

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 196

2019 Regular Session

Falconer

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

Synopsis of Senate Amendments

1. Makes technical changes.
2. Clarifies the provisions of present law do not apply to the licensees of the Louisiana State Board of Medical Examiners or the Louisiana Board of Dentistry.
3. Clarifies that when a complaint is filed, the board or commission shall notify the licensee who is specifically named in the complaint as the subject of the complaint.
4. Clarifies that the Louisiana Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners are exempt from present law regarding the time of hearing only.

Digest of Bill as Finally Passed by Senate

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 who is specifically named in the complaint as the subject of the complaint in writing within six months or be barred from further action on the complaint. 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 regarding the time of hearing only.

Present law provides that the provisions of the present law do not apply to:

- (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 changes reference to "a physician licensed to practice medicine" to the "Louisiana State Board of Medical Examiners".

Proposed law changes reference to "a dentist, dental hygienist, or any person practicing dentistry or dental hygiene with or without a license" to the "Louisiana State Board of Dentistry".

(Adds R.S. 37:21(B)(1) and (2) and (C))