

HOUSE COMMITTEE AMENDMENTS

2022 Regular Session

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 314 by Representative Turner

AMENDMENT NO. 1

On page 1, line 6, after "796.1(A)," and before "966," insert "911(Section heading), 925(C), 929(3)," and delete "1218(3)," and insert in lieu thereof "1218(1) and (3),"

AMENDMENT NO. 2

On page 1, line 8, after "1515(A)(1)" and before "3003(introductory paragraph)" insert "2352(introductory paragraph), (3), (8), and (9), 2353(A)(2) and (3)(a) and (C)(introductory paragraph), (2), (4), and (5), 2355(B), 2356(B), (F), and (H), 2356.1(E), 2356.2(C)(1), 2356.3(A)(2), 2357(A) and (B)(1), 2359(A), (C)(1), and (F), 2360, 2361(D) and (E), 2362, 2363(A), 2365(A), (B), and (C)(introductory paragraph), (2), and (3), 2366, 2367, 2441, 2442(introductory paragraph) and (6)(r) and (t), 2447, 2449(A) and (C) through (E), 2449.1(C)(introductory paragraph) and (E), 2453(introductory paragraph) and (2), 2457(4), (5), (7), (8), and (10), 2462, 2464, 2465(A), (B), and (C)(1),"

AMENDMENT NO. 3

On page 1, line 13, after "39.1(A)(introductory paragraph)," and before "75(A)," insert "50(C),"

AMENDMENT NO. 4

On page 1, line 19, after "1223.3," and before "2017.10," insert "2012.2, 2012.3,"

AMENDMENT NO. 5

On page 1, line 20, after "(3)(i)," and before "2166.5(B)(12)(e)(introductory paragraph)" insert "2109(E)(2), 2113.2, 2120.33(introductory paragraph) and (7)(introductory paragraph) and (a),"

AMENDMENT NO. 6

On page 2, delete line 1 in its entirety and insert in lieu thereof the following:

(ii), 2180.25(B)(2)(m)(v) and (q), and 2193.1(B)(5)(introductory paragraph), R.S. 46:236.1.2(A)(introductory paragraph),"

AMENDMENT NO. 7

On page 2, line 3, after "(B)(1)," and before "1933(B)," insert "977, 1906(C),"

AMENDMENT NO. 8

On page 2, line 5, after "repeal" and before "R.S. 40:5.5(F)" insert "R.S. 37:2465(D),"

AMENDMENT NO. 9

On page 2, line 6, after "(B)" and before "and Section" insert a comma ",,"

1 AMENDMENT NO. 10

2 On page 5, line 21, after "796.1(A)," and before "966," insert "911(Section heading), 925(C),
3 929(3),"

4 AMENDMENT NO. 11

5 On page 5, line 22, delete "1218(3)," and insert in lieu thereof "1218(1) and (3),"

6 AMENDMENT NO. 12

7 On page 5, at the end of line 23, insert "2352(introductory paragraph), (3), (8), and (9),
8 2353(A)(2) and (3)(a) and (C)(introductory paragraph), (2), (4), and (5), 2355(B), 2356(B),
9 (F), and (H), 2356.1(E), 2356.2(C)(1), 2356.3(A)(2), 2357(A) and (B)(1), 2359(A), (C)(1),
10 and (F), 2360, 2361(D) and (E), 2362, 2363(A), 2365(A), (B), and (C)(introductory
11 paragraph), (2), and (3), 2366, 2367, 2441, 2442(introductory paragraph) and (6)(r) and (t),
12 2447, 2449(A) and (C) through (E), 2449.1(C)(introductory paragraph) and (E),
13 2453(introductory paragraph) and (2), 2457(4), (5), (7), (8), and (10), 2462, 2464, 2465(A),
14 (B), and (C)(1),"

15 AMENDMENT NO. 13

16 On page 12, between lines 14 and 15, insert the following:

17 "§911. Legislative findings; intent; purpose of ~~part~~ Part

18 * * *

19 §925. Violations; penalty

20 * * *

21 C. If a person licensed to practice as a registered nurse or advanced practice
22 registered nurse is found guilty of violating any provision of ~~the~~ this Part, the board
23 may suspend, probate, limit, or otherwise restrict, or revoke the license of such
24 person.

25 * * *

26 §929. Exceptions

27 The provisions of this Part shall not apply to:

28 * * *

29 (3)(a) The rendering of nursing assistance by any individual in the case of
30 immediate emergency.

31 (b) The rendering of nursing assistance by any individual in a disaster in
32 accordance with the rules and regulations established by the board.

