

Prior law provided the fee schedule for the La. Licensed Professional Counselors Board of Examiners ("board").

New law provides the maximum amount of each fee the board may collect as follows:

(1)	Application of privilege, credential, or registration	\$200
(2)	Application of licensure	\$325
(3)	Renewal of privilege, credential, registration, or license	\$300
(4)	Examination or reexamination	\$250
(5)	Late fees	\$100
(6)	Failure to update contact information with board	\$100
(7)	Reissuance of privilege, credential, registration, or license	\$50
(8)	Name changes on record	\$50
(9)	Copies of documents in the board's possession	\$50
(10)	Formal verification of status of any privilege, credential, registration, or license	\$25

New law provides that the board shall not increase any fee by more than a total of 15% over a consecutive three-year period.

Prior law allowed the board to assess and collect fines in an amount not to exceed \$500.

New law increases the amount the board may assess and collect in fines from not to exceed \$500 to not to exceed \$5,000.

New law authorizes the board to assess all costs incurred in connection with any disciplinary proceeding, including but not limited to the costs of an investigator, a stenographer, legal fees, or witness fees, and any costs and fees incurred by the board on any judicial review or appeal.

New law provides that all costs and fees shall be paid no later than 90 days after the decision of the board becomes final and delays for seeking judicial review of the decision have expired without action by an aggrieved party.

New law prohibits any license, certificate, or registration from being issued, reinstated, or renewed until such costs and fees are paid.

New law provides that a person aggrieved by a final decision of the board who prevails upon judicial review may recover reasonable costs, attorney fees, and other expenses incurred as a result of the administrative investigation, adjudication, and judicial review, in addition to other remedies provided by law.

New law allows the board to issue a registration as a counselor intern to an applicant who meets qualifications established by the board. Requires that the board adopt rules pursuant to the APA, establishing qualifications and requirements as necessary for the adequate protection of the health and welfare of the residents of the state. Requires that the qualifications shall include at a minimum that the applicant be at least 21 years of age, be of good moral character, in compliant with all applicable provisions of law or board regulations, and possess a graduate degree the substance of which is mental health counseling.

New law authorizes the board to issue a registration as a marriage and family therapist intern to an applicant who meets qualifications established by the board and requires that the board adopt rules pursuant to the APA establishing those qualifications and requirements necessary for the adequate protection of the health and welfare of residents. Requires that the qualifications include at a minimum that the applicant be at least 21 years of age, be of good moral character, in compliant with applicable provisions of the law or board regulations, and possess a graduate degree in marriage and family therapy, or a related clinical mental health field from a regionally accredited institution of higher education, or a certificate from a postgraduate training institute in marriage and family therapy.

New law provides for the issuance of temporary licenses and registrations effective for a period of 90 calendar days from the date of issuance.

Prior law provided for the denial, revocation, or suspension of licenses. New law retains these provisions and provides for the denial, revocation, or suspension of registrations.

New law authorizes the board to require an applicant, as a condition of eligibility for licensure, to do the following:

- (1) Submit a full set of fingerprints, in a form and manner prescribed by the board.
- (2) Permit the board to request and obtain state and national criminal history and identification files required, along with a bureau survey of criminal history and identification files with a simultaneous request of the FBI for like information from other jurisdictions.
- (3) Pay the reasonable costs incurred by the board in requesting and obtaining state and national criminal history record information on the applicant.

New law provides that the board may request and obtain state and national criminal history record information from the La. Bureau of Criminal Identification and Information of the office of state police within the Department of Public Safety and Corrections ("bureau") and the Federal Bureau of Investigation ("FBI") relative to any applicant for licensure whose fingerprints the board has obtained pursuant to law for the purpose of determining the applicant's suitability and eligibility for licensure.

New law provides that upon request by the board and upon the board's submission of an applicant's fingerprints, and such other identifying information as may be required, the bureau shall survey its criminal history records and identification files and make a simultaneous request of the FBI for like information from other jurisdictions. The bureau may charge the board a reasonable processing fee for conducting and reporting on any such search.

New law provides that any and all state or national criminal history record information obtained by the board from the bureau or FBI which is not already a matter of public record shall be deemed nonpublic and confidential information restricted to the exclusive use by the board, its members, officers, investigators, agents, and attorneys in evaluating the applicant's eligibility or disqualification for licensure. No such information or records related thereto shall, except with the written consent of the applicant or by order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency.

New law provides that upon investigation of the application and other evidence submitted, the board shall notify each applicant that the application and evidence submitted for consideration is satisfactory and accepted, or unsatisfactory and rejected. If an application is rejected, such notice shall state the reasons for such rejection and the applicant's right to a compliance hearing in accordance with the rules and regulations promulgated by the board.

Effective January 1, 2014.

(Amends R.S. 37:1106(A) and (D) and 1110, and R.S. 44:4.1(B)(23); adds R.S. 37:1107(F) and (G), 1116(C) and (D), and 1123)