

SENATE BILL NO. 34

BY SENATOR FRED MILLS AND REPRESENTATIVES BAGLEY, BUTLER AND CHARLES OWEN

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AN ACT

To amend and reenact R.S. 37:1270.1(F), 1314(G), 1357.1(B), 1360(5), 1360.63(E), 1360.102(F), 2864(D), and 3356(E) and to enact R.S. 37:629, 1164(39)(c), 1270(D), 1340(7), 3015, 3303(E), and 3434 and R.S. 42:17.2, relative to meetings of statewide advisory committees of the Louisiana State Board of Medical Examiners; to authorize certain meetings to be conducted electronically; to provide for public notice and participation requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1270.1(F), 1314(G), 1357.1(B), 1360(5), 1360.63(E), 1360.102(F), 2864(D), and 3356(E) are hereby amended and reenacted and R.S. 37:629, 1164(39)(c), 1270(D), 1340(7), 3015, 3303(E), and 3434 are enacted to read as follows:

§629. Advisory committee; meetings

A statewide advisory committee established by the board in carrying out its duties pursuant to this Chapter may conduct and its members may attend and participate in a meeting via electronic means in accordance with R.S. 42:17.2.

* * *

§1164. Definitions

As used in this Chapter, the following terms have the meaning ascribed to them by this Section:

* * *

(39) * * *

(c) A statewide advisory committee established by the Louisiana State Board of Medical Examiners in carrying out its duties relative to collaborative

1 drug therapy management may conduct and its members may attend and
2 participate in a meeting via electronic means in accordance with R.S. 42:17.2.

3 * * *

4 §1270. Duties and powers of the board

5 * * *

6 D. Any statewide advisory committee established by the board in
7 carrying out its duties pursuant to this Chapter or any other provision of law
8 may conduct and its members may attend and participate in a meeting via
9 electronic means in accordance with R.S. 42:17.2.

10 §1270.1. Physician assistants advisory committee

11 * * *

12 F.(a) The advisory committee shall meet at least twice each year or more
13 frequently as necessary as determined by the chairman or a majority of the members
14 of the advisory committee.

15 (b) The advisory committee may conduct and its members may attend
16 and participate in a meeting via electronic means in accordance with R.S.
17 42:17.2.

18 * * *

19 §1314. Clinical Laboratory Personnel Committee; creation; membership;
20 qualification; appointment; term; vacancy; officers; meetings;
21 reimbursement

22 * * *

23 G.(a) The committee shall meet at least semi-annually, on a date and at a
24 time and place as it may designate. The committee may meet at such other times as
25 deemed necessary by the chairman or by the majority of its members. Reasonable
26 notice of all meetings shall be given in the manner prescribed by the committee.
27 Seven voting members of the committee shall constitute a quorum at any meeting for
28 the transaction of business.

29 (b) The committee may conduct and its members may attend and
30 participate in a meeting via electronic means in accordance with R.S. 42:17.2.

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§1340. Advisory Committee on Perfusion; duties; **powers**

Under the authority of the Louisiana State Board of Medical Examiners, the committee shall:

* * *

(7) Have the authority to conduct and its members to attend and participate in a meeting via electronic means in accordance with R.S. 42:17.2.

* * *

§1357.1. Practice of acupuncture detoxification; certification; promulgation of rules; public health emergency

* * *

B.**(1)** Pursuant to the provisions of this Section, the board shall promulgate rules and regulations in collaboration with its Integrative and Complementary Medicine Committee that it deems necessary to regulate the certification of acupuncture detoxification specialists and the practice of acupuncture detoxification in the state. Such rules and regulations shall include but not be limited to the following:

~~(1)~~**(a)** Provisions regarding the adoption of fees.

~~(2)~~**(b)** Provisions regarding the action to deny, suspend, revoke, or place on probation individuals who act beyond the scope of practice or engage in unprofessional conduct.

~~(3)~~**(c)** Provisions regarding the general supervision of acupuncture detoxification specialists.

(2) The Integrative and Complementary Medicine Committee may conduct and its members may attend and participate in a meeting for the purposes of carrying out its duties pursuant to this Subsection or any other provision of law via electronic means in accordance with R.S. 42:17.2.

* * *

§1360. Powers and duties of the Louisiana State Board of Medical Examiners

In addition to the powers and duties established in R.S. 37:1270, the

1 Louisiana State Board of Medical Examiners may do any of the following:

2 * * *

3 (5)(a) Establish an advisory committee on acupuncture to provide such
4 assistance as the board may deem necessary or request in the administration of this
5 Part.

6 **(b) The advisory committee may conduct and its members may attend**
7 **and participate in a meeting via electronic means in accordance with R.S.**
8 **42:17.2.**

9 * * *

10 §1360.63. Medical Psychology Advisory Committee

11 * * *

12 E.(1) The committee may meet as needed but shall meet at least twice a year.
13 A majority of the members of the committee shall constitute a quorum for the
14 transaction of all business.