33 * * *"

34 AMENDMENT NO. 14

35 On page 14, between lines 4 and 5, insert the following:

36 "(1) The pharmacist shall administer influenza immunizations in
37 conformance with the most current annual influenza vaccination administration
38 protocol as set forth by the United States Centers for Disease Control and Prevention
39 (~~CDC~~) Advisory Committee on Immunization Practice (~~ACIP~~)."

40 AMENDMENT NO. 15

41 On page 14, line 7, delete "(VAERS)"

1 AMENDMENT NO. 16

2 On page 14, line 8, delete "CDC" and insert "United States Centers for Disease Control and
3 Prevention"

4 AMENDMENT NO. 17

5 On page 17, line 25, after "\$1515." and before "Board" insert "Louisiana"

6 AMENDMENT NO. 18

7 On page 17, after line 29, insert the following:

8 "§2352. Definition of terms
9 As used in this Chapter, the following terms ~~mean~~ have the meaning ascribed
10 in this Section:

11 * * *

12 (3) "Candidate" means any person whose application and related materials
13 have been approved by the board. Only candidates are eligible to take the
14 ~~written/oral~~ written and oral examination.

15 * * *

16 (8) "Provisional licensed psychologist" means a person provisionally
17 licensed ~~under~~ in accordance with the provisions of this Chapter.

18 (9) "Psychologist" means any person licensed as a psychologist ~~under~~ in
19 accordance with the provisions of this Chapter. A person represents himself to be
20 a psychologist by using any title or description of services incorporating the words
21 "psychology", "psychological", or "psychologist", or by using any other terms which
22 imply that he is qualified to practice psychology or that he possesses expert
23 qualification in any area of psychology or if that person offers to the public or
24 renders to individuals or to groups of individuals services defined as the practice of
25 psychology in this Chapter.

26 * * *

27 §2353. State board of examiners; organization; duties; meetings; fees
28 A.

29 * * *

30 (2) The governor shall appoint members for terms of five years. Each
31 appointment by the governor shall be subject to Senate confirmation. A board
32 member shall not be eligible to succeed himself. All psychologist appointments shall
33 be from a list provided by the Louisiana Psychological Association. The list shall
34 report the results of an election in which persons qualified for board membership
35 may nominate themselves and in which licensed members of the Louisiana
36 Psychological Association and other persons licensed ~~under~~ in accordance with the
37 provisions of this Chapter are entitled to one vote for each vacancy on the board.
38 The consumer member may apply directly to the office of the governor. The
39 governor shall ensure that his appointments demonstrate race, gender, ethnic, and
40 geographical diversity.

41 (3)(a) Each psychologist board member shall be a citizen of the United
42 States, resident of the state of Louisiana, shall have rendered service, teaching,
43 training, or research in psychology for at least five years, shall have held a doctoral
44 degree in psychology from a school or college as defined in this Chapter for a period
45 of five years, and shall be licensed ~~under~~ in accordance with the provisions of this
46 Chapter for a minimum of five years.

47 * * *

48 C. The board is hereby authorized and empowered to do all of the following:

49 * * *

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1 (2) Employ, within the limits of the funds received by the board, an
2 administrative assistant, general legal counsel, or other personnel necessary for the
3 proper performance of work ~~under~~ conducted pursuant to this Chapter.

4 * * *

5 (4) Examine for, deny, approve, revoke, suspend, and renew the licenses of
6 applicants, candidates, and psychologists as provided ~~under~~ in this Chapter.

7 (5) Conduct hearings upon complaints concerning the disciplining of a
8 person licensed pursuant to the provisions of this Chapter and within the limitations
9 established ~~under~~ in Chapter 1-A of Title ~~37 of the Louisiana Revised Statutes of~~
10 ~~1950~~ this Title.

11 * * *

12 §2355. Records

13 * * *

14 B. The board shall publish or cause to be published annually a list of
15 psychologists or licensed specialists in school psychology licensed ~~under~~ in
16 accordance with the provisions of this Chapter.

17 §2356. Licensure of psychologists by written and oral examination

18 * * *

19 B. Upon investigation of the application and other evidence submitted, the
20 board shall, not less than thirty days prior to the examination, notify each applicant
21 that the application and evidence submitted for licensure is satisfactory and accepted
22 and that the applicant has been admitted to candidacy status, or unsatisfactory and
23 rejected; if rejected, ~~said notice~~ the notice to the applicant shall state the reasons for
24 such rejection.

