south of Alligator Bayou and Bayou Sorrel will be closed when the river stage of the Atchafalaya River reaches 15 feet msl at Butte LaRose.

6. Area 6

a. All of Point Coupee Parish is open.

b. Portions of the following parishes are also open:

i. Avoyelles—all except that portion west of I-49;

ii. Evangeline—that portion east of I-49 to junction of LA 29, east of LA 29 south of I-49 to Ville Platte and north of US 167 east of Ville Platte;

iii. Iberville—all north of I-10, and that portion south of I-10 at the Atchafalaya Basin protection levee south to Upper Grand River, then north of Upper Grand River to the Intracoastal Canal at Jack Miller, then west of the Intracoastal Canal northward to Bayou Plaquemine, then north of Bayou Plaquemine to the Mississippi River;

iv. Lafayette—north of I-10 and east of I-49;

v. Rapides—south of Alexandria between Red River and US 167 to the junction of US 167 with I-49 at Turkey Creek Exit, east of I-49 southward to parish line;

vi. St. Landry—east of US 167;

vii. St. Martin—north of I-10;

viii. East Baton Rouge—north of I-110 and west of US 61;

ix. West Feliciana—west of US 61;

x. East Feliciana—west of US 61;

xi. West Baton Rouge—north I-10.

c. Still hunting only in all or portions of the following parishes:

i. Avoyelles—north of LA 1 from Simmesport westward to LA 115 at Marksville, east of LA 115 from Marksville northward to the Red River near Moncla, south and west of the Red River to LA 1 at Simmesport;

ii. Rapides—south of Alexandria between Red River and US 167 to the junction of US 167 with I-49 at Turkey Creek Exit, east of I-49 southward to parish line;

iii. West Feliciana—west of Thompson Creek to Illinois-Central Railroad, north of Illinois-Central Railroad to Parish Road #7, east of Parish Road #7 to the junction of US 61 and LA 966, east of LA 966 from US 61 to Chaney Creek, south of Chaney Creek to Thompson Creek.

7. Area 7

a. Portions of the following parishes are open:

i. Iberia—south of LA 14 and west of US 90;

ii. St. Mary—all except that portion north of US 90 from Iberia Parish line eastward to Wax Lake Outlet, east of Wax Lake Outlet southward to Intracoastal Waterway, north of Intracoastal Waterway eastward to the Atchafalaya River, east of the Atchafalaya River.

8. Area 8

a. Portions of the following parishes are open:

i. Allen—that portion east of LA 113 from the parish line to US 190, north of US 190 eastward to Kinder, west of US 165 northward to LA 10 at Oakdale and south of LA 10 from Oakdale westward to parish line;

ii. Beauregard—that portion east of LA 113. Also that portion west of LA 27 from parish line northward to DeRidder, south of US 190 from DeRidder to Texas state line;

iii. Calcasieu—that portion west of LA 27 from the parish line southward to Sulphur and north of I-10 from Sulphur to the Texas state line;

iv. Vernon—that portion west of LA 113 from the parish line northward to Pitkin and south of LA 10 from Pitkin southward to the parish line.

9. Area 9

a. All of the following parishes are open: Ascension, Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John, Terrebonne.

b. Portions of the following parishes are open:

i. Iberia—east of US 90 and west of the West Atchafalaya Basin Protection Levee and east of the East Atchafalaya Basin Protection Levee;

ii. Iberville—east of the East Atchafalaya Basin Protection Levee and south of Upper Grand River to the Intracoastal Canal to Bayou Plaquemines, then south of Bayou Plaquemines to the Mississippi River;

iii. Lafayette—south of I-10 and east of US 90;

iv. Livingston—south of I-12;

v. St. Martin—west of the Atchafalaya Basin Protection Levee and south of I-10. East of the East Atchafalaya Basin Protection Levee and south of I-10;

vi. St. Mary—east of US 90 from Iberia Parish line to the Wax Lake Outlet, east of Wax Lake Outlet southward to Intracoastal Waterway, north of Intracoastal Waterway eastward to the Atchafalaya River, east of the Atchafalaya River except for portion within the East and West Atchafalaya Basin Protection Levees;

vii. St. Tammany—that portion south of I-12, west of LA 1077 to LA 22, south of LA 22 to Tchefuncte River, west of Tchefuncte River southward to Lake Pontchartrain;

viii. Tangipahoa—south of I-12.

c. Still hunting only in all or portions of the following parishes:

i. Iberville—east of the Mississippi River;

ii. Plaquemines—east of the Mississippi River;

iii. St. Bernard—all of the parish shall be still hunting only except that portion of St. Bernard known as the spoil area between the MRGO on the east and Access Canal on the west, south of Bayou Bienvenue and north of Bayou la Loutre;

iv. St. John—south of Pass Manchac from Lake Pontchartrain to US 51, east of US 51 from Pass Manchac to LA 638 (Frenier Beach Road). North of LA 638 from US 51 to Lake Pontchartrain, west of Lake Pontchartrain from LA 638 to Pass Manchac.

10. Area 10

a. All of Cameron and Vermillion Parishes are open.

b. Portions of the following parishes are open:

i. Acadia—south of I-10;

ii. Calcasieu—south of I-10;

iii. Iberia—west of US 90 and north of LA 14;

iv. Jefferson Davis—south of I-10;

v. Lafayette—south of I-10 and west of Hwy 90.

G. WMA Regulations

1. General

a. The following rules and regulations concerning the management, protection and harvest of wildlife have been officially approved and adopted by the Wildlife and Fisheries Commission in accordance with the authority provided in *Louisiana Revised Statutes* of 1950, section 109 of title 56. Failure to comply with these regulations will subject individual to citation and/or expulsion from the management area.

b. Citizens are cautioned that by entering a WMA managed by the LDWF they may be subjecting themselves and/or their vehicles to game and/or license checks, inspections and searches.

c. WMA seasons may be altered or closed anytime by the LDWF secretary in emergency situations (floods, fire or other critical circumstances).

d. Hunters may enter the WMA no earlier than 4 a.m. unless otherwise specified. Hunters must check out and

exit the WMA no later than two hours after sunset, or as otherwise specified.

e. Lands within WMA boundaries will have the same seasons and regulations pertaining to baiting and use of dogs as the WMA within which the lands are enclosed; however, with respect to private lands enclosed within a WMA, the owner or lessee may elect to hunt according to the regular season dates and hunting regulations applicable to the geographic area in which the lands are located, provided that the lands are first enrolled in DMAP. Interested parties should contact the nearest LDWF region office for additional information.

f. Dumping garbage or trash on WMAs is prohibited. Garbage and trash may be properly disposed of in designated locations if provided.

g. Disorderly conduct or hunting under influence of alcoholic beverages, chemicals and other similar substances is prohibited.

h. Damage to or removal of trees, shrubs, hard mast (including but not limited to acorns and pecans), wild plants, non-game wildlife (including reptiles and amphibians) or any species of butterflies, skippers or moths is prohibited without a permit from the LDWF. Gathering and/or removal of soft fruits, mushrooms and berries shall be limited to five gallons per person per day.

i. Burning of marshes is prohibited. Hunting actively burning marsh is prohibited.

j. Nature Trails. Trails shall be limited to pedestrians only. No vehicles, ATVs, horses, mules, bicycles, etc. allowed. Removal of vegetation (standing or down) or other natural material prohibited.

k. Deer seasons are for legal buck deer unless otherwise specified.

l. Small game, when listed under the WMA regulations may include both resident game animals and game birds as well as migratory species of birds.

m. Oysters may not be harvested from any WMA, except that oysters may be harvested from private oyster leases and state seed grounds located within a WMA, when authorized by the Wildlife and Fisheries Commission and upon approval by the Department of Health and Hospitals.

n. Free ranging livestock prohibited.

2. Permits

a. A WMA hunting permit is required for persons ages 18 through 59 to hunt on WMAs.

b. Self-Clearing Permits. A self-clearing permit is required for all activities (hunting, fishing, hiking, bird watching, sightseeing, etc.) on WMAs unless otherwise specified. The self-clearing permit will consist of two portions: check in, check out. On WMAs where self-clearing permits are required, all persons must obtain a WMA self-clearing permit from an information station. The check in portion must be completed and put in a permit box before each day's activity on the day of the activity (except if hunting from a private camp adjacent to the WMA being hunted or if camping on the WMA, users need only to check in once during any 72 hour period). Users may check-in one day in advance of use. The check-out portion must be carried by each person while on the WMA and must be completed and put in a permit box immediately upon exiting the WMA or within 72 hours after checking in if hunting from a private camp adjacent to the WMA being hunted or if camping on the WMA. No permit is required of fishers and boaters who do not travel on a WMA road and/or launch on the WMA as long as they do not get out of the boat and onto the WMA. When mandatory deer checks are specified on WMAs, hunters must check deer at a check station. When mandatory check-in for deer seasons is specified on WMAs, hunters must check in at designated locations, and obtain a daily hunt permit. Self-clearing permits are not required for persons only traveling through the WMA provided that the most direct route is taken and no activities or stops take place.

c. Persons using WMAs or other LDWF administered lands for any purpose must possess one of the following: a valid wild Louisiana stamp, a valid Louisiana fishing license, or a valid Louisiana hunting license. Persons younger than 16 or older than 60 years of age are exempt from this requirement. Also a self-clearing WMA permit, detailed above, may be required (available at most entrances to each WMA). Check individual WMA listings for exceptions.

3. Special Seasons

a. Youth Deer Hunt. Youths 17 or younger only. Youths must be accompanied by an adult 18 years of age or older. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for the youth. Adults may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly licensed youths and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Contact the appropriate region office for maps of specific hunting areas. Either-sex deer may be taken on WMAs with youth hunts. Consult the regulations pamphlet for WMAs offering youth hunts.

NOTE: Some hunts may be by pre-application lottery.

b. Youth Squirrel Hunt (on selected WMAs only). Only youths 17 or younger may hunt. Squirrel, rabbit, raccoon, hogs and opossum may be taken. No dogs allowed. All other seasons will remain open to other hunters. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for the youth. Adults may not possess a firearm. Youths may possess only one firearm while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly licensed youths and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Self-clearing permits are required. Consult the regulations pamphlet for WMAs offering youth squirrel hunts.

c. Youth Mourning Dove Hunt. A youth mourning dove hunt will be conducted on specific WMAs and will follow the same regulations provided for youth deer hunts on

the first or second weekend of the mourning dove season (Saturday and/or Sunday only). Consult the regulations pamphlet for WMAs offering youth mourning dove hunts.

d. Physically Challenged Season. An either-sex deer season will be held for hunters possessing a physically challenged hunter permit on WMAs during the dates specified under the individual WMA. Participants must possess a physically challenged hunter permit. Contact region office for permit application and map of specific hunting area. Consult the regulations pamphlet for WMAs offering physically challenged seasons.

e. Turkey Lottery Hunts. Hunts restricted to those persons selected by lottery. Consult the regulations pamphlet for deadlines. All turkeys must be reported at self-clearing station. Contact region offices for more details. Consult separate turkey hunting regulations pamphlet for more details.

f. Waterfowl Lottery Hunts. Hunts restricted to those persons selected by lottery. Consult the regulations pamphlet for deadline. Consult regulations pamphlet for individual WMA schedules or contact any Wildlife Division office for more details.

g. Mourning Dove Lottery Hunts. Consult regulations pamphlet for individual WMA schedules or contact any Wildlife Division office for more details.

h. Trapping. Consult annual trapping regulations for specific dates. All traps must be run daily. Traps with teeth are illegal. Hunter orange required when a deer gun season is in progress.

i. Raccoon Hunting. A licensed hunter may take raccoon or opossum, one per person per day, during daylight hours only, during the open rabbit season on WMAs.

Nighttime Experimental—all nighttime raccoon hunting where allowed is with dogs only. There is no bag limit. Self-clearing permit required.

j. Sport Fishing. Sport fishing, crawfishing and frogging are allowed on WMAs when in compliance with current laws and regulations except as otherwise specified under individual WMA listings.

k. Small Game Emphasis Areas. Specially designated areas on certain WMAs will allow small game hunting with dogs, confined to that specific area when the remainder of the WMA is restricted to still hunt only. Additionally, off season training of rabbit and bird dogs may be allowed on some of the small game emphasis areas. Small game emphasis areas are offered on Big Colewa Bayou, Bayou Macon, Bayou Pierre, Boeuf, Dewey W. Wills, Marsh Bayou, Ouachita, Richard K. Yancey, Sandy Hollow, Sherburne, and Walnut Hill WMAs.

4. Firearms

a. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms and crossbows cocked in the ready position are not allowed in or on vehicles, boats under power, motorcycles, ATVs, UTVs, ATCs or in camping areas on WMAs. Firearms may not be carried on any area before or after permitted hours except in authorized camping areas and except as may be permitted for authorized trappers.

b. Firearms and bows and arrows are not allowed on WMAs during closed seasons except on designated shooting ranges or as permitted for trapping and except as allowed pursuant to R.S. 56:109(C) and R.S. 56:1691. Bows and broadhead arrows are not allowed on WMAs except during deer archery season, turkey season or as permitted for bowfishing. Active and retired law enforcement officers in compliance with POST requirements, federal law enforcement officers and holders of Louisiana concealed handgun permits or permit holders from a reciprocal state who are in compliance with all other state and federal firearms regulations may possess firearms on WMAs provided these firearms are not used for any hunting purpose.

c. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists except as specified under WMA listing.

d. Loaded firearms are not allowed near WMA check stations.

e. The following cannot be carried onto any WMA except during modern and primitive firearm deer seasons and during special shotgun season for feral hogs on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador WMAs (consult regulations pamphlet for specific WMA regulations):

i. centerfire rifles;

ii. break-action and bolt-action handguns;

iii. scoped handguns;

iv. shotgun slugs or shot larger than BB lead or F steel.

f. Target shooting and other forms of practice shooting are prohibited on WMAs except as otherwise specified.

g. Discharging of firearms on or across, or hunting from designated roads, ATV/UTV trails, nature trails, hiking trails, and their rights-of-way is prohibited during the modern firearms and primitive firearms deer seasons.

5. Methods of Taking Game

a. Moving deer or hogs on a WMA with organized drives and standers, drivers or making use of noises or noise-making devices is prohibited.

b. On WMAs the daily limit shall be one antlered deer and one antlerless deer (when legal) per day, not to exceed three antlered deer or four antlerless deer per season (all segments included) by all methods of take.

c. Baiting, hunting over bait, or possession of bait is prohibited on all WMAs, EXCEPT bait may be kept in a vehicle traversing a WMA road or parked on a WMA road. Bait is defined as any substance used to attract game via ingestion.

d. During mandatory deer check hunts, deer may not be skinned nor have any external body parts removed including but not limited to feet, legs, tail, head or ears before being checked out.

e. Deer hunting on WMAs is restricted to still hunting only.

f. Construction of and/or hunting from permanent tree stands or permanent blinds on WMAs is prohibited. Any permanent stand or permanent blind will be removed and destroyed. A permanent blind is any blind using non-natural materials or having a frame which is not dismantled within two hours after the end of legal shooting time each day. Blinds with frames of wood, plastic, metal poles, wire, mesh, webbing or other materials may be used but must be removed from the WMA within two hours after the end of

legal shooting time each day. Blinds made solely of natural vegetation and not held together by nails or other metallic fasteners may be left in place but cannot be used to reserve hunting locations. Natural vegetation (including any material used as corner posts) is defined as natural branches that are 2 inches or less in diameter. All decoys must be removed from the WMA daily. Permanent tree stands are any stands that use nails, screws, spikes, etc., to attach to trees and are strictly prohibited. Deer stands may not be left on WMAs unless the stands are removed from trees, placed flat on the ground, and left in a non-hunting position (a non-hunting position is one in which a hunter could not hunt from the stand in its present position). Also, all stands left must be legibly tagged with the user's name, address, phone number and LDWF ID number. No stand may be left on any WMA prior to the day before deer season opens on that WMA and all stands must be removed from the WMA within one day after the close of deer hunting on that WMA. Free standing blinds must be disassembled when not in use. Stands left will not reserve hunting sites for the owner or user. All portable stands, blinds, tripods, etc., found unattended in a hunting position, not placed flat on the ground, or untagged will be confiscated and disposed of by the LDWF. LDWF is not responsible for unattended stands left on an area.

g. Physically Challenged Wheelchair Confined Deer and Waterfowl Hunting Areas: special deer and waterfowl hunting areas, blinds and stands identified with LDWF logos, have been established for physically challenged hunter permit (PCHP) wheelchair confined hunters on WMAs. Hunters must obtain a PCHP permit and are required to make reservations to use blinds and stands. PCHP wheelchair hunting areas are available on Alexander State Forest, Big Colewa Bayou, Buckhorn, Clear Creek, Elbow Slough, Floy McElroy, Jackson-Bienville, Ouachita, Sandy Hollow, and Sherburne WMAs. Check WMA hunting schedules or call the LDWF field offices in Pineville, Lake Charles, Opelousas, Minden, Monroe or Hammond for information.

h. Hunting from utility poles and structures, and oil and gas exploration facilities or platforms is prohibited.

i. It is illegal to save or reserve hunting locations using permanent stands or blinds. Stands or blinds attached to trees with screws, nails, spikes, etc. are illegal.

j. Tree climbing spurs, spikes or screw-in steps are prohibited.

k. Unattended decoys will be confiscated and forfeited to the LDWF and disposed of by the LDWF. This action is necessary to prevent preemption of hunting space.

l. Spot lighting (shining) from vehicles is prohibited on all WMAs.

m. Horses and mules may be ridden on WMAs except where prohibited and except during gun seasons for deer and turkey. Riding is restricted to designated roads and trails depicted on WMA map, self-clearing permit is required. Organized trail rides prohibited except allowed by permit only on Camp Beauregard. Hunting and trapping from horses and mules is prohibited except for quail hunting or as otherwise specified. Horse-drawn conveyances are prohibited.

n. All hunters (including archers and small game hunters) except waterfowl hunters and mourning dove hunters on WMAs must display 400 square inches of "hunter orange" and wear a "hunter orange" cap during open gun season for deer. Quail and woodcock hunters and hunters participating in special dog seasons for rabbit, squirrel and feral hogs are required to wear a minimum of a "hunter orange" cap. All other hunters and archers (while on the ground) except waterfowl hunters also must wear a minimum of a "hunter orange" cap during special dog seasons for rabbit and squirrel and feral hogs. Also all persons afield during hunting seasons are encouraged to display "hunter orange". Hunters participating in special shotgun season for feral hogs on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador WMAs must display 400 square inches of hunter orange and wear a "hunter orange" cap.

o. Deer hunters hunting from concealed ground blinds must display a minimum of 400 square inches of "hunter orange" above or around their blinds which is visible from 360 degrees.

p. Archery Season for Deer. The archery season on WMAs is the same as outside and is open for either-sex deer except as otherwise specified on individual WMAs. Archery season restricted on Atchafalaya Delta and closed on certain WMAs when special seasons for youth or physically challenged hunts are in progress. Consult regulations pamphlet for specific seasons.

q. Either-sex deer may be taken on WMAs at any time during archery season except when bucks only seasons are in progress on the respective WMAs. Archers must abide by bucks only regulations and other restrictions when such seasons are in progress.

r. Primitive Firearms Season for Deer. Either-sex unless otherwise specified. See WMA deer schedule. Except youths 17 or younger may use any legal weapon during the primitive firearm season.

6. Camping

a. Camping on WMAs, including trailers, houseboats, recreational vehicles and tents, is allowed only in designated areas and for a period not to exceed 16 consecutive days, regardless if the camp is attended or unattended. At the end of the 16-day period, camps must be removed from the area for at least 48 hours. Camping area use limited exclusively to outdoor recreational activities. Camping is available on a first-come, first-serve basis unless otherwise specified.

b. Houseboats are prohibited from overnight mooring within WMAs except on stream banks adjacent to LDWF-owned designated camping areas. Overnight mooring of vessels that provide lodging for hire are prohibited on WMAs. Houseboats shall not impede navigation. On Atchafalaya Delta WMA houseboats may be moored by permit only in designated areas during hunting season. Permits are available by lottery annually or by five year lease through a bid program.

c. Discharge of human waste onto lands or waters of any WMA is strictly prohibited by state and federal law. In the event public restroom facilities are not available at a WMA, the following is required. Anyone camping on a WMA in a camper, trailer, or other unit (other than a houseboat or tent) shall have and shall utilize an operational disposal system attached to the unit. Tent campers shall have and shall utilize portable waste disposal units and shall remove all human waste from the WMA upon leaving.

Houseboats moored on a WMA shall have a permit or letter of certification from the Health Unit (Department of Health and Hospitals) of the parish within which the WMA occurs verifying that it has an approved sewerage disposal system on board. Further, that system shall be utilized by occupants of the houseboats when on the WMA.

d. No refuse or garbage may be dumped from these boats.

e. Firearms may not be kept loaded or discharged in a camping area unless otherwise specified.

f. Campsites must be cleaned by occupants prior to leaving and all refuse placed in designated locations when provided or carried off by campers.

g. Trash must be contained at all times while camping.

h. Burning of trash is prohibited.

i. Glass containers prohibited on campgrounds.

j. Non-compliance with camping regulations will subject occupant to immediate expulsion and/or citation, including restitution for damages.

k. Swimming is prohibited within 100 yards of boat launching ramps.

7. Restricted Areas

a. For your safety, all oil and gas production facilities (wells, pumping stations and storage facilities) are off limits.

b. No unauthorized entry or unauthorized hunting in restricted areas, refuges, or limited use areas unless otherwise specified.

8. Dogs. All use of dogs on WMAs, except for bird hunting and duck hunting, is experimental as required by law. Having or using dogs on any WMA is prohibited except for nighttime experimental raccoon hunting, squirrel hunting, rabbit hunting, bird hunting, duck hunting, hog hunting and bird dog training when allowed; see individual WMA season listings for WMAs that allow dogs. Dogs running at large are prohibited on WMAs. The owner or handler of said dogs shall be liable. Only recognizable breeds of bird dogs and retrievers are allowed for quail and migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on WMAs having experimental rabbit seasons. A leashed dog may be used to trail and retrieve wounded or unrecovered deer during legal hunting hours. Any dog used to trail or retrieve wounded or unrecovered deer shall have on a collar with owner's name, address and phone number. In addition, a dog may be used to trail and retrieve unrecovered deer after legal hunting hours; however, no person accompanying a dog after legal hunting hours may carry a firearm of any sort.

9. Vehicles

a. An all-terrain vehicle is an off-road vehicle (not legal for highway use) with factory specifications not to exceed the following: weight-750 pounds, length-85", and width-48". ATV tires are restricted to those no larger than 26 x 12 with a maximum l" lug height and a maximum allowable tire pressure of 12 psi. as indicated on the tire by the manufacturer. Use of all other ATVs or ATV tires are prohibited on a WMA.

b. *Utility Type Vehicle* (*UTV*, also *Utility Terrain Vehicle*)—any recreational motor vehicle other than an ATV, not legal for highway use, designed for and capable of travel over designated unpaved roads, traveling on four or more low-pressure tires, with factory specifications not to exceed the following: weight-1900 pounds, length-128" and width-68". UTV tires are restricted to those no larger than 26 x 12 with a maximum 1" lug height and a maximum allowable tire pressure of 12 psi. UTV's are commonly referred to as side by sides and may include golf carts.

c. Vehicles having wheels with a wheel-tire combination radius of 17 inches or more measured from the center of the hub and horizontal to ground are prohibited.

d. The testing, racing, speeding or unusual maneuvering of any type of vehicle is prohibited within WMAs due to property damages resulting in high maintenance costs, disturbance of wildlife and destruction of forest reproduction.

e. Tractor or implement tires with farm tread designs Rl, R2 and R4 known commonly as spade or lug grip types are prohibited on all vehicles.

f. Airboats, aircraft, personal water craft, "mud crawling vessels" (commonly referred to as crawfish combines which use paddle wheels for locomotion) and hover craft are prohibited on all WMAs and refuges, except type A personal water craft, model year 2003 and beyond, which are eight feet in length and greater, may be operated within WMAs from April 1 until the Monday of Labor Day weekend, from sunrise to sunset only, and except personal water craft allowed on designated portions of Alexander State Forest WMA year-round. Personal water craft are defined as a vessel which uses an inboard motor powering a water jet pump as its primary source of propulsion and is designed to be operated by a person sitting, standing or kneeling on the vessel rather than in the conventional manner of sitting or standing inside the vessel. No person shall operate such water craft at a speed greater than slow/no wake within 100 feet of an anchored or moored vessel, shoreline, dock, pier, persons engaged in angling or any other manually powered vessel.

g. Driving or parking vehicles on food or cover plots and strips is prohibited.

h. Blocking the entrance to roads and trails is prohibited.

i. Licensed motorized vehicles (LMVs) legal for highway use, including motorcycles, are restricted entirely to designated roads as indicated on WMA maps. UTVs are restricted to marked UTV trails only, except that those UTVs in which the manufacturer's specifications do not exceed the weight, length, width, and tire restrictions for ATVs are allowed on ATV trails. ATVs are restricted to marked ATV trails only when WMA roads are closed to LMVs, ATVs and UTVs may then use those roads when allowed. This restriction does not apply to bicycles.

NOTE: Only ATV and UTV trails marked with signs and/or paint, and depicted on WMA maps are open for use.

j. Use of special ATV trails for physically challenged persons is restricted to ATV physically challenged permittees. Physically challenged ATV permittees are restricted to physically challenged ATV trails or other ATV trails only as indicated on WMA maps or as

marked by sign and/or paint. Persons 60 years of age and older, with proof of age, are also allowed to use special physically challenged trails and need not obtain a permit. However, these persons must abide by all rules in place for these trails. Physically challenged persons under the age of 60 must apply for and obtain a physically challenged hunter program permit from the LDWF.

k. Entrances to ATV trails will be marked with peach colored paint. Entrances to physically challenged-only ATV trails will be marked with blue colored paint. Entrances to ATV trails that are open all year long will be marked with purple paint. The end of all ATV trails will be marked by red paint. WMA maps serve only as a general guide to the route of most ATV trails, therefore all signage and paint marking as previously described will be used to determine compliance. Deviation from this will constitute a violation of WMA rules and regulations.

l. Roads and trails may be closed due to poor condition, construction or wet weather.

m. ATVs, and motorcycles cannot be left overnight on WMAs except on designated camping areas. ATVs are prohibited from two hours after sunset to 4 a.m., except raccoon hunters may use ATVs during nighttime raccoon take seasons only. ATVs are prohibited from March 1 through August 31 except squirrel hunters are allowed to use ATV trails during the spring squirrel season on the WMA and except certain trails may be open during this time period to provide access for fishing or other purposes and some ATV trails will be open all year long on certain WMAs.

n. Caution. Many LDWF-maintained roadways on WMAs are unimproved and substandard. A maximum 20 mph speed limit is recommended for all land vehicles using these roads, unless specific signage otherwise allows or restricts.

o. Hunters are allowed to retrieve their own downed deer and hogs with the aid of an ATV except on Thistlethwaite, Sherburne, Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes, Salvador, Timken, Lake Bouef, and Biloxi WMAs under the following conditions:

i. no firearms or archery equipment is in possession of the retrieval party or on the ATV;

ii. the retrieval party may consist of no more than one ATV and one helper;

iii. ATVs may not be used to locate or search for wounded game or for any other purpose than retrieval of deer and hogs once they have been legally harvested and located;

iv. UTV's may not be used to retrieve downed deer or hogs.

10. Commercial Activities

a. Hunting Guides/Outfitters. No person or group may act as a hunting guide, outfitter or in any other capacity for which they are paid or promised to be paid directly or indirectly by any other individual or individuals for services rendered to any other person or persons hunting on any WMA, regardless of whether such payment is for guiding, outfitting, lodging or club memberships.

b. Except for licensed activities otherwise allowed by law, commercial activities are prohibited without a permit issued by the secretary of the LDWF.

c. Commercial Fishing. Permits are required of all commercial fishermen using Grassy Lake, Pomme de Terre and Spring Bayou WMAs. Gill nets or trammel nets and the take or possession of grass carp are prohibited on Spring Bayou WMA. Drag seines (except minnow and bait seines) are prohibited except experimental bait seines allowed on Dewey Wills WMA north of LA 28 in Diversion Canal. Commercial fishing is prohibited during regular waterfowl seasons on Grand Bay, Silver Lake and Lower Sunk Lake on Richard K. Yancey WMA. Commercial fishing is prohibited on Salvador/Timken, Ouachita and Pointe-aux-Chenes WMAs except commercial fishing on Pointe-aux-Chenes is allowed in Cut Off Canal and Wonder Lake. No commercial fishing activity shall impede navigation and no unattended vessels or barges will be allowed. Non-compliance with permit regulations will result in revocation of commercial fishing privileges for the period the license is issued and one year thereafter. Commercial fishing is allowed on Pass-a-Loutre and Atchafalaya Delta WMAs. See Pass-a-Loutre for additional commercial fishing regulations on mullet.

11. WMAs Basic Season Structure. For season dates, bag limits, shooting hours, special seasons and other information consult the annual regulations pamphlet for specific details.

12. Resident Small Game (squirrel, rabbit, quail, mourning dove, woodcock, snipe, rail and gallinule). Same as outside except closed during modern firearm either-sex deer seasons on certain WMAs (see WMA schedule) and except non-toxic shot must be used for rail, snipe, and gallinule. Consult regulations pamphlet. Unless otherwise specified under a specific WMA hunting schedule, the use of dogs for rabbit and squirrel hunting is prohibited. Spring squirrel season with or without dogs: first Saturday of May for nine days. Consult regulations pamphlet for specific WMAs.

13. Waterfowl (ducks, geese and coots). Consult regulations pamphlet. Hunting after 2 p.m. prohibited on all WMAs except for Atchafalaya Delta, Attakapas, Biloxi, Lake Boeuf, Pass-a-Loutre, Pointe-aux-Chenes, and Salvador/Timken WMAs. Consult specific WMA regulations for shooting hours on these WMAs.

14. Archery. Consult regulations pamphlet.

15. Hogs. Feral hogs may be taken during any open hunting season on WMAs by properly licensed and/or permitted hunters using only guns or bow and arrow legal for specified seasons in progress, except take of hogs is prohibited during nighttime raccoon seasons. Hogs may not be taken with the aid of dogs, except feral hogs may be taken with the aid of dogs during the month of February on Attakapas, Bodcau, Clear Creek, Jackson-Bienville, Little River, Pass a Loutre, Pearl River, Sabine, Sabine Island, and West Bay and that portion of Dewey W. Wills north of the Catahoula Lake Diversion Canal by self-clearing permit. All hogs must be killed immediately and may not be transported live under any conditions, except as allowed by permit from either the Minden, Lake Charles, Monroe, Pineville, Hammond or Opelousas offices. During the February dog season hunters may use centerfire pistols in addition to using guns allowed for season in progress. Additionally, feral hogs may be taken on Atchafalaya Delta, Pass-a-Loutre, Pointe-

aux-Chenes and Salvador/Timken WMAs from February 16 through March 31 with archery equipment, shotguns loaded with buckshot or slugs or rimfire rifles no larger than .22 caliber. Additional requirements may be specified under individual WMAs, see regulation pamphlet.

16. Outlaw Quadrupeds and Birds. Consult regulations pamphlet. During hunting seasons specified on WMAs, except the turkey and spring squirrel seasons, take of outlaw quadrupeds and birds, with or without the use of electronic calls, is allowed by properly licensed hunters and only with guns or bows and arrows legal for season in progress on WMA. However, crows, blackbirds, grackles and cowbirds may not be taken before September 1 or after January 1. As described in 50 CFR Part 21, non-toxic shot must be used for the take of crows, blackbirds, cowbirds and grackles under the special depredation order. In addition an annual report has to be submitted to the U.S. Fish and Wildlife Service for those that participate in the take of these species.

17. WMAs Hunting Schedule and Regulations

a. Alexander State Forest. From December through February all hunters must check daily with the Office of Forestry for scheduled burning activity. No hunting or other activity will be permitted in burn units the day of the burning. Call (318) 487-5172 or (318) 487-5058 for information on burning schedules. Vehicles restricted to paved and graveled roads. No parking on or fishing or swimming from bridges. No open fires except in recreation areas.

b. Atchafalaya Delta. Water control structures are not to be tampered with or altered by anyone other than employees of LDWF. All-terrain vehicles, motorcycles, horses, and mules prohibited except as permitted for authorized WMA trappers. Mudboats or air-cooled propulsion engines powered by more than 36 total horsepower are prohibited on the WMA. Limited access area, no internal combustion engines allowed from September through January. See WMA map for specific locations.

c. Bayou Macon. All night activities prohibited except as otherwise provided.

d. Big Colewa Bayou. All nighttime activities prohibited.

e. Big Lake. Use of nets, yoyos, and trotlines prohibited on Big and Chain Lakes.

f. Biloxi. ATVs, UTVs, motorcycles, horses, and mules are prohibited. Mud boats or air-cooled propulsion vessels can only be powered by straight shaft “long tail” air-cooled mud motors that are 16 total horsepower or less on the WMA. All other types of mud boats or air cooled propulsion vessels (including “surface drive” boats) are prohibited. All ATVs, UTVs, and motorcycles are prohibited.

g. Bodcau-towable watersports not allowed in Ivan Lake. Nets and traps prohibited on Ivan Lake.

h. Camp Beauregard. Daily military clearance required for all recreational users. Retriever training allowed on selected portions of the WMA. Contact the LDWF field office for specific details.

i. Dewey W. Wills. Crawfish: 100 pounds per person per day. Limited access area, no motorized vessels or vehicles allowed from November through January.

j. Elbow Slough. Non-toxic shot (minimum size #6) only for all hunting. All motorized vehicles prohibited.

k. Elm Hall. No ATVs or UTVs allowed.

l. Fort Polk. Daily military clearance required to hunt or trap. New special regulations apply to ATV users.

m. Grassy Lake. Commercial Fishing: Permitted except on Smith Bay, Red River Bay and Grassy Lake proper on Saturday and Sunday and during waterfowl season. Permits available from area supervisor at Spring Bayou headquarters or Opelousas field office. No crawfishing traps or nets may be left overnight. No hunting in restricted area.

n. Joyce. Swamp walk: no loaded firearms or hunting allowed within 100 yards of walkways. Crawfish: 100 pounds per person per day.

o. Lake Boeuf. Hunting allowed until 12 noon on all game, except deer may be hunted until one-half hour after sunset. All nighttime activities prohibited. All-terrain vehicles, motorcycles, horses, and mules are prohibited.

p. Lake Ramsay. Foot traffic only; all vehicles restricted to parish roads.

q. Manchac. Crabs: no crab traps allowed. Attended lift nets are allowed.

r. Maurepas Swamp. No loaded firearms or hunting allowed within 100 yards of nature trail. Crawfish: 100 pounds per person per day. Benchmark closure: area closed to all deer hunting when USGS water level gauge CRMS 5373, available at http://waterdata.usgs.gov/la/nwis/rt is at or above 3.0 ft. msl.

s. Pass-a-Loutre. Commercial fishing: same as outside. Commercial mullet fishing open only in: South Pass, Pass-a-Loutre, North Pass, Southeast Pass, Northeast Pass, Dennis Pass, Johnson Pass, Loomis Pass, Cadro Pass, Wright Pass, Viveats Pass, Cognevich Pass, Blind Bay, Redfish Bay, Garden Island Bay, Northshore Bay, East Bay (west of barrier islands) and oil and gas canals as described on the LDWF Pass-a-Loutre WMA map. All ATVs, UTVs, motorcycles, horses, and mules prohibited on this area. Oyster harvesting is prohibited. Mudboats or air-cooled propulsion engines powered by more than 36 total horsepower are prohibited on the WMA. Operation of mud boats and air-cooled propulsion engines prohibited after 2 p.m. September through January, except allowed after 2:00 p.m. in South Pass, Pass-a-Loutre, Southeast Pass, Loomis Pass, Dennis Pass, and Cadro Pass. Limited access area, no internal combustion engines allowed from September through January. See WMA map for specific locations.

t. Pearl River. All roads closed 8 p.m. to 4 a.m. to all vehicles. Old Hwy. 11 will be closed when river gauge at Pearl River, Louisiana, reaches 16.5 feet. All hunting except waterfowl will be closed when the river stage at Pearl River reaches 16.5 feet. No hunting in the vicinity of nature trail. Observe "No Hunting" signs. Rifle range open Friday, Saturday and Sunday with a fee. Crawfish: 100 pounds per person per day.

u. Peason Ridge. Daily military clearance required to hunt or trap. Special federal regulations apply to ATV users.

v. Pointe-aux-Chenes. Hunting until 12 noon on all game, except for mourning dove hunting and youth lottery deer hunt as specified in regulation pamphlet. Point Farm: gate will be open all weekends during month of February. No motorized vessels allowed in the drainage ditches. Recreational fishing: shrimp may be taken by the use of cast

nets only. During the inside open shrimp season, 25 pounds per boat per day (heads on) maximum shall be allowed. Size count to conform with open season requirements. During the inside closed season, 10 pounds per boat per day (heads on) may be taken for bait. All castnet contents shall be contained and bycatch returned to the water immediately. Oyster harvesting is prohibited. Fish may be taken only by rod and reel or hand lines for recreational purposes only. Crabs may be taken only through the use of hand lines or nets; however, none are to remain set overnight. Twelve dozen crabs maximum are allowed per boat or vehicle per day. Crawfish may be harvested in unrestricted portions of the WMA and shall be limited to 100 pounds per person per day. Fishing gear used to catch crawfish shall not remain set overnight. The harvest of all fish, shrimp, crabs and crawfish are for recreational purposes only and any commercial use is prohibited. All boats powered by engines having total horsepower above 25 h.p. are not allowed in the Grand Bayou, Montegut and Pointe-aux-Chenes water management units. Public is permitted to travel anytime through the WMA for access purposes only, in the waterways known as Grand Bayou, Humble Canal, Little Bayou Blue, Grand Bayou Blue, St. Louis Canal and Bayou Pointe-aux-Chenes unless authorized by the LDWF. All other motorized vehicles, horses and mules are prohibited unless authorized by the LDWF. Limited access area, no internal combustion engines allowed from September through January. See WMA map for specific locations. All ATVs, UTVs, motorcycles, horses, and mules prohibited.

w. Pomme de Terre. Commercial fishing: permitted Monday through Friday, except closed during duck season. Commercial fishing permits available from area supervisor, Opelousas field office or Spring Bayou headquarters. Sport fishing: same as outside except allowed only after 2 p.m. only during waterfowl season. Crawfish: March 15-July 31, recreational only, 100 lbs. per person per day. No crawfishing traps or nets may be left overnight.

x. Richard K. Yancey. Recreational Crawfishing: west of the Mississippi River Levee March 15-July 31. 100 pounds per person per day. No traps or nets left overnight. No motorized watercraft allowed.

y. Russell Sage. Transporting trash or garbage on WMA roads is prohibited. All nighttime activities prohibited except as otherwise provided. On Wham Brake, all nighttime activity prohibited during open waterfowl seasons. Internal combustion engines and craft limited to 10 h.p. rating or less in the Greentree Reservoirs. Waterfowl refuge: north of LA 15 closed to all hunting, fishing and trapping and ATV/UTV use during duck season including early teal season, except hunting allowed during waterfowl falconry season. Crawfish: 100 pounds per person per day limit. Night crawfishing prohibited. No traps or nets left overnight. All nighttime activities prohibited except as otherwise provided.

