

1 (1) The effect on the staffing level requirements or qualifications required to provide
2 the same level of service.

3 (2) The total direct and indirect effect on the cost to the provider to provide the same
4 level of service.

5 (3) The overall effect on the ability of the provider to provide the same level of
6 service.

7 BE IT FURTHER RESOLVED that the state agency shall include the provider
8 impact statement in the notice required by R.S. 49:953(A)(1).

9 BE IT FURTHER RESOLVED that the state agency shall submit the provider impact
10 statement on an emergency rule to the speaker of the House of Representatives and the
11 president of the Senate at the same time in the same manner as the agency statement required
12 by R.S. 49:953(A)(1)(a)(x).

13 BE IT FURTHER RESOLVED that if the state agency is reissuing an emergency
14 rule previously published without revision, the state agency shall clearly indicate that the
15 new publication is a reissue of a previously published rule and the date of the previous
16 publication.

17 BE IT FURTHER RESOLVED that if the state agency is not materially or
18 substantively revising an emergency rule previously published, the provider impact
19 statement issued on the previously published rule shall suffice; however, if the emergency
20 rule contains any material or substantive revisions from the previously published emergency
21 rule, the agency shall revise the impact statement to reflect the revisions.

22 BE IT FURTHER RESOLVED that all provider impact statements shall be in writing
23 and kept on file with the agency that adopted, amended, or repealed the rule and shall be
24 available for inspection, copying, and reproduction in accordance with the Public Records
25 Law.

26 BE IT FURTHER RESOLVED that for the purposes of this Resolution, "provider"
27 means an organization that provides services for individuals with developmental disabilities,
28 and "state agency" means each state board, commission, department, agency, officer, or
29 other entity which makes rules, regulations, or policy, or formulates, or issues decisions or
30 orders pursuant to, or as directed by, or in implementation of the constitution or laws of the

1 United States or the constitution and statutes of Louisiana, except the legislature or any
2 branch, committee, or officer thereof; any political subdivision, as defined in Article VI,
3 Section 44 of Constitution of Louisiana and any board, commission, department, agency,
4 officer, or other entity thereof; and the courts.

5 BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Office
6 of the State Register in the division of administration.

7 BE IT FURTHER RESOLVED that the Office of State Register shall notify each
8 state agency of the requirements of this Resolution.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Tim Burns

HCR No. 170

Directs each state agency, prior to the adoption, amendment, or repeal of any rule, including any emergency rule, to consider specified effects on a provider and to issue a provider impact statement. Provides that the statement contain the following considerations regarding the proposed rule:

- (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 provider to provide the same level of service.
- (3) The overall effect on the ability of the provider to provide the same level of service.

Requires the state agency to include such statement in its notice of intent, to send such statement on emergency rules to the speaker of the House of Representatives and the president of the Senate, and to keep the statement as a public record.

Defines "provider" as an organization that provides services for individuals with developmental disabilities and "state agency" as each state board, commission, department, agency, officer, or other entity which makes rules, regulations, or policy, or formulates, or issues decisions or orders pursuant to, or as directed by, or in implementation of the constitution or laws of the U.S. or the constitution and statutes of La., except the legislature or any branch, committee, or officer thereof; any political subdivision, as defined in Const. Art. VI, §44, and any board, commission, department, agency, officer, or other entity thereof; and the courts.

Provides that a copy of this Resolution be sent to the Office of the State Register in the division of administration and requires the Office of State Register to notify each state agency of the requirements.