25 * * *

26 F. ~~In the event~~ If a candidate fails to receive a passing grade on the
27 ~~written/oral~~ examination, he may apply for re-examination and shall be allowed to
28 take a subsequent ~~written/oral~~ examination upon payment of such fee as is required
29 by this Chapter.

30 * * *

31 H. If the board reasonably believes that a person applying for a license or for
32 renewal of a license is not physically and mentally competent to render
33 psychological services with reasonable skill and safety to his patients, or is afflicted
34 with a disease or condition, either physical or mental, which would impair his
35 competency to render psychological services, the board may request that the person
36 submit to a physical examination by a medical doctor approved by the board, ~~and/or~~
37 ~~submit to~~ a mental health examination by a psychologist ~~and/or~~ or psychiatrist
38 approved by the board, or both a physical examination and a mental health
39 examination. If the person refuses to submit to the examination, the board, after
40 contradictory hearing and upon finding reasonable cause, may issue an order
41 requiring the person to submit to the examination. A person who is ordered to
42 submit to an examination in accordance with this Subsection shall not be eligible for
43 licensure or renewal of license prior to the examination. Proceedings ~~under~~ pursuant
44 to this Subsection shall be conducted in compliance with the Administrative
45 Procedure Act, R.S. 49:950 et seq.

46 §2356.1. Authorization to obtain criminal history record information

47 * * *

48 E. If the criminal history record information reported by the bureau to the
49 board does not provide grounds for disqualification of the applicant for licensure
50 under in accordance with the applicable law administered by the board, the board
51 shall have the authority to forward the applicant's fingerprints and such other
52 identifying information as may be required to the FBI with a request for a search of
53 national criminal history record information relative to the applicant.

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* * *

§2356.2. Provisional licensed psychologist; renewal; continuing education

* * *

C.(1) A provisional licensed psychologist shall be eligible for renewal of licensure without regard to any subsequent changes in the requirements for licensure upon payments of the fees ~~established under~~ provided for in R.S. 37:2354 and compliance with the requirements established pursuant to this Subsection. A provisional license may be renewed a maximum of three times.

* * *

§2356.3. Specialist in school psychology; licensure; scope of practice

A.

* * *

(2) If the board reasonably believes that a person applying for a license or for a renewal of a license is not physically and mentally competent to render psychological services with reasonable skill and safety to his patients, or is afflicted with a disease or condition, either physical or mental, that would impair his competency to render psychological services, the board may request that the person submit to a physical examination by a medical doctor approved by the board or a mental health examination by a psychologist or psychiatrist approved by the board. If the person refuses to submit to the examination, the board, after contradictory hearing and upon finding reasonable cause, may issue an order requiring the person to submit to the physical or mental health examination. A person who is ordered to submit to a physical or mental health examination shall not be eligible for licensure or renewal of license prior to such examination. Proceedings ~~under~~ pursuant to this Paragraph shall be conducted in compliance with the Administrative Procedure Act.

* * *

§2357. Renewal of license

A.(1) Persons licensed as psychologists ~~under~~ in accordance with the provisions of this Chapter shall be eligible for renewal of licensure without regard to any subsequent changes in the requirements for licensure upon payment of the fees ~~established under~~ provided for in R.S. 37:2354 and compliance with the ~~requirement established pursuant to~~ requirements of Paragraph (2) of this Subsection.

(2) The board shall establish continuing education requirements to be fulfilled prior to the renewal of a license. Failure to fulfill these requirements shall cause the license to lapse. For a period of two years from the date of lapse of the license, the license may be renewed upon proof of fulfilling all continuing education requirements applicable through the date of reinstatement and upon payment of all fees due ~~under~~ as required by R.S. 37:2354.

B.(1) Persons licensed as a specialist in school psychology ~~under~~ in accordance with the provisions of this Chapter shall be eligible for renewal of licensure without regard to any subsequent changes in the requirements for licensure upon payment of fees required by this Chapter and compliance with the provisions of this Subsection.

* * *

§2359. Denial, revocation, or suspension of license; psychologist; provisional license; specialist in school psychology

A. A psychologist and anyone under the supervision of a psychologist shall conduct ~~their~~ his activities in conformity with ethical and professional standards promulgated by the board ~~under~~ pursuant to its current rules and regulations.