NOTE: All season dates on Chauvin Tract (U.S. 165 North) same as outside, except still hunt only and except deer hunting restricted to archery only. All vehicles including ATVs prohibited.

z. Sabine Island. Sabine Island boundaries are Sabine River on the west, Cut-Off Bayou on the north, and Old River and Big Bayou on the south and east.

aa. Salvador/Timken. Hunting until 12 noon only for waterfowl. Recreational fishing: Shrimp may be taken by the use of cast nets only. During the inside open shrimp season, 25 pounds per boat per day (heads on) maximum shall be permitted. Size count to conform with open season requirements. During the inside closed season, 10 pounds per boat per day (heads on) maximum may be taken for bait. All castnet contents shall be contained and bycatch returned to the water immediately. Fish may be taken only by rod and reel or hand lines for recreational purposes only. Crabs may be taken only through the use of hand lines or nets; however, none of the lines are to remain set overnight. Twelve dozen crabs maximum are allowed per boat or vehicle per day. Crawfish may be harvested in unrestricted portions of the WMA and shall be limited to 100 pounds per person per day. Fishing gear used to catch crawfish shall not remain set overnight. The harvest of all fish, shrimp, crabs and crawfish are for recreational purposes only and any commercial use is prohibited. Use of mudboats powered by internal combustion engines with more than four cylinders is prohibited. Pulling boats over levees, dams or water control structures or any other activities which cause detriment to the integrity of levees, dams and water control structures is prohibited.

bb. Sandy Hollow. Bird dog training: consult regulation pamphlet. Wild birds only (use of pen-raised birds prohibited). Bird dog field trials: permit required from Hammond field office. Horseback riding: self-clearing permit required. Organized trail rides prohibited. Riding allowed only on designated roads and trails depicted on WMA map. Horses and mules are specifically prohibited during turkey and gun season for deer except as allowed for bird dog field trials. No horses and mules on green planted areas. Horse-drawn conveyances are prohibited.

cc. Sherburne. Crawfishing: recreational crawfishing only. Crawfish harvest limited to 100 pounds per person per day. No traps or nets left overnight. No motorized watercraft allowed on farm complexes. Retriever training allowed on selected portions of the WMA. Contact the Opelousas field office for specific details. Vehicular traffic prohibited on Atchafalaya River levee within Sherburne WMA boundaries. Rifle and pistol ranges open daily. Skeet ranges open by appointment only, contact hunter education office. No trespassing in restricted area behind ranges.

NOTE: Atchafalaya National Wildlife Refuge, and U.S. Army Corps of Engineers land holdings adjacent to the Sherburne WMA will have the same rules and regulations as Sherburne WMA. No hunting or trapping in restricted area.

dd. Soda Lake. No motorized vehicles allowed. Bicycles allowed. All trapping and hunting prohibited except archery hunting for deer and falconry. Closed to fishing west of Twelve Mile Bayou from October 1-March 31.

ee. Spring Bayou. Commercial fishing: permitted Monday through Friday except slat traps and hoop nets permitted any day and except gill or trammel nets or the take or possession of grass carp are prohibited. Permits available from area supervisor or Opelousas field office. Closed until after 2 p.m. during waterfowl season. Sport fishing: same as outside except allowed only after 2 p.m. during waterfowl season. Crawfish: recreational only, limit 100 pounds per

person per day. No hunting allowed in headquarters area. Only overnight campers allowed in the improved Boggy Bayou camping area. Rules and regulations posted at camp site. A fee is assessed for use of this campsite. Water skiing allowed only in Old River and Grand Lac.

ff. Sonny J. C. Gilbert. Fishing restricted to rod and reel, and pole fishing only. All other gear prohibited.

gg. Tangipahoa Parish School Board. No horseback riding during gun season for deer or turkey. ATVs/UTVs are not allowed except as otherwise specified.

hh. Thistlethwaite. All motorized vehicles restricted to improved roads only. All users must enter and leave through main gate only.

ii. Tunica Hills. Camping limited to tents only in designated area.

AUTHORITY NOTE:Promulgated in accordance with R.S. 56:115 and R.S. 56:116.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:1279 (July 1999), amended LR 26:1494 (July 2000), LR 27:1049 (July 2001), LR 28:1603 (July 2002), LR 29:1124 (July 2003), repromulgated LR 29:1522 (August 2003), amended LR 30:1495 (July 2004), LR 31:1611 (July 2005), LR 32:1251 (July 2006), LR 33:1382 (July 2007), LR 34:1429 (July 2008), LR 35:1264 (July 2009), LR 36:1566 (July 2010), LR 37:2190 (July 2011), LR 38:1732 (July 2012), LR 39:2292 (August 2013), LR 40:1540 (August 2014), LR 41:963 (May 2015), LR 42:1112 (July 2016).

§113. General and WMA Turkey Hunting Regulations

A. General Regulations. Only gobblers (male turkeys) may be taken. Taking of hen (female) turkeys, including bearded hens, is prohibited; still hunting only. Use of dogs, electronic calling devices and live decoys is illegal. Turkeys may be hunted with shotguns, including muzzleloading shotguns, using shot not larger than #2 lead, #2 non-toxic, or BB steel shot, and approved archery equipment but by no other means. Shooting turkeys from a moving or stationary vehicle is prohibited. Shotguns capable of holding more than three shells prohibited. The running of coyote with dogs is prohibited in all turkey hunting areas during the open turkey season. No person shall hunt, trap or take turkeys by the aid of baiting or on or over any baited area. Baiting means placing, exposing, depositing or scattering of corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed so as to constitute a lure, attraction or enticement to, on or over any areas where hunters are attempting to take turkeys. A baited area is any area where corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed capable of luring, attracting or enticing turkeys is directly or indirectly placed, exposed, deposited, distributed or scattered. Such areas remain baited areas for 15 days following complete removal of all such corn, wheat or other grain, salt, or other feed. Wildlife agents are authorized to close such baited areas and to place signs in the immediate vicinity designating closed zones and dates of closures. No person hunting turkeys more than 200 yards from a baited area will be in violation of the turkey baiting regulation.

B.Tags

1. Prior to hunting turkeys, all turkey hunters, regardless of age or license status, must obtain turkey tags and have them in their possession while turkey hunting. Immediately upon killing a turkey, hunters must attach a carcass tag to the turkey before it is moved from the site of the kill and must document the kill on the turkey harvest report card. The date of kill and parish of kill must be recorded on the carcass tag. The tag must remain attached to the turkey while kept at camp or while it is transported to the domicile of the hunter or to a cold storage facility. Hunters who keep the carcass or meat at a camp must also comply with game possession tag regulations. Within seven days of the kill, the hunter must report the kill. Hunters may report turkeys by calling the validation phone number or using the validation website.

2. Turkey hunters purchasing licenses by phone or internet will be given an authorization number and a LDWF identification number that will serve as their license and tags until the physical license and tags arrive by mail. Turkey hunters who have purchased a license with tags, but have not yet received their physical license and tags, must immediately tag their kill with a possession tag before moving it from the site of the kill. The authorization number and LDWF identification number must be recorded on the possession tag. Hunters must retain documentation of any turkeys killed and upon receiving their physical tags and harvest report card, validate their kill as required in these regulations. The tags for turkeys killed prior to receiving the physical tags must be removed from the turkey harvest report card and discarded.

3. Tags removed from the turkey harvest report card prior to killing a turkey are no longer valid and if lost will not be replaced. Duplicate tags and turkey harvest report cards are available to replace lost report cards and attached tags. Hunters will be charged a fee for duplicate turkey harvest report cards and tags. Hunters that have killed a turkey prior to losing their remaining tag and harvest report card must remove and discard the duplicate tag to account for the original tag that was used and validated. Hunters must record any previously validated turkey on the duplicate turkey harvest report card.

C.Possession of Live Wild Turkeys. No person shall take live wild turkeys or their eggs from the wild. No person shall possess captive live wild turkeys, (*Meleagris gallopavo silvestris, M.g. osceola, M.g. intermedia, M.g. merriami, M.g. mexicana*) or their eggs, regardless of origin, without a valid game breeder license. No penraised turkeys from within or without the state shall be liberated (released) within the state.

D. Statewide Youth and Physically Challenged Season Regulations. Only youths 17 years of age or younger or hunters possessing a physically challenged hunter permit with wheelchair classification may hunt. Youth must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for youth younger than 16 years of age. Adults accompanying youth may not possess a firearm or bow. Youths may possess only one firearm or bow while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly licensed youths 16-17 years old and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Only one gobbler per day may

be taken and any gobbler taken by the hunter during this special season counts towards their season bag limit of two.

E. Shooting Hours—one-half hour before sunrise to one-half hour after sunset.

F. Turkey Hunting Area Descriptions

1. Area A

a. All of the following parishes are open:

i. Beauregard;

ii. Bienville;

iii. Claiborne;

Exception: see federal lands hunting schedule for Kisatchie National Forest dates.

iv. East Baton Rouge;

v. East Feliciana;

vi. Grant;

Exception: see federal lands hunting schedule for Kisatchie National Forest dates;

vii. Jackson;

viii. LaSalle;

ix. Lincoln;

x. Livingston;

xi. Natchitoches;

Exception: see federal lands hunting schedule for Kisatchie National Forest dates.

xii. Pointe Coupee;

Exception: see Sherburne WMA for special season dates on all state, federal, and private lands within Sherburne boundaries.

xiii. Rapides;

Exception: see federal lands hunting schedule for Kisatchie National Forest dates.

xiv. Sabine;

xv. St. Helena;

xvi. Tangipahoa;

xvii. Union;

xviii. Vernon;

Exception: see federal lands hunting schedule for Kisatchie National Forest dates.

xix. West Baton Rouge;

xx. West Feliciana (including Raccourci Island);

xxi. Winn.

Exception: see federal lands hunting schedule for Kisatchie National Forest dates.

b. Portions of the following parishes are also open:

i. Allen—north of US 190 east of Kinder, west of US 165 south of Kinder;

ii. Avoyelles—that portion bounded on the east by the Atchafalaya River, on the north by Red River to the Brouillette Community, on the west by LA 452 from Brouillette to LA 1, on the south by LA 1, eastward to Hamburg, thence by the west Atchafalaya Basin protection levee southward;

iii. Calcasieu—north of I-10;

iv. Caldwell—west of Ouachita River southward to Catahoula Parish line;

v. Catahoula—south and west of the Ouachita River from the Caldwell Parish line southward to LA 8 at Harrisonburg, north and west of LA 8 from Harrisonburg to the LaSalle Parish line, also that portion lying east of LA 15;

vi. Evangeline—north and west of LA 115, north of LA 106 west of LA 115 to US 167, west of US 167 south to LA 10, north of LA 10 west of US 167 to LA 13, west of LA 13 south of LA 10 to Mamou and north of LA 104 west of Mamou;

vii. Franklin—that portion lying east of LA 17 and east of LA 15 from its juncture with LA 17 at Winnsboro;

viii. Iberville—west of the Mississippi River;

Exception: see Sherburne WMA for special season dates on all state, federal and private lands within Sherburne boundaries.

ix. Jefferson Davis—north of US 190 from junction with LA 26 to Kinder, west of US 165 and north of I-10 west from junction of US 165;

x. Madison—that portion lying east of US 65 from East Carroll Parish line to US 80 and south of US 80. Also, all lands east of the main channel of the Mississippi River;

xi. Morehouse—west of US 165 from the Arkansas line to the junction of LA 140 at Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to US 165 at Bastrop, south of US 165 to junction of LA 3051 (Grabault Road) south of LA 3051 to junction of LA 138, west of LA 138 to junction of LA 134, north of LA 134 to the Ouachita Parish line;

xii. Ouachita—all west of the Ouachita River. That portion east of the Ouachita River lying north of US 80;

xiii. Richland—that portion south of US 80 and east of LA 17;

xiv. St. Landry—that portion bounded on the west by the west Atchafalaya Basin Protection Levee and on the east by the Atchafalaya River;

Exception: the Indian Bayou area; see federal lands hunting schedule for Indian Bayou area dates.

xv. Upper St. Martin—all within the Atchafalaya Basin;

Exceptions: Sherburne WMA and Indian Bayou area, see WMA Turkey Hunting Schedule for special season dates on all state, federal and private lands within Sherburne WMA boundaries and see federal lands hunting schedule for Indian Bayou dates.

xvi. Tensas—that portion west of US 65 from the Concordia Parish line to its juncture with LA 128, north of LA 128 to St. Joseph; west and north of LA 605, 604 and 3078 northward to Port Gibson Ferry; also all lands east of the main channel of the Mississippi River.

2. Area B

a. All of the following parishes are open:

i. Ascension;

ii. Bossier;

iii. DeSoto;

iv. Red River;

v. St. Tammany;

vi. Washington;

vii. Webster.

b. Portions of the following parishes are open:

i. Caddo—all except that portion north of I-20 from the Texas state line to I-220. west of I-220 to LA 1. west of LA 1 to Caddo Lake, south of Caddo Lake to the Texas state line;

ii. East Carroll—east of US 65 from Arkansas state line to Madison Parish line;

iii. Iberville—all east of the Mississippi River;

Exception: see federal lands hunting schedule for Kisatchie National Forest dates.

3. Area C

a. All of the following parishes are open:

i. Concordia.

b. Portions of the following parishes are open:

i. Caldwell—all east of the Ouachita River;

ii. Catahoula—all of the parish except for that portion located in area A;

iii. Franklin—west of LA 17 from the Richland Parish line southward to Winnsboro, west of LA 15 southward to the Catahoula Parish line;

iv. Iberia—east of the west Atchafalaya Basin protection levee;

v. Richland—west of LA 17 from Franklin Parish line to Ringle Road, south of Ringle Road to Ferguson Road, south of Ferguson Road to Little Road, south of Little Road to Big Creek, east of Big Creek to Franklin Parish line;

vi. Tensas—east and south of US 65 from Concordia Parish line to LA 128, south of LA 128 to St. Joseph, east and south of LA 605, 604 and 3078 northward to Port Gibson Ferry.

4. Turkey season dates on wildlife management areas, national wildlife refuges, Kisatchie National Forest and U.S. Army Corps of Engineers land located within areas A, B, and C may vary from the season set for the parish in which they are located. Seasons for these lands are specified in LAC 76:XIX.115.

G. WMA Turkey Hunting Regulations

1. WMAs with youth turkey hunts are closed to all activities except turkey hunting by authorized youth hunt participants, shooting range use, and fishing on the day(s) of the youth hunt.

2. Self-Clearing Permits. All turkey hunts, including lottery hunts, are self-clearing. Hunters must check in daily by obtaining a permit from a self-clearing station prior to hunting. The self-clearing permit must be in the hunter's possession while hunting. Upon completion of each days hunt, the hunter must check out by completing and depositing the hunter report portion of the permit in the check-out box at a self-clearing station before exiting the WMA.

3. Lottery Hunts. All or portions of some WMA seasons are designated as lottery hunts and are restricted to hunters selected by pre-application lottery. To apply for these lottery hunts, a hunter must submit a completed official application form to the Baton Rouge office by the deadline printed on the application. A non-refundable fee of $5 must be sent with each application. Applicants for WMA youth hunts must be 17 years of age or younger and at least 8 years old on the day of the hunt. Applicants may submit only one application and may be selected for only one spring WMA turkey lottery hunt annually, except, youths may also apply for the regular WMA turkey lottery. Submitting more than one application per lottery type will result in disqualification. Hunters must abide by self-clearing permit requirements. Hunters chosen for WMA lottery hunts may be accompanied by one person. The person accompanying a lottery hunter shall not possess a firearm/bow or take a turkey, and must remain within a distance that allows normal voice contact with the lottery hunter at all times. Youths chosen for special youth only hunts may be assigned a guide on the day of the hunt provided that guides are available. One person may accompany the youth and guide, but may not hunt.

4. WMA Physically Challenged Hunt (wheelchair confined)—open only to hunters with a physically challenged hunter permit with wheelchair classification. During this hunt, ATVs may be used by hunters on all designated ATV trails in accordance with the physically challenged hunter permit. Hunters must abide by self-clearing permit requirements.

5. Rules Specific to Certain WMAs

a. Sandy Hollow. No turkey hunting within 100 yards of food plots identified by two yellow paint rings around the nearest tree.

b. Sherburne. All turkeys taken must be checked at the WMA headquarters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2263 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2375 (November 2002), LR 29:2512 (November 2003), LR 30:2874 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2469 (November 2007), LR 35:91 (January 2009), LR 35:2478 (November 2009), LR 36:2581 (November 2010), LR 37:3535 (December 2011), LR 38:2941 (November 2012), LR 40:96 (January 2014), LR 40:1554 (August 2014), LR 41:977 (May 2015), LR 42:1127 (July 2016).

§115. Turkey Hunting Areas, Seasons, and Bag Limits

A. Daily limit is one gobbler. Season limit is two gobblers. Turkeys taken on WMAs are part of the season bag limit. Only one turkey may be taken during spring WMA lottery hunts.

B. Turkey season will open on the fourth Saturday in March. The area A turkey season will be 30 consecutive days in length, the area B turkey season will be 23 consecutive days in length, and the area C turkey season will be 16 consecutive days in length. Wildlife management areas, national forests, national wildlife refuges, and U.S. Army Corps of Engineers land may vary from this framework. Deviation from this framework may occur in those years when the fourth Saturday in March falls the day before Easter.

C. Statewide youth turkey and physically challenged season on private lands shall be the weekend prior to the start of the regular turkey season.

D. Only those wildlife management areas listed herein are open to turkey hunting. All other wildlife management areas are closed.

E. 2017 Turkey Hunting Schedule

Area	Season Dates
A	March 25-April 23
B	March 25-April 16
C	March 25-April 9
Private Lands Youth and Physically Challenged Hunter (Wheelchair Confined) Hunt	March 18-19

F. Wildlife Management Area Turkey Hunting Schedule

WMA	Non-Lottery Hunt Dates	Lottery Hunt Dates
Attakapas	March 25-April 2	None
Bayou Macon	None	April 15-16
Big Lake	March 25-April 9	None
Bodcau	March 25-April 9	None
Boeuf	March 25-April 9	None
Camp Beauregard	March 25-April 2	None
Clear Creek	April 3-23	March 25-26 April 1-3
Dewey Wills	None	March 25-26 April 1-2

WMA	Non-Lottery Hunt Dates	Lottery Hunt Dates
Fort Polk-Vernon	March 25-April 23	None
Grassy Lake	March 25-April 2	None
Hutchinson Creek	March 25-April 23	None
Jackson-Bienville	March 25-April 9	None
Lake Ramsey	March 25-April 9	None
Little River	March 25-April 9	None
Pearl River	None	March 25-26
Peason Ridge	March 25-April 23	None
Pomme de Terre	April 19-April 23	None
Richard K. Yancey	March 25-April 9	None
Sabine	None	March 31-April 2 April 14-16
Sandy Hollow	March 25-April 9	None
Sherburne	April 17-19	April 15-16
Sicily Island	None	March 25-26 March 28-30 March 31-April 2 April 3-5 April 6-9
Tangipahoa Parish School Board	March 25-April 23	None
Tunica Hills	April 10-16	March 25-26 April 1-2 April 8-9
Walnut Hills	March 25-April 23	None
West Bay	None	March 25-26 April 1-2 April 8-9

G. Wildlife Management Area Lottery Youth Hunts

WMA/Ranger District	Lottery Youth Hunt Date
Clear Creek	March 18
Fort Polk-Vernon/Peason Ridge	March 18
Grassy Lake	March 18
Pearl River	March 18
Pomme de Terre	April 8-9
Richard K. Yancey	March 18-19
Sherburne	April 8
Sicily Island	March 18
Spring Bayou	April 8-9
Tunica Hills	March 18
West Bay	March 18

H. Non-Lottery WMA Youth Hunts

1. Big Lake will be open March 18-19 (only youths may hunt).

2. Bodcau WMA will be open March 18-19 and April 15-16 (only youths may hunt).

3. Jackson-Bienville WMA will be open March 18-19 and April 15-16 (only youths may hunt).

I. Wildlife Management Area Physically Challenged (Wheelchair Confined) Hunt

1. Jackson-Bienville WMA will be open April 17-23 to holders of valid physically challenged hunter (wheelchair classification) permits.

J. Federal Lands Turkey Hunting Schedule

1. Kisatchie National Forest (KNF) turkey hunting schedule: (youth only) March 18-19 on all Ranger Districts (except Vernon Unit lands within Ft. Polk-Vernon WMA) Caney Ranger District, March 25-April 9; all remaining KNF lands, March 25-April 16 (including Catahoula and Red Dirt National Wildlife Management Preserves, except self-clearing permit required to hunt turkey on Catahoula and Red Dirt National Wildlife Management Preserves).

2. U.S. Army Corps of Engineers turkey hunting schedule: Indian Bayou area, March 18-19 youth and physically challenged lottery only hunt, and lottery hunt only on March 25-26 and April 1-2, and open April 8-9. Old River Control and Lock Areas, March 25-April 9.

3. National wildlife refuges: Bayou Cocodrie NWR, March 18-19 (youth only); Bogue Chitto NWR, March 25-April 16, March 18-19 (youth only); Lake Ophelia NWR, March 18 (youth lottery only), March 25-April 9 hunt ends at 12 p.m. each day; Tensas NWR, March 18-19 (youth only), March 25-April 9; Upper Ouachita NWR, March 18 (youth lottery only).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2264 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2376 (November 2002), LR 29:2512 (November 2003), LR 30:2875 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2470 (November 2007), LR 35:90 (January 2009), LR 35:2481 (November 2009), LR 36:2583 (November 2010), LR 37:3541 (December 2011), LR 38:2944 (November 2012), LR 40:99 (January 2014), LR 40:1556 (August 2014), LR 41:980 (May 2015), LR 42:1129 (July 2016).

§117. Migratory Bird Seasons, Regulations, and Bag Limits

A. Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit	Possession Limit
Mourning and White Winged Doves and fully-dressed Eurasian and Collared Doves	South Zone: Sept. 3-11 Oct. 8-Nov. 27 Dec. 17-Jan. 15 North Zone: Sept. 3-25 Oct. 8-Nov. 13 Dec. 17-Jan. 15	15 (in aggregate)	45 (in aggregate)
Woodcock	Dec. 18-Jan. 31	3	9
Teal (Blue-winged, Green-winged and Cinnamon)	Sept. 10-25	6	18
King and Clapper Rails	Sept. 10-25 Nov. 12-Jan. 4	15 (in aggregate)	45 (in aggregate)
Sora and Virginia Rails	Sept. 10-25	25 (in aggregate)	75 (in aggregate)

Species	Season Dates	Daily Bag Limit	Possession Limit
	Nov. 12-Jan. 4		
Gallinules	Sep. 10-25 Nov. 12-Jan. 4	15	45
Snipe	Coastal Zone: Nov. 2-Dec. 4 Dec. 17-Feb. 28 West Zone: Nov. 2-Dec. 4 Dec. 17-Feb. 28 East Zone: Nov. 2-Dec. 4 Dec. 17-Feb. 28	8	24
Ducks, Coots and Mergansers	Coastal Zone: Nov. 5-6 (youth only) Nov. 12-Dec. 4 Dec. 17-Jan. 22 West Zone: Nov. 5 (youth only) Nov. 12-Dec. 4 Dec. 17-Jan.22 Jan. 28 (youth only) East Zone: Nov. 12 (youth only) Nov. 19-Dec. 4 Dec. 17-Jan. 29 Feb. 4 (youth only)	Daily bag limit on ducks is 6 and may include no more than 4 mallards (no more than 2 of which may be females), 2 canvasback, 1 mottled duck, 1 black duck, 3 wood ducks, 3 scaup, 2 redheads, and 2 pintails. Daily bag limit on coots is 15. Daily bag limit on mergansers is 5, only 2 of which may be hooded mergansers. Merganser limits are in addition to the daily bag limit for ducks.	Three times the daily bag limit.
Light Geese (Snow, Blue, and Ross') and White-Fronted Geese	North Zone: Nov. 5-Dec.4 Dec. 17-Feb. 12 South Zone: Nov. 5-Dec. 4 Dec. 17-Feb. 12	Daily bag limit on Light Geese (snow, blue, and ross') is 20. Daily bag limit on White-Fronted Geese is 2.	No possession limit on Light Geese (snow, blue, and ross') Possession limit on White-Fronted Geese is 6.
Canada Geese	North Zone: Nov. 5-Dec. 4 Dec. 12-Jan. 31 South Zone: Nov. 5-Dec. 4 Dec. 17-Jan. 31	1	3

B. Conservation Order for Light Geese Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit	Possession Limit
Light Geese (Snow, Blue, and Ross')	North Zone: Dec. 5-16 Feb. 13-Mar. 12 South Zone: Dec. 5-16 Feb. 13-Mar. 12	No daily bag limit.	No possession limit.

C.Extended Falconry Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit
Mourning and White Winged Doves and fully-dressed Eurasian and Collared Doves	Sept. 15-Oct. 1	Falconry daily bag and possession limit for all permitted migratory game birds must not exceed 3 and 9 birds, respectively, singly or in aggregate, during the extended falconry seasons and regular hunting seasons.
Woodcock	Nov. 2-Jan. 31	
Rails and Gallinule	Nov. 2-Jan. 31	
Ducks	Nov. 3-Jan. 31	

D. Dove Hunting Regulations

1. Shooting hours one-half hour before sunrise to sunset except on opening day of the first split on Wildlife Management Areas and on fields leased through the LDWF experimental dove field leasing program, where hunting will be from 12 p.m. to sunset, except for elbow slough and Point-Aux-Chenes wildlife management areas which will be open one-half hour before sunrise to sunset.

2. There is no bag limit on Eurasian collared-doves or Ringed Turtle-doves provided that a fully feathered wing and head remain attached to the carcass of the bird. Fully dressed Eurasian collared-doves and ringed turtle doves

(those without a fully feathered wing and dead naturally attached to the carcass) shall be included in the aggregate bag.

3. The following boundary divides the dove season zones: beginning at the Texas-Louisiana order on LA Hwy. 12; thence east along LA Hwy 12 to its intersection with U.S. Hwy 190; thence east along U.S. Hwy 190 to its intersection with I-12; thence east along I-12 to its intersection with I-10; then east along I-10 to the Mississippi state line.

E. Snipe Hunting Regulations. Shooting hours one-half hour before sunrise to sunset, except at the Spanish Lake recreation area in Iberia Parish where shooting hours, including the conservation end at 2 p.m.

F. Conservation Order for light geese. Only snow, blue, and Ross' geese may be taken under the terms of the conservation order. Electronic calls and unplugged shotguns allowed. No daily bag or possession limit. Shooting hours one-half hour before sunrise until one-half hour after sunset.

G. Canada Goose Season Closure. The Canada goose season will be open statewide except for a portion of southwest Louisiana described as follows: beginning at the Texas State Line, proceeding east along LA Hwy. 82 to the Calcasieu Ship Channel, then north along the Calcasieu Ship Channel to its junction with the Intracoastal Canal, then east along the Intracoastal Canal to its juncture with LA Hwy. 82, then south along LA Hwy. 82 to its juncture with Parish Road 3147, then south and east along Parish Road 3147 to Freshwater Bayou Canal, then south to the Gulf of Mexico, then west along the shoreline of the Gulf of Mexico to the Texas State Line, then north to the point of beginning at LA Hwy. 82. Open waters of Lake Arthur and the Mermentau River, from the Hwy 14 bridge southward, will also be closed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2264 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2376 (November 2002), LR 29:2512 (November 2003), LR 30:2875 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2470 (November 2007), LR 35:90 (January 2009), LR 35:2481 (November 2009), LR 36:2583 (November 2010), LR 37:3541 (December 2011), LR 38:2944 (November 2012), LR 40:99 (January 2014), LR 40:1556 (August 2014), LR 41:980 (May 2015), LR 42:1130 (July 2016).

Pat Manuel
Chairman
1607#056

RULE

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Turtle Excluder Device (LAC 76:VII.374)

Pursuant to Act 416 of the 2015 Regular Legislative Session the Wildlife and Fisheries Commission does hereby adopt the following administrative Rule relative to the use, possession, and configuration of devices designed to exclude the take of marine wildlife from shrimp trawls within the territorial waters of Louisiana and in the adjacent federal exclusive economic zone.

Title 76
WILDLIFE AND FISHERIES
Part VII. Fish and Other Aquatic Life
Chapter 3. Saltwater Sport and Commercial Fishery
§374. Turtle Excluder Device (TED) Requirements; Use; Exemptions; Prohibitions

A. The Wildlife and Fisheries Commission does hereby adopt the following rules and regulations regarding the use of turtle excluder devices.

B. It is unlawful for any person to do any of the following while trawling for shrimp within and without Louisiana's territorial waters: operate, be on board a vessel, fish for, catch, take, harvest, or possess, fish, shrimp or wildlife unless that vessel is in compliance with all applicable provisions of this Section regarding use of turtle excluder device (TED) requirements as contained herein.

C. Gear Requirements for Shrimp Trawlers

1. TED Requirement for Shrimp Trawlers. Any shrimp trawler that is in Louisiana waters or waters of the adjacent Gulf of Mexico area must have an approved TED installed in each net that is rigged for fishing. A net is rigged for fishing if it is in the water, or if it is shackled, tied, or otherwise connected to any trawl door or board, or to any tow rope, cable, pole or extension, either on board or attached in any manner to the shrimp trawler.

D. Approved TEDs. Approved TEDs are those devices and their uses as approved and authorized by NOAA Fisheries Service as specified by 50 CFR 223.207.

E. Exemptions from the TED Requirement

1. Alternative tow-time restrictions. A shrimp trawler is exempt from the TED requirements of this Section if it complies with the alternative tow-time restrictions and if it:

a. has on board no power or mechanical-advantage trawl retrieval system (i.e., any device used to haul any part of the net aboard);

b. is a bait shrimper that retains all live shrimp on board with a circulating seawater system if it has a valid original state bait-shrimp license, and if the state license allows the licensed vessel to participate in the bait shrimp fishery;

c. has only a pusher-head trawl, butterfly net, skimmer trawl, or wing net rigged for fishing;

d. is in an area during a period for which tow-time restrictions apply under a specific declaration; or

e. is using a single test net (try net) with a head rope length of 12 ft (3.6 m) or less and with a lead-line length of 15 ft (4.6 m) or less, if it is pulled immediately in front of another net or is not connected to another net in any way, if no more than one test net is used at a time, and if it is not towed as a primary net.

2. Tow-Time Restrictions; Duration of Tows. If tow-time restrictions are utilized a shrimp trawler must limit tow-times as described herein.

a. The tow-time is measured from the time that the trawl door enters the water until it is removed from the water. For a trawl that is not attached to a door, the tow-time is measured from the time the cod end enters the water until it is removed from the water. Tow-times may not exceed:

i. 55 minutes from April 1 through October 31; and

ii. 75 minutes from November 1 through March 31.

F. No person who, pursuant to state or federal law, is subject to the jurisdiction of this state shall violate any federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulation*s as amended title 50 and 15, for sea turtles and turtle excluder devices while fishing in the EEZ, or possess, purchase, sell, barter, trade, or exchange shrimp taken with a trawl within or without the territorial boundaries of Louisiana in violation of any state or federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended title 50 and 15 law.

AUTHORITY NOTE:Promulgated in accordance with R.S. 56:15, 56:23, 56:492.1, and 56:493.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 42:1132 (July 2016).

Edwin "Pat" Manuel
Chairman
1607#060

Notices of Intent

NOTICE OF INTENT

Department of Agriculture and Forestry
Office of Agricultural and Environmental Sciences
Boll Weevil Eradication Commission

Maintenance and Inspection Fees
(LAC 7:XV.Chapter 3)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and under the authority of enabling statutes, R.S. 3:1604.1, R.S. 3:1652, and R.S. 3:1655, the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences and the Boll Weevil Eradication Commission intend to amend LAC 7:XV.301, 303 and 321 to reduce the fee paid by cotton producers for the inspection and certification of cotton for the presence of the boll weevil from $6 per acre to $5 per acre. Current cotton commodity prices are the lowest seen in over ten years, thus significantly reducing farm income for cotton producers. The proposed reduction in the maintenance inspection fee, while not affecting the quality of inspection and certification for the presence of the boll weevil, will provide some relief in input costs for cotton producers in this state.

Title 7
AGRICULTURE AND ANIMALS
Part XV. Plant Protection and Quarantines
Chapter 3. Boll Weevil

§301. Maintenance Inspection Fee

A. In accordance with R.S. 3:1655(D), the state entomologist is authorized to assess fees to defray the costs of inspections or the issuance of certificates or permits for the shipment of agricultural products, commodities, packaging, or equipment. There is hereby established a fee for the inspection and certification of cotton for the presence of the boll weevil to ensure the marketability of cotton in commerce and maintain Louisiana's boll weevil-free status. The fee shall be $5 per acre for each acre of cotton planted in the state.

AUTHORITY NOTE:Promulgated in accordance with R.S. 3:1604.1, 1652, and 1655.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Boll Weevil Eradication Commission, LR 21:17 (January 1995), amended LR 40:1517 (August 2014), LR 42:

§303. Definitions Applicable to Boll Weevil

A. The words and terms defined in R.S. 3:1603 are applicable to this Chapter.

B.The following words and terms are defined for the purposes of this Chapter.

* * *

Maintenance Inspection Fee—the fee paid by cotton producers to finance, in whole or in part, a program to inspect cotton for the presence of the boll weevil in the state and to issue certificates or permits in accordance with R.S. 3:1655(D). The charge to the producer is calculated at the rate of $5 per acre for each acre of cotton planted in the state.

* * *

AUTHORITY NOTE:Promulgated in accordance with R.S. 3:1604.1, 1652, and 1655.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Boll Weevil Eradication Commission, LR 21:17 (January 1995), amended LR 23:195 (February 1997), LR 37:2583 (September 2011), LR 40:1517 (August 2014), LR 42:

§321. Maintenance Inspection Fees, Payment and Penalties

A. The annual maintenance inspection fee on cotton producers in the Louisiana eradication zone shall be $5 per acre for each acre of cotton planted in the state. Each cotton producer shall pay his annual maintenance inspection fee directly to the department no later than July 15 or final certification with the FSA for that growing season, whichever is later. The signed and completed cotton acreage reporting and payment form with FSA Form 578 attached shall be submitted with the annual payment of the maintenance inspection fee.

B. - H. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 3:1604.1, 1609, 1610, 1612, 1652, and 1655.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Boll Weevil Eradication Commission, LR 21:20 (January 1995), amended LR 21:669 (July 1995), LR 23:195 (February 1997), LR 24:2231 (December 1998), LR 25:829 (May 1999), LR 29:859 (June 2003), LR 30:1142 (June 2004), LR 30:2443 (November 2004), LR 37:2583 (September 2011), LR 40:1519 (August 2014), LR 42:

Family Impact Statement

The proposed Rule does not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family 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 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

The proposed Rule will have no adverse impact on small businesses as defined in the Regulatory Flexibility Act.

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 Rule. Written submissions must be directed to Marc Bordelon, Director of the Boll Weevil Eradication Commission, Department of Agriculture and Forestry, 5825 Florida Blvd., Suite 3002, Baton Rouge, LA 70806 and must be received no later than 12 p.m. on September 6, 2016. No preamble is available.

Mike Strain, DVM
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Maintenance and Inspection Fees

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

The proposed rule change will align expenditures from the statutorily dedicated Boll Weevil Eradication Fund in FY 17 and subsequent fiscal years for the LA Dept. of Agriculture & Forestry's (LDAF) Boll Weevil Eradication Program by reducing the per-acre fee for inspection of cotton for the presence of boll weevils by $1, from $6 to $5. The $1 fee reduction aligns the Boll Weevil Eradication Program's expenditures with its associated workload. The program has seen a reduction in full-time staff as a result of the boll weevil's eradication statewide. The Boll Weevil Eradication Program's trapping and monitoring efforts have decreased, as have associated expenditures, which necessitates the fee reduction.

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

The proposed rule change will reduce revenue collections for the statutorily dedicated Boll Weevil Eradication Fund by $124,000 based upon a projected cotton acreage of 124,000 acres in FY 17 and by $160,000 in FYs 18 and 19 based upon a projected cotton acreage of 160,000 acres. The reduction of the per-acre inspection fee by $1, from $6 to $5, aligns the revenues with associated expenditures necessary to continue the Boll Weevil Eradication Program's trapping and monitoring efforts, which have decreased after the boll weevil's eradication.

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

The proposed rule change will affect cotton producers in Louisiana. Cotton producers statewide will realize a savings of $1 per acre of cotton planted as a result of the fee being reduced from $6 to $5.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed action will not have a direct material effect on competition or employment.

Dane Morgan	John D. Carpenter
Assistant Commissioner	Legislative Fiscal Officer
1607#063	Legislative Fiscal Office

NOTICE OF INTENT

Department of Agriculture and Forestry
Office of Agricultural and Environmental Sciences
Horticulture Commission

Arborists, Utility Arborists, and Landscape Irrigation Contractors—Insurance Coverage (LAC 7:XXIX.117)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Department of Agriculture and Forestry ("department") and the Horticulture Commission intend to amend LAC 7:XXIX.117 to clarify that an arborist, utility arborist and landscape irrigation contractor must maintain insurance coverage while operating in their professions. Current regulation requires an arborist, utility arborist and landscape irrigation contractor to obtain insurance prior to licensure and to show proof of insurance prior to license renewal. Although the department and Horticulture Commission have consistently interpreted the current laws and rules to require continued insurance coverage, the proposed amendment expressly states the requirement and removes any confusion over the requirement for ongoing, continuous insurance coverage in these professions. In addition, the proposed rule changes the word "must" to "shall" throughout §117 for consistency.

Title 7
AGRICULTURE AND ANIMALS
Part XXIX. Horticulture Commission
Chapter 1. Horticulture
§117. Professional and Occupational Standards and Requirements

A. Retail Florist

1. Professional Standards

a. All cut flowers, ornamental plants, and living or freshly cut plant materials sold or offered for sale shall be fresh, of high quality, and free from injurious insects, diseases, and other pests. No plant material of low quality and no wilted or dead plant materials may be offered for sale to the general public or sold to a consumer except when specifically requested by the consumer.

b. Floral designs, cut flowers, ornamental plants, and living or freshly cut plant materials shall be cared for in a manner that, to the extent reasonably possible, maintains their freshness and increases their longevity.

c. Coolers where floral designs, cut flowers, ornamental plants, or living or freshly cut plant materials, are kept or stored shall be clean and maintained at a temperature conducive to prolonging the freshness of the said products kept or stored in the coolers.

d. Containers holding cut flowers or living or freshly cut plant materials shall be maintained in a manner that does not adversely affect the cut flowers or plant

material. Water in containers shall be changed periodically so as to remain clean at all times.

e. Floral designs shall be prepared in a good and workmanlike manner and shall satisfy the consumer's requests that are objective in nature. All reasonable efforts should be made to satisfy the consumer's requests that are subjective in nature. All floral designs shall be constructed in such a manner as to remain intact during transportation.

f. All wires, steel picks, corsage pins, and other sharp objects employed in the construction of a floral design shall be used in a manner that will maintain the integrity of the floral design while minimizing the risk of injury to any person handling the floral design.

g. Compliance with equivalent procedures and techniques set forth in James L. Johnson, William J. McKinley, Jr. and M. Buddy Benz, *Flowers: Creative Design* (San Jacinto Publishing Co., 7th ed., 2001; distributed by Texas A and M Univ. Press) will establish a rebuttable presumption of compliance by the licensee with these professional standards.

2. Requirements

a. Retail florist shops that lose their licensed florist will be granted a grace period of 90 days of operating without the services of a full-time licensed florist. This grace period shall end 90 days from that date. The purpose of this grace period is to provide the florist shop an opportunity to employ a licensed person. This grace period can only be used once in a 12-month period. Retail florist shops shall cease to engage in the profession of retail florist after the grace period has been exhausted. In the event a retail florist shop, despite reasonable prevention efforts, loses its only or only remaining regularly employed licensed retail florist, the florist shop shall replace the regularly employed licensed retail florist as soon as possible but in no event more than 90 days from the first day the retail florist shop operated without a regularly employed licensed retail florist. Notwithstanding the foregoing, no retail florist shop shall operate without a regularly licensed retail florist for more than a total of 90 days in any 12-month period that follows the first day of operation without a regularly employed licensed retail florist.

b. Retail florists may rent potted ornamental plants for special events such as weddings, conventions, trade shows, etc., if such plants are normally and customarily sold by florists and such plants do not require maintenance, other than normal watering. Plants rented by retail florists for a special event shall be rented only for the duration of that special event.

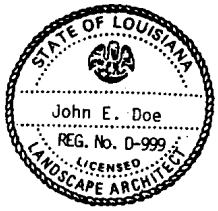
B. Landscape Architect

1. Without good cause, all designs shall make use of plant materials commonly found growing in Louisiana or which are suitable for growth in Louisiana's growing conditions.