15 **(2) The committee may conduct and its members may attend and**
16 **participate in a meeting via electronic means in accordance with R.S. 42:17.2.**

17 * * *

18 §1360.102. Louisiana Genetic Counselor Advisory Committee; creation; purpose;
19 membership; duties and functions

20 * * *

21 F.(1) The committee shall meet at least semiannually and shall hold
22 additional meetings at the call of the chair or at such times as may be determined by
23 the committee.

24 **(2) The committee may conduct and its members may attend and**
25 **participate in a meeting via electronic means in accordance with R.S. 42:17.2.**

26 * * *

27 §2864. Advisory Committee on Polysomnography; creation

28 * * *

29 D.(1) The committee shall meet no less than annually at a time and place to
30 be determined by the chairman of the committee. A majority of the members of the

1 committee shall constitute a quorum for the transaction of all business.

2 (2) The committee may conduct and its members may attend and
3 participate in a meeting via electronic means in accordance with R.S. 42:17.2.

4 * * *

5 §3015. Advisory committee; meetings

6 A statewide advisory committee established by the board in carrying out
7 its duties pursuant to this Chapter may conduct and its members may attend
8 and participate in a meeting via electronic means in accordance with R.S.
9 42:17.2.

10 * * *

11 §3303. Louisiana State Board of Medical Examiners; powers and duties

12 * * *

13 E. A statewide advisory committee established by the board in carrying
14 out its duties pursuant to this Chapter may conduct and its members may
15 attend and participate in a meeting via electronic means in accordance with R.S.
16 42:17.2.

17 * * *

18 §3356. Respiratory Care Advisory Committee; creation; duties

19 * * *

20 E.(1) The committee shall meet no less than quarterly at a time and place to
21 be determined by the chairman of the committee. A majority of the members of the
22 committee shall constitute a quorum for the transaction of all business.

23 (2) The committee may conduct and its members may attend and
24 participate in a meeting via electronic means in accordance with R.S. 42:17.2.

25 * * *

26 §3434. Advisory committee; meetings

27 A statewide advisory committee established by the board in carrying out
28 its duties pursuant to this Chapter may conduct and its members may attend
29 and participate in a meeting via electronic means in accordance with R.S.
30 42:17.2.

1 Section 2. R.S. 42:17.2 is hereby enacted to read as follows:

2 **§17.2 Exception for meetings of statewide advisory committees of the Louisiana**
3 **State Board of Medical Examiners**

4 **A. Notwithstanding any other provision of this Chapter to the contrary,**
5 **an advisory committee of the Louisiana State Board of Medical Examiners**
6 **which is comprised of members from various locations statewide, and which**
7 **acts only in an advisory capacity, may conduct and its members may attend and**
8 **participate in a meeting via electronic means provided that the board and the**
9 **advisory committee and its presiding officer comply with all the requirements**
10 **of this Section.**

11 **B. No later than twenty-four hours prior to a meeting conducted**
12 **pursuant to the provisions of this Section, the Louisiana State Board of Medical**
13 **Examiners and the advisory committee shall provide for all the following:**

14 **(1) The notice and agenda for the meeting, which shall be posted on the**
15 **website of the Louisiana State Board of Medical Examiners, emailed to any**
16 **member of the public or the news media who requests notice of meetings of the**
17 **public body, and widely distributed to every known news media outlet that**
18 **broadcasts or publishes news within the geographic area within the jurisdiction**
19 **of the public body.**

20 **(2) Detailed information regarding how members of the public may**
21 **participate in the meeting and submit comments regarding matters on the**
22 **agenda, which information shall be posted on the website of the Louisiana State**
23 **Board of Medical Examiners, emailed to any member of the public or the news**
24 **media who requests notice of meetings of the public body, and widely**
25 **distributed to every known news media outlet that broadcasts or publishes news**
26 **within the geographic area within the jurisdiction of the public body.**

27 **C. For each meeting conducted pursuant to this Section, the following**
28 **requirements shall apply:**

29 **(1) The advisory committee shall provide a mechanism to receive public**
30 **comment electronically both prior to and during the meeting.**

1 **(2) The advisory committee shall properly identify and acknowledge all**
2 **public comments during the meeting and shall maintain those comments in its**
3 **record of the meeting.**

4 **(3) The presiding officer of the advisory committee shall ensure both of**
5 **the following:**

6 **(a) That each person participating in the meeting is properly identified.**

7 **(b) That all parts of the meeting, excluding any matter discussed in**
8 **executive session, are clear and audible to all participants in the meeting**
9 **including the public.**

10 **D. For the purposes of this Section, the following definitions apply:**

11 **(1) "Meeting via electronic means" shall mean a meeting occurring via**
12 **teleconference or video conference.**

13 **(2) "Teleconference" shall mean a method of communication which**
14 **enables persons in different locations to participate in a meeting and to hear**
15 **and otherwise communicate with each other.**

16 **(3) "Video conference" shall mean a method of communication which**
17 **enables persons in different locations to participate in a meeting and to see,**
18 **hear, and otherwise communicate with each other.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____