* * *

C.(1) Proceedings for disciplinary action or for the denial or withholding of a license or provisional license ~~under~~ pursuant to the authority of this Section shall be conducted in compliance with the Administrative Procedure Act, R.S. 49:950 et

1 seq. The board may require a person against whom it has taken disciplinary action,
2 after hearing or informal resolution, to pay reasonable costs of the proceedings
3 incurred by the board for hearing and any judicial review in accordance with the
4 provisions of this Chapter. These costs shall be paid no later than ninety days after
5 the adjudication by the board becomes final. No license or provisional license shall
6 be issued, reinstated, or renewed until such costs have been paid.

7 * * *

8 F. A person who has been refused a license or provisional license, or whose
9 license has been revoked, under in accordance with the provisions of this Section;
10 may reapply for licensure after more than two years have elapsed from the date such
11 denial or revocation is legally effective.

12 * * *

13 §2360. Violation and penalties

14 A. ~~It~~ Each of the following shall be a misdemeanor:

15 (1) For any person not licensed under in accordance with the provisions of
16 this Chapter or Part VI of Chapter 15 of this Title to represent himself as a
17 psychologist; ~~or.~~

18 (2) For any person not licensed under in accordance with the provisions of
19 this Chapter or Part VI of Chapter 15 of this Title to engage in the practice of
20 psychology; ~~or.~~

21 (3) Except for medical psychologists duly licensed by the Louisiana State
22 Board of Medical Examiners, for any person to represent himself as a psychologist
23 during the time that his license as a psychologist ~~shall be~~ is suspended, ~~or~~ revoked,
24 or lapsed; ~~or.~~

25 (4) For any person to otherwise violate the provisions of this Chapter.

26 B. ~~Such~~ A misdemeanor described in Subsection A of this Section shall be
27 prosecuted by the district attorney of the judicial district in which the offense was
28 committed in the name of the people of the state of Louisiana.

29 C. ~~Such~~ A misdemeanor described in Subsection A of this Section shall be
30 punishable upon conviction by imprisonment for not more than six months; or by a
31 fine of not less than one hundred dollars nor more than five hundred dollars, or ~~by~~
32 both ~~such fine and imprisonment~~. Each violation shall be deemed a separate offense.

33 §2361. Injunctive proceedings

34 * * *

35 D. In case of violation of any injunction issued under pursuant to the
36 provisions of this Section, the court may summarily try and punish the offender for
37 contempt of court.

38 E. ~~Such~~ The injunctive proceedings provided for in this Section shall be in
39 addition to, and not in lieu of, all penalties and other remedies as provided in this
40 Chapter.

41 §2362. Advertisement of psychological services

42 The board may promulgate regulations to prohibit deceptive advertisements
43 and representations concerning psychological services and ~~the board~~ may enforce
44 this Section and its regulations under in accordance with the provisions of R.S.
45 37:2361.

46 §2363. Privileged communications

47 A. In judicial proceedings, whether civil, criminal, or juvenile, legislative
48 and administrative proceedings, and proceedings preliminary and ancillary thereto,
49 a patient or client, or his legal representative, may refuse to disclose or prevent the
50 disclosure of confidential information, including information contained in
51 administrative records, communicated to a psychologist or a licensed specialist in
52 school psychology licensed under in accordance with the provisions of this Chapter,
53 or persons reasonably believed by the patient or client to be so licensed, or to their

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1 employees or other persons under their supervision, for the purpose of diagnosis,
2 evaluation, or treatment of any mental or emotional condition or disorder.

3 * * *

4 §2365. Scope of Chapter

5 A. Members of other professions ~~which~~ who are licensed or certified ~~under~~
6 in accordance with the laws of this state shall be permitted to render services
7 consistent with their professional training and code of ethics, ~~provided~~ if they do not
8 represent themselves as psychologists or their work as psychological. The provisions
9 of this Subsection shall not apply to those persons duly licensed as medical
10 psychologists by the Louisiana State Board of Medical Examiners.

11 B. Duly ordained clergy and Christian Science practitioners shall be
12 permitted to function in their ministerial capacity ~~provided~~ if they do not represent
13 themselves as psychologists, or their work as psychological, unless they have been
14 licensed ~~under~~ in accordance with the provisions of this Chapter or Part VI of
15 Chapter 15 of this Title.

16 C. The following persons may engage in activities defined as the practice of
17 psychology, ~~provided~~ if they do not represent themselves by any title which
18 incorporates the word "psychologist" and ~~provided~~ they perform their activities
19 under the supervision and functional authority of a psychologist licensed ~~under~~ in
20 accordance with the provisions of this Chapter, subject to applicable in accordance
21 ~~with~~ regulations promulgated by the board:

22 * * *

23 (2) An individual pursuing post-doctoral training or experience in
24 psychology, including persons seeking to fulfill the requirements for licensure ~~under~~
25 in accordance with the provisions of this Chapter.