2. Licensees shall meet the standards established by the Council of Landscape Architects Registration Board.

3. Each landscape architect shall obtain a seal of the design authorized by the commission. The seal shall be placed on all professional documents, including contracts, maps, plans, designs, drawings, specifications, estimates and reports, issued by a licensed landscape architect for use in this state.

a. The seal required shall be circular and 1 5/8 inches in diameter. The words "State of Louisiana" shall be along the top circumference and the words "Licensed Landscape Architect" shall be along the bottom circumference. The individual's name shall be placed horizontally in the center of the field with his registration number below. Letters and figures shall be as shown on the example printed herein to insure uniformity.



b. A rubber stamp facsimile, which conforms to the official design of the seal described in §117.B.3.a of this Part, may be obtained and used in place of the seal by a licensed landscape architect.

c. The licensee shall sign his or her legal name on each document and shall then affix his or her seal over that signature. The presence of one's seal over the signature on any document constitutes proof that he or she accepts all legal and professional responsibility for the work accomplished. The seal shall be used only by the licensee responsible to this commission for authorship of the documents thus identified. No person other than the licensee represented shall use or attempt to use the prescribed seal, and no unlicensed person shall be authorized to use the prescribed seal. Authorized use of the prescribed seal is an individual act whereby the licensee shall personally inscribe the seal over his or her signature. The licensee is responsible for the security of the seal when not in use.

4. All designs and specifications utilizing sod shall specify the type and class of sod to be used as provided in §115.D of this Part and accompanied by the sod classification form specified by the commission.

5. Continuing Education Requirements

a. Compliance with these continuing education requirements is necessary for a landscape architect ("licensee") to maintain a landscape architect license in this state.

b. The commission shall administer the continuing education requirements through a standing continuing education committee consisting of not more than two staff members and at least three licensed Louisiana landscape architects elected by mail ballot. The landscape architects on the committee will each serve a term of two years. The call for nominations and balloting for committee service will be conducted concurrent with annual balloting for members of the Louisiana Landscape Architects Selection Board.

c. A licensee shall attend, or complete an approved substitute for attendance, a minimum of 8 credit hours of continuing education within each calendar year. If more than 8 credit hours are obtained during a calendar year, a licensee may carry over a maximum of 4 credit hours from one calendar year to the next. Any credit hours carried over into a following calendar year shall apply to that year only and may not be carried forward into subsequent years. A credit

hour shall contain at least 50 minutes of actual instruction or education.

d. Activities that may be approved for continuing education credits shall contain instructional or educational components. Such activities include annual professional meetings, lectures, seminars, workshops, conferences, university or college courses, in-house training, and self-directed activities. The commission's staff shall make the initial determination as to whether an activity qualifies for continuing education credit. If the commission's staff determines that an activity may not qualify, that activity request will be automatically forwarded to the continuing education committee for review and the committee's determination. Any licensee or other applicant for approval of an activity may appeal any committee rejection of an activity for continuing education credit to the commission. However, the commission retains the right to review and approve or disapprove any activity as a qualifying continuing education activity and the number of credit hours arising from such activity, even if there is no appeal. Any appeal from any decision of the commission shall be taken in accordance with the Administrative Procedure Act (R.S. 49:950 et seq.).

e. A licensee shall keep all records showing attendance, or completions of an approved substitute for attendance, at continuing education activities for three years following the year in which attendance or completion was done.

f. Each licensee shall annually submit a written certification signed by the licensee that the licensee has, during that calendar year, attended, or completed an approved substitute for attendance, the number of credit hours stated in the certification. If credit hours carried over from the previous year are being used as a substitute for attendance then the certification shall state the number of carried over credit hours that are being used. The certifications shall be attached to the licensee's annual license renewal application. Any renewal application received without this certification shall not be processed for license renewal and the license fees submitted with the application shall be refunded to the licensee.

g. The commission shall cause an annual audit of licensees to be conducted. Licensees shall be selected for audit either by cross-section of licensees or by random audit. The provisions of this subsection notwithstanding, an investigation of a licensee for possible violation of these continuing education requirements may be conducted if there is reason to believe that a violation may have occurred. Licensees selected for audit will be required to provide documented proof of their having obtained the continuing education credits for the year being audited. A licensee's failure to provide documented proof of having attended, or completed an approved substitute for attendance, for each credit hours certified for the year being audited shall be a violation of this Part. In the event that a licensee provides documented proof of having attended, or undertaken an approved substitute for attendance, any credit hour certified for the year being audited and such credit hour is disallowed then the licensee shall have six months from date of notification of the disallowance to attend, or complete an approved substitute for attendance, a sufficient number of approved credit hours to make up for the disallowed credits. The credit hours attended to make up for any disallowed credit hours shall not count toward the minimum credit hours needed for any other year. Failure to timely make up for the disallowed credit hours shall be deemed a violation of this Part. An appeal from a disallowance of any credit hour may be taken as provided in Subparagraph d of this Paragraph.

h. A licensee may submit a written request for an approved substitute for attendance or for a hardship exemption or extension of time in which to obtain the minimum credit hours for the year in which the request is made. The licensee shall detail the reason for the request, such as the benefit of any substitution, any physical disability, illness, or extenuating circumstance, and a specification of the requested substitute for attendance, including number of credit hours, course of study, etc. The licensee shall also provide any additional information asked for in consideration of the request.

C. Wholesale Florist

1. All flowers or greenery sold or offered for sale shall be fresh and of high quality. No wilted or dead plant materials may be offered for sale to persons holding the proper license or permits.

2. All nursery stock sold or offered for sale shall be fresh and of high quality and free from injurious insects, diseases, and other pests. No low quality plant materials may be offered for sale.

3. Coolers from which cut flowers or greenery are sold, or in which cut flowers or greenery are stored prior to sale, shall be kept clean at all times. Water in containers shall be changed regularly and kept clean at all times.

D. Landscape Horticulturist

1. Any nursery stock used in landscaping, leased, or sold, or offered for use in landscaping, lease, or sale, shall be of high quality and free from injurious insects, diseases, and other pests. Nursery stock which is leased shall be maintained in high quality and free from injurious insects, diseases, and other pests.

2. All plant beds shall be properly prepared and shall allow for proper drainage.

3. All recommendations and maintenance and planting practices shall incorporate sound horticultural practices.

4. All sod installed, sold, or recommended shall be classified as provided in §115.D of this Part.

5. Recommendations and maintenance and planting practices shall meet the standards outlined in *The Louisiana Manual for the Environmental Horticulture Industry* (April 2014 ed.) published by the Louisiana Nursery and Landscape Association.

6. Landscape horticulturists who prepare drawings to indicate the planting and location and arrangement of plant materials by that landscape horticulturist shall place his name, the words "Landscape Horticulturist," and his license number on each drawing prepared by him. Drawings prepared by a landscape horticulturist may be used only by that landscape horticulturist and no one else in connection with the submission of a bid proposal.

7. Licensees shall display their license at all times in a location accessible to the general public or any representative of the commission.

E. Arborist

1. Licensees may not use climbing irons in any trees which are not to be removed except as provided §117.E.3 of this Part hereof.

2. Before the commission issues an arborist's license, the person to be licensed shall first furnish to the commission the following:

a. a certificate of insurance, written by an insurance company authorized to do business in Louisiana, covering the public liability of the applicant for personal injuries and property damages, providing for not less than $25,000 per person for personal injuries and not less than $50,000 for property damages, both limits applicable to each separate accident, provided that the commission may waive the requirement for the stated insurance coverages for any licensed arborist who does not physically work on trees or accept responsibility for work on trees but only provides consultation with respect to work on trees. The certificate of insurance shall provide for 30 days' written notice to the commission prior to cancellation.

b. Failure to maintain the required insurance may constitute a violation of this Part.

3. When the characteristics of a tree require the use of climbing irons, the licensee may use climbing irons but only with the prior written permission of the owner of the tree.

4. Licensees shall enter into a written contract with the property owner employing him for arboricultural work, which contract shall specify the services to be performed and the sum to be paid for the services. Both parties shall receive a copy of the contract.

5. Licensees may apply pesticides only for the purposes of retarding decay or disease. See also §119.A of this Part relative to application of pesticides.

6. Licensees engaged in the feeding of trees shall follow proper fertilizer schedules and rates according to label directions. Representatives of the commission may take a sample of the nutrients applied during any tree feeding operation for the purpose of verifying its chemical analysis.

7. Licensees shall display their license at all times in a location accessible to the general public or any representative of the commission.

8. Prior to renewal of an arborist license, the licensee shall provide the commission with certifiable evidence of completion of a continuing training seminar which was previously approved by the commission.

9. Recommendations and pruning practices shall meet the standards outlined in the *Arborists' Certification Study Guide* (3rd ed. 2010) published by the International Society of Arboriculture.

F. Nursery Stock Dealer

1. All nursery stock sold or offered for sale shall be fresh and of high quality and shall be free from injurious insects, diseases, and other pests. No low quality plant materials may be offered for sale to the general public.

2. All indoor nursery stock offered for sale shall be displayed or offered for sale under the protection of some type of covering, such as inside a building or under a carport, tent, or canopy, which will protect such plant material from exposure to sun, wind, or rain.

3. A clean source of water shall be provided at all times when plants are offered for sale.

4. Nursery stock dealers operating from a mobile unit shall not sell nursery stock within 300 feet of a place of business that holds a nursery stock dealer's permit, nursery certificate permit, horticulture service license, retail florist license or a wholesale florist license.

5. The permit holder shall display his permit at all times in a location accessible to the general public or any representative of the commission.

6. All sod sold shall be classified as provided in §115.D of this Part.

G. Cut Flower Dealer

1. All flowers or greenery offered for sale shall be fresh and of high quality. No wilted or dead plant materials may be offered for sale to the general public, save and except when specifically requested by consumer.

2. A clean source of water shall be provided for all flowers or greenery that are offered for sale. Water in containers shall be changed regularly and kept clean at all times.

3. The permit holder shall display his decal and/or permit at all times in a location accessible to the general public or any representative of the commission.

4. The restriction against a cut flower dealer locating within 300 feet of an established retail florist shall not apply to cut flower dealers in permanent locations. In addition, cut flower dealers operating from a mobile unit shall not sell cut flowers, within 300 feet of place of business that holds a cut flower dealer's permit.

H. Utility Arborist

1. Licensees may not use climbing irons in any trees which are not to be removed except in remote utility rights-of-way that are inaccessible to tree trimming equipment where no other practical means of trimming the tree is available or as provided in §117.E.3 of this Part.

2. Before the commission issues a utility arborist license, the person to be licensed shall first furnish to the commission a certificate of insurance as provided in §117.E.2 of this Part.

a. Failure to maintain the required insurance may constitute a violation of this Part.

3. Licensees shall make their license available to the public or any representative of the commission at all times.

4. Prior to renewal of a utility arborist license, the licensee shall provide the commission with certifiable evidence of completion of a continuing training seminar which was previously approved by the commission.

5. Recommendations and pruning practices shall meet the standards outlined in the *International Society of Arboriculture Certification Manual* (3rd ed. 2010) and *Best Management Practices—Utility Pruning of Trees* (rev. or copyright date 2004), a publication by the International Society of Arboriculture.

I. Landscape Irrigation Contractor

1. Before the commission issues a landscape irrigation contractor license the person to be licensed shall first furnish to the commission a certificate of insurance, written by an insurance company authorized to do business in Louisiana, covering the public liability of the applicant, as a licensee, for personal injuries and property damages. The insurance policy shall provide for not less than $25,000 per personal injuries and not less than $50,000 for property damages, both limits applicable to each separate accident. The

certificate of insurance shall provide for 30 days' written notice to the commission prior to cancellation. The commission may, however, waive the requirement for the stated insurance coverage for any licensed landscape irrigation contractor who does not physically work on landscape irrigation systems or accept responsibility for work on landscape irrigation systems but only provides consultation or other associated services with respect to landscape irrigation systems or the work performed on such systems.

2. Failure to maintain the required insurance may constitute a violation of this Part.

3. Licensees are required to attend and complete a commission approved continuing training seminar at least once every three years. Each licensee, prior to renewal of his or her license, shall provide the commission with certifiable evidence that the licensee has timely and successfully completed such a seminar.

4. Licensed landscape irrigation contractors shall enter into a written contract with the property owner, specifying the landscape irrigation services to be performed and the sum to be paid for the services. The contract shall include the following statement: "Any complaints regarding landscape irrigation installation should be directed to the Louisiana Horticulture Commission at (225) 952-8100." Both parties shall receive a copy of the contract.

5. Licensees shall display their license at all times in a location accessible to the general public or any representative of the commission.

6. The following clarifications apply to licensed landscape irrigation contractors.

a. A licensed landscape irrigation contractor is not required to have a water supply protection specialist endorsement from the state Plumbing Board in order to install an irrigation system up to the point of connecting the irrigation system to a public or private water supply system or installing a backflow prevention device.

b. A licensed landscape irrigation contractor shall also have a water supply protection specialist endorsement from the state Plumbing Board before connecting any irrigation system to a public or private water supply system or installing a backflow prevention device, pursuant to R.S. 3:3808(P)(4) and (5).

c. A governing authority, such as a parish or municipality, shall issue all necessary permits, including necessary electrical permits, to a licensed landscape irrigation contractor who does not hold a water supply protection specialist endorsement for the installation of an irrigation system, except for those permits that would allow such a licensed landscape irrigation contractor to connect the irrigation system to a public or private water supply system or install a backflow prevention device.

d. A governing authority, such as a parish or municipality shall issue all necessary permits to a licensed landscape irrigation contractor who holds a water supply protection specialist endorsement from the state Plumbing Board for the installation of an irrigation system, including necessary electrical permits and those permits that would allow such a licensed landscape irrigation contractor to connect the irrigation system to a public or private water supply system or install a backflow prevention device.

e. A licensed landscape irrigation contractor who also holds a water supply protection specialist endorsement from the state Plumbing Board is required by R.S. 3:3816(6) to install backflow prevention devices in accordance with ordinances adopted by local governing authorities, such as parishes and municipalities, regulating the installation of backflow prevention devices. If a local governing authority does not have an ordinance regulating the installation of backflow prevention devices, such devises shall be installed in accordance with the requirements of LAC 51, Part XIV (Plumbing) of the *Sanitary Code*, state of Louisiana.

AUTHORITY NOTE:Promulgated in accordance with R.S. 3:3801 and R.S. 3:3808.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Horticulture Commission, LR 8:185 (April 1982), amended LR 9:410 (June 1983), LR 11:317 (April 1985), amended by the Department of Agriculture and Forestry, Horticulture Commission, LR 14:8 (January 1988), LR 20:640 (June 1994), LR 27:1832 (November 2001), LR 31:1054 (May 2005), LR 32:78 (January 2006), LR 32:1010 (June 2006), LR 33:1854 (September 2007), LR 53:1228 (July 2009), LR 36:2520 (November 2010), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Horticulture Commission, LR 42:

Family Impact Statement

The proposed Rule does not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family 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 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

The proposed Rule will have no adverse impact on small businesses as defined in the Regulatory Flexibility Act.

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 Rule. Written submissions must be directed to Ansel Rankins, Director of the Horticulture Commission, Department of Agriculture and Forestry, 5825 Florida Blvd., Suite 3002, Baton Rouge, LA 70806 and must be received no later than 12 p.m. on September 6, 2016. No preamble is available.

Mike Strain, DVM
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Arborists, Utility Arborists, and Landscape Irregation Contractors—Insurance Coverage

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
The proposed rule change will not result in any costs or savings to state or local governmental units.
The substantive proposed rule change to LAC 7:XXIX.117 expressly requires arborists, utility arborists, and landscape irrigation contractors to maintain insurance coverage while in operation, and that failure to do so may constitute a violation. Present administrative rules require persons actively engaged in the aforementioned professions to present proof of insurance prior to licensure and renewal of licensure. Furthermore, the proposed rule change makes technical changes throughout LAC 7:XXIX.117. As a result, the proposed rule changes will not result in any costs or savings to state or local governmental units.
II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The proposed rule change 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 change should not result in any costs or economic benefits to directly affected persons or non-governmental groups. Arborists, utility arborists, and landscape irrigation contractors must already present proof of active insurance policies prior to licensure and license renewal. The proposed rule change expressly states that persons actively engaged in the aforementioned professions must maintain insurance while operating.
IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
The proposed rule will not have an effect on competition and employment.

Dane Morgan
Assistant Commissioner
1607#062

John D. Carpenter
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Agriculture and Forestry
Office of Agro-Consumer Services
Division of Weights and Measures

Weights and Measures Fee Structure and Registration
(LAC 7:XXXV.125 and 127)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Department of Agriculture and Forestry ("department"), through the Office of Agro-Consumer Services and the Division of Weights and Measures intends to amend LAC 7:XXXV.125 and 127. The proposed rules create a new category of devices called "mass flow meters." Currently, mass flow meters were registered with the department as a class 3 scale and the fee for registering the device was $185. Mass flow meters are not actually scales and should have their own category. The amendment to LAC 7:XXXV.125 creates a new fee for registration of mass flow meters based on the internal diameter of the meter tube. Under the proposed Rule, mass flow meters will be separated into two classes: those with tubes whose internal diameter is 2 inches or more and those with tubes that are less than 2 inches.

Title 7
AGRICULTURE AND ANIMALS
Part XXXV. Agro-Consumer Services
Chapter 1. Weights and Measures
§125. Weights and Measures Fee Structure
A. - G.…
H. The annual fee for registration of mass flow meters will be based on the internal diameter of the meter tube.

Class	Internal Tube Diameter	Fee
1	Less than 2 inches	$80
2	2 inches or greater	$185

AUTHORITY NOTE:Promulgated in accordance with R.S. 3:4608 and 3:4622.
HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Division of Weights and Measures, LR 19:1534 (December 1993), amended LR 23:857 (July 1997), LR 30:1142 (June 2004), LR 42:218 (February 2016), LR 42:
§127. Registration
A. - D.4. …
E. Mass flow meters shall be registered according to the following criteria:
1. make;
2. model;
3. serial number;
4. internal tube diameter in inches; and
5. intended use.
F. A late fee of $25 will be assessed for each device, the maximum penalty of $100 per outlet, when the application is submitted after December 31.

G. A late fee of $25 will be assessed for each new device not registered within 30 days from the date it is put into service.

H. A compound weighing device shall be considered one or more devices for the purpose of registration in accordance with the following.

1. A compound weighing device that consists of a single load receiving element and more than one indicating element shall be considered a single device when all indicating elements may be tested during the same test for the purpose of sealing the device as correct. Said device shall be considered separate devices for each separate test necessary for sealing.

2. A compound weighing device that consists of one indicating element and more than one load receiving element shall for the purpose of registration be considered a separate device for each load receiving element.

I. Applicants for registration may request application forms, verbally or in writing, from the Division of Weights and Measures of the Department of Agriculture and Forestry.

J. Each application for annual registration shall be accompanied by payment of the required fee and said registration shall be valid until December 31. To remain valid, each annual registration must be renewed before January 1. This Subsection shall not apply to the registration of taxicab meters.

K. Taxicab meters shall be registered annually with the division. Each registration shall be valid for one year from the date of issuance. Taxi meters may only be registered with the division upon completion of an inspection of the taxi meter by the department and payment of the required registration fee. The inspection period for taxicab meters for registration purposes shall occur from January 1 through June 30 each year. After June 30, inspections for registration purposes will be done by appointment only.

1. If a taxicab operates in a municipality or parish which requires a local inspection, the inspection required under this Part shall be completed no later than the month in which the taxicab's parish, municipal, or airport inspection is due.

2. Taxicab meters inspected after June 30 will be charged a late fee of $25 unless the late inspection is due to a meter being new, repaired, replaced, or being placed in a different vehicle.

L. Any registration obtained without complying with all of the requirements of these regulations may be voided by the division.

M. Before a device may be sealed to certify the accuracy and correctness of a device, that device must be registered with the Division of Weights and Measures of the Louisiana Department of Agriculture and Forestry.

N. In accordance with R.S. 3:4611, no one shall use a weight, measure or weighing or measuring device which has not been sealed by the division, its director, or its inspectors, at its direction, within the year prior thereto, unless written notice has been given to the division to the effect that the weight, measure or weighing or measuring device is available for examination or is due for re-examination.

O. Application for registration or renewal of registration shall fulfill the requirement of notification in Subsection L of this Section.

P. Applications for annual renewal of registration shall be mailed by the Division of Weights and Measures of the Department of Agriculture and Forestry to all registrants, at the last address provided by the registrant, on or before November 15 and must be returned before January 1.

Q. The record of all registrations shall be maintained by the Division of Weights and Measures and the director of the Division of Weights and Measures in its office in Baton Rouge.

R. Any registrant having a device registered under provisions of this regulation, and that is taken out of commercial use at the location shown on the application for registration, shall notify the commission's office in writing to remove said device from its records.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4603 (formerly R.S. 55:3), 3:4607, 4608, and 3:4622.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Commission of Weights and Measures, LR 13:158 (March 1987), amended LR 15:78 (February 1989), amended by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Division of Weights and Measures, LR 19:1534 (December 1993), LR 23:857 (July 1997), LR 41:2098 (October 2015), LR 42:

Family Impact Statement

The proposed Rule does not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family 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 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

The proposed Rule will have no adverse impact on small businesses as defined in the Regulatory Flexibility Act.

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 Rule. Written submissions must be directed to Dr. Steven O. Sessums, Director of the Division of Weights and Measures, Department of Agriculture & Forestry, 5825 Florida Blvd., Suite 5000, Baton Rouge, LA 70806 and must be received no later than 12 p.m. on September 6, 2016. No preamble is available.

Mike Strain, DVM
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Weights and Measures Fee Structure and Registration

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

The proposed rule change may decrease expenditures in the statutorily dedicated Weights and Measures Fund in FY 17 for the LA Dept. of Agriculture & Forestry (LDAF) to the extent mass flow meters less than 2 inches in diameter are in use. The proposed rule change adds a new fee of $80 for the inspection of mass flow meters that are less than 2 inches in diameter compared to the current flat fee of $185 for all mass flow meters. The department anticipates that the new fee of $80 will fund all expenditures associated with inspections, whereas the fee of $185 will remain to fund all expenditures associated with inspections of mass flow meters greater than or equal to 2 inches in diameter. As a result expenditures associated with inspecting mass flow meters will decrease to the extent the use of smaller mass flow meters become more common.

The form the Louisiana Department of Agriculture and Forestry (LDAF) currently uses to register mass flow meters will be altered to include specific information related to mass flow meters. LDAF will incur a marginal expenditure increase associated with altering the existing form, but reports that it can absorb the expenditure utilizing existing resources and budget authority.

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

The Louisiana Department of Agriculture and Forestry (LDAF) anticipates revenues deposited into the statutorily dedicated Weights and Measures Fund will decrease in FY 17 and in subsequent fiscal years to the extent mass flow meters less than 2 inches in diameter come into use. The department has not yet encountered this size of mass flow meters, but expects revenues generated by the $80 inspection fee to fund all expenditures associated with the inspection.

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

The proposed rule change will decrease costs for persons who must pay inspection fees on mass flow meters 2 inches or less in diameter to the extent such mass flow meters are in use.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The department anticipates that implementation of the proposed rule changes will not have an effect on employment or competition.

Dane Morgan	John D. Carpenter
Assistant Commissioner	Legislative Fiscal Officer
1607#061	Legislative Fiscal Office

NOTICE OF INTENT

Department of Children and Family Services
Economic Stability Section

Community Supervision Program (LAC 67:III.5573)

In accordance with the provisions of the Administrative Procedure Act R.S. 49:953(A), the Department of Children and Family Services (DCFS) proposes to amend LAC 67:III., Subpart 15, Temporary Assistance for Needy Families (TANF) Initiatives, Chapter 55, TANF Initiatives, Section 5573, Community Supervision Program.

Pursuant to Louisiana's Temporary Assistance for Needy Families (TANF) block grant, amendment of Section 5577 is necessary to clarify the program's service period and financial eligibility criteria, which must mirror eligibility rules in effect as of August 21, 1996 under the Louisiana Aid to Families with Dependent Children (AFDC) Emergency Assistance Program.

This action was made effective by an Emergency Rule effective July 1, 2016.

Title 67
SOCIAL SERVICES
Part III. Family Support
Subpart 15. Temporary Assistance for Needy Families (TANF) Initiatives
Chapter 55. TANF Initiatives
§5573. Community Supervision Program

A. The department has an agreement with the Department of Public Safety and Corrections, Office of Juvenile Justice (DPSC-OJJ), to provide services to youth and their families as a result of an adjudication and disposition by a court that orders (DPSC-OJJ) to supervise youth in their communities in an effort to prevent removal from the home.

B.OJJ will complete an intake/assessment and develop a case plan for addressing the needs of the youth. The case plan will contain goals for all need areas and when indicated, include referrals to community programs for both youth and parents. These referrals may include, but are not limited to:

1. case management, counseling, and in-home services;
2. parenting education and training, either in-home or out-of-home;
3. diagnostic and evaluation services provided in an attempt to make the most appropriate out-of-home placement;
4. supervision or non-residential programs for youth who remain in the home.

C.TANF eligibility is limited within any 12-month period to a single episode of need with a maximum duration of 12 months. TANF eligibility is also limited to families with income less than twice the state median income (SMI).

D. These services are TANF-eligible based on inclusion in the state's approved AFDC Emergency Assistance Program that was in effect as of August 21, 1996.

AUTHORITY NOTE:Promulgated in accordance with 42 U.S.C. 601 et seq., R.S. 46:231, and R.S. 36:474, amended Act 18, 2007 Reg. Session.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 29:2511 (November 2003), amended LR 31:487 (February 2005), LR 34:697 (April 2008), amended by the Department of Children and Family Services, Economic Stability Section, LR 42:

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 poverty as described in R.S. 49:973.

Small Business Analysis

The proposed Rule is not anticipated to have an adverse impact on small businesses as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule is not anticipated to have an impact on providers of services funded by the state as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

All interested persons may submit written comments through, August 24, 2016 to Sammy Guillory, Deputy Assistant Secretary of Programs, Department of Children and Family Services, P.O. Box 94065, Baton Rouge, LA 70804.

Public Hearing

A public hearing on the proposed Rule will be held on August 24, 2016 at the Department of Children and Family Services, Iberville Building, 627 North Fourth Street, Seminar Room 1-127, Baton Rouge, LA beginning at 9 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing, at said hearing. Individuals with disabilities who require special services should contact the DCFS Appeals Unit at least seven working days in advance of the hearing. For assistance, call (225) 342-4120 (voice and TDD).

Marketa Garner Walters
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Community Supervision Program

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

The Department of Children and Family Services (DCFS) proposes to continue the provisions of the July 1, 2016 emergency rule, which amends Louisiana Administrative Code (LAC), Title 67, Part III, Subpart 15 Temporary Assistance for Needy Families (TANF) Initiatives, Chapter 55 TANF Initiatives, Section 5573 – Community Supervision Program. The proposed rule clarifies the program's service period and financial eligibility criteria, which must mirror eligibility rules in effect as of August 21, 1996 under the Louisiana Aid to Families with Dependent Children (AFDC) Emergency Assistance Program. The proposed rule helps maintain the overall TANF expenditures of the department by providing services for the correct duration to eligible families.

The only cost associated with this proposed rule is the cost of publishing rulemaking. It is anticipated that $1,172 (Federal) will be expended in FY 16-17 for the state's administrative expense for promulgation of this proposed rule and the final rule.

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

Implementation of this proposed rule will have no effect on revenue collections of State or local governmental units.

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

Implementation of this proposed rule will have no cost or economic benefit to directly affected persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed rule will not have an impact on competition and employment for low-income families.

Sammy Guillory	Gregory V. Albrecht
Deputy Assistant Secretary	Chief Economist
1607#064	Legislative Fiscal Office

NOTICE OF INTENT

Department of Children and Family Services
Economic Stability Section

Income Exclusions for Public Assistance Programs
(LAC 67:III.1229 and Chapter 19)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:953(A), the Department of Children and Family Services (DCFS) proposes to amend LAC 67:III, Subpart 2, Family Independence Temporary Assistance Program, Section, 1229 Income; Subpart 3, Supplemental Nutritional Assistance Program (SNAP), Section 1938, Work Registration Requirements and Section 1940, Work Participation Requirements for Able-Bodied Adults without Dependents; and Subchapter I, Income and Deductions, Section 1980, Income Exclusions.

Amendment of Sections 1229 and 1980 is necessary to include grant-funded research payments as non-countable income for SNAP and cash assistance programs and to add clarification regarding the alignment of countable income across programs. Amendment of Section 1938 is necessary to comply with 7 CFR 273.7. Amendment of Section 1940 is necessary to clarify the individuals who are exempt from work participation requirements.

Pursuant to Louisiana's Temporary Assistance for Needy Families (TANF) block grant and to the authority granted to the department by the Food and Nutrition Services (FNS), the department considers these amendments necessary to clarify the programs' eligibility rules regarding income exclusions and work participation requirements. Excluding grant funded research payments as countable income allows families to participate in studies without negatively impacting their public assistance benefits. Excluding some types of income not countable by cash assistance programs ensures fairness in eligibility determinations for SNAP applicants and recipients. Aligning countable income across

programs also allows for consistency and aids staff in making accurate eligibility determinations.

Title 67
SOCIAL SERVICES
Part III. Family Support
Subpart 2. Family Independence Temporary Assistance Program
Chapter 12. Application, Eligibility, and Furnishing Assistance
Subchapter B. Conditions of Eligibility
§1229. Income

A. Income is any gain or benefit to a household that has monetary value and is not considered a resource. Count all income in determining pretest eligibility except income from:

1. adoption assistance;
2. earned income of a child, including a minor unmarried parent, who is in school and working toward a high school diploma, GED, or special education certificate;
3. disaster payments;
4. Domestic Volunteer Service Act;
5. earned income credits (EIC);
6. education assistance;
7. energy assistance;
8. foster care payments;
9. monetary gifts up to $30 per calendar quarter;
10. Agent Orange settlement payments;
11. HUD payments or subsidies other than those paid as wages or stipends under the HUD Family Investment Centers Program;
12. income in-kind;
13. Indian and native claims and lands;
14. irregular and unpredictable sources;
15. lump sum payments;
16. nutrition programs;
17. job training income that is not earned;
18. relocation assistance;
19. loans;
20. supplemental security income;
21. wartime relocation of civilians payments;
22. developmental disability payments;
23. Delta Service Corps post-service benefits paid to participants upon completion of the term of service if the benefits are used as intended for higher education, repayment of a student loan, or for closing costs or down payment on a home;
24. Americorps VISTA payments to participants (unless the value of all such payments, adjusted to reflect the number of hours such volunteers are serving, is equivalent to or greater than the minimum wage);
25. radiation exposure compensation payments;
26. payment to victims of Nazi persecution;
27. restricted income received for a person not in the assistance unit or not in the income unit. Restricted income is income which is designated specifically for a person's use by federal statute or court order and may include RSDI, VA benefits and court ordered-support payments;
28. crime victim compensation program payments to an applicant/recipient whose assistance is necessary, in full or in part, because of the commission of a crime against the applicant, and to the extent it is sufficient to fully compensate the applicant for losses suffered as a result of the crime;
29. effective October 1, 2004 additional pay received and made available to the household by a member of the United States Armed Forces deployed to a designated combat zone;
30. effective March 1, 2006, interest income;
31. effective March 1, 2006, dividend income;

Exception: Dividends received from a resource-exempt trust fund will not be excluded as income.

32. any payments other than wages received as a result of the Mississippi Canyon 252 well incident in the Gulf of Mexico on April 20, 2010; or
33. grant funded research payments.

B. - G. ...

AUTHORITY NOTE:Promulgated in accordance with 42 USC 601 et seq., and 10602(c), R.S. 36:474, R.S. 46:231.1(B), R.S. 46:231.2, P.L. 108-447, Act 16, 2005 Reg. Session, and 7 CFR 273.2(j).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 25:2449 (December 1999), amended LR 26:1342 (June 2000), LR 26:2831 (December 2000), LR 31:2956 (November 2005), LR 32:1616 (September 2006), LR 32:1912 (October 2006), LR 34:2678 (December 2008), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2524 (November 2010), amended by the Department of Children and Family Services, Economic Stability Section, LR 40:1675 (September 2014), LR 42:

Subpart 3. Supplemental Nutritional Assistance Program (SNAP)
Chapter 19. Certification of Eligible Households
Subchapter G. Work Requirements
§1938. Work Registration Requirements

A. - A.4. ...

B.Determining Whether a Work Requirement Violation Occurred

1. When a household files an application for participation, or when a participating household reports the loss of a source of income, the DCFS shall determine whether any household member:

a. refused without good cause to provide sufficient information to allow a determination of his/her employment status or job availability;

b. voluntarily and without good cause quit a job;

c. voluntarily and without good cause reduced his/her work effort (and, after the reduction, is working less than 30 hours a week);

d. refused, at the time of application and every 12 months thereafter, to register for employment;

e. refused without good cause to participate in an employment and training program;

f. refused without good cause to accept an offer of employment.

2. Benefits shall not be delayed beyond the normal processing times pending the outcome of this determination. This provision applies only if the employment involved 30 hours or more per week or provided weekly earnings equivalent to the federal minimum wage multiplied by 30 hours; the violation occurred within 60 days prior to the date of application or anytime thereafter, and was without good cause. Terminating a self-employment enterprise or resigning from a job at the demand of the employer will not be considered a violation for purpose of this Section. An employee of the federal government, or of a state or local

government who participates in a strike against such government, and is dismissed from his or her job because of participation in the strike, shall be considered to have violated the work requirements without good cause.

3. If an application for participation is filed in the last month of the disqualification period, the eligibility worker shall use the same application for the denial of benefits in the remaining month of disqualification and certification for any subsequent month(s) if all other eligibility criteria are met.

4. Upon a determination that a violation of the work requirements occurred, the DCFS shall determine if the violation was with good cause. If it is determined that good cause does not exist, the sanction will be imposed. The DCFS shall provide the household with a notice of ineligibility. The notice shall inform the household of the proposed period of disqualification; its right to reapply at the end of the disqualification; and of its right to a fair hearing.

AUTHORITY NOTE:Promulgated in accordance with P.L. 104-193 and P.L. 110-246.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 23:80 (January 1997), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2528 (November 2010), amended by the Department of Children and Family Services, Economic Stability Section, LR 42:

§1940. Work Participation Requirements for Able-Bodied Adults without Dependents [Effective 10/1/97 by Emergency Rule]

A. Individuals are ineligible to continue to receive SNAP benefits if, during the preceding 36-month period they received SNAP benefits for at least 3 months (consecutive or otherwise) while that individual did not either:

1. work an average of 20 hours per week;

2. participate in and comply with a Job Training Partnership Act Program, Trade Adjustment Act Program, or employment and training program (other than a job search or job search training program) for 20 hours or more per week; or

3. participate in and comply with a workfare program.

B.An individual is exempt from this requirement if the individual is:

1. under age 18, or 50 years of age or older;

2. medically certified as physically or mentally unfit for employment;

3. residing in a SNAP household where a household member is under age 18, even if the household member who is under age 18 is not eligible to receive SNAP benefits;

4. pregnant; or

5. otherwise exempt from work registration requirements.

C. - D. ...

AUTHORITY NOTE:Promulgated in accordance with P.L. 104-193, 7 CFR 273.24, and P.L. 110-246.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 23:81 (January 1997) amended LR 34:885 (May 2008), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2528 (November 2010), amended by the Department of Children and Family Services, Economic Stability Section, LR 42:

Subchapter I. Income and Deductions

§1980. Income Exclusions

A. In addition to those income exclusions previously adopted and codified in Chapter 19, Certification of Eligible Households, the following income types will be excluded from countable income for the Supplemental Nutrition Assistance Program (SNAP):

1. payments or allowances to provide energy assistance under any federal law, including the Department of Housing and Urban Development and the Farmers Home Administration, except that provided under Title IV-A;

2. earnings of an elementary or secondary student through age 17 who is the child of, or under parental control of, a member of the household;

3. legally obligated child support payments to non-household members are excluded when determining eligibility based on gross income standards;

4. effective October 1, 2004, additional pay received and made available to the household by a member of the United States Armed Forces deployed to a designated combat zone;

5. agent orange settlement payments income (retroactive to 01-01-89);

6. agriculture and stabilization and conservation service payments received as a result of a presidentially declared disaster or emergency;

7. assistance payments income that is being recouped for overpayment of non-fraud overpayments;

8. bonus income that is non-recurring or cannot be anticipated to recur;

9. child care food program payments received for the client's own children;

10. child support income received by FITAP/KCSP recipients, which must be transferred to IV-D to maintain eligibility;

11. child support arrearage payments that were previously counted as income or payment that is a one-time non-recurring lump-sum payment;

12. deposits made into joint accounts when the joint account is considered a convenience account, the income deposited into the account is verified to be a loan, or the account is considered inaccessible to the household;

13. disaster payments provided to rebuild a home or replace personal possessions damaged in a disaster if the household is subject to legal sanction if the funds are not used as intended. This includes Individual and family grant payments or small business administration loans;

14. disaster relief income funded under national emergency grants or disaster unemployment assistance paid to an individual who is unemployed as a result of a major disaster;

15. the prorated portion of the income for persons disqualified for SSNs, for ineligible aliens, or for persons who failed to attest to citizenship/alien status;

16. Delta Service Corps income if the allowances, earnings, and payments to individuals participating in the programs are received under title I of the National and Community Service Act;

17. Domestic Volunteer Service Act income received by volunteers for services performed in programs stipulated in Title II of the amended Domestic Volunteer Service Act of

1973 (P.L. 93-118), which include Foster Grandparents and Retired Senior Volunteer Program; or payments received by volunteers for services in programs under title I (VISTA) if the person was receiving food stamps or public assistance when he joined VISTA or the household was receiving an income exclusion for a title I subsistence allowance at the time of conversion to the Food Stamp Act of 1977;

18. Indian and native claims and lands income received:

a. under Public Law 94-189, (Sac and Fox Indian Claims Agreement);

b. under Public Law 94-540, (Grand River Band of Ottawa Indians);

c. under Public Law 95-433, section 2, Confederated Tribes and Bands of the Yakima Nation and the Apache Tribe of the Mescalero Reservation received from the Indian Claims Commission;

d. by certain Indian tribal members under Public Law 94-114, section 6, regarding submarginal lands held in trust by the United States;

e. under Public Law 93-531 (Navajo and Hopi Tribes);

f. tax-exempt portions made pursuant to Public Law 92-203, The Alaska Native Claims Settlement Act; or

g. under Public Law 96-420 (Passamaquoddy Tribe and Penobscot Nation, or the Houlton Band of Maliseet Indians pursuant to the Maine Indian Claims Settlement Act of 1980);

19. Indian gambling operations income paid to children under 18 when the household is not given a choice and the money is deposited in an inaccessible trust fund;

20. in-kind income not in the form of money payable directly to the household except earned income vendor payments made by the employer instead of all or part of the salary;

21. irregular and unpredictable income when the anticipated income will be less than $30 in a three-month period, and the income is received too infrequently and irregularly to be reasonably anticipated;

22. strategies to empower people (STEP) payments for supportive services;

23. loans;

24. non-recurring lump-sum payments;

25. crime victim compensation payments made to a client whose assistance is necessary, in full or in part, because of the commission of a crime against the client, and to the extent it is sufficient to fully compensate the client for losses suffered as a result of the crime;

26. National and Community Service Corporation payments for living allowance (stipend) and child care received by participants as well as in-kind benefits provided to the participants;

27. non-household member's portion of income that is received by a household member which is intended and used for care and maintenance of a third-party beneficiary who is not a household member;

28. nutrition programs income—the value of supplemental food assistance under the Child Nutrition Act of 1966 and under the Special Food Service Program for Children (the National School Lunch Act) or benefits received under title VII, Nutrition Program for the Elderly, of the Older Americans Act of 1965;

29. payments made to victims of Nazi persecution;

30. payments made to persons through the Radiation Exposure Compensation Act, which was enacted October 15, 1990;

31. railroad retirement income that is being recouped for a prior overpayment;

32. reimbursement income which:

a. is not a gain or benefit to the household;

b. is not provided specifically for normal living expenses; or

c. does not exceed the actual expenses for which the reimbursement was paid;

33. relocation assistance income if received under Title II of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970;

34. Senior Community Service Employment Program (SCSEP) income received by individuals 55 or older;

35. supplemental security income that is being recouped for non-fraud SSI overpayment;

36. unemployment compensation benefits that are paid as the result of unemployment due to a major disaster and funded through the Robert T. Stafford Disaster Relief and Emergency Assistance Act;

37. vendor payments made by a person or organization outside the household/assistance unit directly to the client's creditor or to a person or organization providing the service unless:

a. the vendor payment is made by an employer instead of all or part of the salary;

b. it is a local GA vendor payment provided to cover housing expenses exclusive of energy or utility expenses; or

c. the vendor payment is made in lieu of payments which are legally obligated to the household;

38. severance pay received in a single lump-sum payment;

39. payments made through the Wartime Relocation of Civilians Law:

a. payments of $20,000 made to eligible persons of Japanese ancestry who were interned during World War II, or such payments made to the spouse, children or parents if the eligible individual is deceased;

b. payments of $12,000 made to eligible Aleuts who were relocated from their home on the Pribolof or Aleutian Islands to an internment camp during World War II, or such payments made to an individual who was born while his mother was relocated;

40. effective March 1, 2006, dividend income;

Exception: Dividends received from a resource-exempt trust fund will not be excluded as income.

