
DIGEST

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HB 196 Engrossed

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 be initiated by a professional board or commission pursuant to a complaint.

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 requires that when a complaint is filed with a professional or occupational board or commission, the board or commission shall notify the licensee in writing within six months or be barred from further action on the complaint. Proposed law exempts the La. Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners from present law.

Present law further requires that when a complaint is filed with an occupational or professional board, a hearing shall be held within six months of the notice of the hearing, barring any interruption by the filing of any motion. Proposed law exempts the La. Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners from present law.

(Adds R.S. 37:21(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Remove the La. Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners from the list of professional and occupational boards exempt from the time limits to initiate disciplinary proceedings based on negligence, an intentional act or omission, or a rules violation in present law.

2. Remove the La. Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners from the requirement that a licensee be notified within six months of a complaint being filed with a professional or occupational board or commission or be barred from further action on the complaint.
3. Exempt the La. Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners from the requirement that when a complaint is filed with an occupational or professional board, a hearing shall be held within six months of the notice of the hearing, barring any interruption by the filing of a motion.
4. Make technical changes.