

**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, line 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 professionals

8 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 professional's child of any age who is disabled and  
18 financially dependent upon the healthcare professional.

19 (2) "Healthcare professional" means a person who provides health  
20 care or professional services in Louisiana as a physician, physician assistant,  
21 dentist, registered or licensed practical nurse or certified nurse assistant,  
22 advanced practice registered nurse, certified emergency medical technician,  
23 paramedic, certified registered nurse anesthetist, nurse practitioner,  
24 respiratory therapist, clinical nurse specialist, pharmacist, physical therapist,  
25 occupational therapist, licensed radiologic technologist, chiropractor, or  
26 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 lines 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 to 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."