26 (3) An assistant who is qualified ~~under~~ in accordance with regulations
27 promulgated by the board and who is employed by, or otherwise directly accountable
28 to, a psychologist licensed ~~under~~ in accordance with the provisions of this Chapter.

29 * * *

30 §2366. Drugs; medicine

31 ~~Except as provided in Part II of this Chapter, nothing~~ Nothing in this Chapter
32 shall be construed as permitting a psychologist licensed ~~under~~ in accordance with the
33 provisions of this Chapter to administer or prescribe drugs, or in any manner engage
34 in the practice of medicine as defined by the laws of this state.

35 §2367. Orders to nurses

36 Notwithstanding any law, ~~or~~ rule, or regulation to the contrary, including but
37 not limited to the provisions of Chapter 11 of ~~Title 37 of the Louisiana Revised~~
38 ~~Statutes of 1950~~ this Title, it shall be ~~considered to be~~ within the scope of the
39 practice of nursing as defined in Chapter 11 of ~~said Title 37~~ this Title for a registered
40 nurse, licensed practical nurse, and any other ~~health care~~ healthcare provider licensed
41 ~~under~~ in accordance with the provisions of Chapter 11 of ~~Title 37~~ this Title to
42 execute and effectuate any order or direction otherwise within the scope of ~~the~~
43 practice of ~~said health care~~ that healthcare provider when ~~that~~ the order is within the
44 scope of practice of psychology and given to him by a psychologist licensed ~~under~~
45 in accordance with the provisions of this Chapter and, when given in an institutional
46 setting, the order is within the scope of the privileges granted to the psychologist by
47 that institution.

48 * * *

49 §2441. Registration and licensing required

50 In order to protect the public welfare, aid the Department of Revenue in
51 collecting sales taxes on labor and on retail prices of hearing aids, and material used
52 in the service and maintenance of hearing aids; to protect privately owned property
53 and to provide an adequate supply of licensed dealers throughout the state by the
54 establishment of the apprenticeship training program by the board; any person

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1 rendering or offering to render services for the sale, maintenance, and repair of any
2 type of hearing aid as defined in R.S. 37:2442 shall hereafter be required to be
3 registered and licensed as ~~hereinafter provided~~ in accordance with the provisions of
4 this Chapter, and it shall be unlawful for any person to engage in or offer to engage
5 in the state hearing aid sales and repair service as defined in R.S. 37:2442 unless
6 duly registered and licensed in accordance with this Chapter or as an audiologist
7 under in accordance with the provisions of Chapter 34 of Title 37 of the Louisiana
8 Revised Statutes of 1950 this Title; that there is hereby created a board to be known
9 as the Louisiana Board for Hearing Aid Dealers.

10 §2442. Definitions

11 The following words ~~or~~ and phrases, when used in this Chapter, ~~shall~~ have
12 the following meanings:

13 * * *

14 (6) "Unethical conduct" includes but is not limited to the following:

15 * * *

16 (r) Sharing of any profits or sharing of any percentage of a licensee's income
17 with any person, firm, corporation, or other business enterprise other than a person
18 licensed to fit and sell hearing aids under in accordance with the provisions of this
19 Chapter who is a resident of this state and associated with the licensee in fitting and
20 selling hearing aids.

21 * * *

22 (t) Representing or implying that a hearing aid is or will be custom made,
23 ~~"made to order," "prescription made,"~~ "made to order", "prescription made", or in
24 any other sense specially fabricated for an individual person when such is not the
25 case.

26 * * *

27 §2447. Scope of examination

28 The examination provided in R.S. 37:2446 shall consist of tests of knowledge
29 in the areas of hearing testing and other areas to determine capability of fitting and
30 selling hearing aids. The tests ~~under provided for in~~ in this Section shall not include
31 questions requiring a formal college, medical, surgical, or audiological education.
32 The examination shall be determined and proctored by the Louisiana Board for
33 Hearing Aid Dealers.

34 * * *

35 §2449. Temporary training permit

36 A. An applicant who fulfills the requirements of R.S. 37:2445 and who has
37 not previously applied to take the examination provided ~~under for in~~ in R.S. 37:2446
38 may apply to the board for a temporary training permit.

