

2019 Regular Session

HOUSE BILL NO. 196

BY REPRESENTATIVE FALCONER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BOARDS/COMMISSIONS: Exempts the Louisiana Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners from time limitations for disciplinary proceedings by professional and occupational boards and commissions

1 AN ACT

2 To enact R.S. 37:21(B)(12) and (13), relative to professions and occupations; to provide for
3 exceptions to time limitations after which disciplinary proceedings shall not be
4 instituted by professional or occupational boards and commissions; to provide with
5 respect to the Louisiana Professional Engineering and Land Surveying Board; to
6 provide with respect to the State Board of Architectural Examiners; and to provide
7 for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 37:21(B)(12) and (13) are hereby enacted to read as follows:

10 §21. Limitations on disciplinary proceedings by professional or occupational boards
11 and commissions

12 * * *

13 B. The provisions of this Section shall not apply to the following:

14 * * *

15 (12) The Louisiana Professional Engineering and Land Surveying Board.

16 (13) The State Board of Architectural Examiners.

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)]

HB 196 Original

2019 Regular Session

Falconer

Abstract: Provides that the La. Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners shall not be subject to certain time limitations after which disciplinary proceedings shall not be initiated by boards and commissions.

Present law provides that no proceeding by a professional or occupational board shall be brought after two years from discovery of the complaint or after five years in any circumstance for any complaint based on negligence, gross negligence, or intentional acts or omissions. Proposed law retains present law.

Present law provides that no proceeding by a professional or occupational board shall be brought after two years from discovery if the complaint is based on fraud. Proposed law retains present law.

Present law provides that no proceeding by a professional or occupational board shall be brought after five years after the date of a license or rules violation. Proposed law retains present law.

Present law provides a list of professional and occupational boards for which the provisions of present law which limit when a proceeding shall not be brought, do not apply:

- (1) A physician licensed to practice medicine.
- (2) A dentist, dental hygienist, or any person practicing dentistry or dental hygiene with or without a license.
- (3) A certified public accountant.
- (4) The Louisiana Cemetery Board.
- (5) The Louisiana State Board of Embalmers and Funeral Directors.
- (6) The Louisiana Board of Examiners for Speech-Language Pathology and Audiology.
- (7) The Louisiana Board of Pharmacy.
- (8) The Louisiana State Board of Nursing.
- (9) The Louisiana State Board of Social Work Examiners.
- (10) The Louisiana Physical Therapy Board.
- (11) The Louisiana State Board of Practical Nurse Examiners.

Proposed law adds the La. Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners to the list in present law.

(Adds R.S. 37:21(B)(12) and (13))