41. effective March 1, 2006, interest income;

42. effective March 1, 2006, education assistance;

43. any payments other than wages received as a result of the Mississippi Canyon 252 well incident in the Gulf of Mexico on April 20, 2010; or

44. grant-funded research payments.

B. Any type of income excluded when determining eligibility or benefits for cash assistance as defined by 45 CFR 260.31(a)(1) and (a)(2), will be excluded from countable income for SNAP, except for those types determined countable by 7 CFR 273.9(c)(19), such as wages, salaries, etc.

AUTHORITY NOTE:Promulgated in accordance with P.L. 103-66, 7 CFR 273.9(c)(11), P.L. 104-193, P.L. 107-171, P.L. 108-447, and CFR 273.2(j).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 21:188 (February 1995), amended LR 23:82 (January 1997), LR 29:607 (April 2003), LR 31:2956 (November 2005), LR 32:1616 (September 2006), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2530 (November 2010), amended by the Department of Children and Family Services, Economic Stability Section, LR 42:

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 poverty as described in R.S. 49:973.

Small Business Analysis

The proposed Rule is not anticipated to have an adverse impact on small businesses as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule is not anticipated to have an impact on providers of services funded by the state as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

All interested persons may submit written comments through, August 25, 2016 to Sammy Guillory, Deputy Assistant Secretary, Department of Children and Family Services, P.O. Box 94065, Baton Rouge, LA 70804.

Public Hearing

A public hearing on the proposed Rule will be held on August 25, 2016 at the Department of Children and Family Services, Iberville Building, 627 North Fourth Street, Seminar Room 1-127, Baton Rouge, LA beginning at 9 a.m. All interested persons will be afforded an opportunity to submit data, views, or arguments, orally or in writing, at said hearing. Individuals with disabilities who require special services should contact the DCFS Appeals Unit at least seven working days in advance of the hearing. For assistance, call (225) 342-4120 (voice and TDD).

Marketa Garner Walters
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Income Exclusions
for Public Assistance Programs

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

The Department of Children and Family Services (DCFS) proposes to amend the following sections of Louisiana Administrative Code (LAC), Title 67, Part III: (1) Subpart 2 Family Independence Temporary Assistance Program, Section 1229 – Income; and (2) Subpart 3 Supplemental Nutritional Assistance Program (SNAP), Section 1938 – Work Registration Requirements; Section 1940 – Work Participation Requirements for Able-Bodied Adults without Dependents; and Subchapter I Income and Deductions, Section 1980 – Income Exclusions.

Amendments to Section 1229 and Section 1980 adds grant funded research payments as non-countable income for SNAP and cash assistance programs as well as to add clarification regarding the alignment of countable income across programs. An amendment to Section 1938 complies with federal law, 7 CFR 273.7. Finally, an amendment to Section 1940 clarifies individuals who are exempt from work participation requirements.

The proposed rule will not impact the overall revenues or expenditures of the department. The only cost associated with this proposed rule is the cost of publishing rulemaking. It is anticipated that $2,982 ($745.50 Federal and $745.50 State General Fund for the SNAP portion of the cost and $1,491 Federal for the TANF/FITAP portion of the cost) will be expended in FY 16-17 for the state's administrative expense for promulgation of this proposed rule and the final rule.

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

Implementation of this proposed rule will have no effect on revenue collections of State or local governmental units.

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

The proposed rule allows families to participate in grant funded research studies without negatively impacting their public assistance benefits and allows equity in eligibility determinations for SNAP applicants and recipients, by excluding some types of income not countable by cash assistance programs.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed rule will not have an impact on competition and employment for low-income families.

Sammy Guillory
Deputy Assistant Secretary
1607#065

Gregory V. Albrecht
Chief Economist
Legislative Fiscal Office

NOTICE OF INTENT

Department of Civil Service
Board of Ethics

Late Filings; Records and Reports
(LAC 52:I.Chapter 12 and 1309)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Department of Civil Service, Louisiana Board of Ethics, has initiated rulemaking procedures to amend rules for late filing procedures and to correctly reference a statute for certain disclosure forms.

Title 52
ETHICS
Part I. Board of Ethics

Chapter 12. Late Filings

§1201. Late Filing; Notice of Delinquency
[Formerly §1202]

A. The staff shall mail, by certified mail, a notice of delinquency within four business days after the due date for any report or statement, of which the staff knows or has reason to know is due by the filer that is due under any law within the board's jurisdiction which has not been timely filed.

B.If the date on which a report is required to be filed occurs on a weekend or federal or state holiday, the report shall be filed no later than the first working day after the date it would otherwise be due that is not a federal or state holiday.

AUTHORITY NOTE:Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 23:1298 (October 1997), amended LR 26:628 (April 2000), LR 30:2669 (December 2004), LR 38:1207 (May 2012), LR 42:

§1203. Late Filing; Assessment of Late Fee

A. The staff of the board shall automatically assess and order the payment of late filing fees for any failure to timely file any report or statement due under any law within the board's jurisdiction in accordance with the law on the assessment of late fees.

B.The assessment and order of the late fee shall be mailed by certified mail to the late filer. If the assessment and order is not claimed by the late filer, the assessment and order shall be served on the late filer via a subpoena of notice.

AUTHORITY NOTE:Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 23:1298 (October 1997), amended LR 38:1208 (May 2012), LR 42:

§1205. Late Filing

[Formerly §1204]

A. Definitions. For purposes of §1205, the following definitions shall apply.

Amount of Activity—the total amount of receipts or expenditures, whichever is greater.

Person Regularly Responsible—the person designated by the person required to file a report, in accordance with any law under the jurisdiction of the board, who is responsible for keeping the records and filing the reports on behalf of the required filer.

B.An automatic late fee shall not be assessed, and if one is assessed shall be rescinded by the staff, if the person required to file the report did not file the report for any of the following reasons which occurred on the due date or during the 14 days prior to the date the report was due:

1. death of the person required to file or the person regularly responsible, or a death in their immediate family, as defined in R.S. 42:1102(13);

2. serious medical condition, in the considered judgment of the staff, which prevented the person required to file or the person regularly responsible from filing the report timely;

3. a natural disaster, an act of God, force majeure, a catastrophe, or such other similar occurrence.

C.If a report is filed more than 10 days late and the amount of activity on the report is less than the amount of the late fee to be assessed, the staff may reduce the late fee to the amount of activity or 10 times the per day penalty, whichever is greater.

D. An automatic late fee for a candidate's campaign finance disclosure report shall not be assessed, and if one is assessed, shall be rescinded by the staff, if the candidate officially withdrew with the Secretary of State from the election and received no contributions or loans and/or made any expenditures, excluding his qualifying fee.

E.An automatic late fee for a candidate personal financial disclosure statement shall not be assessed, and if one is assessed, shall be rescinded by the staff, if the candidate officially withdrew with the Secretary of State from the election.

AUTHORITY NOTE:Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 23:1298 (October 1997), amended LR 26:628 (April 2000), LR 31:1227 (June 2005), LR 38:1208 (May 2012), LR 42:

§1207. Late Filing; Waiver

[Formerly §1205]

A. Any person assessed with automatic late filing fees may request a waiver of the late fee, in writing, to the board within 20 days after the receipt of the assessment requiring the payment of late filing fees, setting forth the facts which tend to prove that the late filer had good cause for filing late.

B.The executive secretary shall place all such requests for a waiver on the board's agenda for consideration. If a late filer requests to make an appearance, the executive secretary shall schedule the appearance.

C.At the time of submission of his request for a waiver, the late filer shall submit all information and documentation to support his request.

D. If the board affirms the order assessing the late fee, notice shall be mailed by certified mail to the late filer, notifying him that the order was affirmed.

E.If the board waives the late fee, notice of the board's decision shall be issued by regular mail.

F. If the board alters in any way the assessment of the late fee after consideration of a waiver request, a new order shall be issued by the staff of the board consistent with the decision of the board after consideration of the waiver request. The new order shall be sent to the late filer in the manner set forth in §1203.B.

G.Within 20 days of receipt of the notice of the board's decision on the waiver request, the late filer may seek reconsideration of the board's decision only upon submission of information not provided or available to the board during its initial consideration of the matter.

AUTHORITY NOTE:Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 23:1298 (October 1997), amended LR 30:2669 (December 2004), LR 38:1208 (May 2012), LR 42:

§1209. Late Filing; Appeal

A. Any person ordered to pay late filing fees pursuant to §1203 may appeal the order to the Ethics Adjudicatory Board.

B.Notice of the person's intent to appeal should be submitted in writing to the executive secretary of the board within 20 days of the receipt of the order.

C.The notice of intent to appeal shall include all grounds for which the late filer is seeking an appeal, along with any documentation and evidence to be considered by the Ethics Adjudicatory Board.

D. The executive secretary shall forward the notice of appeal, along with the order assessing the late fee and any correspondence concerning the assessment of the late fee to the Ethics Adjudicatory Board. The notice from the executive secretary shall include the name of the attorney for the board and contact information for the late filer.

AUTHORITY NOTE:Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 38:1208 (May 2012), amended LR 42:

Chapter 13. Records and Reports

§1309. Disclosure Forms Filed Pursuant to R.S. 42:1119(B)(2) of the Code

A. Disclosure forms filed pursuant to R.S. 42:1119(B)(2)(a) of the code shall:

1. be on a form approved by the board or a form which is substantially the same as the form approved by the board;

2. be filed no later than 30 days after the beginning of the school year;

3. be signed by the school board member or superintendent and contain:

a. the name, address, and position of the school board member or superintendent;

b. the name, relationship, and position of the immediate family member and the date of the family member's employment;

c. the parish in which the school board member or superintendent serves and the date of the commencement of such service; and

d. which of the following exceptions applies to the immediate family member:

i. classroom teacher certified to teach;

ii. employed by school board for more than one year prior to the school board member or the superintendent becoming a member of the school board or the superintendent; or

iii. served in public employment on April 1, 1980, the effective date of the code.

B.Disclosure forms filed pursuant to R.S. 42:1119(B)(2)(b) of the code shall:

1. be in writing and on a form approved by the board or a form which is substantially the same as the form approved by the board;

2. be filed no later than January 30 of each year;

3. be signed by the chief executive or member of the board of a hospital service district or hospital public trust authority and contain:

a. the name, address, and position of the chief executive or member of the board of a hospital service district or hospital public trust authority;

b. the calendar year for which the disclosure statement is being filed;

c. the name, relationship, and position of the immediate family member and the date of the family member's employment;

d. the name of the hospital service district or public trust authority that the chief executive or member of the board of a hospital service district or hospital public trust authority serves and the date of the commencement of such service; and

e. which of the following exceptions applies to the immediate family member:

i. employed by the hospital service district or public trust authority for more than one year prior to the chief executive or member of a board of a hospital service district or hospital public trust authority becoming the chief executive or board member for the hospital service district or hospital public trust authority;

ii. served in public employment on April 1, 1980, the effective date of the code; or

iii. the hospital service district or public trust authority is located in a parish with a population of 100,000 or less and the family member is employed as a licensed physician or registered nurse.

C.The executive secretary shall maintain these forms suitably indexed.

AUTHORITY NOTE:Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 23:1300 (October 1997), amended LR 26:629 (April 2000), LR 42:

Family Impact Statement

The proposed Rule changes have no known impact on family formation, stability or autonomy, as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule changes have no known impact on poverty, as described in R.S. 49:972.

Small Business Analysis

The proposed Rule should not have any known or adverse impact on small business as described in R.S. 49:956.6.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session.

Public Comments

Interested persons may direct their comments to Kathleen M. Allen, Louisiana Board of Ethics, P.O. Box 4368, Baton Rouge, LA 70821, telephone (225) 219-5600, until 4:45 p.m. on August 10, 2016.

Kathleen M. Allen
Ethics Administrator

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Late Filings; Records and Reports

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

The cost to implement the rule change, regarding late filings, is estimated to be $400 in FY 17, which accounts for the cost to publish the rule change in the State Register. The proposed rules provide for the manner in which notices of delinquency are mailed to late filers, late fees are assessed pursuant to R.S. 42:1157, waivers are requested from the Board of Ethics, and appeals are made for consideration by the Ethics Adjudicatory Board. The proposed rule also amends a section to correctly reference a statute for certain disclosure forms.

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

The proposed rule change will have no anticipated effect on revenue collections of state or local governmental units. Pursuant to R.S. 42:1157, the Ethics Administration Program is responsible for issuing orders for late fees for reports and registrations that are not filed in a timely manner according to the Code of Governmental Ethics, Campaign Finance Disclosure Act, and the Legislative, Executive and Local Lobbyist Disclosure Acts. The rules do not change the amount of late fees imposed. The rules make changes with respect to the process for requesting a waiver from the Board of Ethics.

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

The proposed rule change will have no anticipated costs or economic benefits to directly affected persons or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

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

Kathleen Allen	Gregory V. Albrecht
Ethics Administrator	Chief Economist
1607#071	Legislative Fiscal Office

NOTICE OF INTENT

Student Financial Assistance Commission
Office of Student Financial Assistance

Scholarship/Grant Programs
(LAC 28:IV.301, 701, 703, and 2107)

The Louisiana Student Financial Assistance Commission (LASFAC) announces its intention to amend its Scholarship/Grant rules (R.S. 17:3021-3025, R.S. 3041.10-3041.15, R.S. 17:3042.1, R.S. 17:3048.1, R.S. 17:3048.5 and R.S. 17:3048.6).

This rulemaking clarifies the definition of *eligible non-citizen*, clarifies that Performance and Honors Award stipends are paid for each semester for which tuition is paid by TOPS and for which the student remains eligible for the Award, and implements Acts 18, 388, and 503 of the 2016 Regular Session of the Louisiana Legislature. (SG16172NI)

Title 28
EDUCATION
Part IV. Student Financial Assistance—Higher Education Scholarship and Grant Programs
Chapter 3. Definitions
§301. Definitions

A. Words and terms not otherwise defined in this Chapter shall have the meanings ascribed to such words and terms in this Section. Where the masculine is used in these rules, it includes the feminine, and vice versa; where the singular is used, it includes the plural, and vice versa.

* * *

Award Amount—

a. Through the 2015-2016 academic year (college), an amount equal to tuition at the school attended, for those students attending a Louisiana public college or university, as determined by the commission, which may be used by the student to pay any educational expense included in that student's "cost of attendance." The amount paid for TOPS and TOPS-Tech Awards shall be as follows.

i. For students with the TOPS Opportunity, Performance, and Honors Award attending a Louisiana public college or university and enrolled in an academic degree program, the amount shall equal the actual cost of tuition.

ii. For students with the TOPS Opportunity, Performance, and Honors Award attending a regionally accredited independent college or university in Louisiana that is a member of the Louisiana Association of Independent Colleges and Universities or an out-of-state college or university if all of the conditions of §703.I are met and enrolled in an academic degree program, the amount shall equal the weighted average award amount.

iii. For students with the TOPS Opportunity, Performance, and Honors Award attending a Louisiana public college or university and enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree, the amount shall equal the actual cost of tuition.

iv. For students with the TOPS Opportunity, Performance, and Honors Award attending a regionally accredited independent college or university in Louisiana that is a member of the Louisiana Association of Independent Colleges and Universities or who attend an eligible cosmetology or proprietary school and enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree, the amount shall equal the average award amount (TOPS-Tech).

v. For students with the TOPS-Tech Award attending an eligible public college or university that does not offer an academic undergraduate degree at the baccalaureate level or higher and enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree, the amount shall equal the actual cost of tuition.

vi. For students with a TOPS-Tech Award attending an eligible college or university that offers an academic undergraduate degree at the baccalaureate level or higher and enrolled in a program for a vocational or technical education certificate or diploma or a non-academic undergraduate degree, the amount shall equal the average award amount (TOPS-Tech).

vii. For students with the TOPS Opportunity, Performance, and Honors Award enrolled in a Louisiana professional school, the amount shall be equal to the tuition charged or the tuition charged a student pursuing a baccalaureate degree at the highest cost public school, whichever is less or the weighted average award amount, depending upon whether the Louisiana professional school is a public or private school.

viii. For students with the TOPS Opportunity, Performance and Honors Award enrolled in a Louisiana graduate degree program, the amount shall be equal to the tuition or the tuition charged for a student while pursuing a baccalaureate degree at the highest cost public school in the state, whichever is less.

b. Beginning with the 2016-2017 academic year (college), the award amount determined by the administering agency in accordance with Clauses a.i-a.viii above during the 2016-2017 academic year (college), plus any increase in the award amount specifically authorized by the Louisiana Legislature.

* * *

Eligible Noncitizen—

a. an individual who can provide documentation from the U.S. Citizenship and Immigration Services (USCIS) or its successor that he is in the U.S. for other than a temporary purpose with the intention of becoming a citizen or permanent resident, including, but not limited to, refugees, persons granted asylum, Cuban-Haitian entrants, temporary residents under the recent Immigration Reform and Control Act of 1986, and others. A permanent resident of

the United States must provide documentation from the USCIS to verify permanent residency. For 1997, 1998 and 1999 high school graduates, an eligible noncitizen shall be treated as meeting the citizenship requirements for an award under this Part;

b. beginning with the 2018-2019 academic year (high school) and later, a student who is not a citizen of the United States but who is the child of a non-United States citizen who is either serving in any branch of the United States armed forces or has been honorably discharged from any branch of the United States armed forces shall be treated as meeting the citizenship requirements for an award under this Part.

* * *

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3021-3036, R.S. 17:3042.1 and R.S. 17:3048.1.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:632 (April 1998), amended LR 24:1898 (October 1998), LR 24:2237 (December 1998), LR 25:256 (February 1999), LR 25:654 (April 1999), LR 25:1458 and 1460 (August 1999), LR 25:1794 (October 1999), LR 26:65 (January 2000), LR 26:688 (April 2000), LR 26:1262 (June 2000), LR 26:1601 (August 2000), LR 26:1993, 1999 (September 2000), LR 26:2268 (October 2000), LR 26:2752 (December 2000), LR 27:36 (January 2001), LR 27:284 (March 2001), LR 27:1219 (August 2001), LR 27:1840 (November 2001), LR 27:1875 (November 2001), LR 28:45 (January 2002), LR 28:446 (March 2002), LR 28:772 (April 2002), LR 28:2330, 2331 (November 2002), LR 29:555 (April 2003), LR 29:879 (June 2003), LR 30:1159 (June 2004), LR 30:2015 (September 2004), LR 31:36 (January 2005), LR 31:3112 (December 2005), LR 33:86 (January 2007), LR 33:439 (March 2007), LR 33:1339 (July 2007), LR 33:2612 (December 2007), LR 34:234 (February 2008), LR 34:1388 (July 2008), LR 34:1884 (September 2008), LR 35:228 (February 2009), LR 35:1489 (August 2009), LR 35:1490 (August 2009), LR 36:311 (February 2010), LR 36:490 (March 2010), LR 36:2854 (December 2010), LR 37:1561 (June 2011), LR 37:1562 (June 2011), LR 38:1953 (August 2012), LR 38:3156 (December 2012), LR 39:308 (February 2013), LR 40:53 (January 2014), LR 40:281 (February 2014), LR 41:649, 658 (April 2015), LR 41:2595 (December 2015), LR 42:

Chapter 7. Taylor Opportunity Program for Students (TOPS) Opportunity, Performance, and Honors Awards

§701. General Provisions

A. - E.1.b. ...

2.a. The TOPS Performance Award provides a $400 annual stipend, prorated by two semesters, three quarters, or equivalent units in each academic year (TOPS), in addition to an amount equal to tuition for full-time attendance at an eligible college or university, for a period not to exceed eight semesters, including qualified summer sessions, 12 quarters, including qualified summer sessions, or an equivalent number of units in an eligible institution which operates on a schedule based on units other than semesters or quarters, except as provided by R.S. 17:3048.1(H), or LAC 28:IV.503.D, 509.C, or 701.E.2.b. If a student attends an eligible summer session, quarter, term, or equivalent unit and requests that their TOPS Award be paid for that session, semester, quarter, term, or equivalent unit, the stipend will also be paid since payment of a TOPS Award for a summer session, quarter, term, or equivalent unit will count toward the eight semester limit for TOPS.

b. The semester or term count for a student shall not be increased for any semester or term a student is unable to complete because of orders to active duty in the United States Armed Forces or National Guard, whether or not a full refund for the TOPS payment for that semester or term is received by LOSFA, provided that any amount of a stipend paid and not refunded shall be counted toward the total stipends allowed by law.

3.a. The TOPS Honors Award provides an $800 annual stipend, prorated by two semesters, three quarters, or equivalent units in each academic year (TOPS), in addition to an amount equal to tuition for full-time attendance at an eligible college or university, for a period not to exceed eight semesters, including qualified summer sessions, 12 quarters, including qualified summer sessions, or an equivalent number of units in an eligible institution which operates on a schedule based on units other than semesters or quarters, except as provided by R.S. 17:3048.1(H), or LAC 28:IV.503.D, 509.C or 701.E.3.b. If a student attends an eligible summer session, quarter, term, or equivalent unit and requests that their TOPS Award be paid for that session, semester, quarter, term, or equivalent unit, the stipend will also be paid since payment of a TOPS Award for a summer session, quarter, term, or equivalent unit will count toward the eight semester limit for TOPS.

b. The semester or term count for a student shall not be increased for any semester or term a student is unable to complete because of orders to active duty in the United States Armed Forces or National Guard, whether or not a full refund for the TOPS payment for that semester or term is received by LOSFA, provided that any amount of a stipend paid and not refunded shall be counted toward the total stipends allowed by law.

4.a. Through the 2009-2010 academic year (college), in lieu of the amount equal to tuition as provided by LAC 28:IV.701.E.1-3, students participating in the program provided by R.S. 29:36.1 for persons serving in the Louisiana National Guard shall receive the tuition exemption as provided therein, plus any applicable TOPS stipend and a sum of not more than $150 per semester or $300 annually for the actual cost of books and other instructional materials.

b. Beginning with the 2010-2011 academic year (college), in lieu of the amount equal to tuition as provided by LAC 28:IV.701.E.1-3, students with the TOPS Opportunity, Performance and Honors Award participating in the program provided by R.S. 29:36.1 for persons serving in the Louisiana National Guard shall receive the tuition exemption as provided therein, plus a sum of $300 per semester or $600 per academic year to be applied toward the cost of books and other instructional materials. In addition, those students with the Performance Award shall receive $400 per semester or $800 per academic year for other educational expenses and those students with the Honors Award shall receive $800 per semester or $1,600 per academic year for other educational expenses. If the student attends an eligible summer session, quarter, term, or equivalent unit and requests that their TOPS Award be paid for that session, semester, quarter, term, or equivalent unit in accordance with this paragraph, the amounts stipulated herein will also be paid since payment of a TOPS Award for a summer session, quarter, term, or equivalent unit will count toward the eight semester limit for TOPS.

E.5. - G.2. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3021-3036, R.S. 17:3042.1 and R.S. 17:3048.1.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1645-1648 (December 1997), repromulgated LR 24:635 (April 1998), amended LR 24:1901 (October 1998), LR 25: 256 (February 1999), LR 26:67 (January 2000), LR 26:1262 (June 2000), LR 26:1995 (September 2000), LR 26:2000 (September 2000), repromulgated LR 27:1848 (November 2001), amended LR 28:447 (March 2002), LR 28:2331 (November 2002), LR 29:880 (June 2003), LR 29:2372 (November 2003), LR 30:1161 (June 2004), LR 31:2213 (September 2005), LR 35:228 (February 2009), LR 36:2854 (December 2010), LR 40:1002 (May 2014), LR 41:663 (April 2015), LR 42:

§703. Establishing Eligibility

A. - A.5.g.viii. …

6. have achieved an ACT score, as defined in §301 of at least:

a. if qualifying under the terms of §703.A.5.a, b, or g:

i. the state's reported prior year ACT composite average, truncated to a whole number, but never less than 20 for the Opportunity Award; or

ii. a 23 for the Performance Award; or

iii. a 27 for the Honors Award; or

b. if qualifying under §703.A.5.c:

i. is a Louisiana resident, except as defined in Subparagraph h of the definition of *Louisiana resident* in §301:

(a). the state's reported prior year average, truncated to a whole number plus 3 points, but never less than 23 for the Opportunity Award; or

(b). a 26 for the Performance Award; or

(c). a 30 for the Honors Award; and

ii. is a Louisiana resident as defined in Subparagraph h of the definition of *Louisiana resident* in §301:

(a). the state's reported prior year average, truncated to a whole number, plus 2 points, but never less than 22 for the Opportunity Award; or

(b). a 25 for the Performance Award; or

(c). a 29 for the Honors Award; and

c.i. if completed the 12th grade level of an approved home study program during or before the academic year (high school) 2003-2004 and qualifying under §703.A.5.d;

(a). the state's reported prior year average, truncated to a whole number, plus 3 points, but never less than 23 for the Opportunity Award; or

(b). a 26 for the Performance Award; or

(c). a 30 for the Honors Award; and

ii. if completed the 12th grade level of an approved home study program during or after academic year (high school) 2004-2005 and through academic year (high school) 2006-2007 and qualifying under §703.A.5.d;

(a). the state's reported prior year average, truncated to a whole number plus 2 points, but never less than 22 for the Opportunity Award; or

(b). a 25 for the Performance Award; or

(c). a 29 for the Honors Award; and

iii. if completed the 12th grade level of an approved home study program during or after the academic year (high school) 2007-2008 and after, and qualifying under §703.A.5.d;

(a). the state's reported prior year average, truncated to a whole number, plus 2 points, but never less than 22 for the Opportunity Award; or

(b). a 24 for the Performance Award; or

(c). a 28 for the Honors Award; and

d.i. if qualifying under §703.A.5.e by graduating from a high school defined in §1701.A.5; which is limited to the Opportunity Award only; the state's reported prior year average, truncated to a whole number, plus 3 points, but never less than 23;

ii. if qualifying under §703.A.5.e by successfully completing the 12th grade level a home study program approved by BESE and conducted outside the United States and its territories during or before the academic year (high school) 2003-2004 or during or after the academic year (high school) 2008-2009; which is limited to the Opportunity Award only; the state's reported prior year average, truncated to a whole number, plus 3 points, but never less than 23;

iii. if qualifying under §703.A.5.e by successfully completing the 12th grade level a home study program approved by BESE and conducted outside the United States and its territories during or after the academic year (high school) 2004-2005 and through the academic year (high school) 2007-2008; which is limited to the Opportunity Award only; the state's reported prior year average, truncated to a whole number, plus 2 points, but never less than 22;

e. if qualifying under §703.A.5.f; which is limited to the Performance Award only; a 24; and

7. not have a criminal conviction, except for misdemeanor traffic violations, and if the student has been in the United States Armed Forces and has separated from such service, has received an honorable discharge or general discharge under honorable conditions; and

8. agree that awards will be used exclusively for educational expenses.

B.Students qualifying:

1. under §703.A.5.a and b during or before academic year (high school) 2006-2007, must have attained a cumulative high school grade point average, based on a 4.00 maximum scale, of at least:

a. a 2.50 for the Opportunity Award; or

b. a 3.50 for the Performance or Honors Awards;

2. under §703.A.5.a and b during or after academic year (high school) 2007-2008, must have attained a cumulative high school grade point average, based on a 4.00 maximum scale, of at least:

a. a 2.50 for the Opportunity Award; or

b. a 3.00 for the Performance or Honors Awards;

3. under §703.A.5.a and b in academic year (high school) 2020-2021 must have attained a TOPS cumulative high school grade point average, based on a 4.00 maximum scale, of at least:

a. a 2.50 for the Opportunity Award; or

b. a 3.25 for the Performance; or

c. a 3.50 for the Honors Award;

4. under §703.A.5.f and graduating in academic year (high school) 2000-2001 through 2005-2006, must have attained a TOPS cumulative high school grade point average, based on a 4.00 maximum scale, of at least a 3.00 for the Performance Award.

C. - J.4.b.ii. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 17:3021-3025, R.S. 17:3042.1, and R.S. 17:3048.1.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), repromulgated LR 24:636 (April 1998), amended LR 24:1902 (October 1998), LR 24:2237 (December 1998), LR 25:257 (February 1999), LR 25:655 (April 1999), LR 25:1794 (October 1999), LR 26:64, 67 (January 2000), LR 26:689 (April 2000), LR 26:1262 (June 2000), LR 26:1602 (August 2000), LR 26:1996, 1999, 2001 (September 2000), LR 26:2268 (October 2000), LR 26:2753 (December 2000), LR 27:36 (January 2001), LR 27:702 (May 2001), LR 27:1219, 1219 (August 2001), repromulgated LR 27:1850 (November 2001), amended LR 28:772 (April 2002), LR 28:2330, 2332 (November 2002), LR 29:125 (February 2003), LR 29:2372 (November 2003), LR 30:1162 (June 2004), LR 30:1471 (July 2004), LR 30:2019 (September 2004), LR 31:37 (January 2005), LR 31:2213 (September 2005), LR 31:3112 (December 2005), LR 32:2239 (December 2006), LR 33:435 (March 2007), LR 33:2357 (November 2007), LR 33:2612 (December 2007), LR 34:1389 (July 2008), LR 35:228 (February 2009), LR 36:312 (February 2010), LR 36:490 (March 2010), LR 36:2269 (October 2010), LR 36:2855 (December 2010), LR 37:2987 (October 2011), LR 38:354 (February 2012), LR 38:3158 (December 2012), LR 39:481 (March 2013), LR 39:2485 (September 2013), LR 40:54 (January 2014), LR 41:373 (February 2015), LR 41:651, 664 (April 2015), LR 41:1486 (August 2015), LR 41:2596, 2599 (December 2015), LR 42:

Chapter 21. Miscellaneous Provisions and Exceptions

§2107. Funds and Funding

A. - B. …

C. Insufficient Funds Appropriated

1. All LASFAC-administered state scholarship and grant program awards are contingent upon the annual appropriation of funds by the Louisiana Legislature.

2. In the event appropriated funds are insufficient to fully reimburse institutions for awards and stipends for all students determined eligible for the TOPS Opportunity, Performance, Honors and Tech Awards for a given academic year, each student's award, including stipends for TOPS Performance and Honors awards, shall be reduced by an equal percentage on a pro rata basis.

3. A student whose award is reduced pursuant to this section shall not be required to accept payment of his award or enroll or maintain continuous enrollment in an eligible college or university during the time period during which there is a funding shortfall. A student who exercises this option:

a. shall be eligible to receive his remaining TOPS award upon enrollment in an eligible college or university, provided the student meets the continuation requirements for his award except as specifically set forth in this Section; and

b. shall exhaust all award eligibility within five years of the reduction of his award, provided that if the student requests and is granted an exception to the requirement to enroll full time or to maintain continuous enrollment in school in accordance with §1901 of these rules, the time period within which the student must exhaust his award eligibility shall be extended by the number of semesters/terms for which he receives an exception.

4. The provisions of this Section shall not apply to the stipend for books and other instructional materials provided to persons serving in the Louisiana National Guard as set forth in §701.E.4.a and b of these rules or to the TOPS-Tech Early Start Program.

D. Stop Payment of Uncleared Checks. The LASFAC may stop payment on checks which are issued as scholarship or grant awards but not negotiated by September 1 following the close of the academic year for which they were issued.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:3021-3036, R.S. 17:3042.1 and R.S. 17:3048.1.

HISTORICAL NOTE: Promulgated by the Student Financial Assistance Commission, Office of Student Financial Assistance, LR 22:338 (May 1996), amended LR 23:1648 (December 1997), repromulgated LR 24:649 (April 1998), amended LR 24:1919 (October 1998), LR 26:1998 (September 2000), repromulgated LR 27:1869 (November 2001), amended LR 28:449 (March 2002), LR 28:777 (April 2002), LR 28:2333 (November 2002), LR 31:40 (January 2005), LR 38:3162 (December 2012), LR 42:

Family Impact Statement

The proposed Rule has no known impact on family formation, stability, or autonomy, as described in R.S. 49:972.

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

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 on the proposed changes (SG16172NI) until 4:30 p.m., August 9, 2016, by email to LOSFA.Comments@la.gov or to Sujuan Williams Boutté, Ed. D., Executive Director, Office of Student Financial Assistance, P.O. Box 91202, Baton Rouge, LA 70821-9202.

Robyn Rhea Lively
Senior Attorney

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Scholarship/Grant Programs

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

The proposed rule change to implement Acts 18, 388 and 503 of the 2016 Regular Legislative Session may result in a decrease in Taylor Opportunity Program for Students (TOPS) expenditures. The proposed rule change also clarifies noncitizen eligibility and TOPS summer school payments.

Act 388 of the 2016 Regular Legislative Session increases the grade point average (GPA) requirements for TOPS Performance and Honors awards from a 3.0 GPA for both awards to a 3.25 GPA for Performance award and a 3.5 GPA for Honors award. The GPA eligibility changes required by Act 388 will result in a reduction in TOPS Performance and Honors stipend payments and generate a savings, but any decrease would not occur until the 2021-2022 fiscal year.

Act 18 of the 2016 Regular Legislative Session sets the TOPS award amount at the FY 17 level; the award amount can only be raised by an act of the legislature. Any savings would begin in FY 18 in the event institutions increase tuition. Act 18 also changes the rounding provisions for ACT composite scores from rounding up to the nearest whole number to truncating to the nearest whole number. This change has no impact since the average state ACT score (19.4) is below the minimum ACT score of 20 for the TOPS Opportunity award.

Act 503 of the 2016 Regular Legislative addressed the process for award determination in the event there are insufficient funds for the TOPS Program. Act 502 would allow awards for all recipients to be reduced on a pro-rata basis to meet the funding level. Currently the rule would first eliminate all students who did not submit a Free Application for Federal Student Aid (FAFSA), then prioritize by ACT score and expected family contribution (EFC) in ranges of $1,000. The lowest qualifying ACT score and highest EFC would be eliminated first until sufficient funding is available for awards.

For noncitizen eligibility, the rule clarifies that students eligible as a noncitizen before Act 101 of 2015 changes are still eligible. The rule change clarifies that Performance and Honors TOPS Award level students who attend summer school under current TOPS eligibility criteria are eligible to receive the stipend payments associated with their award along with the summer tuition payment.

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

There is no impact on state or local governmental revenues.

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

Students may be required to pay a larger share of their educational costs if there is a funding shortfall for TOPS (Act 503) or tuition increases that are not covered by their TOPS award (Act 18). In addition, some high school graduates in 2021 and thereafter who would have otherwise qualified for TOPS Performance and Honors Award stipends under current law may not qualify for those stipends under the changes contained in Act 388 and thus may receive reduced funding for their education costs.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Competition and employment will not be affected by the proposed change.

Robyn Rhea Lively	John D. Carpenter
Senior Attorney	Legislative Fiscal Officer
1607#017	Legislative Fiscal Office

NOTICE OF INTENT

Department of Health
Board of Dentistry

Dentists and Dental Hygienists Licensure Examination
(LAC 46:XXXIII.1709 and 1711)

In accordance with the applicable provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Dental Practice Act, R.S. 37:751 et seq., and particularly R.S. 37:760(8), notice is hereby given that the Department of Health, Board of Dentistry intends to amend LAC 46:XXXIII.1709 and 1711.

The Louisiana State Board of Dentistry is amending LAC 46:XXXIII.1709 to remove the requirement that an applicant first applies to the agency whose examination the board accepts because it is unnecessary now that the Louisiana state board accepts (or will accept) American Board of Dental Examiners (ADEX) given by any testing agency and not only Council for Interstate Testing Agencies (CITA) for licensure for by examination.

The Louisiana State Board of Dentistry is amending LAC 46:XXXIII.1711 to allow the acceptance of the American Board of Dental Examiners (ADEX) Dental Hygiene Examination given by any testing agency for initial licensure by examination. Further, the Louisiana State Board of Dentistry is amending LAC 46:XXXIII.1711 to remove the requirement that an applicant first applies to the agency whose examination the board accepts because it is unnecessary now that the Louisiana state board accepts (or will accept) (ADEX) given by any testing agency and not only (CITA) for licensure for by examination.

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part XXXIII. Dental Health Profession
Chapter 17. Licensure Examination
§1709. Examination of Dentists

A. An applicant shall be entitled to take the examinations required in this Section to practice dentistry in this state if such applicant:

1. is 18 years of age or older;
2. is of good moral character;
3. is a graduate of a dental school accredited by the Commission on Dental Accreditation of the American Dental Association or its successor agency, if any, or any other nationally recognized accrediting agency; and
4. has successfully completed the National Board of Dental Examiners dental examination.

B. To be licensed as a dentist in this state, an applicant for initial licensure must successfully complete the following:

1. a written examination on the jurisprudence and ethics of the state regulating the practice of dentistry; and
2. the Louisiana State Board of Dentistry approved clinical examination. This examination will be named by the board and this approval may be changed or amended as deemed necessary by the board.

C. Examination scores are valid for initial licensure for three years following the candidate's successful completion of an accepted licensing examination. The examinations accepted by the Louisiana State Board of Dentistry for initial licensure by examination are as follows:

1. examinations conducted prior to January 1, 2012, by Council of Interstate Testing Agencies (CITA), Central Regional Dental Testing Service (CRDTS), Northeast Regional Examining Board (NERB), Southern Regional Testing Agency (SRTA), and Western Regional Examining Board (WREB);
2. examinations conducted after January 1, 2012, by Council of Interstate Testing Agencies (CITA);
3. the American Board of Dental Examiners (ADEX) Dental Examination.

D. The board is expressly authorized to utilize the services of other licensed dentists to facilitate the examination.

E. No clinical licensing examination may be conducted in the state of Louisiana without the written permission from the Louisiana State Board of Dentistry. For permission to be granted, the agency conducting the examination must have at least four current members of the Louisiana State Board of Dentistry participating in the clinical licensing examination.

F. Notwithstanding any other law to the contrary or any examination manual of any of the testing agencies listed in Subsection C of this Section, no candidate for licensure in the state of Louisiana will be granted same if said candidate has failed any clinical licensing examination for a total of three times. This number includes the accumulation of all examinations taken regardless of the testing agency. This number excludes failures of clinical examinations taken

prior to an applicant's final year of dental school. A make-up examination counts as an examination.

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:760(1) and (8).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 24:1119 (June 1998), amended LR 28:2513 (December 2002), LR 33:2654 (December 2007), LR 37:1407 (May 2011), LR 37:2151 (July 2011), LR 37:3516 (December 2011), repromulgated LR 38:356 (February 2012), amended LR 38:1959 (August 2012), LR 39:86 (January 2013), LR 39:1282 (May 2013), LR 40:783 (April 2014), amended by the Department of Health, Board of Dentistry, LR 42:

§1711. Examination of Dental Hygienists

A. An applicant shall be entitled to take the examinations required in this Section to practice dental hygiene in this state if such applicant:

1. is 18 years of age or older;
2. is of good moral character;
3. is a graduate of a dental hygiene college or school approved by the board or accredited by the Commission on Accreditation of the American Dental Association or its successor agency; and
4. has successfully completed the National Board dental hygiene examination as administered by the American Dental Association.