39 * * *

40 C. No temporary training permit shall be issued by the board ~~under pursuant~~
41 to this Section unless the applicant shows to the satisfaction of the board that he is
42 or will be supervised and trained by a person, hereinafter "sponsor", who holds a
43 valid license or certificate of endorsement issued ~~under in accordance with the~~
44 provisions of this Chapter.

45 D. If a person who holds a temporary training permit issued ~~under in~~
46 accordance with the provisions of this Section does not take the next required
47 examination given after the date of issue, the temporary training permit shall not be
48 renewed, except for good cause shown to the satisfaction of the board.

49 E. If a person who holds a temporary training permit issued ~~under in~~
50 accordance with the provisions of this Section takes and fails to pass the next
51 required examination given after the date of issue, the board may renew the
52 temporary training permit for a period ending thirty days after the conclusion of the
53 next examination given. In no event shall more than one renewal be permitted. The
54 fee for renewal shall be seventy-five dollars.

1 §2449.1. Guidelines for training of temporary training permit holders

2 * * *

3 C. The training period ~~begins~~ shall begin on the date of the issuance of the
4 temporary permit. A temporary training permit holder ~~must~~ shall complete at least
5 one hundred fifty hours of directly supervised practicum that includes:

6 * * *

7 E. On completion of the directly supervised practicum required ~~under~~ by the
8 provisions of Subsection C of this Section, the temporary training permit holder shall
9 continue the permit holder's training under the direct supervision of the permit
10 holder's sponsor or co-sponsor.

11 * * *

12 §2453. Revocation or suspension of license or certificate; grounds

13 Any person registered ~~under~~ in accordance with the provisions of this
14 Chapter may have his license or certificate revoked or suspended for a fixed period
15 to be determined by the board for any of the following causes:

16 * * *

17 (2) By securing a license or certificate ~~under~~ provided for in this Chapter
18 through fraud or deceit.

19 * * *

20 §2457. Powers and duties of board

21 The powers and duties of the Louisiana Board for Hearing Aid Dealers are
22 as follows:

23 * * *

24 (4) To purchase and maintain or rent audiometric equipment and facilities
25 necessary to carry out the examination of applicants for ~~license~~ licensure.

26 (5) To issue and renew licenses and ~~certificate~~ certificates of endorsement.

27 * * *

28 (7) To appoint representatives to conduct or supervise the examination of
29 applicants for ~~license~~ licensure.

30 (8) To designate the time and place for examining applicants for ~~license~~
31 licensure.

32 * * *

33 (10) To require the periodic inspection and calibration of audiometric testing
34 equipment and to carry out the periodic inspection of facilities of persons licensed
35 ~~under~~ in accordance with the provisions of this Chapter.

36 * * *

37 §2462. Notice and hearing on revocation or suspension

38 Any person whose license or temporary training permit is sought to be
39 revoked or suspended ~~under~~ pursuant to the provisions of this Chapter shall be given
40 thirty days notice, in writing, enumerating the charges and specifying a date for
41 public hearing thereon. The hearing shall be held in the parish where the person's
42 business is conducted. The board may issue subpoenas, compel the attendance and
43 testimony of witnesses, and place them under oath, in the same manner as in a
44 district court in the parish where the hearing takes place.

45 * * *

46 §2464. Application of Chapter; exceptions

47 A. This Chapter ~~does~~ shall not apply to a person while he is engaged in the
48 fitting of hearing aids, ~~provided it~~ if that activity is part of the academic curriculum

1 of an accredited institution of higher education or part of a program conducted by a
2 public, tax-supported institution or agency or nonprofit organization, unless such
3 person, ~~or institution,~~ or agency sells hearing aids, ~~and/or~~ or accessories, except
4 earmolds.

5 B. This Chapter shall not apply to any physician or surgeon licensed ~~under~~
6 ~~the Louisiana State Medical Practice Act,~~ in accordance with the provisions of R.S.
7 37:1261; et seq.

8 C. This Chapter shall not apply to a ~~person holding a certificate of clinical~~
9 ~~competence in audiology awarded by the American Speech-Language-Hearing~~
10 ~~Association and licensed as an~~ any audiologist licensed by the Louisiana Board of
11 Examiners for Speech-Language Pathology and Audiology.

12 §2465. Licensing requirements; applicability; ~~exceptions~~

13 A. Any person who owns, maintains, or operates an office or place of
14 business in which the person employs or engages under contract a person who
15 practices the selling and fitting of hearing aids is considered to be practicing the
16 selling and fitting of hearing aids ~~under~~ as provided in this Chapter and is required
17 to be licensed ~~under~~ in accordance with the provisions of this Chapter.

