
 DIGEST

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SB 37 Engrossed

2017 Regular Session

Martiny

Present law (R.S. 37:2353) provides for the prescriptive period for the La. State Board of Examiners of Psychologists (board) to conduct hearings upon complaints concerning the disciplining of a psychologist. No disciplinary proceeding shall be commenced more than one year after the date upon which the board knows or should know of the act or omission upon which the disciplinary action is based.

Proposed law removes from present law the one year prescriptive period.

Present law (R.S. 37:21) provides for a prescriptive periods for boards and commission to commence disciplinary actions.

Proposed law provides that the board will comply with the prescriptive periods of R.S. 37:21.

Present law provides authority for a hearing fee to be assessed by the Louisiana State Board of Examiners of Psychologists in disciplinary matters.

Proposed law provides that the hearing fee may include reasonable costs and fees for the hearing, including legal fees, stenographer, investigator, staff, witness fees, and any costs incurred on judicial review and appeal. Proposed law further provides that the board may assess reasonable costs and fees, not to exceed \$10,000.00, when a disciplinary action is resolved by settlement, consent decree or other informal resolution.

Present law requires a license applicant to have one year of post-doctoral experience.

Proposed law provides that the board may consider a substitution of experience, in accordance with board rules, for a psychologist who has practiced for five years in another state with no disciplinary actions. This experience may serve as a substitute for one year of post-doctoral experience.

Present law provides that a person has 30 days to pay reasonable costs to the board for the disciplinary hearings.

Proposed law increases the number of days a person has to pay reasonable costs for the disciplinary hearing and informal resolutions from 30 to 90 days.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 37:2353(C)(5), 2354(B)(1), 2356(A)(6), and 2359(C); adds R.S. 37:21(B)(12) and 2354(B)(4) and (5))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Requires the board to adhere to the prescriptive periods of R.S. 37:21.
2. Caps the informal resolution fee to \$10,000.00.

3. Increases the number of days a person has to pay reasonable costs to the board for disciplinary hearings or informal resolutions from 30 to 90 days.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the engrossed bill:

1. Relocate within present law provisions of proposed law relative to hearing fees and informal resolution fees.
2. Make technical changes.