B.To be licensed as a dental hygienist in this state, an applicant must successfully complete the following:

1. a written examination on the jurisprudence and ethics of the state regulating the practice of dental hygiene; and
2. the clinical examination administered by the Louisiana State Board of Dentistry approved testing agency. This agency will be named by the board and this relationship may be changed or amended as deemed necessary by the board.

C.Examination scores are valid for initial licensure for three years following the candidate's successful completion of an accepted licensing examination. The examinations accepted by the Louisiana State Board of Dentistry for initial licensure by examination are as follows:

1. examinations conducted by Council of Interstate Testing Agencies (CITA);
2. the American Board of Dental Examiners (ADEX) dental hygiene examination.

D. The board is expressly authorized to utilize the services of other licensed dentists to facilitate the examination.

E. - F. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:760(1) and (8).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Dentistry, LR 24:1119 (June 1998), amended LR 28:1779 (August 2002), LR 33:2654 (December 2007), LR 37:1407 (May 2011), LR 37:2151 (July 2011), LR 37:3516 (December 2011), repromulgated LR 38:356 (February 2012), amended LR 38:1960 (August 2012), amended by the Department of Health, Board of Dentistry, LR 42:

Family Impact Statement

There will be no family impact in regard to issues set forth in R.S. 49:972.

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973. 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 rulemaking should not have any know 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 of 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 on these proposed Rule changes to Arthur Hickham, Jr., Executive Director, Louisiana State Board of Dentistry, One Canal Place, Suite 2680, 365 Canal Street, New Orleans, LA 70130. Written comments must be submitted to and received by the board within 20 days of the date of the publication of this notice. A request pursuant to R.S. 49:953(A)(2) for oral presentation, argument, or public hearing must be made in writing and received by the board within 20 days of the date of the publication of this notice.

Public Hearing

A request pursuant to R.S. 49:953(A)(2) for oral presentation, argument, or public hearing must be in writing and received by the board within 20 days of the date of the publication of this notice.

Arthur Hickham, Jr.
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Advertising and Soliciting by Dentists and Complaints and Investigation

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

The estimated one-time implementation cost to the Board of Dentistry for the publication of the proposed notice and rules in the State Register is approximately $500 in FY 17. There are no estimated implementation cost or savings to state or local governmental units through promulgation of the proposed rules changes.

The proposed rule changes to LAC 46:XXXIII.1709 revises language from when Louisiana accepted test results conducted by only one testing agency, the Council for Interstate Testing Agencies (CITA). The proposed rule change will allow Louisiana to accept test results from any testing agency that administers the American Board of Dental Examiners (ADEX) Dental Hygiene Examination for purposes of licensure regardless of which testing agencies gives the ADEX test.

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

There will be no estimated effect on revenue collections by the board, state, or local governmental units.

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

The acceptance of the American Board of Dental Examiners (ADEX) Dental Hygiene Examination for initial licensure will allow licensees who take the examination to obtain a license in 45 jurisdictions including Louisiana. Therefore, licensees will benefit from the mobility allowed by completing this examination.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change to LAC 46:XXXIII.1711 "Examination of Dental Hygienists" may increase competition and employment opportunities as individuals successfully completing the ADEX Dental Hygiene Examination accepted in 45 jurisdictions may also seek licensure in Louisiana.

Arthur F. Hickman, Jr.	John D. Carpenter
Executive Director	Legislative Fiscal Officer
1607#068	Legislative Fiscal Office

NOTICE OF INTENT

Department of Health
Board of Medical Examiners

Medications Used in the Treatment of Obesity
(LAC 46:XLV.6905)

Notice is hereby given in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority vested in the Louisiana State Board of Medical Examiners (board) by the Louisiana Medical Practice Act, R.S. 37:1270 and R.S. 37:1285(B), the board intends to amend its rules governing physician prescription, dispensation and administration of medications used in the treatment of obesity, LAC 46:LXV.6905. The proposed amendment would add a new Subsection (§6905.C) to the board's existing rules to expand the medication that may be utilized in the treatment of obesity to include the components of non-controlled drugs, which have been approved for the treatment of exogenous obesity by the U.S. Food and Drug Administration (FDA), even though such components have not been separately approved for such purpose by the FDA. The proposed amendment is set forth below.

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part XLV. Medical Professions
Subpart 3. Practice
Chapter 69. Prescription, Dispensation, and Administration of Medications
Subchapter A. Medications Used in the Treatment of Obesity
§6905. Prohibitions

A. - B. …

C.When a non-controlled drug has been approved in the treatment of exogenous obesity by the FDA, the prohibitions in Subsection A of this Section shall not prevent the individual components of such drug from being separately prescribed, dispensed or administered for the treatment of obesity.

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:1270(A)(1), 37:1270(B)(6), and 37:1285(B).

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Medical Examiners, LR 18:744 (July 1992), amended by the Department of Health, Board of Medical Examiners, LR 42:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of the proposed amendment on the family has been considered. It is not anticipated that the proposed amendment will have any impact on family, formation, stability or autonomy, as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the impact of the proposed amendment on those that may be living at or below one hundred percent of the federal poverty line has been considered. It is not anticipated that the proposed amendment will have any impact on child, individual or family poverty in relation to individual or community asset development, as described in R.S. 49:973.

Provider Impact Statement

In compliance with HCR 170 of the 2014 Regular Session of the Louisiana Legislature, the impact of the proposed amendment on organizations that provide services for individuals with development disabilities has been considered. It is not anticipated that the proposed amendment will have any impact on the staffing, costs or overall ability of such organizations to provide the same level of services, as described in HCR 170.

Public Comments

Interested persons may submit written data, views, arguments, information or comments on the proposed amendment to Rita Arceneaux, Confidential Executive Assistant, Louisiana State Board of Medical Examiners, 630 Camp Street, New Orleans, LA 70130, (504) 568-6820, Ex. 242. She is responsible for responding to inquiries. Written comments will be accepted until 4 p.m., August 19 2016.

Public Hearing

A request pursuant to R.S. 49:953(A)(2) for a public hearing must be made in writing and received by the board within 20 days of the date of this notice. If a public hearing is requested to provide data, views, arguments, information or comments in accordance with the Louisiana Administrative Procedure Act, the hearing will be held on August 24, 2016 at 9 a.m. at the office of the Louisiana State Board of Medical Examiners, 630 Camp Street, New Orleans, LA 70130. Any person wishing to attend should call to confirm that a hearing is being held.

Eric D. Torres
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Medications Used in the Treatment of Obesity

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

The estimated one-time implementation cost to the Board of Medical Examiners for the publication of the proposed notice and rules in the State Register is approximately $319 in FY 17. There are no estimated implementation cost or savings to state or local governmental units through promulgation of the proposed rules changes.

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

There is no anticipated effect on the Board's revenue collections or those of any other state or governmental unit.

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

The proposed rule change provides that the components of non-controlled medications that have been approved by the U.S. Food and Drug Administration (FDA) for use in the treatment of exogenous obesity may also be utilized by physicians in the treatment of obesity, even if these components have not been separately approved by the FDA for such purposes. Physicians and their patients, who may desire to receive such therapy on their physician's recommendation, will be directly affected by the proposed rule amendment. Otherwise, the proposed rule change will not have a material effect on costs, paperwork, or workload of physicians and/or income of licensees or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

It is not anticipated that the proposed rule change will have any impact on competition or employment in either the public or private sector.

Eric D. Torres
Executive Director
1607#067

John D. Carpenter
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health
Board of Speech-Language Pathology and Audiology

Speech-Pathology and Audiology
(LAC 46:LXXV.103, 107, 109, 119, 121, 123, 130, 131, 501, and 505)

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. 37:3085, that the Board of Speech-Language Pathology and Audiology proposes to amend its current regulations to make technical changes and clarifications, add definitions for telehealth/telepractice, remove hearing aid dispensing fee from renewal and initial applications, and add telehealth registration fees.

Title 46
PROFESSIONAL AND OCCUPATIONAL STANDARDS
Part LXXV. Speech Pathology and Audiology
Chapter 1. General Rules
§103. Definitions

A. ...

* * *

Asynchronous Store and Forward Transfer—the transmission of client information in the delivery of telehealth services from an originating site to the provider at the distant site without the client being present.

* * *

Distant Site—the site at which the healthcare provider delivering the service is located at the time the service is provided via a telecommunication system.

* * *

Originating Site—the location of the client at the time the service is furnished via a telecommunications system or when the asynchronous store and forward transfer occurs.

* * *

Synchronous Interaction—communication through interactive technology in the delivery of telehealth services that enable an audiologist or speech-language pathologist and a client at two locations separated by distance to interact via two-way video and audio transmissions simultaneously.

* * *

Telehealth—a mode of delivering audiology and speech-language pathology services that utilizes information and communication technologies to enable the diagnosis, consultation, treatment, education care management, and self-management of clients at a distance from the audiologist or speech-language pathologist provider. Telehealth allows services to be accessed when providers are in a distant site and patients are in the originating site. Telehealth facilitates self-management and caregiver support for patients and includes synchronous interactions and asynchronous store and forward transfers.

* * *

Telehealth Registration—limited to out-of-state residents whose out-of-state audiology or speech-language pathology license does not require supervision, is an unrestricted and unencumbered license in good standing to perform audiology or speech-language pathology in the state in which the provider is located, and the license is comparable to the license in Louisiana as determined by this board.

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:2650 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners for Speech-Language Pathology and Audiology, LR 14:705 (October 1988), amended LR 22:346 (May 1996), LR 27:197 (February 2001), LR 28:1781 (August 2002), LR 30:2307 (October 2004), LR 33:2192 (October 2007), LR 37:2392 (August 2011), amended by the Department of Health, Board of Speech-Language Pathology and Audiology, LR 42:

§107. Qualifications for Licensure

A. - J.2. …

K. Examination Requirement—Speech-Language Pathology License, Provisional Speech-Language Pathology License, Audiology License, Provisional Audiology License

1. The board recognizes only the Educational Testing Service's specialty area examinations for speech-language pathology and audiology as the licensure examination for speech-language pathology and/or audiology. Scores received directly from the applicant are not acceptable for licensing purposes.

2. The passing score for the audiology area examination is a minimum score of 170.

3. The passing score for the speech-language pathology area examination is a minimum score of 162.

4. If an individual has never held a license to practice audiology or speech-language pathology in another state, and if the degree program was completed greater than ten years from the date of application, the passing score on the specialty area examination for speech/language pathology or audiology must have been obtained within the last five years.

L. - L.1.c. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:2650 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners for Speech-Language Pathology and Audiology, LR 14:706 (October 1988), amended LR 22:346 (May 1996), LR 27:197 (February 2001), repromulgated LR 27:1690 (October 2001), amended LR 28:1781 (August 2002), LR 30:2308 (October 2004), LR 33:2192 (October 2007), LR 37:2393 (August 2011), LR 39:1042 (April 2013), amended by the Department of Health, Board of Speech-Language Pathology and Audiology, LR 42:

§109. Application Procedures

A. - P. …

Q. Licensing Military Members and Military Spouses

1. Expedited application for licensure shall be granted to military members and military spouses in the area of audiology or speech-language pathology, licensed, certified or registered in another jurisdiction, while the individual is satisfying the requirement for licensure.

a. …

b. Military members shall submit with the application a copy of current military-issued identification and military orders.

c. …

2. In accordance with the 60-day grace period, military applicants shall submit:

a. military members—official, primary-source documentation verifying requirements met in accordance with §107 and §111.

b. …

3. Active and retired military members and military spouses shall be given a 60-day grace period for submission of official documentation from the date their notarized application and license fee are received by the board office, regardless of lapsed license status. The board may consider an extension of this grace period as per House Concurrent Resolution 74 of the 2015 Regular Session of the Louisiana Legislature.

4. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:2650 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners for Speech-Language Pathology and Audiology, LR 14:707 (October 1988), amended LR 22:352 (May 1996), LR 27:199 (February 2001), LR 28:1974 (September 2002), LR 30:2311 (October 2004), LR 33:2193 (October 2007), LR 37:2393 (August 2011), repromulgated LR 37:2623 (September 2011), LR 39:1043 (April 2013), amended by the Department of Health, Board of Speech-Language Pathology and Audiology, LR 42:

§119. Fees

A. The board collects the following fees, which are non-refundable:

1. initial Louisiana license application—$125;

2. dual license application (to include hearing aid dispensing)—$225;

3. renewal of license submitted on or before June 30, of each year (including hearing aid dispensing)—$65;

a. dual licensure renewal (including hearing aid dispensing)—$90;

4. delinquent renewal fee submitted between July 1 and July 31, of each year (including hearing aid dispensing)—$130;

a. dual licensure (including hearing aid dispensing)—$180;

5. delinquent renewal fee submitted between August 1 and October 31, of each year (including hearing aid dispensing)—$260;

a. dual licensure (including hearing aid dispensing)—$360;

6. registration fee for audiologists to dispense hearing aids—$25;

7. initial telehealth registration fee—$50;

8. renewal of telehealth registration submitted on or before June 30, of each year—$25;

9. renewal of telehealth registration submitted between July 1 and July 31, of each year—$50;

10. licensure upgrade—$30;

11. continuing education pre-approval fee for corporations or individuals who are not LBESPA licensees—$50;

12. mailing list—$0.05 per name and address plus postage and handling;
13. NSF or returned check—$40;
14. open book test fee—$30:
a. open book retest fee, per section—$10;
15. publications to include law, rules, etc.—$5 ea. plus postage and handling;
16. re-issuance of license certificate—$25;
17. subpoena within East Baton Rouge Parish—$50:
a. subpoena plus state-allowed travel rate per mile outside East Baton Rouge Parish—$50;
18. verification of license (written)—$10;
19. an additional fee may be charged for credit card transactions in accordance with state treasury rules.

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:2650 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners for Speech-Language Pathology and Audiology, LR 14:706 (October 1988), amended LR 22:350 (May 1996), LR 27:197 (February 2001), repromulgated LR 27:1691 (October 2001) amended LR 30:2313 (October 2004), LR 33:2195 (October 2007), LR 37:2395 (August 2011), amended by the Department of Health, Board of Speech-Language Pathology and Audiology, LR 42:

§121. License Renewals

A. - E.…

F. Inactive status is granted to licensees who are retired or who do not practice audiology or speech-language pathology during the fiscal year, July 1-June 30.

1. Licensees on inactive status may retain their license by payment of the annual renewal fee.
2. These licensees shall complete the affidavit on the continuing education report and submit it at the time of licensure renewal.
3. The licensee may submit the required five hours of continuing education each year he/she is on inactive status or submit all of the hours the year he/she returns to work in the profession.
4. Licensees on inactive status or who are retired shall not supervise individuals or otherwise engage in the practice of audiology or speech-language pathology.
5. In order to resume the practice of audiology or speech-language pathology, licensees on inactive status shall demonstrate completion of 5 clock hours of continuing education in the area of licensure for each year that inactive status was maintained (maximum of 25 hours). In addition, a letter requesting a change to active status must be submitted to the board office prior to resuming the practice of audiology or speech-language pathology.

G. - J.4. …

5. Licensees who have allowed their license to lapse for a period of 5 years or greater, and do not hold a current audiology or speech-language pathology license in another state, must submit evidence of 25 continuing education hours directly related to the clinical practice of the license being sought and must have been obtained within the past 18 months.

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:2650 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners for Speech-Language Pathology and Audiology, LR 14:707 (October 1988), amended LR 22:351 (May 1996), LR 27:198 (February 2001), LR 28:1972 (September 2002), LR 30:2314 (October 2004), LR 33:2195 (October 2007), LR 37:2395 (August 2011), LR 39:1043 (April 2013), amended by the Department of Health, Board of Speech-Language Pathology and Audiology, LR 42:

§123. Continuing Education Requirements

A. - B. …

C. Audiologists who register as dispensing audiologists shall ensure that at least 3 of the total 10 hours are in areas directly related to hearing aid dispensing, such as business/practice management, marketing, aural habilitation/rehabilitation, diagnostic assessment, characteristics of hearing aids and their application, etc.

D. …

E. Out-of-state audiologists and speech-language pathologists who hold telehealth registration shall complete the continuing education requirements consistent with the license the individual possesses for the state in which the provider is located. Telehealth Registrants residing in states which do not require continuing education for audiologists and/or speech-language pathologists shall complete the annual continuing education requirements specified in this Section and may be audited.

F. Continuing education events occurring in the month of June will be accepted for the collection period in which they occur or they may be counted in the following collection period which begins on July 1. Hours from one event may not be divided between two collection periods.

G. The graduated scale for the collection of continuing education hours is based on the date an applicant receives his/her initial license.

License Received	Hours Required
April, May, June	0
January, February, March	3
October, November, December	6
July, August, September	10

H. In the case of extenuating circumstances, when the licensee does not fulfill the continuing education requirements, the licensee shall submit a written request for extension to the board for consideration.

I. Continuing education hours accrued during the applicant's grace period will be accepted.

J. Acceptable continuing education sponsors and activities that are directly related to the practice of audiology and/or speech-language pathology:

1. board-sponsored activities;
2. presentations in the area of communication disorders sponsored by professional organizations such as American Academy of Audiology (AAA), American Speech-Language-Hearing Association (ASHA), Louisiana Academy of Audiology (LAA), Louisiana Speech-Language-Hearing Association (LSHA), Speech Pathologists and Audiologists in Louisiana Schools (SPALS), Louisiana Society for Hearing Aid Specialists, etc.;
3. activities provided by ASHA-approved continuing education providers or AAA-approved continuing education activities;
4. meetings of related professional organizations (e.g., Council for Exceptional Children, Orton Dyslexia Society);
5. college courses in the area of licensure taken for credit or official audit (3 semester hours or 6 quarter hours=10 hours of continuing education);

6. distance learning (video conferences, telephone seminars and internet courses sponsored by universities, schools, clinics, state agencies, hospitals, professional organizations, or related professional organizations);
7. workshops and in-services that are university, school, clinic, hospital or state agency sponsored (maximum of five hours in a related area);
8. publication of an article in a peer-reviewed journal for the year in which it was published;
9. digital media (e.g. CD, DVD, online webinars, etc.) which is ASHA-approved and AAA-approved continuing education media;
10. the presenting licensee may count 1 1/2 times the value of an activity the first time it is presented to allow for preparation time (example: a 3 hour workshop=4 1/2 hours). The activity will count for the actual hour value for each subsequent presentation of the same activity;
11. teaching at the college level in the area of communication disorders is not acceptable.

K. Pre-Approval Policy

1. Pre-approval is required for continuing education events that do not meet the requirements as listed under §123.I.1-11, and pre-approval of continuing education events is required in those situations where it is unclear whether or not the topic is relevant to the profession or will further a professional's expertise in a particular area.
2. The licensee shall request pre-approval (minimum of 30 days in advance) of self-study activities, or other appropriate activities.
3. Individuals not licensed by LBESPA as well as corporations offering continuing education not addressed under §123.I, must submit a $50 continuing education review fee along with the pre-approval request.
4. Licensees who elect to attend university classes/courses in speech-language pathology and/or audiology without payment of the university fee shall submit a self-study plan for pre-approval from the Louisiana Board of Examiners for Speech-Language Pathology and Audiology to receive continuing education credits.
5. Self-study activities in the area of communication disorders:
a. digital media (maximum of 5 hours);
b. reading of journal articles that contain self-examination questions at the end. Articles shall be submitted for pre-approval (maximum of 5 hours).
6. Publication of diagnostic and/or therapeutic materials (maximum of 5 hours).

L. Recording of Continuing Education Activities

1. Licensees shall record all continuing education activities as prescribed by the board and submitted at the time of renewal.
2. The board may request, through random audit, verification of clock hours submitted, including information regarding content and attendance. A percentage will be audited each year as a means of evaluating compliance with the continuing education requirements.

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:2650 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners for Speech-Language Pathology and Audiology, LR 22:351 (May 1996), amended LR 27:199 (February 2001), LR 28:1973 (September 2002), LR 30:2314 (October 2004), LR 33:2196 (October 2007), LR 37:2395 (August 2011), LR 39:1043 (April 2013), amended by the Department of Health, Board of Speech-Language Pathology and Audiology, LR 42:

§130. Telepractice

A. Telepractice, regardless of where the service is rendered or delivered, constitutes the practice of audiology or speech-language pathology and shall require Louisiana licensure for in-state practitioners and telehealth registration for out-of-state licensed practitioners.

B. A provider of telehealth services shall be competent in both the type of services provided and the methodology and equipment used to provide the services.

C. A provider of telehealth services must use methods for protecting client information that include authentication and encryption technology.

D. The standard of care shall be the same as if the audiology or speech-language pathology services were delivered face-to-face. It is the responsibility of the provider to determine candidacy and to ensure that the client is comfortable with the technology being utilized.

E. The client shall be notified of telehealth services including but not limited to the right to refuse telehealth services, options for service delivery, and instructions on filing and resolving complaints, in all applicable jurisdictions.

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:2650 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners for Speech-Language Pathology and Audiology, LR 39:1044 (April 2013), amended by the Department of Health, Board of Speech-Language Pathology and Audiology, LR 42:

§131. Hearing Aid Dispensing

A. Audiologists who dispense hearing aids shall meet the coursework and practicum requirements for dispensing as specified in R.S. 37:2650 et seq., and shall indicate their intent to do so at the time of each license renewal.

1. - 2. Repealed.

B. - D. …

E. Repealed.

F. Audiologists who dispense hearing aids shall comply with the following.

1. - 1.b. …

c. a basic audiological test battery conducted within the preceding six-month period in a sound-treated environment unless the patient's physical condition prohibits accomplishment of these procedures. The battery shall include:

F.1.c.i. - H.2. …

AUTHORITY NOTE:Promulgated in accordance with R.S. 37:2650 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners for Speech-Language Pathology and Audiology, LR 22:353 (May 1996), amended LR 27:201 (February 2001), LR 28:1975 (September 2002), LR 30:2317 (October 2004), LR 33:2198 (October 2007), LR 37:2398 (August 2011), repromulgated LR 37:2624 (September 2011), amended by the Department of Health, Board of Speech-Language Pathology and Audiology, LR 42:

Chapter 5. Procedural Rules

§501. Investigation of Complaints

A. - C. …

D. Once a written complaint is received, the board shall initiate a review of the allegations contained therein. The board may dispose of the complaint informally through

correspondence or conference with the licensee and/or the complainant, which may result in a private letter of concern or a consent order. If the licensee stipulates to the complaint and waives her/his right to a formal hearing, the board may impose appropriate sanctions without delay. If the board finds that a complaint cannot be resolved informally, the written complaint shall be forwarded to the board's designated investigator for investigation. The board shall at that time notify the licensee, by certified mail, return receipt requested, of the investigation.

E. - I. …

J. A complaint may be resolved by:

1. a private letter of concern to the licensee or other appropriate parties.

2. a consent agreement and order approved by the board and entered into by the licensee.

K. - N. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2650 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners for Speech-Language Pathology and Audiology, LR 17:373 (April 1991), amended LR 22:356 (May 1996), LR 30:2320 (October 2004), LR 33:2200 (October 2007), LR 37:2398 (August 2011), amended by the Department of Health, Board of Speech-Language Pathology and Audiology, LR 42:

§505. Formal Disciplinary Hearings

A. If, after completion of the investigation, the board determines that the circumstances may warrant the withholding, denial, suspension, or revocation of a license, or other disciplinary action, the board shall initiate a formal disciplinary hearing. The board shall promptly notify the attorney general who is authorized and directed to appear on behalf of the state. The hearing shall convene in the parish in which the board is domiciled. The hearing shall be held before the board only after the involved licensee is given at least 30-days' notice by certified mail, return receipt requested. The notice shall include the following:

A.1. - K.2. …

3. Repealed.

4. issue a public letter of reprimand or concern;

5. require restitution of costs and expenses incurred by the board related to the enforcement of R.S. 37:2650 et seq.;

6. impose probationary conditions;

7. impose a fine for each violation not to exceed $1,000 per violation;

8. suspend a license;

9. revoke a license;

10. restrict the license by limiting or reducing the scope of practice; and/or

11. otherwise discipline a licensee.

L. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2650 et seq.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners for Speech-Language Pathology and Audiology, LR 17:374 (April 1991), amended LR 22:357 (May 1996), LR 30:2321 (October 2004), amended by the Department of Health, Board of Speech-Language Pathology and Audiology, LR 42:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

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 have no impact on child, individual, or family poverty in relation to individual or community asset development as described in 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 have no impact on the staffing level requirements or qualifications required to provide the same level of services, 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 to Jolie Jones, Executive Director, Louisiana Board of Examiners for Speech-Language Pathology and Audiology, 37283 Swamp Road, Suite 3B, Prairieville, LA 70769. Mrs. Jones is responsible for responding to inquiries regarding this proposed Rule. The deadline for receipt of all written comments is 4:30 p.m. on the day of the hearing.

Public Hearing

A public hearing on this proposed Rule is scheduled for Saturday, August 27, 2016 at 9 a.m. in the conference room at the board office, 37283 Swamp Road, Suite 3B, Prairieville, LA 70769. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing.

Jolie Jones
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Speech-Pathology and Audiology

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

The estimated costs to the Louisiana Board of Examiners for Speech-Language Pathology and Audiology (LBESPA) include publishing the Notice of Intent ($1,500) and uploading the new rules to the website ($100). All implementation expenditures will be made in FY 16-17. There are no estimated implementation savings to state or local governmental units through promulgation of the proposed rules changes.

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

The proposed rule changes are anticipated to result in a net increase of $300 in annual revenue collections for the Board of Examiners for Speech-Language Pathology and Audiology (LBESPA) as a result of the licensure verification fee increase and the elimination of the hearing aid dispensing fee for audiologists with doctoral degrees.

The increased fee of $5 for licensure verifications is anticipated to increase annual revenues by approximately $700 in FY 17 based on 140 licensure verifications.

Audiologists with doctoral degrees have met the required coursework and practicum required to dispense hearing aids and their transcripts do not have to be evaluated as they have in the past. As a result of the proposed elimination of the $25 fee for hearing aid dispensing, the Board of Examiners anticipates an annual decrease in annual revenues of approximately $400 in FY 17 based on 16 applications.

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

Audiologists and Speech-Language Pathologists will incur an additional cost as a result of the $5 increase to the licensure verification fee. However, audiologists with doctoral degrees will benefit from the Board no longer charging an additional fee of $25 for hearing aid dispensing for applications and renewals.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment as a result of this rule change.

Jolie Jones	Evan Brasseaux
Executive Director	Staff Director
1607#040	Legislative Fiscal Office

NOTICE OF INTENT

Department of Health
Bureau of Health Services Financing

Facility Need Review
Hospital Off-Site Campuses
Emergency Services
(LAC 48:I.Chapter 125)

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 48:I.12501 and 12503 and adopt §12522 in the Medical Assistance Program as authorized by R.S. 36:254 and R.S. 40:2116. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health and Hospitals, Bureau of Health Services Financing promulgated a Rule which amended the provisions governing the Facility Need Review (FNR) Program in order to remove outpatient abortion facilities from the FNR process (*Louisiana Register,* Volume 42, Number 1).

The department has now determined that it is necessary to amend the provisions governing the Facility Need Review Program in order to establish an FNR process for off-site campuses of licensed hospitals that provide emergency services.

Title 48
PUBLIC HEALTH—GENERAL
Part I. General Administration
Subpart 5. Health Planning
Chapter 125. Facility Need Review
Subchapter A. General Provisions
§12501. Definitions

A. ...

* * *

Emergency Services—services performed within a hospital licensed by the Department of Health pursuant to R.S. 40:2101 et seq., or at an *off-site campus* as defined in LAC 48:I.9303, and which include, but are not limited to, those services necessary to screen, evaluate and stabilize an emergency medical condition. Emergency services provided at a licensed off-site campus shall be operated and integrated as part of the services of the licensed hospital.

* * *

AUTHORITY NOTE:Promulgated in accordance with R.S. 40:2116.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:806 (August 1995), amended LR 25:1250 (July 1999), LR 28:2190 (October 2002), LR 30:1023 (May 2004), LR 32:845 (May 2006), LR 34:2611 (December 2008), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 35:2437 (November 2009), LR 36:323 (February 2010), LR 38:1961 (August 2012), LR 41:135 (January 2015), LR 41:2636 (December 2015), LR 42:61 (January 2016), amended by the Department of Health, Bureau of Health Services Financing, LR 42:

§12503. General Information

A. - B. ...

C.The department will also conduct an FNR for the following provider types to determine if there is a need to license additional units, providers or facilities:

1. - 3. ...

4. hospice providers or inpatient hospice facilities;

5. pediatric day health care facilities; and

6. off-site campuses of a licensed hospital, as defined in LAC 48:I.9303, which provide emergency services.

D. - H.2. ...

AUTHORITY NOTE:Promulgated in accordance with R.S. 40:2116.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:808 (August 1995), amended LR 28:2190 (October 2002), LR 30:1483 (July 2004), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 34:2612 (December 2008), amended LR 35:2437 (November 2009), LR 36:323 (February 2010), LR 38:1593 (July 2012), LR 38:1961 (August 2012), LR 41:136 (January 2015), LR 42:61 (January 2016), amended by the Department of Health, Bureau of Health Services Financing, LR 42:

Subchapter B. Determination of Bed, Unit, Facility or Agency Need

§12522. Hospitals—Licensed Off-Site Campuses Emergency Services

A. No hospital off-site campus providing emergency services shall be licensed to operate unless the FNR Program has granted an approval for the issuance of an off-site campus license to provide emergency services.

1. Once the FNR Program approval is granted, an off-site campus is eligible to be licensed (as part of the hospital) by the department to provide emergency services, subject to meeting all of the requirements for licensure.

B. The service area for a proposed or existing hospital off-site campus providing emergency services shall be within a 35-mile radius from the hospital's main campus location.

C. The hospital off-site campus providing emergency services shall not have a greater number of emergency department (ED) beds than the number of licensed inpatient beds at the hospital's main campus facility.

D. If the hospital's main campus facility has more than one off-site campus that provides emergency services, the total number of (ED) beds at all off-site campuses providing emergency services shall not be greater than the number of licensed inpatient beds at the hospital's main campus facility.

E. Determination of Need/Approval

1. The department will review the application to determine if there is a need for an additional off-site campus providing emergency services in the hospital's main campus' 35-mile radius service area.

2. The department shall grant FNR approval only if the FNR application, the data contained in the application, and other evidence effectively establishes the probability of serious, adverse consequences to individuals' ability to access emergency services if the off-site campus providing emergency services is not allowed to be licensed.

3. In reviewing the application, the department may consider, but is not limited to, evidence showing:

a. the number of other licensed facilities providing emergency services in the main campus' service area; and

b. individuals' inability to access emergency services.

4. The burden is on the applicant to provide data and evidence to effectively establish the probability of serious, adverse consequences to individuals' ability to access emergency services if the facility is not allowed to be licensed. The department shall not grant any FNR approvals if the applicant fails to provide such data and evidence.

F. Applications for approvals of off-site campuses providing emergency services submitted under these provisions are bound to the description in the application with regard to the type of services proposed, as well as to the site and location as defined in the application. FNR approval of facilities shall expire if these aspects of the application are altered or changed.

G. FNR approvals for licensed providers are non-transferrable and are limited to the location and the name of the original licensee.

1. An off-site campus providing emergency services undergoing a change of location in the hospital's main campus' service area shall submit a written attestation of the change of location and the department shall re-issue the FNR approval with the name and new location.

2. An off-site campus providing emergency services undergoing a change of location outside of the hospital's main campus service area shall submit a new FNR application and fee, and undergo the FNR approval process.

3. An off-site campus providing emergency services undergoing a change of ownership shall submit a new application to the department's FNR Program. FNR approval for the new owner shall be granted upon submission of the new application and proof of the change of ownership, which must show the seller's or transferor's intent to relinquish the FNR approval.

4. FNR approval of an off-site campus providing emergency services shall automatically expire if the facility is moved or transferred to another party, entity or location without application to and approval by the FNR program.

H. Off-site campuses providing emergency services shall have 12 months from the date of FNR approval to obtain final architectural plan approval and shall have 24 months from the date of FNR approval within which to become licensed.

1. A one-time 90-day extension may be granted, at the discretion of the department, when delays are caused by circumstances beyond the control of the applicant.

a. Inappropriate zoning is not a basis for extension.

2. Failure to meet the timeframes in this Subsection H shall result in an automatic expiration of the FNR approval.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2116.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 42:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

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 have no impact on child, individual, or family poverty in relation to individual or community asset development as described in 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 have no 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 to Cecile Castello, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821 or by email to MedicaidPolicy@la.gov. Ms. Castello is responsible for responding to inquiries regarding this proposed Rule. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Public Hearing

A public hearing on this proposed Rule is scheduled for August 25, 2016 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that

time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing.

Rebekah E. Gee MD, MPH
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Facility Need Review
Hospital Off-Site Campuses
Emergency Services

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 16-17 since workload associated with any new reviews are anticipated to be absorbed with existing staff and resources. It is anticipated that $972 (SGF) will be expended in FY 16-17 for the state's administrative expense for promulgation of this proposed rule and the final rule.
II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
It is anticipated that the implementation of this proposed rule will not affect revenue collections.
III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
This proposed Rule amends the provisions governing the Facility Need Review (FNR) Program in order to establish an FNR process for off-site campuses of licensed hospitals that provide emergency services. It is anticipated that implementation of this proposed rule will have no economic costs or benefits to hospitals for FY 16-17, FY 17-18 and FY 18-19.
IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
This rule has no known effect on competition and employment.

Cecile Castello	Gregory V. Albrecht
Health Standards Section Director	Chief Economist
1607#048	Legislative Fiscal Office

NOTICE OF INTENT

Department of Health
Bureau of Health Services Financing

Hospital Licensing Standards
Free-Standing Emergency Facilities
Emergency Services
(LAC 48:I.9327)

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 48:I.9327 as authorized by R.S. 40:2100-2115. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.
The Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing amended the provisions governing the licensing of hospitals in order to address changes that occurred within the hospital industry (*Louisiana Register*, Volume 29, Number 11). The department now proposes to amend the licensing standards governing hospitals in order to amend the provisions governing emergency services provided by free-standing emergency care facilities.

Title 48
PUBLIC HEALTH—GENERAL
Part I. General Administration
Subpart 3. Licensing and Certification
Chapter 93. Hospitals
Subchapter B. Hospital Organization and Services
§9327. Emergency Services
A. - G....
H. A free-standing emergency medical care facility that provides emergency services, and which is not a department of a licensed hospital, shall be prohibited from operating.
1. *Emergency Medical Services*—those medical services necessary to screen, evaluate and stabilize an emergency medical condition.
2. Emergency medical services provided at a licensed off-site location shall be operated and integrated as part of the services of the licensed hospital.
I. A licensed hospital shall not have a greater number of emergency department (ED) beds than the licensed inpatient bed capacity.
J. Any licensed hospital seeking to add an off-site location for an ED shall be required to apply for and obtain approval through the facility need review (FNR) process.
K. The hospital off-site campus providing emergency services shall not have a greater number of ED beds than the number of licensed inpatient beds at the hospital's main campus facility.
L. If the hospital's main campus facility has more than one off-site campus that provides emergency services, the total number of ED beds at all off-site campuses providing emergency services shall not be greater than the number of licensed inpatient beds at the hospital's main campus facility.
AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.
HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, LR 13:246 (April 1987), amended by the Department of Health, Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), LR 29:2407 (November 2003), amended by the Department of Health, Bureau of Health Services Financing, LR 42:

Family Impact Statement
In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have a positive impact on family functioning, stability or autonomy as described in R.S. 49:972 by ensuring the safe operation of hospitals that provide emergency services to families.

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 have no impact on child, individual, or family poverty in relation to individual or community asset development as described in 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 have no impact on the staffing level requirements or qualifications required to provide the same level of service

and will not increase direct or indirect cost to the provider to provide the same level of service. This proposed Rule will not impact the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments to Cecile Castello, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821 or by email to MedicaidPolicy@la.gov. Ms. Castello is responsible for responding to inquiries regarding this proposed Rule. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Public Hearing

A public hearing on this proposed Rule is scheduled for Thursday, August 25, 2016 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing.

Rebekah E. Gee MD, MPH
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Hospital Licensing Standards
Free-Standing Emergency Facilities
Emergency Services

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

It is anticipated that the implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 16-17. It is anticipated that $432 (SGF) will be expended in FY 16-17 for the state's administrative expense for the promulgation of this proposed rule and the final rule.

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

It is anticipated that the implementation of this proposed rule will not affect revenue collections since free-standing emergency care facilities will not be permitted to operate separately and independently from a licensed hospital. Their services must be integrated within the services of an already licensed hospital which would not generate any new licensing revenue.

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

This proposed Rule amends the licensing standards governing hospitals in order to amend the provisions governing emergency services provided by free-standing emergency facilities. It is anticipated that the implementation of this proposed rule will have no economic costs or benefits to hospitals in FY 16-17, FY 17-18 and FY 18-19.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Cecile Castello	Gregory V. Albrecht
Section Director	Chief Economist
1607#049	Legislative Fiscal Office

NOTICE OF INTENT

Department of Health
Bureau of Health Services Financing

Medicaid Eligibility
New Adult Eligibility Group
(LAC 50:III.2317)

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 50:III.2317 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health, Bureau of Health Services Financing amended the provisions governing Medicaid eligibility to adopt provisions in the Medicaid Program to expand coverage to the new adult group (*Louisiana Register*, Volume 42, Number 5). The department now proposes to amend the provisions governing the new adult eligibility group in order to clarify the provisions of the May 20, 2016 Rule.

Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part III. Eligibility
Subpart 3. Eligibility Groups and Factors
Chapter 23. Eligibility Groups and Medicaid Programs
§2317. New Adult Eligibility Group

A. - C.2. ...

3. not entitled to, or enrolled in Medicare Part A or Medicare Part B;

4. not otherwise eligible for and enrolled in mandatory coverage under the Medicaid State Plan;

a. Parents, children or disabled persons receiving Supplemental Security Income (SSI) benefits are excluded from enrollment as a new adult; and

5. parents or other caretaker relatives living with a dependent child(ren) under age 19 who are receiving benefits under Medicaid, the Children's Health Insurance Program, or otherwise enrolled in minimum essential coverage as defined in 42 CFR 435.4.

D. ...

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 42:755 (May 2016), amended by the Department of Health, Bureau of Health Services Financing, LR 42:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability or autonomy as described in R.S. 49:972.

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 have no impact on child, individual, or family poverty in relation to individual or community asset development as described in 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 have no 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 to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele is responsible for responding to inquiries regarding this proposed Rule. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Public Hearing

A public hearing on this proposed Rule is scheduled for Thursday, August 25, 2016 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing.

Rebekah E. Gee MD, MPH
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Medicaid Eligibility
New Adult Eligibility Group

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

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 16-17. It is anticipated that $324 ($162 SGF and $162 FED) will be expended in FY 16-17 for the state's administrative expense for promulgation of this proposed rule and the final rule.

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

It is anticipated that the implementation of this proposed Rule will not affect revenue collections other than the federal share of the promulgation costs for FY 16-17. It is anticipated that $162 will be collected in FY 16-17 for the federal share of the expense for promulgation of this proposed rule and the final rule.

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

This proposed Rule amends the provisions governing the new adult eligibility group in order to clarify the provisions of the May 20, 2016 Rule. It is anticipated that implementation of this proposed rule will not have economic costs or benefits for FY 16-17, FY 17-18 and FY 18-19.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Jen Steele	Gregory V. Albercht
Medicaid Director	Chief Economist
1607#050	Legislative Fiscal Office

NOTICE OF INTENT

Department of Health
Bureau of Health Services Financing
and
Office of Aging and Adult Services

Personal Care Services—Long-Term
Non-Medical Transportation Services
(LAC 50:XV.12903)

The Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services propose to amend LAC 50:XV.12903 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services amended the provisions governing long-term personal care services (LT-PCS) in order to 1) terminate the Louisiana Personal Options Program (La POP); 2) revise the eligibility requirements for shared LT-PCS; and 3) clarify the provisions governing the activities of daily living (*Louisiana Register*, Volume 42, Number 6). The amendment erroneously continued provisions that addressed non-medical transportation which should have been repealed. The department now proposes to amend the provisions governing LT-PCS to remove the non-medical transportation services provisions erroneously continued in the June 20, 2016 Rule in order to ensure that the provisions are promulgated accurately in the *Louisiana Administrative Code*.

