
SENATE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 197 by Representative Charles Owen

1 AMENDMENT NO. 1

2 On page 1, lines 6, after "experience;" delete the remainder of the line and delete line 7 and
3 insert "to allow"

4 AMENDMENT NO. 2

5 On page 1, delete lines 16 through 20, delete pages 2 through 4, and on page 5, delete lines
6 1 through 5 and insert the following:

7 "§1751. Licensure for dependents of certain healthcare professionals8 A. For the purposes of this Section, the following definitions apply:9 (1) "Dependent" means any of the following who relocates to
10 Louisiana with a healthcare professional:11 (a) The healthcare professional's spouse.12 (b) The healthcare professional's unmarried child under the age of
13 twenty-one years.14 (c) The healthcare professional's child who is a student under the age
15 of twenty-four years and who is financially dependent upon the healthcare
16 professional.17 (d) The healthcare professionals' child of any age who is disabled and
18 financially dependent upon the healthcare professional.19 (2) "Healthcare professional" means a person who provides
20 healthcare or professional services in Louisiana as a physician, physician
21 assistant, dentist, registered or licensed practical nurse or certified nurse
22 assistant, advanced practice registered nurse, certified emergency medical
23 technician, paramedic, certified registered nurse anesthetist, nurse
24 practitioner, respiratory therapist, clinical nurse specialist, pharmacist,
25 physical therapist, occupational therapist, licensed radiologic technologist,
26 chiropractor, or licensed clinical laboratory scientist.27 (3) "Professional or occupational licensing board" means any state
28 agency, board, commission, or substantially similar entity, involved in the
29 licensing, certification, or registration of any regulated profession or
30 occupation within this state.31 B. Notwithstanding any other provision of law to the contrary, a
32 professional or occupational licensing board shall issue a license,
33 certification, permit pending normal license, or registration to an applicant
34 who is a dependent of a healthcare professional in accordance with the
35 provisions of this Section if the healthcare professional has relocated to and
36 established his legal residence in Louisiana, holds a valid license to provide
37 healthcare services in Louisiana, and is providing healthcare services in
38 Louisiana.39 C. An applicant who is a dependent of a healthcare professional as
40 provided for in Subsection A of this Subsection shall apply to the appropriate
41 professional or occupational licensing board pursuant to one of the following:42 (1) Licensure by endorsement or reciprocity if provided for in law.43 (2) If the applicant holds an out-of-state license but licensure by
44 endorsement or reciprocity is not provided for in law, by providing proof of
45 all of the following:46 (a) The applicant holds a current and valid occupational license in
47 another state in an occupation with a similar scope of practice, as determined
48 by the professional or occupational licensing board in this state.49 (b) The applicant has held the occupational license in the other state
50 for at least one year.

1 (c) The applicant has passed any examinations, or met any education,
 2 training, or experience standards as required by the licensing board in the
 3 other state.

4 (d) The applicant is held in good standing by the licensing board in
 5 the other state.

6 (e) The applicant does not have a disqualifying criminal record as
 7 determined by the professional or occupational licensing board in this state
 8 in accordance with the laws of this state.

9 (f) The applicant has not had an occupational license revoked by a
 10 licensing board in another state because of negligence or intentional
 11 misconduct related to the applicant's work in the occupation.

12 (g) The applicant did not surrender an occupational license because
 13 of negligence or intentional misconduct related to the applicant's work in the
 14 occupation in another state.

15 (h) The applicant does not have a complaint, allegation, or
 16 investigation pending before a licensing board in another state which relates
 17 to unprofessional conduct or an alleged crime. If the applicant has a
 18 complaint, allegation, or investigation pending, the professional or
 19 occupational licensing board in this state shall not issue or deny an
 20 occupational license to the applicant until the complaint, allegation, or
 21 investigation is resolved, or the applicant otherwise satisfies the criteria for
 22 licensure in this state to the satisfaction of the board in this state.

23 (i) The applicant pays all applicable fees in this state.

24 (j) The applicant simultaneously applies for a permanent license. If
 25 the applicant fails to qualify for a permanent license as determined by the
 26 occupational or licensing board once the permanent application is vetted, any
 27 temporary permit shall automatically terminate.

28 (3) Licensure based on work experience in another state, if all of the
 29 following apply:

30 (a) The applicant worked in a state that does not use an occupational
 31 license or government certification to regulate the applicant's occupation, but
 32 Louisiana uses an occupational license or government certification to
 33 regulate an occupation with a similar scope of practice, as determined by the
 34 Louisiana professional or occupational licensing board.

35 (b) The applicant worked for at least three years in the occupation.

36 (c) The applicant satisfies the requirements of Subparagraphs (2)(e)
 37 through (j) of this Subsection.

38 D. A professional or occupational licensing board may require an
 39 applicant to pass a jurisprudential examination specific to relevant state laws
 40 that regulate the occupation if required by law or the administrative rules
 41 promulgated by the board."

42 AMENDMENT NO. 3

43 On page 5, line 6, change "F. The" to "E. The professional or occupational licensing"

44 AMENDMENT NO. 4

45 On page 5, line 7, delete "an occupational license within" and insert "a license no later than"
 46 and at the end of the line, delete "an" and insert "a completed"

47 AMENDMENT NO. 5

48 On page 5, delete 9 through 24 and insert the following:

49 "F. The applicant may appeal any action, decision, or determination
 50 made by a professional or occupational board pursuant to this Section,
 51 including but not limited to the denial of a license or determination of an
 52 occupation or similarity of a scope of practice, in accordance with the
 53 Administrative Procedure Act.

1 G. A person who obtains a permit pending normal license,
2 occupational license, or government certification pursuant to this Section
3 shall be subject the laws regulating the occupation in this state and the
4 jurisdiction of the professional or occupational licensing board in this state."

5 AMENDMENT NO. 6

6 On page 5, line 25, change "I. This Section preempts laws" to "H. The provisions of this
7 Section shall preempt any laws or ordinances"

8 AMENDMENT NO. 7

9 On page 6, delete line 1 and insert "I. Each professional or occupational licensing board
10 subject to the provisions of this Section shall adopt rules in"

11 AMENDMENT NO. 8

12 On page 6, line 2, delete "as are"

13 AMENDMENT NO. 9

14 On page 6, delete line 4, and insert "J. Nothing in this Section shall be construed to prohibit
15 an applicant"

16 AMENDMENT NO. 10

17 On page 6, line 5, delete "healthcare professional relocating to this state"

18 AMENDMENT NO. 11

19 On page 6, line 6, after "established by" insert "law and the rules promulgated by"

20 AMENDMENT NO. 12

21 On page 6, line 8, change "L." to "K."