18 B. If the person who owns, maintains, or operates an office or place of
19 business ~~under~~ described in Subsection A of this Section is a partnership, each
20 partner shall be licensed as provided by this Section. If the person who owns,
21 maintains, or operates an office or place of business ~~under~~ described in Subsection
22 A of this Section is a corporation or other legal entity, the chief executive officer of
23 the corporation or legal entity shall be licensed as provided by this Chapter.

24 C.(1) All persons licensed ~~under~~ pursuant to the requirements of this Section
25 shall file annually on or before the first day of the calendar year with the board a list
26 of all licensed hearing aid dealers directly or indirectly employed by it, and shall also
27 file with the board a statement on a form approved by the board that it submits itself
28 to the rules and regulations of the board and the provisions of this Chapter, and shall
29 register with the board its intention to engage in the selling and fitting of hearing aids
30 or accessories, provided that the above is completed prior to such organization
31 selling or offering for sale hearing aids or accessories.

32 * * *

33 AMENDMENT NO. 19

34 On page 22, line 23, after "39.1(A)(introductory paragraph)," and before "75(A)," insert
35 "50(C),"

36 AMENDMENT NO. 20

37 On page 22, line 28, after "1223.3," and before "2017.10," insert "2012.2, 2012.3,"

38 AMENDMENT NO. 21

39 On page 22, line 29, after "(3)(i)," and before "2166.5(B)(12)(e)(introductory paragraph)"
40 insert "2109(E)(2), 2113.2, 2120.33(introductory paragraph) and (7)(introductory paragraph)
41 and (a),"

42 AMENDMENT NO. 22

43 On page 23, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

44 "and (ii), 2180.25(B)(2)(m)(v) and (q), and 2193.1(B)(5)(introductory paragraph) are
45 hereby amended and reenacted to read as follows:"

1 AMENDMENT NO. 23

2 On page 28, between lines 6 and 7, insert the following:

3 "§50. Issuance of death certificates; duties of state registrar

4 * * *

5 C. A local registrar may issue certified copies of any death certificate during
6 the ten day period it is retained by him, and the certification of the local registrar
7 shall have the same legal effect as certification by the state registrar, as otherwise
8 provided by law. The local registrar shall forward each death certificate to the state
9 registrar on the tenth day after the certificate is filed with him. Each month the state
10 registrar shall notify each parish registrar of voters as to the name, address, and age
11 of each resident of that parish over eighteen years of age for whom a death certificate
12 has been received.

13 * * *"

14 AMENDMENT NO. 24

15 On page 33, line 22, delete "shall"

16 AMENDMENT NO. 25

17 On page 35, between lines 12 and 13, insert the following:

18 "§2012.2. Admission of pay patients; disposition of proceeds

19 Patients suffering with tuberculosis who are able to pay for hospitalization
20 in a hospital operated by the department shall reimburse the hospital for expenses of
21 their hospitalization, medical services, drugs, and medicines at rates to be fixed by
22 the department, and the proceeds of fees paid by such patients shall be transmitted
23 to the state treasurer in accordance with state laws.

24 §2012.3. Transportation of indigent patients to hospital; expenses

25 A. Upon being shown the certificate of the superintendent of the hospital
26 entitling an indigent tuberculosis patient to admission to a state owned tuberculosis
27 hospital, the parish sheriff shall arrange for the transportation of the patient to such
28 hospital.

29 B. The sheriff may collect from the parish five cents per mile for the distance
30 the patient is transported from the parish to the hospital designated. Where more
31 than one patient is transported at a time, the sheriff shall receive five cents a per mile
32 for each patient transported. This five cents per mile shall be made to cover any
33 means of transportation, sleeping accommodations, and sustenance of patients during
34 their transportation. In addition to ~~the above~~ these amounts, the sheriff may collect
35 for his own expenses an additional five cents per mile for each mile traveled in
36 transporting the patient or patients to the hospital and in returning. The sheriff shall
37 take the most direct route possible in going to and returning from the hospital. If any
38 parish fails or refuses to pay the transportation charges to any sheriff justly entitled
39 to them, the sheriff may proceed by summary writ of mandamus in the district court,
40 without cost, against the governing authority of the parish to enforce payment."

41 AMENDMENT NO. 26

42 On page 37, between lines 17 and 18, insert the following:

43 "§2109. Rules, regulations, and minimum standards

44 * * *

45 E.

46 * * *

1 (2) ~~However, the~~ The provisions of this Subsection shall not be construed to
2 authorize the secretary to close any hospital without approval as otherwise provided
3 by law.