Title 50
PUBLIC HEALTH—MEDICAL ASSISTANCE
Part XV. Services for Special Populations
Subpart 9. Personal Care Services
Chapter 129. Long Term Care
§12903. Covered Services

A. - C. ...

1. Repealed.

D. - E....

AUTHORITY NOTE:Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Office of the Secretary, Bureau of Health Services Financing, LR 29:912 (June 2003), amended LR 30:2831 (December 2004),

amended by the Department of Health, Office of Aging and Adult Services, LR 34:2578 (December 2008), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 39:2507 (September 2013), LR 42:902 (June 2016), amended by the Department of Health, Bureau of Health Services Financing and the Office of Aging and Adult Services, LR 42:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

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 have no impact on child, individual, or family poverty in relation to individual or community asset development as described in 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 have no 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 to Jen Steele, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821-9030 or by email to MedicaidPolicy@la.gov. Ms. Steele is responsible for responding to inquiries regarding this proposed Rule. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Public Hearing

A public hearing on this proposed Rule is scheduled for August 25, 2016 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing.

Rebekah E. Gee MD, MPH
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Personal Care Services—Long-Term Non-Medical Transportation Services

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

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 16-17. It is anticipated that $432 ($216 SGF and $216 FED) will be expended in FY 16-17 for the state's administrative expense for promulgation of this proposed rule and the final rule.

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

It is anticipated that the implementation of this proposed Rule will not affect revenue collections other than the federal share of the promulgation costs for FY 16-17. It is anticipated that $216 will be collected in FY 16-17 for the federal share of the expense for promulgation of this proposed rule and the final rule.

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

This proposed Rule amends the provisions governing Long-Term Personal Care Services (LT-PCS) to make technical changes to remove the non-medical transportation services provisions erroneously continued in the June 20, 2016 Rule in order to ensure that the provisions are promulgated accurately in the Louisiana Administrative Code. It is anticipated that implementation of this proposed rule will not have economic costs or benefits to LT-PCS providers for FY 16-17, FY 17-18, and FY 18-19.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Jen Steele	Gregory V. Albrecht
Medicaid Director	Chief Economist
1607#051	Legislative Fiscal Office

NOTICE OF INTENT

Department of Health
Office of Aging and Adult Services

Spinal Cord Injury (LAC 48:I.1905)

The Louisiana Department of Health, Office of Aging and Adult Services proposes to amend the language included in the definition of *spinal cord injury* to comply with the definition as set forth in R.S. 46:2632. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:450 et seq.

The Louisiana Department of Health, Office of Aging and Adult Services, assumed the Traumatic Head and Spinal Cord Injury Trust Fund and its functions as promulgated in LR 40:84.

Title 48
PUBLIC HEALTH—GENERAL
Part I. General Administration
Subpart 1. General
Chapter 19. Traumatic Head and Spinal Cord Injury
§1905. Definitions
[Formerly LAC 67:VII.1905]

* * *

Spinal Cord Injury—an insult to the spinal cord, not of a degenerative or congenital nature but caused by an external physical force resulting in paraplegia or quadriplegia.

* * *

AUTHORITY NOTE:Promulgated in accordance with R.S. 46:2631-2635 and R.S. 36:259(T).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Rehabilitation Services, LR 21:1253 (November 1995), amended by the Department of Health and Hospitals, Office of Aging and Adult Services, LR 40:84 (January 2014), amended

by the Department of Health, Office of Aging and Adult Services, LR 42:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have neutral impact on family formation, stability or autonomy as described in R.S. 49:972.

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 have no impact on child, individual, or family poverty in relation to individual or community asset development as described in 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 have no 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 to Melanie Richard, Louisiana Department of Health, Office of Aging and Adult Services, P.O. Box 2031 (Bin 14), Baton Rouge, LA 70821 or by email to Melanie.Richard@la.gov. Ms. Richard is responsible for responding to inquiries regarding this proposed Rule. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Public Hearing

A public hearing on this proposed Rule is scheduled for Monday, August 29, 2016 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing.

Rebekah E. Gee MD, MPH
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Spinal Cord Injury

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

The proposed rule amends Louisiana Administrative Code (LAC) Title 48, Part I, Chapter 19—Traumatic Head and Spinal Cord Injury, in order to remedy a disparity between the definition of Spinal Cord Injury found in the existing LAC 48:1905 and R.S. 46:2632. The definition of *Spinal Cord Injury* in LAC 48:1905 is being amended so that it corresponds with the definition as written in R.S 46:2632 by specifying "paraplegia" in lieu of "paraparesis/plegia" and "quadriplegia" in lieu of "quadraparesis/plegia".

The proposed rule will have no programmatic fiscal impact to the Louisiana Department of Health other than the cost of rule promulgation for FY 17. The cost of rulemaking is anticipated to be $426 in State General Fund for promulgation of both the proposed rule and the final rule. The cost of rulemaking is routinely included in the agency's annual operating budget.

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

It is anticipated that the implementation of this proposed rule will not affect revenue collections for FY 17.

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

It is anticipated that implementation of this proposed rule will have no economic cost or benefits to directly affected persons or non-governmental groups for FY 17, FY 18, and FY 19.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This proposed rule has no known effect on competition and employment.

Tara LeBlanc	John D. Carpenter
Assistant Secretary	Legislative Fiscal Officer
1607#055	Legislative Fiscal Office

NOTICE OF INTENT

Department of Public Safety and Corrections
Liquefied Petroleum Gas Commission

Permit Fees (LAC 55:IX.107)

The Department of Public Safety and Corrections, Liquefied Petroleum Gas Commission, in accordance with R.S. 40:1846 and with the Administrative Procedure Act., R.S. 49:950 et seq., hereby gives notice of its intent to amend §107 with regard to general requirements of permit holders to include a change to permit fees.

Title 55
PUBLIC SAFETY
Part IX. Liquefied Petroleum Gas
Chapter 1. General Requirements
Subchapter A. New Dealers
§107. Requirements

A. - A.5.c. …

6. Applicants shall have paid a permit fee in the amount of $150, except for class VII-E, which shall be $100, and R-1, R-2 registrations, which shall be $37.50 and class VI-X shall be in the amount of $150 for each location. For fiscal year 2014-2015, and for each subsequent fiscal year, the permit fee shall be 0.1369 of 1 percent of annual gross sales of liquefied petroleum gas with a minimum of $150 for each location. For classes not selling liquefied petroleum gases in succeeding years the permit fee shall be $150, except registrations shall be $37.50 per year.

a. Each class I and class IV dealer shall prepare and submit reports to the commission of each three month period within their annual permit fee calculation period, by the end of the month following each three-month period, in a form acceptable to the commission, the previous three month's purchases and sales. An additional five calendar days shall be granted for mail delays before a violation is issued.

6.b. - 15.…

AUTHORITY NOTE:Promulgated in accordance with R.S. 40:1846.

HISTORICAL NOTE: Adopted by the Department of Public Safety, Liquefied Petroleum Gas Commission, November 1972, amended December 1974, LR 1:315 (July 1975), LR 4:86 (March 1978), LR 7:633 (December 1981), amended by the Department of Public Safety and Corrections, Liquefied Petroleum Gas

Commission, LR 11:557 (May 1985), LR 15:854 (October 1989), LR 16:1063 (December 1990), LR 20:1400 (December 1994), LR 24:461 (March 1998), LR 24:2311 (December 1998), LR 25:1262 (July 1999), LR 25:2410 (December 1999), LR 26:1487 (July 2000), LR 27:2256 (December 2001), LR 28:2553 (December 2002), LR 29:2509 (November 2003), LR 31:2567 (October 2005), LR 33:1140 (June 2007), effective July 1, 2007, LR 35:2201 (October 2009), LR 35:2465 (November 2009), LR 38:1256 (May 2012), LR 41:395 (February 2015), LR 42:427 (March 2016), LR 42:

Family Impact Statement

1. The effect of this Rule on the stability of the family. This Rule should not have any effect on the stability of the family.
2. The effect of this Rule on the authority and rights of parents regarding the education and supervision of their children. This Rule should not have any effect on the authority and rights of parents regarding the education and supervision of their children.
3. The effect of this Rule on the functioning of the family. This Rule should not have any effect on the functioning of the family.
4. The effect of this Rule on family earnings and family budget. This Rule should not have any effect on family earnings and family budget.
5. The effect of this Rule on the behavior and personal responsibility of children. This Rule should not have any effect on the behavior and personal responsibility of children.
6. The effect of this Rule on the ability of the family or local government to perform the function as contained in the proposed Rule. This Rule should not have any effect on the ability of the family or local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

1. The impact of the proposed rule on child, individual, or family poverty has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on poverty in relation to individual or community asset development as provided in the R.S. 49:973.
2. The agency has considered economic welfare factors 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 poverty.

Small Business Analysis

1. The impact of the proposed Rule on small businesses has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act.
2. 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

The proposed Rule does not impact or affect a "provider." "Provider" means an organization that provides services for individuals with developmental disabilities as defined in HCR 170 of the 2014 Regular Session of the Legislature. In particular, the proposed Rule has no effect or impact on a "provider" in regard to:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the cost to the provider to provide the same level of service;
3. the ability of the provider to provide the same level of service.

Public Comments

All interested persons are invited to submit written comments on the proposed regulation. Such comments should be submitted no later than August 11, 2016 at 4:30 p.m. to Melinda L. Long, 7979 Independence Boulevard, Suite 307, Baton Rouge, LA 70806. A public hearing will be scheduled pursuant to R.S. 49:953(A)(1)(a) if necessary.

John W. Alario
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Permit Fees

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

There is no anticipated implementation costs or material savings to state or local governmental units as a result of the proposed rule changes. The proposed rule changes reflect a new fee structure adopted by the LP Gas Commission that increases permit fees for certain propane dealers in Louisiana, as well as create a quarterly reporting requirement of purchases and sales for Class VI dealers. Provisions in the proposed rule changes requiring Class VI permit dealers to submit quarterly purchasing and sales reports represent an extension of the LP Gas Commission's current duties, and the Commission intends to fund any associated expenditures utilizing existing resources and budget authority.

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

The proposed rule change will increase revenues for the statutorily dedicated Liquefied Petroleum Gas Commission Rainy Day Fund by an indeterminable amount in FY 17 and subsequent fiscal years. The proposed rule change states that with the exception of Class VII-E, R-1 and R-2 registrations, all permit applicants shall pay a permit fee in the amount of $150, an increase of $75 from the current permit fee of $75. The proposed rule also states that an applicant shall pay an additional assessment of 0.1369 of 1 percent of gross annual sales with a minimum assessment of $150 for each additional location, an increase of $75 from the present additional location fee minimum of $75 on the same assessment.

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

The proposed rule changes will impact the propane industry by increasing the cost of permit fees. The proposed rule changes increase permit fees for propane dealers by $75, from the current amount of $75 to $150. Furthermore, the proposed rule changes increase the minimum assessment fee for each dealer location to $150 per location, an increase of $75 from the previous minimum of $75 per location. The current rule states that an applicant shall pay an assessment of 0.1369 of 1 percent of gross annual sales for each location with a minimum charge of $75, except in the case of Class VI – X permits, in which case the assessment is $75 for the first location, $50 for each additional 2 to 11 locations and $25 for each location thereafter. The proposed rule change states the permit fee amount shall total 0.1369 of 1 percent for each location with a minimum fee of $150 per location, regardless of the permit class.

The LP Gas Commission anticipates the $150 minimum fee to supersede the gross sales assessment for a majority of locations.
The proposed rule changes also require Class VI permit holders to prepare quarterly reports during their annual permitting period outlining purchases and sales. Previously the LP Gas Commission required only Class I and Class IV permit holders to submit quarterly purchasing and sales reports.
IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
There is no anticipated effect on competition or employment as a result of the proposed rule changes.

Major Jason Starnes	Gregory V. Albrecht
Undersecretary	Chief Economist
1607#070	Legislative Fiscal Office

NOTICE OF INTENT

Department of Transportation and Development
Office of Management and Finance

Department Relocation of Publicly Owned or Non-Profit Utilities (LAC 70:II.305)

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. 48:381(C), that the Department of Transportation and Development, Office of Management and Finance proposes to enact new rules and regulations pertaining to any future relocation of publicly owned or non-profit utility installations by the Department of Transportation and Development pursuant to R.S. 48:381(C)(2) and amend existing Chapter and Section headings to reflect the substance of the new content included in the Chapter. The newly enacted rules and regulations set forth the conditions by which the department may contract itself for utility relocations necessary to accommodate a highway project and the procedure by which a utility may qualify for such assistance.

Title70
TRANSPORTATION
Part II. Utilities

Chapter 3. Department Relocation of Publicly Owned or Non-Profit Utilities

§305. Department Relocation of Publicly Owned or Non-Profit Utilities

A. This Section will apply to any and all qualifying utility relocations resulting from projects that receive federal or other required authorization after the effective date of this Section. The rules and regulations set forth in §301 and §303 of this Chapter will continue to apply to any and all qualifying relocations resulting from projects that have received federal or other required authorization prior to the effective date of this Section. This Section is effective as of the date of this publication as a final Rule in the *Louisiana Register*.

B. When a publicly owned or non-profit utility is not able to bear its share of the cost for adjusting its facilities to accommodate a highway project, the department may enter into a contract for the proposed utility relocation work, either as part of the highway project or through a separate public works contract, if all of the following conditions are met:

1. the utility installation is located on a state-owned right-of-way;
2. the utility installation is owned by a public municipality, parish, or special district created by or pursuant to law or a nonprofit water corporation or nonprofit gas district;
3. it is necessary to remove or relocate such installation for the construction, repair, widening, relocation, or improvement of a state or an interstate highway;
4. the utility is financially unable to bear its share of the adjustment expense, as determined pursuant to the provisions of R.S. 48:381(C)(2)(a) and this Section;
5. the owner of the utility installation agrees in writing, prior to the relocation of the utility installation, to allow the department, its contractor, or employees or agents thereof to modify the utility installation as part of the department's construction project; and
6. the owner of the utility installation agrees in writing, prior to the relocation of the utility installation, to accept ownership and maintenance of any utility installations newly constructed or modified as part of the department's construction project, upon final acceptance of such construction project by the department.

C. Procedure

1. The publicly owned or non-profit utility informs the appropriate district utility specialist, in writing, that it is requesting assistance pursuant to this Section.
2. The utility must provide the following information to the department to begin the certification process:
   a. a copy of the utility owner's most recently completed audit report, or evidence that an audit has been initiated if no audit has been performed;
   b. a copy of the utility owner's unaudited financial statements covering the period of the date of the last audited financial statements to the current date;
   c. a copy of the utility owner's budget, including any amendments, for the current fiscal year;
   d. a listing of encumbrances that are payable from the utility owner's current year earnings, meaning those items for which the utility owner has incurred an obligation to expend current year earnings, plus ten percent of the current year's revenue as a reserve; and
   e. a signed representation letter prepared on the utility owner's letterhead stating that:
      i. the utility owner is familiar with the provisions of R.S. 48:381 and this Section;
      ii. the utility owner certifies that the financial statements and other information provided are complete and accurate; and
      iii. the utility owner certifies that the financial information is taken from verifiable records and the budget information is based on estimates derived from the financial statements.
3. The appropriate district utility specialist requests that DOTD headquarters personnel, as designated by the secretary, examines the utility's records to determine the utility's eligibility for assistance.
4. The appropriate DOTD headquarters personnel examine the utility's records and inform the appropriate district utility specialist of the utility's eligibility for assistance.

5. If the utility is eligible for assistance, agreements are executed between the owner of the utility and the department as necessary to comply with the terms of this Section and facilitate the utility relocation.

6. If federal aid is anticipated for the project, the Federal Highway Administration is advised that the utility is approved for assistance pursuant to this Section.

7. If the utility owner does not qualify for assistance pursuant to this section, the utility owner may request a second certification review. The department, at its sole discretion, will determine if a second certification review will be granted. The request for the second review should be addressed to the appropriate district utility specialist.

AUTHORITY NOTE:Promulgated in accordance with R.S. 48:381(C).

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Office of Management and Finance, LR 42:

Family Impact Statement

Implementation of this proposed Rule 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:

1. The implementation of this proposed Rule will have no known or foreseeable effect on the stability of the family.

2. The implementation of this proposed Rule will have no known or foreseeable effect on the authority and rights of parents regarding the education and supervision of their children.

3. The implementation of this proposed Rule will have no known or foreseeable effect on the functioning of the family.

4. The implementation of this proposed Rule will have no known or foreseeable effect on the family earnings and family budget.

5. The implementation of this proposed Rule will have no known or foreseeable effect on the behavior and personal responsibility of children.

6. The implementation of this proposed Rule will have no known or foreseeable effect on the ability of the family or local government to perform this function.

Poverty Impact Statement

The implementation of this proposed Rule should not have any known or foreseeable impact on child, individual, or family poverty in relation to individual or community asset development as defined by R.S. 49:973. Specifically:

1. the implementation of this proposed Rule will have no known or foreseeable effect on household income, assets, and financial security;

2. the implementation of this proposed Rule will have no known or foreseeable effect on early childhood development and preschool through postsecondary education development;

3. the implementation of this proposed Rule will have no known or foreseeable effect on employment and workforce development;

4. the implementation of this proposed Rule will have no known or foreseeable effect on taxes and tax credits;

5. the implementation of this proposed Rule will have no known or foreseeable effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The implementation of this proposed Rule on small businesses, as defined in the Regulatory Flexibility Act, has been considered. The proposed Rule is not expected to have a significant adverse impact on small businesses. The department, 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 the proposed statutes while minimizing the adverse impact of the Rule on small businesses.

Provider Impact Statement

The implementation of this proposed Rule change does not have any known or foreseeable impact on a provider as defined by House Concurrent Resolution No. 170 of the 2014 Regular Session of the Louisiana State Legislature. Specifically:

1. The implementation of this proposed Rule change does not have any known or foreseeable impact on the staffing level requirements or qualifications required to provide the same level of service.

2. The implementation of this proposed Rule change does not have any known or foreseeable impact on the total direct and indirect effect on the cost to a provider to provide the same levels of service.

3. The implementation of this proposed Rule change does not have any known or foreseeable impact on the overall effect on the ability of a provider to provide the same level of service.

Public Comments

All interested persons so desiring shall submit oral or written data, views, comments, or arguments no later than 30

days from the date of publication of this Notice of Intent to Barry D. Keeling, Undersecretary, Department of Transportation and Development, P.O. Box 94245, Baton Rouge, LA 70804-9245, telephone (225) 379-1270.

Shawn Wilson, Ph.D.
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Department Relocation of Publicly Owned or Non-Profit Utilities

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
Current regulations allow publicly owned or non-profit utilities located within state highway right-of-way that are unable to bear the cost of removing or relocating their facility to permit the widening, relocation or other improvement of the highway to apply for Utility Relocation Assistance Funding (URAF). The publicly owned or non-profit utility owner, usually a municipality, parish, or special district, must then enter into an agreement with the Department of Transportation and Development (DOTD) promising repayment and carry out the necessary relocation work itself. DOTD's subsequent collection efforts related to this funding usually are not fruitful.
The proposed rule changes shift policy away from the existing URAF program to a relocation procedure in which DOTD may enter into a direct contract for the proposed utility relocation work. This procedure will better comport with the plain language of La. R.S. 48:381(C)(2). DOTD will benefit by adding the work to each underlying highway construction contract, which will shift responsibility for timely relocation of these utilities to the highway contractor and relieve DOTD of any liability to its contractors for delays resulting from the relocation of these utilities as further described herein on page 4.
There is no anticipated cost to implement the proposed rule changes. The department has adequate personnel and resources in the Road Design Section to handle the administration of the new relocation procedure.
II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
There is an anticipated reduction in revenue in the form of URAF repayments by the utility owners to DOTD. Because this revenue was derived exclusively from publicly-owned utilities, it is anticipated that there will be an equivalent reduction in expenses of local government units. Further, the majority of URAF recipients were unable to reimburse the department following the removal or relocation of their utilities and the total dollar amount received per fiscal year was negligible, as described herein on page 5, resulting in substantial outstanding and frequently uncollectible debts. Moreover, DOTD anticipates project cost savings that will offset or partially offset the reduction in revenue, as further described herein on page 4.
III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
As these rules directly apply to DOTD and municipalities, parishes, or special districts, there are no anticipated costs and/or economic benefits to directly affected persons or non-governmental groups.
IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
There is no anticipated effect on competition and employment as a result of this new rule.

Barry D. Keeling
Undersecretary
1607#033

John D. Carpenter
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Blue Crab Harvest (LAC 76:VII.346)

Notice is hereby given in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 56:6(25)(a), that the Wildlife and Fisheries Commission proposes to prohibit the commercial harvest of blue crabs and the use of all crab traps during a 30-day period for the years 2017, 2018, and 2019 and restrict the commercial harvest of immature female blue crabs for the years 2017, 2018 and 2019.
All crab traps remaining in state waters during the closure period shall be presumed to be engaged in active fishing and thus considered illegal.

Title 76
WILDLIFE AND FISHERIES
Part VII. Fish and Other Aquatic Life
Chapter 3. Saltwater Sport and Commercial Fishery
§346. Blue Crab Seasonal Closure and Restriction of Immature Female Harvest

A. The commercial harvest of blue crabs and the use of all crab traps are prohibited for a 30-day period beginning on the third Monday in February for the years 2017, 2018, and 2019. All crab traps remaining in state waters during the closure period shall be presumed to be engaged in active fishing and thus considered illegal.
B. There shall be no commercial harvest of immature female blue crabs for the years 2017, 2018 and 2019 except:
1. when an immature female is in the premolt stage and is being held for processing as soft crabs; or
2. sold to a processor for the making of soft crabs.
C. Obvious signs such crabs are in premolt stage shall include they are no further from molting than having a white line on the back paddle fin, which is recognized by the crab industry as a premolt stage.
D. However, a legally licensed commercial crab fisherman may have in his possession an incidental take of immature female crabs in an amount not to exceed 2 percent of the total number of crabs in his possession.
1. To determine whether the total number of crabs in possession violates this Subsection, the enforcement agent shall take:
a. a random sample of 50 crabs from each crate; or
b. group of crabs equivalent to one crate.
2. If more than 2 percent of the crabs in that 50-crab random sample are immature female crabs, the entire

number of crabs in that crate or group of crabs equivalent to one crate shall be considered to be in violation.

E. Crabs in a work box, defined as a standard crab crate as used by a commercial crab fisherman aboard the vessel to sort or cull undersized crabs and/or immature female crabs from the harvest in order to obtain a legal catch, shall not be subject to the immature female restriction while held aboard the vessel and the fisherman is actively fishing.

1. Commercial crab fishermen shall be allowed to have in possession aboard the vessel either:

a. one work box, if not using a grader; or

b. two work boxes under the grader, if using a grader.

F. An immature female crab, also known as a "maiden" or "V-bottom" crab, can be identified as having a triangular shaped apron on her abdomen. A mature female crab can be identified as having a dome shaped apron on her abdomen.

G. Violation of any provision of this Section constitutes a class two violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 56:8, 56:32, 56:56(A)(5), 56:320(B)(3), 56:326(A)(2), 56:315, 56:332(E)(1) and 56:355.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 42:

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent and final Rule, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S.49:973.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

Written comments may be addressed to Jeff Marx, Marine Fisheries Biologist, 2415 Darnall Rd., New Iberia, LA 70560, or email jmarx@wlf.la.gov prior to September 1, 2016.

Bart R. Yakupzack
Chairman

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Blue Crab Harvest

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

The proposed rule change is not expected to impact costs for state or local government units.

The proposed rule change prohibits the commercial harvest of blue crabs for a 30-day period beginning on the third Monday of February for the years 2017, 2018, and 2019.

The proposed rule change prohibits the placement of all commercial and recreational crab traps in Louisiana waters for a 30-day period beginning on the third Monday of February for the years 2017, 2018, and 2019. All traps remaining in the water during this period will be presumed to be engaged in active fishing and thus considered illegal.

The proposed rule change prohibits the commercial harvest of immature female blue crabs for the years 2017, 2018, and 2019 except for crabs held for processing as soft crabs or sold to a processor for the making of soft crabs.

The proposed rule includes a description of means to identify immature female blue crabs.

The proposed rule includes a description of means to identify signs that the crabs are in a pre-molt stage.

The proposed rule change allows commercial fishermen to have in their possession an incidental take of immature female crabs in an amount equal to or less than two percent of the total number of crabs in their possession. The proposed rule describes the procedure by which enforcement agents shall take a sample of the crabs in a commercial fisherman's possession to determine compliance within the two-percent possession allowance.

The proposed rule change defines violations of any provision of this section as a class two violation.

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

The proposed rule change is not expected to impact revenue collections of state governmental units. Fines for violations of the proposed rules would be collected by local court systems.

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

The proposed rule is expected to result in an estimated maximum short-term reduction in blue crab landings by 3.3 million pounds and $4.8 million per year in 2017, 2018, and 2019.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The 30-day blue crab fishery closure under the proposed rule change may create minor short-term disruptions in employment in firms engaged in purchasing, packaging, or processing blue crabs.

Bryan McClinton	John D. Carpenter
Undersecretary	Legislative Fiscal Officer
1607#057	Legislative Fiscal Office

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fishereies Commission

Cervid Carcass Importation (LAC 76:V.119)

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission do hereby give notice of its intent to establish rules and regulations in relation to the importation of cervid carcasses.

Title 76
WILDLIFE AND FISHERIES
Part V. Wild Quadrupeds and Wild Birds
Chapter 1. Wild Quadrupeds
§119. Cervid Carcass Importation

A. Definitions

Cervid—any animal of the family *Cervidae* including, but not limited to, white-tailed deer, mule deer, elk, moose, caribou, fallow deer, axis deer, sika deer, red deer, and reindeer.

B. No person shall import, transport or possess any cervid carcass or part of a cervid carcass originating outside of

Louisiana, except: deboned meat, antlers, clean skull plates with antlers, cleaned skulls without tissue attached, capes, tanned hides, finished taxidermy mounts and cleaned cervid teeth. Approved parts or deboned meat transported from other states must be legally possessed from the state it was taken. Approved parts and deboned meat from other states must contain a possession tag with the hunter's name, out-of-state license number (if required), address, species, date and location (county and state) of harvest. All cervids transported into or through this state in violation of the provisions of this ban shall be seized and disposed of in accordance with Wildlife and Fisheries Commission and Department of Wildlife and Fisheries rules and regulations.

AUTHORITY NOTE:Promulgated in accordance with the Louisiana Constitution, Article IX, Section 7, R.S. 56:1, R.S. 56:5, R.S. 56:6(10), (13) and (15), R.S. 56:20, R.S. 56:112, R.S. 56:116.1 and R.S. 56:171 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 42:

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent and the final Rule, including but not limited to, the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

Family Impact Statement

In accordance with Act #1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

Interested persons may send comments until 4:30 p.m., Monday, August 22, 2016 to Johnathan Bordelon, Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA, 70898-9000 or jbordelon@wlf.la.gov.

Bart Yakupzack
Chairman

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Cervid Carcass Importation

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

The proposed rule change is not expected to impact costs for state or local governmental units.

The proposed rule change prohibits the importation into the state of Louisiana of carcasses or certain parts of carcasses of animals of the Cervidae family, including, but not limited to, white-tailed deer, mule deer, elk, moose, caribou, fallow deer, axis deer, sika deer, red deer, and reindeer.

The proposed rule change would make unlawful the importation, transportation, or possession of any cervid carcass or part of a cervid carcass originating outside Louisiana, except deboned meat, antlers, cleaned teeth, cleaned skull plates with or without antlers, cleaned skulls without tissue attached, capes, and tanned hides and finished taxidermy products.

The proposed rule requires all approved parts and deboned meat taken from cervids originating outside Louisiana to bear tags containing the hunter's name, address, species, date of harvest, and the location of harvest (county and state).

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

The proposed rule change is not expected to effect revenue collections of state or local governmental units.

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

The proposed rule change is intended to prevent the spread of chronic wasting disease (C.W.D.) into Louisiana deer herds. The proposed rule change will benefit hunters and businesses that provide hunting-related goods and services to the extent that the prohibition arrests the transmission of the disease into Louisiana.

The proposed rule change imposes tighter regulations on individual Louisiana hunters who hunt deer in other states. Under the proposed rule change these hunters would be responsible for removing the bone, organs, and neural tissue of deer harvested in other states before they could be transported into Louisiana.

The proposed rule change may be expected to result in a decrease in revenues of up to $1.2 million to taxidermists and meat processors in Louisiana who handle deer carcasses originating outside Louisiana.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is anticipated to have no effect on competition. The proposed rule change may negatively impact employment among taxidermists and meat processors in Louisiana who handle deer carcasses originating from out of state.

Bryan McClinton
Undersecretary
1607#058

John D. Carpenter
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

Outlaw Quadruped, Nutria and
Beaver Night Take Permits (LAC 76:V.126)

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission do hereby advertise their intent to promulgate rules and regulations governing the take of outlaw quadrupeds, nutria and beaver during the nighttime hours from September 1 of each year through the last day of February of the next year.

Title 76
WILDLIFE AND FISHERIES
Part V. Wild Quadrupeds and Wild Birds
Chapter 1. Wild Quadrupeds
§126. Outlaw Quadruped, Nutria and Beaver Night Take Permits

A. Purpose—to establish rules and regulations for the take of outlaw quadrupeds, nutria and beaver during the nighttime hours (one-half hour after official sunset to one-half hour before official sunrise) from September 1 of each year, through the last day of February of the next year.

B.Permits

1. On private property, the landowner, or his lessee or agent with written permission from the landowner may obtain a permit authorizing the take of outlaw quadrupeds, nutria, or beaver during nighttime hours from September 1 through the last day of February of the next year.

2. Permit applications shall be completed on forms provided by the department, with all required information including but not limited to: applicants name, date of birth, contact information, date of application, parish information for applicant, landowner, and location of property subject to the permit, map, acreage, legal description, landowner's expressed authorization to allow night take for these species and any other information required by the department for the proper administration of the permit issuance. Any change of information requires the submission of a new permit application. Applications must be submitted to the regional enforcement office in which the property is located or to the wildlife permits coordinator at the Baton Rouge headquarters.

3. Permits may be issued during business hours by the wildlife enforcement captain located in the applicable regional enforcement office, or by electronic means at the discretion of the department.

4. Permits shall be valid for a period of one year beginning July 1 and terminating on June 30 of the following year. Permits may be renewed annually without additional application upon submission of the annual report and affirmation of the permittee's desire to renew, so long as the permittee has adhered to the rules of the permit and all information contained in the application remains accurate. The permit may be terminated by the permittee, landowner, or lessee at any time. The department may terminate any permit at any time for a violation of any regulation associated with the permit or for any violation of law committed during the participation by any person during the permitted activity. The department may also terminate permits for biological issues or specific enforcement concerns that may arise.

5. Permits are not transferrable and are only valid for the property for which they were issued.

6. No person shall be issued or obtain a permit if they have been convicted of class 3 or greater wildlife violation within a five-year period or have been prohibited in any way from legally participating in a hunting activity.

C.General Rules

1. Permit holders may take or authorize the take of outlaw quadrupeds, nutria or beaver during nighttime hours on private property for which the permit was issued from (one-half hour after official sunset to one-half hour before official sunrise) during the dates of September 1 through the last day of February of the next year.

2. Permittees are responsible for all participants and actions of such which take place as authorized by this permit.

3. Permittees and any participant shall not trespass or commit any other violations of law while conducting activities authorized by the permit.

4. No person shall be allowed to participate or be present during activities authorized by the permit if convicted of a class 3 or greater wildlife violation within the previous five years or if they have any other prohibition which would prevent the legal use of a firearm or participation in a hunting activity. Such participation will be considered a violation of the permit regulations.

5. Outlaw quadrupeds, nutria and beaver may be taken by any means of take authorized by R.S. 56.

6. The original permit or copy thereof issued by the department shall be with any permittee participating in activities under the authority of the permit.

7. Permittees shall notify the department's law enforcement 24-hour dispatch at (800) 442-2511 prior to engaging in activities authorized under the permit and identify each individual who will be participating in any way with activities authorized by the permit and permit number. Upon notification, the permittee shall be issued a confirmation number for the notification.

8. A report of activities which took place under this permit shall be required to be submitted to the department by June 30 of each year on official forms provided or as otherwise approved for this purpose by LDWF, and consist of:

a. name, permit number, and signature of permit holder;

b. number of outlaw quadrupeds (coyotes, armadillos, feral hogs), nutria and beavers killed under the permit during year.

9. Permittees hereby indemnify and hold harmless the state, department, and other applicable public agencies and employees and accept full responsibility and liability for any damages or injuries that occur during or as a result of activities related to the permit issued herein.

D. Penalties for Violation

1. If any person is found to be in violation of any provision of this Section, except for the reporting requirements as prescribed by Paragraph C.8 of this Section, or any other law during activities authorized by the permit issued pursuant to this Section, the permit shall immediately be voided and such permit shall not be reissued and shall remain void unless there is an acquittal for the offense committed.

2. Persons found in violation of rules and regulations contained herein or any other laws shall be subject to the same penalties as authorized by law as if no permit was issued, in addition, violation of these regulations will be a class 2 violation as defined in R.S. 56:32.

3. Persons failing to provide the annual report shall not be subject to the penalty and provisions herein. Any such person failing to comply with the annual report as prescribed

by Paragraph C.8 of this Section shall not be reissued a permit until the reporting requirement under Paragraph C.8 of this Section is submitted to the department.

AUTHORITY NOTE:Promulgated in accordance with R.S. 56:112; 56:115; 56:116.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 42:

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent and the final Rule, including but not limited to, the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 9:973.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

All interested persons may submit comments relative to the proposed Rule to Melissa Collins, Post Office Box 98000, Baton Rouge, LA 70898-9000 or mcollins@wlf.la.gov prior to September 4, 2016.

Bart R. Yakupzack
Chairman

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Outlaw Quadruped, Nutria and Beaver Night Take Permits

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

The proposed rule change will have no significant impact on costs for state or local governmental units.

The proposed rule change establishes rules and regulations for taking outlaw quadrupeds (armadillos, coyotes, and feral hogs), nutria, and beavers at night from September 1 through the end of February the following year.

The proposed rule change creates a permit to take outlaw quadrupeds, nutria, and beavers at night and outlines the application process. The permit shall be valid during one license year.

The proposed rule change specifies that the Louisiana Department of Wildlife and Fisheries may terminate or suspend permits for biological issues or law enforcement concerns.

The proposed rule change requires the harvester to notify the Louisiana Department of Wildlife and Fisheries Law Enforcement Division of their intention to take animals at night prior to their nocturnal harvesting activities.

The proposed rule change requires harvesters who take animals at night on private property to obtain written permission from the landowner.

The proposed rule change requires permit holders to complete an annual report that identifies the number of outlaw quadrupeds, nutria, and beavers killed under the permit during the year. Persons failing to submit the required permit by June 30 shall not be reissued a permit until the report is submitted.

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

The proposed rule change is anticipated to have no effect on revenue collections of state or local governmental units. No fee will be charged for the permit. The Louisiana Department of Wildlife and Fisheries (LDWF) expects to issue 90 to 100 nighttime hunting permits per year.

The proposed rule change sets penalties for violations. Fines collected for violations of this rule would be collected by local court systems. The number of violations of and citations for hunting for outlaw quadrupeds, nutria, and beavers at night without a permit are expected to be relatively low. The proposed rule change creates a systematic policy for the issuance of permits for nighttime hunting of outlaw quadrupeds, nutria, and beavers in place of the current case-by-case system. Observed compliance with the existing regulations appears to be high.

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

The proposed rule change will result in no significant change in costs or benefits to any persons or non-governmental groups.

The proposed rule change will benefit landowners by enhancing the removal of armadillos, coyotes, feral hogs, nutria, and beavers whose activities often damage property and resources.

The proposed rule change will benefit harvesters by offering additional opportunities to take these animals.

The proposed rule change may also support ecosystem benefits by increasing the removal of certain species, particularly invasive nutria and feral hogs.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is anticipated to have no effect on competition and employment.

Bryan McClinton	John D. Carpenter
Undersecretary	Legislative Fiscal Officer
1607#059	Legislative Fiscal Office

NOTICE OF INTENT

Workforce Commission
Office of Workers' Compensation Administration

Medical Treatment Guidelines
Maximum Reimbursement Allowances
(LAC 40:I.5157)

The Louisiana Workforce Commission does hereby give notice of its intent to amend certain portions of the medical guidelines contained in the *Louisiana Administrative Code*, Title 40, Labor and Employment, Part I, Workers' Compensation Administration, Subpart 2, Medical Guidelines, Chapter 51, regarding medical reimbursement. This Rule is promulgated by the authority vested in the director of the Office of Workers' Compensation found in R.S. 23:1291 and 23:1310.1(C).

Title 40
LABOR AND EMPLOYMENT
Part I. Workers' Compensation Administration
Subpart 2. Medical Guidelines
Chapter 51. Medical Reimbursement Schedule

Editor's Note: The following Sections of this Chapter are applicable and shall be used for the Chapters in this Part governing reimbursement. These specific Chapters are: Chapter 25, Hospital Reimbursement; Chapter 29, Pharmacy; Chapter 31, Vision Care Services; Chapter 33, Hearing Aid Equipment and Services; Chapter 35, Nursing/Attendant Care and Home Health Services; Chapter 37, Home and Vehicle Modification; Chapter 39, Medical Transportation; Chapter 41, Durable Medical Equipment and Supplies; Chapter 43, Prosthetic and Orthopedic Equipment; Chapter 45, Respiratory Services; Chapter 47, Miscellaneous Claimant Expenses; Chapter 49, Vocational Rehabilitation Consultant; Chapter 51, Medical Reimbursement Schedule; and Chapter 53, Dental Care Services.

