

RÉSUMÉ DIGEST

ACT 281 (HB 196)

2019 Regular Session

Falconer

Existing 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. New law retains existing law.

Existing 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. New law retains existing law.

Existing 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. New law retains existing law.

Prior law required 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. New law requires the board or commission to notify the licensee who is specifically named in the complaint as the subject of the complaint. Existing 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. New law exempts the La. Professional Engineering and Land Surveying Board and the State Board of Architectural Examiners from existing law regarding the time of hearing only.

Existing law provides that the provisions of the existing 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.

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

New 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".

Effective August 1, 2019.

(Adds R.S. 37:21(A)(5) and (B)(1) and (2); Adds R.S. 37:21 (C))