4 * * *

5 §2113.2. Rules, regulations, and contracts

6 The Louisiana Department of Health shall prescribe rules and regulations to
7 govern the necessary contracts, agreements, and financial arrangements to properly
8 conduct training and research programs. Such rules and regulations shall govern
9 contracts and agreements with colleges and universities, both publicly and privately
10 owned, within the state for the purpose of promoting research and training in relation
11 to illnesses of all types. All rules, regulations, and contracts adopted under the
12 former authority of R.S. 46:663.2 are continued in effect and made subject to the
13 provisions herein enacted.

14 * * *

15 §2120.33. Definitions

16 As used in this Part, the following ~~definitions shall apply unless the content~~
17 clearly states terms have the meaning ascribed in this Section unless the context
18 clearly indicates otherwise:

19 * * *

20 (7) "Cognitive rehabilitation" means a systematic, functionally oriented
21 service of therapeutic cognitive activities based on an assessment and an
22 understanding of the behavior of a client. Services are directed to achieve functional
23 improvement by ~~either~~ any of the following methods:

24 (a) Reinforcing, strengthening, or re-establishing previously learned patterns
25 of behavior; ~~or,~~

26 * * *"

27 AMENDMENT NO. 27

28 On page 38, between lines 16 and 17, insert the following:

29 "§2193.1. Purpose and definitions

30 * * *

31 B. For purposes of this Part, the following definitions apply:

32 * * *

33 (5) "Pediatric day health care facility" means a facility that may operate
34 seven days a week, not to exceed twelve hours a day, to provide care for medically
35 fragile children under the age of twenty-one, including ~~technology-dependent~~
36 technology-dependent children who require close supervision. Care and services to
37 be provided by the pediatric day health care facility shall include but shall not be
38 limited to:

39 * * *"

40 AMENDMENT NO. 28

41 On page 38, line 19, after "(B)(1)," and before "1933(B)," insert "977, 1906(C),"

42 AMENDMENT NO. 29

43 On page 40. between lines 22 and 23, insert the following:

44 "§977. Vaccinations for certain juveniles in state custody

1 The office of public health shall be responsible for providing and dispensing
 2 the ~~Hepatitis~~ hepatitis B vaccine, through the Vaccines for Children Program, to
 3 children between the ages of twelve and nineteen who have been placed in the
 4 custody of the division of youth services of the Department of Public Safety and
 5 Corrections.

6 * * *

7 §1906. Delinquents and children in need of services; custody, supervision, services

8 * * *

9 C. With respect to children between the ages of twelve and nineteen who
 10 have been placed in the custody of the local juvenile detention facility, each child
 11 shall be immunized with the ~~Hepatitis~~ hepatitis B vaccine during the intake process
 12 at any state or ~~nonstate-owned~~ nonstate-owned facility. The Vaccines for Children
 13 Program through the office of public health shall be responsible for providing and
 14 dispensing the ~~Hepatitis~~ hepatitis B vaccine to each facility as provided for in R.S.
 15 46:977. The office of public health shall utilize the Louisiana Immunization
 16 Network for Kids (LINKS) to track the ~~Hepatitis~~ hepatitis B vaccination, as well as
 17 all other vaccinations given to juveniles while in the custody of local juvenile
 18 detention facilities. Detainees released before completion of the series of three
 19 immunizations shall be referred to health units or other providers for completion of
 20 the series of doses.

21 * * *"

22 AMENDMENT NO. 30

23 On page 44, delete line 1 in its entirety and insert in lieu thereof the following:

24 "Section 7. R.S. 37:2465(D), R.S. 40:5.5(F) and (G) and 1249.1(A) and (B), and
 25 Section 4 of Act No."

26 AMENDMENT NO. 31

27 On page 44, line 4, after "comprising" and before "R.S. 40:1061.9," insert "R.S. 37:1026.3
 28 and 2833 and"

29 AMENDMENT NO. 32

30 On page 44, line 5, after "1105.1," and before "and 2120.2." insert "1300.32,"

31 AMENDMENT NO. 33

32 On page 44, at the end of the page, insert the following:

33 "Section 9. The Louisiana State Law Institute is hereby authorized and directed to
 34 redesignate Part XII of Chapter 5-B of Title 40 of the Louisiana Revised Statutes of 1950,
 35 comprised of R.S. 40:1123.1 through 1123.4, as Part V of Chapter 5-G of Title 40 of the
 36 Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.41 through 1300.44,
 37 and is further directed to retain the heading of the Part."