§5157. Maximum Reimbursement Allowances

A. Table 1

* * *

B. Table 2

Maximum Fee Allowance Schedule Office of Workers' Compensation						
CPT Code	**Mod**	**Description**	**Global Days**	**Maximum Allowance**	**Non-Facility Maximum**	**Facility Maximum**
* * *						
71010		Chest x-ray 1 view frontal		$45		
71010	TC	Chest x-ray 1 view frontal		$26		
71010	26	Chest x-ray 1 view frontal		$19		
71015		Chest x-ray stereo frontal		$56		
71015	TC	Chest x-ray stereo frontal		$34		
71015	26	Chest x-ray stereo frontal		$22		
71020		Chest x-ray 2vw frontal&latl		$56		
71020	TC	Chest x-ray 2vw frontal&latl		$34		
71020	26	Chest x-ray 2vw frontal&latl		$22		
71021		Chest x-ray frnt lat lordotc		$68		
71021	TC	Chest x-ray frnt lat lordotc		$40		
71021	26	Chest x-ray frnt lat lordotc		$28		
71022		Chest x-ray frnt lat oblique		$84		
71022	TC	Chest x-ray frnt lat oblique		$50		
71022	26	Chest x-ray frnt lat oblique		$34		
71023		Chest x-ray and fluoroscopy		$127		
71023	TC	Chest x-ray and fluoroscopy		$89		
71023	26	Chest x-ray and fluoroscopy		$39		
71030		Chest x-ray 4/> views		$84		
71030	TC	Chest x-ray 4/> views		$51		
71030	26	Chest x-ray 4/> views		$32		
71034		Chest x-ray&fluoro 4/> views		$167		
71034	TC	Chest x-ray&fluoro 4/> views		$119		
71034	26	Chest x-ray&fluoro 4/> views		$48		
71035		Chest x-ray special views		$66		
71035	TC	Chest x-ray special views		$47		
71035	26	Chest x-ray special views		$19		
71100		X-ray exam ribs uni 2 views		$66		
71100	TC	X-ray exam ribs uni 2 views		$43		
71100	26	X-ray exam ribs uni 2 views		$23		
71101		X-ray exam unilat ribs/chest		$73		
71101	TC	X-ray exam unilat ribs/chest		$45		
71101	26	X-ray exam unilat ribs/chest		$28		
71110		X-ray exam ribs bil 3 views		$75		
71110	TC	X-ray exam ribs bil 3 views		$47		
71110	26	X-ray exam ribs bil 3 views		$28		
71111		X-ray exam ribs/chest4/> vws		$96		
71111	TC	X-ray exam ribs/chest4/> vws		$62		
71111	26	X-ray exam ribs/chest4/> vws		$34		
71120		X-ray exam breastbone 2/>vws		$59		
71120	TC	X-ray exam breastbone 2/>vws		$39		
71120	26	X-ray exam breastbone 2/>vws		$21		
71130		X-ray strenoclavic jt 3/>vws		$72		
71130	TC	X-ray strenoclavic jt 3/>vws		$49		
71130	26	X-ray strenoclavic jt 3/>vws		$23		
71250		Ct thorax w/o dye		$363		
71250	TC	Ct thorax w/o dye		$259		
71250	26	Ct thorax w/o dye		$104		
71260		Ct thorax w/dye		$461		

Maximum Fee Allowance Schedule Office of Workers' Compensation						
CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility Maximum	Facility Maximum
71260	TC	Ct thorax w/dye		$334		
71260	26	Ct thorax w/dye		$127		
71270		Ct thorax w/o & w/dye		$553		
71270	TC	Ct thorax w/o & w/dye		$413		
71270	26	Ct thorax w/o & w/dye		$141		
* * *						
72020		X-ray exam of spine 1 view		$44		
72020	TC	X-ray exam of spine 1 view		$29		
72020	26	X-ray exam of spine 1 view		$16		
72040		X-ray exam neck spine 2-3 vw		$66		
72040	TC	X-ray exam neck spine 2-3 vw		$44		
72040	26	X-ray exam neck spine 2-3 vw		$23		
72050		X-ray exam neck spine 4/5vws		$90		
72050	TC	X-ray exam neck spine 4/5vws		$58		
72050	26	X-ray exam neck spine 4/5vws		$32		
72052		X-ray exam neck spine 6/>vws		$113		
72052	TC	X-ray exam neck spine 6/>vws		$76		
72052	26	X-ray exam neck spine 6/>vws		$37		
72070		X-ray exam thorac spine 2vws		$68		
72070	TC	X-ray exam thorac spine 2vws		$45		
72070	26	X-ray exam thorac spine 2vws		$23		
72072		X-ray exam thorac spine 3vws		$69		
72072	TC	X-ray exam thorac spine 3vws		$47		
72072	26	X-ray exam thorac spine 3vws		$22		
72074		X-ray exam thorac spine4/>vw		$79		
72074	TC	X-ray exam thorac spine4/>vw		$56		
72074	26	X-ray exam thorac spine4/>vw		$22		
72080		X-ray exam thoracolmb 2/> vw		$61		
72080	TC	X-ray exam trunk spine 2 vws		$39		
72080	26	X-ray exam trunk spine 2 vws		$22		
72081		X-ray exam entire spi 1 vw		$78		
72081	TC	X-ray exam entire spi 1 vw		$51		
72081	26	X-ray exam entire spi 1 vw		$27		
72082		X-ray exam entire spi 2/3 vw		$125		
72082	TC	X-ray exam entire spi 2/3 vw		$92		
72082	26	X-ray exam entire spi 2/3 vw		$33		
72083		X-ray exam entire spi 4/5 vw		$136		
72083	TC	X-ray exam entire spi 4/5 vw		$100		
72083	26	X-ray exam entire spi 4/5 vw		$36		
72084		X-ray exam entire spi 6/> vw		$162		
72084	TC	X-ray exam entire spi 6/> vw		$121		
72084	26	X-ray exam entire spi 6/> vw		$41		
72100		X-ray exam l-s spine 2/3 vws		$70		
72100	TC	X-ray exam l-s spine 2/3 vws		$47		
72100	26	X-ray exam l-s spine 2/3 vws		$23		
72110		X-ray exam l-2 spine 4/>vws		$98		
72110	TC	X-ray exam l-2 spine 4/>vws		$66		
72110	26	X-ray exam l-2 spine 4/>vws		$32		
72114		X-ray exam l-s spine bending		$125		
72114	TC	X-ray exam l-s spine bending		$92		
72114	26	X-ray exam l-s spine bending		$34		
72120		X-ray bend only l-s spine		$81		
72120	TC	X-ray bend only l-s spine		$58		
72120	26	X-ray bend only l-s spine		$23		
72125		Ct neck spine w/o dye		$371		
72125	TC	Ct neck spine w/o dye		$262		
72125	26	Ct neck spine w/o dye		$109		
72126		Ct neck spine w/dye		$460		
72126	TC	Ct neck spine w/dye		$336		

Maximum Fee Allowance Schedule Office of Workers' Compensation						
CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility Maximum	Facility Maximum
72126	26	Ct neck spine w/dye		$124		
72127		Ct neck spine w/o & w/dye		$545		
72127	TC	Ct neck spine w/o & w/dye		$415		
72127	26	Ct neck spine w/o & w/dye		$129		
72128		Ct chest spine w/o dye		$363		
72128	TC	Ct chest spine w/o dye		$260		
72128	26	Ct chest spine w/o dye		$102		
72129		Ct chest spine w/dye		$461		
72129	TC	Ct chest spine w/dye		$337		
72129	26	Ct chest spine w/dye		$124		
72130		Ct chest spine w/o & w/dye		$548		
72130	TC	Ct chest spine w/o & w/dye		$419		
72130	26	Ct chest spine w/o & w/dye		$129		
72131		Ct lumbar spine w/o dye		$361		
72131	TC	Ct lumbar spine w/o dye		$259		
72131	26	Ct lumbar spine w/o dye		$102		
72132		Ct lumbar spine w/dye		$460		
72132	TC	Ct lumbar spine w/dye		$335		
72132	26	Ct lumbar spine w/dye		$124		
72133		Ct lumbar spine w/o & w/dye		$544		
72133	TC	Ct lumbar spine w/o & w/dye		$415		
72133	26	Ct lumbar spine w/o & w/dye		$129		
72141		Mri neck spine w/o dye		$450		
72141	TC	Mri neck spine w/o dye		$299		
72141	26	Mri neck spine w/o dye		$152		
72142		Mri neck spine w/dye		$654		
72142	TC	Mri neck spine w/dye		$470		
72142	26	Mri neck spine w/dye		$183		
72146		Mri chest spine w/o dye		$450		
72146	TC	Mri chest spine w/o dye		$299		
72146	26	Mri chest spine w/o dye		$152		
72147		Mri chest spine w/dye		$646		
72147	TC	Mri chest spine w/dye		$465		
72147	26	Mri chest spine w/dye		$182		
72148		Mri lumbar spine w/o dye		$448		
72148	TC	Mri lumbar spine w/o dye		$297		
72148	26	Mri lumbar spine w/o dye		$152		
72149		Mri lumbar spine w/dye		$646		
72149	TC	Mri lumbar spine w/dye		$463		
72156		Mri neck spine w/o & w/dye		$763		
72156	TC	Mri neck spine w/o & w/dye		$529		
72156	26	Mri neck spine w/o & w/dye		$234		
72157		Mri chest spine w/o & w/dye		$764		
72157	TC	Mri chest spine w/o & w/dye		$531		
72157	26	Mri chest spine w/o & w/dye		$234		
72158		Mri lumbar spine w/o & w/dye		$761		
72158	TC	Mri lumbar spine w/o & w/dye		$528		
72158	26	Mri lumbar spine w/o & w/dye		$234		
72159		MR angio spine w/o&w/dye		$838		
72159	TC	MR angio spine w/o&w/dye		$654		
72159	26	MR angio spine w/o&w/dye		$184		
72170		X-ray exam of pelvis		$64		
72190		X-ray exam of pelvis		$77		
72190	TC	X-ray exam of pelvis		$54		
72190	26	X-ray exam of pelvis		$22		
* * *						

AUTHORITY NOTE:Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), LR 27:314 (March 2001), amended by the Workforce Commission, Office of Workers' Compensation, LR 39:1854 (July 2013), LR 40:379 (February 2014), LR 42:

Family Impact Statement

This amendment to Title 40 should have no impact on families.

Poverty Impact Statement

This amendment to Title 40 should have no impact on poverty or family income.

Provider Impact Statement

1. This Rule should have no impact on the staffing level of the Office of Workers' Compensation as adequate staff already exists to handle the procedural changes.
2. This Rule should create no additional cost to providers or payers.
3. This Rule should have no impact on ability of the provider to provide the same level of service that it currently provides.

Public Comments

All interested persons are invited to submit written comments on the proposed Rule. Such comments should be sent to Sheral Kellar, OWC-Administration, 1001 North Twenty-Third Street, Baton Rouge, LA 70802. Such comments should be received on August 10, 2016 by close of business.

Public Hearing

A public hearing will be held on August 29, 2016, at 2 p.m. at the Office of Workers' Compensation located at 1001 North Twenty-Third Street at the main campus of the Workforce Commission in Baton Rouge, LA. The public is invited to attend.

Ava Dejoie
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Medical Treatment Guidelines Maximum Reimbursement Allowances

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

The proposed rule amends Title 40, Labor and Employment, Part I, Workers' Compensation Administration, Subpart 2, Medical Guidelines, Chapter 51, to provide for CPT codes inadvertently omitted from the medical reimbursement scheduled submitted in Title 40, Chapter 51, Section 5157(B) Table 2 in February 2014.

Besides the cost to publish in the *Louisiana Register*, the proposed rules will not require any additional expenditure by the Office of Workers' Compensation (OWCA) nor will the proposed rules result in any savings to OWCA. Likewise, it is not anticipated that the proposed rules will result in any costs or savings to other state or local governmental units.

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

The implementation of this proposed rule will have no anticipated effect on revenue collections of state or local governmental units.

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

OWCA does not anticipate that the proposed rule will produce a direct economic benefit to any person. It is anticipated that the proposed rule will provide an indirect benefit to all stakeholders within the workers' compensation community by maintaining consistent reimbursement procedures.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated direct effect on competition and employment.

Sheral Kellar	Gregory V. Albrecht
Director	Chief Economist
1607#066	Legislative Fiscal Office

Administrative Code Update

CUMULATIVE: January-June 2016

LAC Title	Part #.Section #	Action	Location: Month	LR 42 Page#
4	V.Chapter 53	Adopted	Jan.	2
	V.Chapter 55	Adopted	Jan.	3
7	V.919	Amended	Feb.	219
	V.Chapter 29	Adopted	Mar.	393
	V.Chapter 29	Repromulgated	April	540
	XIII.121,123,519,749,763	Amended	Feb.	211
	XV.127	Amended	May	730
	XXI.1301,1312	Adopted	Mar.	391
	XXI.1311,1321	Amended	Mar.	391
	XXIII.103,307,1101,1103	Amended	May	730
	XXIII.309	Adopted	May	730
	XXIII.727	Repealed	May	730
	XXV.Chapter 1	Amended	Feb.	212
	XXXV.125	Amended	Feb.	218
	XXXIX.1307,1501,1503	Amended	May	733
13	I.Chapter 7	Amended	June	867
	I.Chapter 9	Amended	Feb.	223
	I.Chapter 11	Amended	June	865
	I.1133	Adopted	June	865
	I.2715	Amended	Feb.	224
	I.2719	Adopted	Feb.	224
	I.2904,2905	Amended	Jan.	41
	I.2915	Repealed	Jan.	41
	I.3307	Amended	Jan.	35
	I.3309	Adopted	Jan.	35
	I.3903,3923	Amended	Feb.	222
	I.3999	Adopted	Feb.	222
19	V.100,500,700,900and1100	Adopted	June	905
	V.701,703	Adopted	Jan.	69
22	I.337	Amended	Mar.	424
	III.4703	Amended	Feb.	274
	III.4761	Adopted	Feb.	274
	XIII.103,303,503	Amended	April	569
	XIII.303,503	Amended	May	743
25	V.505	Amended	Jan.	35
28	I.503	Amended	April	563
	IV.705,803,805	Amended	Jan.	47
	IV.2005,2007	Amended	Jan.	46
	IV.2009	Repealed	Jan.	46
	V.221,233	Amended	Jan.	46
	XXXIII.Chapters 1-21	Repealed	April	558
	XLIII.133,905	Amended	Feb.	234
	LXXXIII.405,409,705,707	Amended	April	548
	LXXXIII.1107	Adopted	April	548
	CI.305,307,511,711,713,717,719,1509	Amended	Mar.	399
	CXI.321	Adopted	May	734
	CXI.1113,1115,1701,1705,1707,1125-1149	Amended	Feb.	224
	CXI.,1335-1343,1349-1357,1703	Repealed	Feb.	224
	CXI.1709-1729,1805-1810,1815,1817,1907	Repealed	Feb.	224
	CXI.1909,1915-1925,2305,2313-2323	Repealed	Feb.	224
	CXI.2401-2415	Repealed	Feb.	224
	CXIII.501,903,907,1301,1303	Amended	Feb.	230
	CXV.901	Amended	April	557
	CXV.1703	Amended	April	556
	CXV.1707	Repealed	April	556
	CXV.Chapter 23	Amended	Feb.	232
	CXXXI.243	Amended	Feb.	232
	CXXXIX.2301,2713,2801	Amended	April	549
	CXLV.505,1103,1105	Amended	April	551
	CLIII.1305	Amended	April	553
	CLV.103,303	Amended	April	553
	CLXI.709,905,1303,1307,1713,1719,1721	Amended	April	554
	CLXI.1901,2103	Amended	April	554
	CLXV.103,501,505,513,515,517,521,903	Amended	Jan.	42
	CLXV.503,507,509,511,519	Adopted	Jan.	42
32	I.317	Amended	Jan.	51
33	I.Chapter 8	Amended	Feb.	235
	III.502,509	Amended	April	563
	III.504	Amended	Mar.	401
	III.509	Amended	Mar.	402
	V.109,1107,1301,1307,1516	Amended	April	565
33	V.10303	Amended	Feb.	280
	VII.10505-10513,10516,10517,10519	Amended	Feb.	244
	VII.10514,10515,10518,10524,10531	Adopted	Feb.	244
	VII.10521,10523,10525-10529,10534	Amended	Feb.	244
	VII.10532,10533,11101	Adopted	Feb.	244
	VII.10535-10543,11103	Amended	Feb.	244
	VII.10536	Repealed	Feb.	244
	IX.107,1105,1113,1117,1123	Amended	May	736
	IX.2701	Amended	May	735
34	I.5521,5523,5525	Adopted	June	869
	V.Chapter 5	Amended	Jan.	51
37	XIII.Chapter 27	Repealed	Jan.	65
	XIII.Chapter 29	Repealed	Jan.	66
40	I.2519,2701,2705,2707,5101,5113,5315	Amended	Feb.	283
	I.5399	Amended	Feb.	283
	I.6605	Amended	May	763
	XXI.101	Adopted	Mar.	445
42	III.120	Amended	April	575
	XI.2405	Amended	April	574
43	XVII.Chapter 3	Amended	Mar.	418
	XVII.Chapter 33	Amended	Mar.	413
46	XXI.1303	Amended	June	868
	XXIX.1515,1517	Adopted	Jan.	52
	XXXIII.304,313	Amended	Jan.	59
	XXXIII.301,801	Amended	June	872
	XXXIII.710,712	Amended	Jan.	58
	XXXIII.714	Repealed	Jan.	58
	XXXIII.Chapter 8	Adopted	Jan.	56
	XXXIII.903	Amended	Jan.	56
	XXXIII.Chapter 11	Repealed	Jan.	56
	XXXIII.1502-1511	Adopted	Jan.	53
	XXXIII.1503-1513	Repealed	Jan.	53
	XXXVII.707,901,903,905,907,909,1107	Amended	Mar.	404
	XXXVII.709	Repealed	Mar.	404
	XXXVII.2001	Amended	Mar.	404
	XLI.742	Adopted	May	744
	XLV.3519	Amended	May	752
	XLV.8315	Adopted	April	570
	XLV.Chapter 97	Amended	April	570
	XLVII.1703	Amended	Feb.	274
	XLVII.3324	Adopted	May	753
	XLVII.Chapter 35	Amended	June	875
	XLVII.3534,3536,3542,4509	Repealed	June	875
	XLVII.3547	Adopted	June	875
	XLVII.3703	Amended	June	873
	XLVII.3709	Adopted	June	873
	XLVII.4507	Amended	Mar.	405
	XLVII.4513	Amended	April	571
	LIII.2535	Amended	June	891
	LV.101,301,303,304,305,306,307,310,312	Amended	April	575
	LV.313,1005	Amended	April	575
	LXI.1509,2701	Amended	Mar.	443
	LXVII.2901	Amended	Jan.	53
	LXVII.10308,10309,10313	Amended	June	870
	LXVII.10317	Repealed	June	870
	LXVII.10319	Adopted	June	870
	LXVII.30701,30901,31101	Amended	June	871
	LXVII.31103	Adopted	June	871
48	I.3901	Adopted	Jan.	64
	I.Chapter 90	Amended	Feb.	219
	I.Chapter 92	Amended	June	893
	I.9287,9293	Repealed	June	893
	I.12501,12503	Amended	Jan.	61
	I.12524	Repealed	Jan.	61
	I.19121	Adopted	June	904
50	I.105	Amended	June	892
	I.3103,3105,3301,3507,3509	Amended	May	754
	I.3511	Amended	Feb.	276
	I.Chapters 101-103	Adopted	May	756
	II.20029	Adopted	Jan.	63
	III.101	Adopted	June	901

LAC Title	Part #.Section #	Action	Location: Month	LR 42 Page#
50	III.301	Adopted	June	901
	III.2317	Adopted	May	755
	V.965	Amended	Mar.	406
	V.967	Amended	Feb.	274
	V.1701	Adopted	Mar.	406
	V.1703	Adopted	April	573
	V.6701	Adopted	Mar.	407
	V.6703	Adopted	April	573
	VII.32915	Adopted	Feb.	275
	XV.8717,8719	Amended	April	572
	XV.Chapter 129	Amended	June	902
	XV.12902,12910,12912	Repealed	June	902
	XXI.701	Amended	June	898
	XXI.703	Adopted	June	898
	XXI.6101	Amended	June	900
	XXI.9501	Amended	June	897
	XXI.12101	Amended	June	896
	XXI.14301	Amended	June	898
	XXI.16107,16701,16901	Amended	Jan.	62
	XXI.16343	Adopted	Jan.	62
	XXI.16901,16903	Amended	June	900
	XXII.Chapters 61-69	Repealed	May	753
	XXVII.353	Amended	Feb.	277
	XXXIII.Chapters 61-67	Amended	Jan.	59
51	XII.311,355,357,363,367,903,1105,1113	Amended	Mar.	408
	XII.358,361,1102	Adopted	Mar.	408
	XII.1117,1119,1125,1133,1135,1139,1503	Amended	Mar.	408
	XII.1903,1907	Amended	Mar.	408
55	III.Chapter 7,8	Amended	Mar.	428
	V.1701	Amended	Feb.	279
	V.1703	Repealed	Feb.	279
	VII.317	Amended	Jan.	66
	IX.107,133,143,183	Amended	Mar.	427
	IX.155	Repealed	Mar.	427

LAC Title	Part #.Section #	Action	Location: Month	LR 42 Page#
56	V.1103	Amended	Mar.	403
58	I.2513	Repealed	Jan.	69
	XVIII.105	Adopted	Jan.	70
61	I.1607	Amended	Jan.	39
	I.1615-1629	Repealed	Jan.	39
	I.1633-1637	Amended	Jan.	37
	I.1641	Adopted	Jan.	37
	I.1667	Amended	Jan.	36
	I.1693	Amended	Jan.	40
	I.1695	Repromulgated	Jan.	40
	I.1701,1703	Adopted	Jan.	40
	I.4919	Adopted	Feb.	281
	I.5302	Amended	Feb.	282
	III.1701	Adopted	Feb.	280
	V.101,303,304,703,907,1103,1307,1503	Amended	May	744
	V.2501,2503,2713,2717,3101,3103	Amended	May	744
67	I.Chapter 3	Amended	June	860
	I.311	Adopted	June	860
	III.1942	Repealed	Feb.	222
	III.5577	Adopted	June	864
	III.Chapter 73	Repealed	April	542
	V.1103	Amended	June	862
	V.6703,6708,7105,7111,7305,7311,7313	Amended	Feb.	219
	V.Chapter 75	Amended	Mar.	395
70	IX.Chapters 1-3	Amended	May	757
76	I.339	Adopted	Mar.	444
	V.701	Amended	June	909
	VII.335	Amended	June	908
	VII.367	Amended	Jan.	70
	XV.101	Amended	May	762

Potpourri

POTPOURRI

Department of Economic Development
Office of Business Development
Office of Entertainment Industry Development

Public Hearing—Substantive Changes to Proposed Rule
Entertainment Industry Tax Credit Programs
Motion Picture Investor Tax Credit Program
(LAC 61:I.Chapter 16)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Economic Development published a Notice of Intent in the November 20, 2015 edition of the *Louisiana Register* on pages 2405-2408. This proposed to add four new Sections: §1615, Louisiana Copyright, §1617, Louisiana Music; §1619, Louisiana Promotional Graphic; §1621, Louisiana Filmmaker Credit; and to amend §1605 Definitions.

The department conducted a public hearing on this Notice of Intent on December 30, 2015 to solicit comments and testimony on the proposed Rule. As a result of the comments received, the department proposes two courses of action: 1) to make no substantive changes to §1617, Louisiana Music and §1619, Louisiana Promotional Graphic, proposing to proceed with promulgation of these Sections with no changes; and 2) to take additional time to consider substantive changes to §1615, Louisiana Copyright, §1621, Louisiana Filmmaker Credit, and §1605, Definitions, with such Sections to be revised and republished as a new Notice of Intent in September, 2016. No increased fiscal or economic impact will result from the amendments proposed in this notice.

Title 61
REVENUE AND TAXATION
Part I. Taxes Collected and Administered by the Secretary of Revenue
Chapter 16. Louisiana Entertainment Industry Tax Credit Programs
Subchapter A. Motion Picture Investor Tax Credit Program

§1617. Louisiana Music

A. For state certified productions initially certified on or after July 1, 2015, with expenditures occurring on or after July 1, 2015, to be eligible for an additional 15 percent tax credit for music expenditures, an applicant company must meet the following criteria:

1. services performed in Louisiana—music expenditures were for services performed in Louisiana, with job titles such as composer, songwriter, performer, musician, sound designer, arranger, producer. The purchase of a pre-existing musical work from a procurement company will not qualify; and

2. Louisiana copyright ownership—must be able to prove that the sound recording copyright or musical copyright is either:

a. owned in whole or in no part less than 25 percent by a Louisiana resident or residents; or

b. owned by a company headquartered in the state, with a majority ownership (51 percent+) of Louisiana residents;

c. the purchase of a copyright from a procurement company will not qualify.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:6007.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development, Office of Entertainment Industry Development, LR 42:

§1619. Louisiana Promotional Graphic

A. For state certified productions initially certified on or after August 1, 2015, to be eligible for the entire 30 base investment tax credit, motion picture production applicants with base investments in excess of $300,000 must be able to demonstrate, at time of request for final certification, that either that they have complied with the Louisiana promotional graphic requirements set forth below, or that an alternative marketing opportunity has been approved in writing by LED.

1. Approved Louisiana promotional graphic requirements:

a. a five second long static or animated graphical brand or logo promoting Louisiana, that has been approved in writing by LED;

b. for feature films, or other production types with a customary end credit crawl, the approved logo is to be placed in the end credits, before the below-the line crawl for the life of the production;

i. LED shall deem "life of the production" to mean that the approved logo is permanently embedded within the subject of the state certified production; and

c. the production company includes an approved Louisiana promotional link or prominent credit to Louisiana on its own website, or that of an approved affiliated company.

2.a. Alternative marketing opportunities shall be proposed to LED at the time of application for initial certification, setting forth the details and estimated value of the proposed opportunity or justification of value taking into consideration the additional five percent credit being sought. LED shall either approve or deny such options in writing at time of initial certification.

b. Acceptable examples of alternative marketing opportunities may include, but not be limited to a combination of the following:

i. a produced in Louisiana card featuring an approved version of the logo during the opening credits of a Feature Film;

ii. an approved promotional featurette highlighting Louisiana as a tourist destination included on the DVD release of the production;

iii. an approved version of the logo placed in the opening title sequence or as a bumper into or out of commercial breaks for television productions;

iv. significant community service projects in Louisiana;

v. red carpet screening event in Louisiana;

vi. sponsorship of a film festival or other approved event in Louisiana;

vii. an official advertising poster for the state-certified production and a still frame from the production, or, at the discretion of LED, a significant set piece, prop, or costume from the production may be donated on the condition that they may be used for unlimited marketing purposes by the state;

viii. access to a standard or electronic press kit, clip from the motion picture or special interview with the principles involved in the production (actors, directors, producers, etc) promoting Louisiana as a business destination for unlimited use for marketing purposes by LED;

ix. other alternatives as proposed by production companies and approved by LED.

B. Failure to demonstrate such compliance at time of final certification shall result in a reduced base investment credit amount of 25 percent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:6007

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Business Development, Office of Entertainment Industry Development, LR 42:

Public Comments

Interested persons should submit written comments on the proposed Rules to Stephen Hamner through the close of business on Monday, August 22, 2016 at Department of Economic Development, 1051 N. Third St., Baton Rouge, LA 70802 or via email to stephen.hamner@la.gov.

Public Hearing

A meeting for the purpose of receiving the presentation of oral comments will be held at 11 a.m. on Tuesday, August 23, 2016 at the Department of Economic Development, 1051 N. Third St., Baton Rouge, LA 70802.

Anne G. Villa
Undersecretary

1607#072

POTPOURRI

Department of Environmental Quality
Office of Environmental Services
Air Permits Division

Contiguous or Adjacent Properties in
the Oil and Natural Gas Sector

LAC 33:III.502.A defines a *major source* as "any stationary source or any group of stationary sources that are located on one or more contiguous or adjacent properties, that are under common control of the same person (or persons under common control)," and that emits or has the potential to emit regulated air pollutants above certain thresholds. (1607Pot2)

LAC 33:III.504.K (nonattainment new source review) and LAC 33:III.509.B (prevention of significant deterioration) define *building, structure, facility, or installation* in similar fashion, as "all of the pollutant-emitting activities that belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control)."

The terms *contiguous* and *adjacent* are not defined in the Louisiana air quality regulations. The Louisiana Department of Environmental Quality (LDEQ) currently determines if stationary sources in the oil and natural gas sector (i.e., standard industrial classification (SIC) major group 13) are "contiguous or adjacent" on a case-by-case basis as described on the LDEQ Air Permits Division's webpage entitled "Interpretation of Contiguous for Oil and Gas Production Facilities" (http://www.deq.louisiana.gov/portal/tabid/2347/Default.aspx).

On June 3, 2016, the U.S. Environmental Protection Agency (EPA) promulgated a rule entitled "Source Determination for Certain Emission Units in the Oil and Natural Gas Sector" (81 FR 35622). According to this rule, pollutant emitting activities shall be considered adjacent if:

> they are located on the same surface site; or if they are located on surface sites that are located within 1/4 mile of one another (measured from the center of the equipment on the surface site) and they share equipment. Shared equipment includes, but is not limited to, produced fluids storage tanks, phase separators, natural gas dehydrators or emissions control devices. Surface site, as used in the introductory text of this definition, has the same meaning as in 40 CFR 63.761.

However, EPA did not adopt a provision requiring surface sites to be "daisy chained" for purposes of defining a single stationary source. EPA describes a series of surface sites (under common control) as being daisy chained when an individual surface site is located within 1/4 mile of another surface site, but where the last surface site in the grouping is separated from the first by a much larger distance (i.e., greater than 1/4 mile).

The final rule specifies that permitting authorities with EPA-approved programs, like Louisiana, are not required to adopt this definition. Nevertheless, for stationary sources in the oil and natural gas sector, LDEQ will now interpret the term *adjacent* consistent with the definitions of *major source* under 40 CFR 70.2 and *building, structure, facility, or installation* under 40 CFR 51.165(a)(1)(ii) and 40 CFR 51.166(b)(6) in order to be consistent with federal regulations. The LDEQ Air Permits Division webpage will be revised accordingly.

Questions regarding this notice may be directed to Bryan D. Johnston of the LDEQ, Air Permits Division at (225) 219-3450.

Herman Robinson
General Counsel

1607#038

POTPOURRI

Department of Environmental Quality
Office of Environmental Services
Air Permits Division

State Implementation Plan (SIP) Proposed Revisions

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., the secretary gives notice that the Office of Environmental Services, Air Permits

Division will submit to the U.S. Environmental Protection Agency (EPA) corrective SIP revisions in response to a SIP call. (1607Pot1)

On June 12, 2015, EPA promulgated a rule entitled "State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction" (80 FR 33840). This action concluded that several Louisiana air quality regulations are "substantially inadequate to meet [Clean Air Act] requirements" because they provide "automatic exemptions" or "impermissible discretionary exemptions" from "otherwise applicable SIP emission limitations." Consequently, EPA directed the state to submit corrective SIP revisions by November 22, 2016.

In response to the SIP call, the Louisiana Department of Environmental Quality (LDEQ) has proposed to repeal the exemptions provided by LAC 33:III.1507.A and B, LAC 33:III.1107.A, LAC 33:III.2153.B.1.i, and LAC 33:III.2307.C. In addition, LDEQ has proposed to repeal the exemption set forth in LAC 33:III.2201.C.8 and amend LAC 33:III.Chapter 22 to allow the owner/operator of an affected point source to comply with either the emission factors imposed by LAC 33:III.2201.D at all times (including periods of start-up and shutdown), or newly-established work practice standards designed to minimize NO_x emissions during periods of start-up and shutdown. These proposals are addressed in the following regulatory actions:

Rule	Title	Proposed
AQ360	Repeal of LAC 33:III.1507.A and B	June 20, 2016
AQ361	Repeal of LAC 33:III.1107.A	April 20, 2016
AQ362	Repeal of LAC 33:III.2153.B.1.i	April 20, 2016
AQ363	Repeal of LAC 33:III.2307.C	June 20, 2016
AQ364	Work Practice Standards During Start-up and Shutdown	June 20, 2016

Public Comments

LDEQ is also accepting written comments on the proposed SIP revisions. Written comments should be addressed to Bryan D. Johnston and mailed to LDEQ, P.O. Box 4313, Baton Rouge, LA 70821-4313; faxed to (225) 219-3309; or e-mailed to bryan.johnston@la.gov. Comments must be received no later than 4:30 p.m., Thursday, August 25, 2016 (the day of the public hearing).

Public Hearing

A public hearing on the proposed SIP revisions will be held on Thursday, August 25, 2016, at 1:30 p.m. in the Galvez Building, Oliver Pollock Room, 602 North Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend in order to provide oral comments. Should individuals with a disability need an accommodation in order to participate, please contact Deidra Johnson at (225) 219-3985. Two hours of free parking is allowed in the Galvez Garage with a validated parking ticket.

Copies of the proposed regulatory actions described above are available on LDEQ's Monthly Regulations Changes webpage: http://www.deq.louisiana.gov/portal/DIVISIONS/LegalAffairs/RulesandRegulations/MonthlyRegulationChanges.aspx.

A copy of the narrative portion of LDEQ's proposed SIP submission, which includes a description of each impacted rule, the basis for the proposed rule amendments, and an analysis demonstrating how such amendments comply with sections 110(l) and 193 of the Clean Air Act, as applicable, may be viewed on LDEQ's Louisiana SIP Revisions webpage: http://www.deq.louisiana.gov/portal/Default.aspx?tabid=2381. These documents may also be accessed at any of LDEQ's public records centers.

Questions regarding this notice may be directed to Bryan D. Johnston of the Air Permits Division at (225) 219-3450.

Herman Robinson
General Counsel

1607#037

POTPOURRI

Department of Health
Board of Veterinary Medicine

Fall/Winter Examination Dates

The Louisiana Board of Veterinary Medicine will administer the state board examination (SBE) for licensure to practice veterinary medicine on the first Tuesday of every month. Deadline to apply for the SBE is the third Friday prior to the examination date desired. SBE dates are subject to change due to office closure (i.e. holiday, weather).

The board will accept applications to take the North American Veterinary Licensing Examination (NAVLE) which will be administered through the National Board of Veterinary Medical Examiners (NBVME), formerly the National Board Examination Committee (NBEC), as follows:

Test Window Date	Deadline to Apply
November 14-December 10, 2016	August 1, 2016
April 10-April 22, 2017	February 1, 2017

The board will also accept applications to take the veterinary technician national examination (VTNE) which will be administered through American Association of Veterinary State Boards (AAVSB), for state registration of veterinary technicians as follows:

Test Date	Deadline to Apply
July 15-August 15, 2016	June 15, 2016
November 15-December 15, 2016	October 15, 2016
March 15-April 15, 2017	February 15, 2017
July 15-August 15, 2017	June 15, 2017

Applications for all examinations must be received on or before the deadline. No late application will be accepted. Requests for special accommodations must be made as early as possible for review and acceptance. Applications and information may be obtained from the board office at 301 Main Street, Suite 1050, Baton Rouge, LA 70801 and by request via telephone at (225) 342-2176 or by e-mail at admin@lsbvm.org; application forms and information are also available on the website at www.lsbvm.org.

Wendy D. Parrish
Executive Director

1607#011

POTPOURRI

Department of Natural Resources
Office of Conservation

Orphaned Oilfield Sites

Office of Conservation records indicate that the oilfield sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared orphaned oilfield sites.

Operator	Field	District	Well Name	Well Number	Serial Number
M. B. Chastain & Paul Cooper	Caddo Pine Island	S	Stiles	011	32763
Crestmont Operating LLC	University	L	9200 SUD;Helis K U3	001	36558
Ashland Oil & Refining Co.	Big Creek, South	M	Butler	002	32650(30)
Denovo Oil & Gas, Inc.	Hopedale Lagoon	L	Cib 16 Ra SUA;Terre Aux Boeuf	003	145182
Bob L. Herd	Shiloh	M	VUA;B L St John Jr	001	164476(29)
H.L.Hawkins & H.LHawkins, Jr.	Lake Arthur, South	L	SL 2438	002	54686(30)
T. West Bullock, Sr.	Bee Brake	M	Fred K Conn B	001	52202
Bird Explore Company	Red River-Bull Bayou	S	Waller	001	18902
Larry A. Jones	Monroe	M	Carbons Consolidated Fee	002	10677
Larry A. Jones	Monroe	M	Carbons Consolidated Fee	003	12786
Larry A. Jones	Monroe	M	Carbons Consolidated Fee	005	14835
Robco Investments, Inc.	Caddo Pine Island	S	Burton B	A1	21656
Robco Investments, Inc.	Caddo Pine Island	S	Burton B	A2	21916
Robco Investments, Inc.	Caddo Pine Island	S	Burton B	003	22827
Robco Investments, Inc.	Caddo Pine Island	S	Burton B	A4	23961
Robco Investments, Inc.	Caddo Pine Island	S	Burton B	007	35917
Robco Investments, Inc.	Caddo Pine Island	S	Burton B	009	36021
Robco Investments, Inc.	Caddo Pine Island	S	Burton B	024	36587
Robco Investments, Inc.	Caddo Pine Island	S	Burton B	027	36771
Robco Investments, Inc.	Caddo Pine Island	S	Burton B	030	38284
Robco Investments, Inc.	Caddo Pine Island	S	Burton B	A7	43313
Robco Investments, Inc.	Caddo Pine Island	S	Burton B	008	46138
Robco Investments, Inc.	Caddo Pine Island	S	Burton B	034	54145
Robco Investments, Inc.	Caddo Pine Island	S	Burton B	039	57725
Robco Investments, Inc.	Caddo Pine Island	S	Richardson	001	990386
Robco Investments, Inc.	Caddo Pine Island	S	Richardson	003	990388
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	VUA;SL 1337 Bateman ISL U	001	39608
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	10400 Rsw1b Sul;SL 1337 Wx U1	001	43741
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	VUA;SL 1337 Wax U1	002	45474
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	9700 Rsw2b SUA;SL 1337	004	47749
Louisiana Energy & Environmental, Inc.	Sweet Bay Lake	L	SL 1337	008	52749

Operator	Field	District	Well Name	Well Number	Serial Number
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337	009	53162
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337	010	53823
Louisiana Energy & Environmental, Inc.	Sweet Bay Lake	L	SL 1337	011	54466
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	VUA;SL 1337 Wax U1	004	57488
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	VUA;SL 1337 Bateman ISL U	013	57626
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337	015	58640
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	VUA;SL 1337 Bateman ISL U	013D	58670
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337	017	59444
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337	018	60457
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337	019	60651
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337	017D	60964
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	10900 R SWLC SUA;SL 1337 Wax	006-ALT	61078
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337 Wax U1	006-D	61807
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337	019-D	62476

Operator	Field	District	Well Name	Well Number	Serial Number
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	10900 Rsw1c SUA;SL 1337 Wax U1	007	62602
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337	021	62603
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337 Wax U1	007-D	63577
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	9700 Rsw1b SUA;SL 1337 Wax U1	008	65272
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	VUA;SL 1337 Bateman ISL U	022	84957
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337 Bateman Isl U	022D	86733
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337	015D	88242
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	Up A-1 Ra VUA;Wax A	032	100875
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	10400 RSW1b Suk;SL 1337 Wax U1	009	111867
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337 Wax U1	009D	113214
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	VUA;SL 1337 Bateman ISL U	001D	123236
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	2300 STR RSWIB SUA;SL 1337w	010	136662
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337	018D	139319
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL 1337	009D	148006

Operator	Field	District	Well Name	Well Number	Serial Number
Louisiana Energy & Environmental, Inc.	Sweet Bay Lake	L	SL 1337	008D	148050
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	Bal X Ra Su;SL 1337	026	151821
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	SL1337 Wax U1	008-D	152488
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	10500 Rsw1b SUA;SL 1337 Wax U1	011	158446
Louisiana Energy & Environmental, Inc.	Bateman Lake	L	VUA;SL 1337 Wax U1	013	173965
JLM Sartor Inc	JLM Sartor Inc	S	T J Taylor	001	57758
JLM Sartor Inc	JLM Sartor Inc	S	T J Taylor	002	59612
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	001	65407
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	005	65884
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	003	66145
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	004	66146
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	006	67996
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	008	68839
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	011	71102
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	013	72444
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	012	72445
JLM Sartor Inc	JLM Sartor Inc	S	North Light	016	162383
JLM Sartor Inc	JLM Sartor Inc	S	North Light SWD	018	163624
JLM Sartor Inc	JLM Sartor Inc	S	Tokio Ra Su101; Deloach C	002	168093
JLM Sartor Inc	JLM Sartor Inc	S	Tok S1 Ra Su102;Deloach C	001	168180

Operator	Field	District	Well Name	Well Number	Serial Number
JLM Sartor Inc	JLM Sartor Inc	S	Cv Rb Su10; Rinsland Estate	001	169520
JLM Sartor Inc	JLM Sartor Inc	S	Tokio Ra Su91;W F Bond A	TK-3	169543
JLM Sartor Inc	JLM Sartor Inc	S	Tokio Ra Su103;W E Deloach	TK-2	170570
JLM Sartor Inc	JLM Sartor Inc	S	Tokio Ra Su89;J L Bond B	TK-2	170784
JLM Sartor Inc	JLM Sartor Inc	S	Tok S2 Ra Su89;J L Bond B	TU-1	174249
JLM Sartor Inc	JLM Sartor Inc	S	Tokio Ra Su90;J L Bond B	TK-3	174250
JLM Sartor Inc	JLM Sartor Inc	S	W F Bond A	TK-2	174251
JLM Sartor Inc	JLM Sartor Inc	S	T J Taylor	003	177135
JLM Sartor Inc	JLM Sartor Inc	S	Tok S1 Ra Su101; Deloach C	005	177847
JLM Sartor Inc	JLM Sartor Inc	S	Tok S1 Ra Su89;J L Bond B	TU-3	178104
JLM Sartor Inc	JLM Sartor Inc	S	Tokio Ra Su102; Deloach C	006	181621
JLM Sartor Inc	JLM Sartor Inc	S	Paul Slack	001	184783
JLM Sartor Inc	JLM Sartor Inc	S	Perkins	001	192865
JLM Sartor Inc	JLM Sartor Inc	S	Mrs Bobby Slack	001	193219
JLM Sartor Inc	JLM Sartor Inc	S	Mrs Bobby Slack	002	193220
JLM Sartor Inc	JLM Sartor Inc	S	Perkins SWD	003	193359
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	A-1	199876
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	015	208636
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	014	208637
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	016	208882
JLM Sartor Inc	JLM Sartor Inc	S	Fred Wappler P	017	208917

