

## RÉSUMÉ DIGEST

ACT 4 (HB 27)

2021 Regular Session

Gregory Miller

Prior law required a board or commission authorized to issue a license, permit, or certificate pursuant to existing law provisions in Title 37 of the La. Revised Statutes of 1950 to notify licensees and applicants for licenses that complaints about actions or procedures of the board or commission may be submitted to the board or commission or to the House and Senate governmental affairs committees. Prior law further required each such board or commission to submit to the House and Senate governmental affairs committees and to the appropriate legislative oversight committees quarterly reports containing specified information regarding complaints. Prior law additionally required legislative committees, members, and employees having access to confidential, personally identifiable, or otherwise sensitive information in those reports to protect the information from unauthorized use and disclosure.

New law repeals prior law effective upon signature of governor (June 1, 2021).

Prior law allowed a person who had a disciplinary action brought against him by the La. State Bd. of Dentistry or the La. Auctioneers Licensing Bd. to elect to have the matter moved to the division of administrative law (DAL) for adjudication. Required the board to advise the person that he may elect to have the matter heard by an administrative law judge. Required the person to advise the board, in writing within 30 days, that he elected to have the matter heard by an administrative law judge with the DAL. Required quarterly reports by the specified licensing boards and the DAL to the appropriate legislative oversight committees regarding the hearings held pursuant to prior law. Further required the appropriate legislative oversight committees to conduct regular meetings concerning the reports and the disciplinary actions and hearings by the licensing boards and report findings and recommendations to the legislature no later than Jan. 1, 2021. Further provided that the provisions of prior law regarding the option for disciplinary adjudications by an administrative law judge with the DAL, including the reports to and meetings by the legislative oversight committees, terminated on Aug. 1, 2021. Provided, however, that any matter which had been moved to the division of administrative law would remain in the division of administrative law until the adjudication was final.

New law repeals prior law and removes statutory references to prior law effective Jan. 1, 2022.

(Amends R.S. 49:992(D)(5); Repeals R.S. 37:21.1 and 23.2 and R.S. 49:992.2)