Operator	Field	District	Well Name	Well Number	Serial Number
JLM Sartor Inc	JLM Sartor Inc	S	Stinson	001	227363
JLM Sartor Inc	JLM Sartor Inc	S	Stinson	002	227364
JLM Sartor Inc	JLM Sartor Inc	S	Stinson	003	227837
JLM Sartor Inc	JLM Sartor Inc	S	Stinson	004	228360
JLM Sartor Inc	JLM Sartor Inc	S	Stinson	005	228361
JLM Sartor Inc	JLM Sartor Inc	S	Stinson	006	228362
JLM Sartor Inc	JLM Sartor Inc	S	Stinson	007	228363
JLM Sartor Inc	JLM Sartor Inc	S	Stinson	008	228805
JLM Sartor Inc	JLM Sartor Inc	S	Stinson	009	229390
JLM Sartor Inc	JLM Sartor Inc	S	Stinson	010	229391
JLM Sartor Inc	JLM Sartor Inc	S	Hunter-Mannies	001	229917
JLM Sartor Inc	JLM Sartor Inc	S	North Light	013	230679
JLM Sartor Inc	JLM Sartor Inc	S	North Light	014	230680
JLM Sartor Inc	JLM Sartor Inc	S	North Light	015	230681
JLM Sartor Inc	JLM Sartor Inc	S	North Light	001	231008
JLM Sartor Inc	JLM Sartor Inc	S	North Light	002	231009
JLM Sartor Inc	JLM Sartor Inc	S	North Light	003	231010
JLM Sartor Inc	JLM Sartor Inc	S	North Light	004	231011
JLM Sartor Inc	JLM Sartor Inc	S	North Light	005	231012
JLM Sartor Inc	JLM Sartor Inc	S	North Light	006	231013
JLM Sartor Inc	JLM Sartor Inc	S	North Light	007	231014
JLM Sartor Inc	JLM Sartor Inc	S	North Light	008	231015
JLM Sartor Inc	JLM Sartor Inc	S	North Light	009	231016
JLM Sartor Inc	JLM Sartor Inc	S	North Light	010	231017
JLM Sartor Inc	JLM Sartor Inc	S	North Light	011	231018
JLM Sartor Inc	JLM Sartor Inc	S	North Light	012	231019
JLM Sartor Inc	JLM Sartor Inc	S	Mills	010	231030
JLM Sartor Inc	JLM Sartor Inc	S	Mills	011	231031
JLM Sartor Inc	JLM Sartor Inc	S	Mills	012	231032
JLM Sartor Inc	JLM Sartor Inc	S	Hunter-Mannies	002	231176
JLM Sartor Inc	JLM Sartor Inc	S	Hunter-Mannies	003	231522
JLM Sartor Inc	JLM Sartor Inc	S	South Light	001	231619
JLM Sartor Inc	JLM Sartor Inc	S	South Light	002	231620
JLM Sartor Inc	JLM Sartor Inc	S	South Light	003	231621
JLM Sartor Inc	JLM Sartor Inc	S	South Light	004	231622
JLM Sartor Inc	JLM Sartor Inc	S	South Light	005	231623
JLM Sartor Inc	JLM Sartor Inc	S	South Light	006	231624
JLM Sartor Inc	JLM Sartor Inc	S	South Light	007	231625
JLM Sartor Inc	JLM Sartor Inc	S	South Light	008	231626
JLM Sartor Inc	JLM Sartor Inc	S	South Light	009	231627
JLM Sartor Inc	JLM Sartor Inc	S	South Light	011	231629
JLM Sartor Inc	JLM Sartor Inc	S	South Light	012	231630
JLM Sartor Inc	JLM Sartor Inc	S	South Light	013	231631
JLM Sartor Inc	JLM Sartor Inc	S	South Light	017	231635
JLM Sartor Inc	JLM Sartor Inc	S	VUA;Hunter-Mannies	004	231870
JLM Sartor Inc	JLM Sartor Inc	S	Fortune Family 3	001	232031
JLM Sartor Inc	JLM Sartor Inc	S	North Light	017	232211
JLM Sartor Inc	JLM Sartor Inc	S	Hunter-Mannies	005	232250

Operator	Field	District	Well Name	Well Number	Serial Number
JLM Sartor Inc	JLM Sartor Inc	S	Hunter-Mannies	006	232251
JLM Sartor Inc	JLM Sartor Inc	S	Beverly Cook et al	001	232333
JLM Sartor Inc	JLM Sartor Inc	S	Beverly Cook et al	004	232336
JLM Sartor Inc	JLM Sartor Inc	S	Beverly Cook et al	006	232338
JLM Sartor Inc	JLM Sartor Inc	S	Beverly Cook et al	007	232339
JLM Sartor Inc	JLM Sartor Inc	S	Beverly Cook et al	008	232340
JLM Sartor Inc	JLM Sartor Inc	S	Beverly Cook et al	009	232341
JLM Sartor Inc	JLM Sartor Inc	S	Beverly Cook et al	010	232342
JLM Sartor Inc	JLM Sartor Inc	S	Beverly Cook et al	011	232343
JLM Sartor Inc	JLM Sartor Inc	S	Beverly Cook et al	012	232344
JLM Sartor Inc	JLM Sartor Inc	S	Beverly Cook et al	013	232345
JLM Sartor Inc	JLM Sartor Inc	S	Stinson	013	232347
JLM Sartor Inc	JLM Sartor Inc	S	South Light	020	232604
JLM Sartor Inc	JLM Sartor Inc	S	South Light	015	232640
JLM Sartor Inc	JLM Sartor Inc	S	South Light	016	232641
JLM Sartor Inc	JLM Sartor Inc	S	South Light	018	232642
JLM Sartor Inc	JLM Sartor Inc	S	South Light	019	232643
JLM Sartor Inc	JLM Sartor Inc	S	Hunter-Mannies	007	233121
JLM Sartor Inc	JLM Sartor Inc	S	Hunter-Mannies SWD	008	233717
JLM Sartor Inc	JLM Sartor Inc	S	Stinson	011	233745
JLM Sartor Inc	JLM Sartor Inc	S	Laborde	001	233814
JLM Sartor Inc	JLM Sartor Inc	S	Mills	005	235695
JLM Sartor Inc	JLM Sartor Inc	S	Mills	006	235696
JLM Sartor Inc	JLM Sartor Inc	S	Hunter-Mannies	009	239212
JLM Sartor Inc	JLM Sartor Inc	S	Stinson	014	244159
JLM Sartor Inc	JLM Sartor Inc	S	Deloach C SWD	004	970693
JLM Sartor Inc	JLM Sartor Inc	S	Deloach C SWD	003	972715

Richard P. Ieyoub
Commissioner

1607#034

POTPOURRI

Department of Public Safety and Corrections
Office of the State Fire Marshal

Public Hearing—Substantive Changes to Proposed Rules
(LAC 17:I.107 and 111)

Editor's Note: The referenced text of this Notice of Intent is printed in its entirety on pages 826-859 of the June 2016 *Louisiana Register*.

The Department of Public Safety and Corrections, Office of the State Fire Marshal, Louisiana State Uniform Construction Code Council (LSUCCC) published an Emergency Rule and Notice of Intent to amend its rules in the May 20, 2016 edition of the *Louisiana Register*.

The LSUCCC proposes the following amendments to §§107 and 111.

Title 17
CONSTRUCTION
Part I. Uniform Construction Code
Chapter 1. Uniform Construction Code
§107. *International Residential Code*
(Formerly LAC 55:VI.301.A.3.a)

A.1. - A.8.d. …

i. The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric vacuum breaker, a pressure vacuum breaker assembly or a reduced pressure principle backflow prevention assembly. Shutoff or control valves shall not be installed downstream from an atmospheric vacuum breaker. When an irrigation/lawn sprinkler system is provided with separate zones, the potable water supply shall be protected by a pressure vacuum breaker or reduced pressure principal backflow prevention assembly. Atmospheric vacuum breakers shall be installed at least 6 inches (152 mm) above the highest point of usage [i.e., 6 inches (152 mm) above all downstream piping and highest sprinkler head]. Pressure type vacuum breakers shall be installed at least 12 inches (305 mm) above the highest point of usage (i.e., 12 inches (305 mm) above all downstream piping and the highest sprinkler head). Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow prevention assembly.

8.e - 9.r. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(1).

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013), LR 39:2512 (September 2013), LR 40:2609 (December 2014), amended by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 41:2383 (November 2015), amended LR 42: 05 (May 2016), LR 42:

§111. The International Plumbing Code (Formerly LAC 55:VI.301.A.5)

A. - G.10. …

a. Horizontal drains within buildings shall be provided with cleanouts as follows:

G.10.a.i. - O.3.a.i.(a). …

(i). Temporary (6 months) travel trailers residing in mobile home parks and or where more than one travel trailer resides for the purpose of employment and or hardships, may be exempted by the local jurisdiction building official from 1602.1.

3.b. - 5.c.i. …

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1730.22(C) and (D) and 40:1730.26(1) and Act 836 of the 2014 of the Regular Louisiana Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, State Uniform Construction Code Council, LR 33:291 (February 2007), amended LR 34:93 (January 2008), LR 34:883 (May 2008), LR 34:2205 (October 2008), LR 35:1904 (September 2009), LR 36:2574 (November 2010), effective January 1, 2011, LR 37:601 (February 2011), LR 37:913 (March 2011), repromulgated LR 37:2187 (July 2011), repromulgated LR 37:2726 (September 2011), LR 37:3065 (October 2011), LR 38:1994 (August 2012), amended by the Department of Public Safety and Corrections, Uniform Construction Code Council, LR 39:1825 (July 2013), LR 39:2512 (September 2013), LR 40:2609 (December 2014), amended by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 41:2386 (November 2015), amended by the Department of Public Safety and Corrections, Office of State Fire Marshal, Uniform Construction Code Council, LR 42: 05 (May 2016), LR 42:

Public Hearing

In accordance with R.S. 49:968(H)(2), a public hearing will be held on August 23, 2016 at 10 a.m. at the Office of the State Fire Marshal, 8181 Independence Blvd, Baton Rouge, LA 70806.

Jason Starnes
Interim Undersecretary

1607#069

POTPOURRI

Workforce Commission
Office of Workers' Compensation Administration

Weekly Compensation Benefits Limits

Pursuant to R.S. 23:1202, and based on the statewide average weekly wage as determined by the Louisiana Workforce Commission, the following limits shall apply to weekly compensation benefits for claimants injured during the period September 1, 2016 through August 31, 2017.

Average Weekly Wage	Maximum Compensation	Minimum Compensation	Mileage Reimbursement
$876.00	$657.00	$175.00	* .51 cents per mile
*Effective July 1, 2016 the mileage reimbursement is $0.51 per mile pursuant to R.S. 23:1203(D).			

This information updates R.S. 23:1202 of the Louisiana Workers Compensation Act.

	Average Weekly Wage	Maximum Comp	Minimum Comp
Sept 1, 1999-Aug 31, 2000	512.47	384.00	102.00
Sept 1, 2000-Aug 31, 2001	517.93	388.00	104.00
Sept 1, 2001-Aug 31, 2002	530.43	398.00	106.00
Sept 1, 2002-Aug 31, 2003	554.31	416.00	111.00
Sept 1, 2003-Aug 31, 2004	572.53	429.00	114.00
Sept 1, 2004-Aug 31, 2005	584.40	438.00	117.00
Sept 1, 2005-Aug 31, 2006	605.46	454.00	121.00
Sept 1, 2006-Aug 31, 2007	637.19	478.00	127.00
Sept.1, 2007-Aug 31, 2008	696.00	522.00	139.00
Sept. 1, 2008-Aug. 31, 2009	728.10	546.00	146.00
Sept. 1, 2009-Aug. 31, 2010	768.83	577.00	154.00
Sept. 1, 2010-Aug. 31, 2011	772.18	579.00	154.00
Sept. 1, 2011-Aug. 31, 2012	789.00	592.00	158.00
Sept. 1, 2012-Aug. 31, 2013	807.07	605.00	161.00
Sept. 1, 2013-Aug. 31, 2014	825.54	619.00	165.00
Sept. 1, 2014-Aug. 31, 2015	839.76	630.00	168.00
Sept. 1, 2015-Aug. 31, 2016	865.31	649.00	173.00
***Sept. 1, 2016-Aug. 31, 2017**	**876.00**	**657.00**	**175.00**

Actual wages are to be paid if the wages are less than the minimum.

Approved mileage rate as of July 1, 2016 is $0.51 per mile.

Sheral Kellar
Director

1607#073

CUMULATIVE INDEX
(Volume 42, Number 7)

2016

Pages	Issue
1-177	January
178-364	February
365-506	March
507-700	April
701-799	May
800-973	June
974-1199	July

EO—Executive Order
PPM—Policy and Procedure Memoranda
ER—Emergency Rule
R—Rule
N—Notice of Intent
CR—Committee Report
GR—Governor's Report
L—Legislation
P—Potpourri
QU—Administrative Code Quarterly Update

ADMINISTRATIVE CODE UPDATE

Cumulative
January 2015-December 2015, 172QU
January 2016-March 2016, 686QU
January 2016-June 2016, 1181QU

AGRICULTURE AND FORESTRY

Agricultural and Environmental Sciences, Office of
Aerial systems, unmanned, 297N
Honey bees, apiaries and fire ants, 911N
Horticulture and quarantine programs
Emerald ash borer, 995ER
Xyloporosis, 6ER, 296N, 730R
Pesticides, 730R
Application, restrictions, 510ER, 730R
Public hearing, substantive changes to proposed rule, 492P
Quarantine listing, annual, 687P

Agricultural Chemistry and Seed Commission
Seeds, 211R

Boll Weevil Eradication Commission
Cotton producers, fees
Inspection, 511ER, 1134N
Maintenance, 511ER, 1134N

Horticulture and Quarantine Programs Division
Xyloporosis, 705ER

Horticulture Commission
Insurance coverage
Arborists, Utility arborists, and landscape irrigation contractors, 1135N

Structural Pest Control Commission
Structural pest control, 212R

Agro-Consumer Services, Office of

Agricultural Commodities Commission
Commodity dealer and warehouse law, 916N

Weights and Measures, Division of
Metrology laboratory, fee structure, 218R
Weights and measures, fee structure and registration, 1140N

Animal Health and Food Safety, Office of
Turtle eggs and turtles
Shipments, international, 512ER

Animal Health, Board of
Swine, feral, 391R

Egg Commission
Eggs, sale within Louisiana, 219R

Forestry, Office of
Forest productivity program, 301N, 733R
Indian Creek, recreation area, 922N
Logos, state products, 393R, 540R
Severance tax values, 2016, 166P
Timber records, electronic, 301N, 733R

CHILDREN AND FAMILY SERVICES

Economic Stability Section
Programs
Community supervision, 813ER, 1143N
Family strengthening, pre- and post-release, 180ER, 448N, 705ER, 864R
Public assistance, income exclusions for, 1143N
Supplemental nutritional assistance (SNAP), 6ER, 222R

Programs, Division of
Reports
Louisiana annual progress and services report, 2016, 494P
Social services, intended use block grant, 493P
Risk assessment evaluation, 45N, 860R
Temporary assistance for needy families (TANF)
Caseload reduction, 166P

Child Welfare Section
Central registry, state, 446N, 862R

Licensing Section
Child day care centers, 72N, 542R
Health status, 373ER, 813ER, 928N
Juvenile detention, 395R
Parent standards, 219R

CIVIL SERVICE

Ethics, Board of
Late filings
Records and reports, 1147N

CULTURAL RESOURCES

Tourism, Office of
Welcome centers, 35R

ECONOMIC DEVELOPMENT

Business Development, Office of
Programs
Enterprise zone, 373ER, 867R
Public hearing, substantive changes to proposed rule, 495P
Quality jobs, 374ER, 865R
Public hearing, substantive changes to proposed rule, 494P
Restoration tax abatement, 223R
Technology commercialization credit and jobs, 224R
Tax credits
Angel investor, 35R
Ports of Louisiana, 222R

Entertainment Industry Development, Office of
Digital Media and Software Act, Louisiana, 36R
Entertainment industry tax credit programs
Public hearing, substantive changes to proposed rule, 1183P
Motion picture investor tax credit program
Public hearing, substantive changes to proposed rule, 1183P
Tax credit programs
Motion picture investor, 39R
Musical and theatrical production income, 40R
Sound recording investor, Louisiana, 37R

Secretary, Office of the
Tax credit program, research and development, 41R

EDUCATION

Elementary and Secondary Education, Board of
Advisory councils, organization, 101N, 563R
Bulletin 111—The Louisiana School, District, and State Accountability System, 78N, 375ER, 548R, 579N, 1017R
Bulletin 118—Statewide Assessment Standards and Practices, 224R
Achievement levels and performance standards, 7ER
Assessments, parental viewing, 302N, 734R
Bulletin 119—Louisiana School Transportation Specifications and Procedures, 230R
Bulletin 126—Charter Schools, 81N, 549R
Definitions, recruitment and enrollment, 580N, 1017R
Funding, state, 582N, 1019R
Bulletin 129—The Recovery School District, 83N, 376ER, 551R, 583N, 1019R
Bulletin 133—Scholarship Programs, 86N
Accountability system for participating nonpublic schools, 378ER, 553R
Bulletin 134—Tuition Donation Rebate Program, 87N, 553R
Bulletin 137—Louisiana Early Learning Center Licensing Regulations, 88N, 554R
Bulletin 139—Louisiana Child Care and Development Fund Programs, 42R
Bulletin 140—Louisiana Early Childhood Care and Education Network, 996ER
Bulletin 141—Louisiana Student Standards for English Language Arts, 585N, 1019R
Public hearing, 791P
Bulletin 142—Louisiana Student Standards for Mathematics, 609N, 1043R
Public hearing, 791P
Bulletin 741—Louisiana Handbook for School Administrators, 232R, 630N, 1062R
Instructional support, 92N, 556R
Public hearing, 791P
Scheduling, 94N, 557R
Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators, 632N, 1063R
Bulletin 746—Louisiana Standards for State Certification of School Personnel
PRAXIS exams and scores, 233R
Bulletin 1508—Pupil Appraisal Handbook, 399R
Bulletin 1706—Regulations for Implementation of the Children with Exceptionalities Act, 234R
Bulletin 1794—State Textbook Adoption Policy and Procedure Manual, 95N, 558R
Bulletin 1955—Louisiana Content Standards, Benchmarks, and Grade Expectations for Mathematics, 634N, 1065R
Bulletin 1965—Louisiana Content Standards, Benchmarks, and Grade Expectations for English Language Arts, 637N, 1067R

Student Financial Assistance Commission
Student Financial Assistance, Office of
Advisory committee to the commission
Bylaws, 49R
Scholarship/grant programs, 1003ER, 1150N
Acts of the 2015 regular session, 46R
Awards, elimination, in event of budget shortfall, 512ER
Eligible non-citizens, definition, 512ER
TOPS
Core curriculum equivalents
AP computer science A, 706ER, 929N
GPA calculation, 47R

Tuition Trust Authority
Student Financial Assistance, Office of
Interest rate, 2015, 641N
START saving program, 181ER, 304N, 514ER, 641N, 1070R

ENVIRONMENTAL QUALITY

Environmental Services, Office of
Air Permits Division
Ambient air quality standard maintenance plan, 2008 8-hour ozone, 496P
Contiguous or adjacent properties, oil and natural gas sector, 1184P
Redesignation request, Baton Rouge nonattainment area, 496P
State implementation plan (SIP)
Proposed revisions, 1184P

ENVIRONMENTAL QUALITY (continued)
Water Permits Division
Water quality standards, triennial review
Public hearing, request for comments, 166P
Secretary, Office of the
Legal Division
Air quality, federal, 2015
Incorporation by reference, 643N, 1084R
Clean power plan listening session, public notice, 496P
Discharge monitoring reports, electronic submittal, 319N, 735R
Emissions
Nitric acid industry, control of, 931N
Smoke, control, 642N
Sulfur dioxide standards, exemptions, 932N
VOC, wastewater, industrial, 646N
Expedited penalty agreement, 235R
Greenhouse gasses, definitions
Major source, 102N, 563R
Major stationary source, 102N, 563R
Hazardous waste
Manifest, electronic, 104N, 565R
Offset requirements, specified parishes, 402R
$PM_{2.5}$, significant monitoring concentration
Deletion, 401R
Reportable quantity list, pollutants
Public hearing, substantive changes to proposed rule, OSO93, 689P
Start-up and shutdown, work practice standards, 934N
Waste tires, 244R
Water quality, recreational coastal beach, 320N, 736R

EXECUTIVE ORDERS

BJ 15-31 Carry-Forward Bond Allocation 2015, 1EO
JBE 16-01 Medicaid Expansion, 178EO
JBE 16-02 Carry-Forward Bond Allocation 2015, 178EO
JBE 16-03 Executive Branch—Expenditure and Hiring Freeze, 365EO
JBE 16-04 Executive Branch—Expenditure Reduction, 366EO
JBE 16-05 Review of Executive Branch Contracts, 368EO
JBE 16-06 Suspension of Early Voting, 369EO
JBE 16-07 Flags at Half Staff to Honor Representative Ronnie Edwards, 369EO
JBE 16-08 Flags at Half-Staff to Honor Senator Edgar "Sonny" Mouton, 507EO
JBE 16-09 Consistency with Louisiana's Comprehensive Master Coastal Plan to Ensure a Sustainable Integrated Coastal Ecosystem, 507EO
JBE 16-10 Governor's Advisory Council on Disability Affairs, 508EO
JBE 16-11 Equal Opportunity and Non-Discrimination, 701EO
JBE 16-12 Work and Career Development Requirements for ABAWD Snap Participants, 701EO
JBE 16-13 Flags at Half-Staff to Honor Representative John D. Travis, 702EO
JBE 16-14 Governor's Statewide Independent Living Council, 703EO
JBE 16-15 Flags at Half-Staff to Honor Frank Levingston, 704EO
JBE 16-16 Flags at Half-Staff to Honor Robert L. "Bobby" Freeman, 800EO
JBE 16-17 Governor's Advisory Council on the Every Student Succeeds Act, 800EO
JBE 16-18 Flags at Half-Staff to Honor Mary Frey Eaton, 801EO
JBE 16-19 Establishment of Unified Command Group and Subcommittees, 802EO
JBE 16-20 Emergency Operations Plan, 803EO
JBE 16-21 Continuation of the National Incident Management System (NIMS) Designation, 809EO
JBE 16-22 Governor's Council on Homelessness, 809EO
JBE 16-23 Governor's Task Force on Transportation Infrastructure Investment, 810EO
JBE 16-24 Flags at Half-Staff to Honor the Victims of the Attack in Orlando, 974EO
JBE 16-25 Flags at Half-Staff to Honor Reverend E. Edward Jones, Sr., 974EO
JBE 16-26 Conditions for Participation in the Industrial Tax Exemption Program, 974EO
JBE 16-27 Call for Meetings of State Mineral and Energy Board, 976EO
JBE 16-28 Authorization for Chair of the State Mineral and Energy Board to Sign Certain Documents on Governor's Behalf, 977EO
JBE 16-29 Procedures in Cases before Military Courts in the State of Louisiana, 977EO
JBE 16-30 Authority to Arm Designated Louisiana National Guardsmen, 978EO
JBE 16-31 Coordinated System of Care, 978EO
JBE 16-32 Executive Branch—Merit Increase Freeze, 979EO

GOVERNOR

Administration, Division of
Facility Planning and Control, Office of
Contract limit adjustment, 169P
Group Benefits, Office of
Benefits, employee, 51R
Racing Commission
Advertising, jockey apparel, 744R
State Procurement, Office of
Auction, reverse, 51R
PPM 56, delegated procurement authority, standard and special delegations, 2PPM
PPM 57, procedures to approve brand names, La MAS and multi-state cooperative contracts, 3PPM
PPM 59, procurement preferences; application, 371PPM
Travel Section
PPM 49—General Travel (LAC 4:V.Chapter 15), 981PPM
Tax Commission
Ad valorem, 515ER, 744R
Substantive changes to proposed rule, valuation of onshore pipelines, 359P

GOVERNOR (continued)

Technology Services, Office of
Consulting services, information technology contracts, 869R

Capital Area Ground Water Conservation Commission
Fees, pumpage, 402R

Certified Shorthand Reporters, Board of Examiners of
Certification affidavit, court reporting firm, 109N, 868R

Coastal Protection and Restoration Authority
Cessation of activities
Flood control structures, 13ER
Levees, 13ER
Deepwater Horizon oil spill
Final phase V early restoration plan and environmental assessment, 167P
Final programmatic damage assessment and restoration plan and programmatic environmental impact statement, 357P, 497P

Contractors, Licensing Board for
Licensing
Labor only, 52R
Specialty classifications, 52R

Crime Victims Reparations Board
Compensation, victims, 330N, 569R, 743R

Elderly Affairs, Office of
Policy and procedure manual, 765N

Financial Institutions, Office of
Investment adviser registration, 649N, 1088R

Law Enforcement and Administration of Criminal Justice, Commission on
Peace officer training, 274R

Pardons, Board of
Clemency
Application, filing, 648N, 1087R
Eligibility, 648N, 1087R
Hearing, 648N, 1087R

Parole, Committee on
Parole, eligibility and types, 764N

Real Estate Appraisers Board
Licensing, 453N, 870R
Prohibited activities, 871R
Public hearing, substantive changes to proposed rule, 169P

Real Estate Commission
Escrow deposits, disbursement, 53R

HEALTH

Aging and Adult Services, Office of
Home and community-based services waivers
Adult day health care waiver
Electronic visit verification, 15ER, 708ER
Community choices waiver
Electronic visit verification, 380ER, 1008ER
Unit of reimbursement, 465N, 897R
Rate methodology, 468N, 898R
Personal care services, long term, 131N, 902R
Public hearing, substantive changes to proposed rule, 500P
Standards for participation
Electronic visit verification, 382ER, 1010ER
Transportation services, non-medical, 1166N
Spinal cord injury, 1167N

Behavioral Analyst Board
Continuing education
Assistant behavior analysts, state certified, 771N
Behavioral analyst, 771N
Ethical standards
Compliance code
Ethical, 773N
Professional, 773N
Supervision
Assistant behavior analysts, state certified, 650N
Registered line technicians, 650N

Behavioral Health, Office of
Adult mental health services
Covered services and recipient qualifications, 59R
Drug regulations
Opioid antagonist administration, 64R

Citizens with Developmental Disabilities, Office for
Home and community-based services waivers
Children's choice waiver
Unit of reimbursement, 463N, 896R
New opportunities waiver
Emergency opportunities, 16ER, 939N
Unit of reimbursement, 466N, 898R
Residential options waiver
Reserved capacity group, 62R
Unit of reimbursement, 470N, 900R
Supports waiver
Unit of reimbursement, 471N, 900R
Medication attendants, certification, 205ER, 834ER, 948N

Dentistry, Board of
Advertising and soliciting, 331N, 872R
Anesthesia/analgesia, administration 53R
Complaints, 331N, 872R
Adjudication, formal 56R
Disposition, informal 56R
Investigation, 56R, 331N, 872R
Resolution, informal, 56R
Dental practice
Address, 59R
Mailing, 59R
Permits, dentistry
Mobile, 59R
Portable, 59R
Hygienists, 58R
Licensure examination
Dentists and dental hygienists, 1154N

Embalmers and Funeral Directors, Board of
Fees, 404R
Inspection, 404R
Internship, 404R
License, 404R

Emergency Response Network
LERN destination protocol
TRAUMA, 169P, 483N, 904R

Health Services Financing, Bureau of
Administrative procedures
Tribal consultation process, 462N, 892R
Adult mental health services
Covered services and recipient qualifications, 59R

HEALTH (continued)

Affordable Care Act
  Managed care for physical and behavioral health expansion, 338N, 754R
  Medicaid eligibility, 340N, 756R
  Medicaid expansion, 342N, 755R
Behavioral health service providers, licensing standards, 791P
Direct service worker registry, 893R
Disproportionate share hospital payments
  Inpatient psychiatric services
    Reimbursement rate reduction, 14ER, 707ER
  Low-income academic hospitals, 524ER, 817ER
  Medical centers, major, 1007ER
  Mental health emergency room extensions, 196ER, 778N, 818ER
Early and periodic screening, diagnosis and treatment
  Durable medical equipment, cochlear devices, 127N, 572R
  Nursing services, school-based, 196ER, 779N, 819ER
Facility need review
  Alterations, major, 780N
  Hospital off-site campuses, emergency services, 1162N
  Outpatient abortion facilities, 61R
Federally qualified health centers
  Fluoride varnish, delegated appliers, 938N
Greater New Orleans community health connection
  Waiver termination, 336N, 753R
Home and community-based services waivers
  Adult day health care waiver
    Electronic visit verification, 15ER, 708ER
  Children's choice waiver
    Unit of reimbursement, 463N, 896R
  Community choices waiver
    Electronic visit verification, 380ER, 1008ER
    Unit of reimbursement, 465N, 897R
  New opportunities waiver
    Emergency opportunities, 16ER, 939N
    Unit of reimbursement, 466N, 898R
  Rate methodology, 468N, 898R
  Residential options waiver
    Reserved capacity group, 62R
    Unit of reimbursement, 470N, 900R
  Supports waiver
    Unit of reimbursement, 471N, 900R
Hospice services, 941N
Hospital licensing standards
  Emergency services, emergency facilities, free-standing, 1164N
  Obstetrical and newborn, services, 473N
Inpatient hospital services
  Children's specialty hospitals
    Supplemental payments for New Orleans area hospitals, 16ER, 709ER
  Non-rural, non-state hospitals
    Children's specialty hospitals reimbursements, 17ER, 274R
    Hemophilia blood products, additional payments for, reinstatement, 197ER, 406R
    Public hospitals, supplemental payments, 18ER, 710ER
    Supplemental payments for Baton Rouge area hospitals, 19ER, 710ER
    Supplemental payments for Monroe area hospitals, 20ER, 711ER
  Public-private partnerships
    Reimbursement methodology, 128N, 198ER, 573R
    South Louisiana area, 21ER
    Supplemental payments, 199ER, 406R
Intermediate care facilities for persons with developmental disabilities
  Licensing standards, 525ER, 1008ER
Intermediate care facilities for persons with intellectual disabilities
  Complex care reimbursements, 22ER, 275R
  Public facilities, reimbursement rate increase, 23ER, 712ER
  Supplemental payments, 381ER, 1010ER
Managed care for physical and behavioral health
  Claims, timely filing, 276R
  Non-emergency medical transportation, 24ER, 526ER, 942N
Medicaid eligibility
  Deductions, incurred medical expenses, 676N
  Marketplace determinations, federally-facilitated, 527ER, 675N, 1091R
  Medically needy program
    Behavioral health services, 528ER
  New adult eligibility group, 1165N
  Program, asset verification, 480N, 901R
  Requests
    Fair hearing, 481N, 901R
    Recipient appeals, 481N, 901R
Medical transportation program
  Emergency
    Aircraft, rotor winged ambulance services rate increase, 277R
    Ambulance licensing standards, 674N, 1090R
  Non-emergency, 530ER, 678N, 1091R
Nursing facilities
  Licensing standards, 533ER
  Non-state governmental organizations, supplemental payments, 63R
  Reimbursement methodology, 200ER, 819ER, 943N
Outpatient hospital services
  Children's specialty hospitals
    Supplemental payments for New Orleans area hospitals, 24ER, 713ER
  Non-rural, non-state hospitals
    Supplemental payments for Baton Rouge area hospitals, 25ER, 714ER
    Supplemental payments for Monroe area hospitals, 26ER, 714ER
  Public-private partnerships
    Reimbursement methodology, 130N, 381ER, 573R
    South Louisiana area, 27ER
    Supplemental payments, 202ER, 407R
Personal care services, long term, 131N, 902R

HEALTH (continued)
Standards for participation
Electronic visit verification, 382ER
Transportation services, non-medical, 1166N
Pharmacy benefits management program
Methods of payment, 28ER, 715ER
State supplemental rebate agreement program, 28ER, 716ER
Professional services program
Fluoride varnish, delegated appliers, 946N
Psychiatric residential treatment facilities
Licensing standards, 277R, 716ER
Public hearing, substantive changes to proposed rule
Direct service worker registry, 498P
Personal care services, long-term, 500P
Recovery audit contractor program, 203ER, 822ER
Rural health clinics
Fluoride varnish, delegated appliers, 947N
Medical Examiners, Board of
Clinical laboratory personnel
Licensure and certification, 333N, 752R
Complaints, 570R
Information, general, 570R
Investigations, 570R
Midwives
Licensure, certification and practice, 654N
Obesity treatment
Medications used, 1156N
Podiatry
Licensure and certification, 936N
Nursing, Board of
Clinical nursing courses
Undergraduate, permission to enroll or progress, 334N, 753R
Degree programs, nursing
Graduate, 110N, 875R
Undergraduate, 110N, 875R
Practice, 459N, 873R
Registered nurse, advanced practice
Authorized, 571R
Licensure, 405R, 571R
Pharmacy, Board of
Compounding for office use, veterinarians, 195ER, 379ER, 497P, 891R
Medication synchronization, 670N
Public hearing, substantive changes to proposed rule, 964P
Pharmacist-in-charge, nonresident pharmacy, 672N
Pharmacy technician, accreditation, training programs, 523ER
Prescriptions
Controlled substance, 669N, 1090R
Physical Therapy Board
Content, criteria, 781N
Course review, 781N
Fees, 781N
License
Application, 781N
Lapsed, reinstatement, 781N
Renewal, 781N
Practical Nurse Examiners, Board of
Licensure, 274R
Psychologists, Board of Examiners of
Education, continuing, 455N, 814ER, 937N
Ethical standards, 458N
Licenses, 455N, 814ER, 937N, 1089R
Public Health, Office of
Public water systems
Disinfectant residual levels, minimum, 383ER, 408R
Water supply, protection of, 388ER, 1011ER
Control, backflow and cross connection, 681N, 1094R
Family Health, Bureau of
Block grant, title V maternal and child, public notice, 791P
Social Work Examiners, Board of
Social workers, credentialed
Standards of practice, 774N
Supervision requirements, minimum, 774N
Speech-Language Pathology and Audiology, Board of
Speech-pathology and audiology, 1157N
Veterinary Medicine, Board of
Examination dates, fall/winter, 1185P

INSURANCE
Commissioner, Office of the
Regulation 32, group coordination of benefits, 1095R
Public hearing, substantive changes to proposed rule, 501P
Regulation 51, individual health insurance rating requirements, 65R
Regulation 52, small group health insurance rating requirements, 66R
Health, Life and Annuity Insurance
HIPAA assessment rate, annual, 964P

NATURAL RESOURCES
Conservation, Office of
Oil recovery, carbon dioxide enhanced, 258N, 955N
Orphaned oilfield sites, 171P, 360P, 501P, 689P, 792P, 964P, 1186P
Statewide order no. 29-B
General provisions, financial security, 717ER
Wells
Hydrocarbon, storage in salt dome cavities, 418R
Injection, class III, solution-mining, 413R
Environmental Division
Docket no. ENV 2016-1, FCC environmental services, LLC, public hearing, 792P

PUBLIC SAFETY AND CORRECTIONS
Correction Services
Sex offender, treatment plans and programs, 424R
Gaming Control Board
Application, 134N, 136N, 574R, 575R
License, 134N, 574R
Reporting form, 136N, 575R

PUBLIC SAFETY AND CORRECTIONS (continued)
Liquefied Petroleum Gas Commission
Liquefied petroleum gas, 427R
Permit fees, 1168N
Motor Vehicles, Office of
Off-road vehicles, 957N
Private Investigator Examiners, Board of
Education, continuing, 485N
State Fire Marshal, Office of the
Occupancy inspections, detention and correctional, 279R
Uniform construction code
Public hearing, substantive changes to proposed rule, 1190P
Uniform Construction Code Council
Uniform construction code, 720ER, 785N, 826ER
State Police, Office of
DPS police, escorts, 719ER, 784N
Federal motor carrier safety and hazardous materials, 280R
Inspections, motor vehicles, 428R, 960N

REVENUE
Alcohol and Tobacco Control, Office of
Regulation IX, prohibition of certain unfair business practices, 66R
Tobacco products, enforcement
Payment, 786N
Purchase, 786N
Policy Services Division
Fees
Administrative, 280R
Lien, issuance and cancellation, 282R
Tax payment, installment agreement, 281R
Investor tax credit brokers, motion picture, registry, 345N
Severance tax rate
Natural gas, 966P

STATE
Business Services Division
Business entities, 487N, 905R
Contract providers, home service, 207ER
Corporations, foreign
Penalty schedule, 69R

TRANSPORTATION AND DEVELOPMENT
Intermodal Transportation Division
Aviation Section
Intermodal transportation, 757R
Management and Finance, Office of
Department relocation of publicly owned or non-profit utilities, 1170N
Professional Engineering and Land Surveying Board
Continuing professional development, 347N, 1104R
Public hearing, substantive changes to proposed rule, 692P
Examinations, 347N, 443R, 1104R
Public hearing, substantive changes to proposed rule, 692P
Licensure, experience, 443R
Seal design, samples, 443R

TREASURY
Louisiana State Employees' Retirement System, Board of Trustees of the
Earnings, limitations, 69R
Municipal Police Employees' Retirement System, Board of Trustees of the
Vesting of benefits on plan termination, 70R
Parochial Employees' Retirement System, Board of Trustees of the
Unfunded accrued liability, determination of, 787N

WILDLIFE AND FISHERIES
Fisheries, Office of
Finfish
Management targets, 490N
Fisheries forward program, Louisiana
Suspending entry, 389ER
Reef fish harvest, 351N, 908R
Wildlife and Fisheries Commission
Alligator farms, 137N, 909R
Crabs
Harvest, blue crabs, 1172N
Traps, abandoned, removal, 70R
Cervid
Carcass importation, 1173N
Deer
Season closures, 29ER
Partial, 30ER
Department assets, signs
Advertising, 444R
Sponsorship, 444R
King mackerel
Seasons
Commercial, 2016-17, 29ER
Outlaw quadrupeds
Night take permits, nutria and beaver, 1174N
Oysters
Harvester training program, 962N
Lake Chien, 208ER
Public seed grounds, season
Closures
East of the Mississippi River and north of the Mississippi River Gulf Outlet, 209ER,
Bedding, 210ER

WILDLIFE AND FISHERIES (continued)
East of the Mississippi River and south of the Mississippi River Gulf Outlet, bedding, 210ER
Reopening, 538ER
Sister Lake Bay
Bedding, 208ER
Full closure, 208ER
Public, seed reopening, 539ER
Red snapper
Recreational season opening, 209ER
Reef fish
Gag grouper, recreational harvest, 727ER
Grouper size limit, season modification, 961N
Resident game hunting season, 189N, 693P, 1107R
Public hearing, substantive changes to proposed rule, 693P
Sabine river, size limit, largemouth bass, 789N
Sharks
Commercial harvest season, possession limit, large coastal non-sandbar, 207ER
Commercial, large coastal, closure, 537ER
Shrimp
Season
Closures
Inshore, fall, 209ER
Spring inshore, management zones 1 and 2, 1013ER
State outside waters, 30ER
Openings
Outside state waters, portion, 728ER
Spring, 728ER
Turkey
Hunting, Grassy Lake wildlife management area, 537ER
Turtles
Excluder device, 354N, 1132R
Harvest moratorium, commercial, 352N, 762R
Wildlife management areas
Closures, north Louisiana, 538ER
Reopening, 539ER, 729ER
Boeuf, 858ER
Russell Sage, 858ER

WORKFORCE COMMISSION
Plumbing Board
Plumbing, 31ER, 575R
Workers' Compensation Administration, Office of
Benefits limit, weekly compensation, 1191P
Fees, 31ER, 355N, 763R
Medical treatment guidelines, 283R, 1013ER, 1176N
Workforce Development, Office of
Certification, high unemployment areas, 445R