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Executive Orders

EXECUTIVE ORDER JBE 21-21

Bond Allocation 2021 Ceiling—Amending JBE 2021-16

WHEREAS, Section 146 of the Internal Revenue Code of 1986 (hereafter the “Act”), as amended (hereafter the “Code”), restricts the total principal amount of certain private activity bonds (hereafter the “Bonds”) that exclude interest from gross income for federal income tax purposes under Section 103 of the Code;

WHEREAS, Act No. 51 of the 1986 Regular Session of the Louisiana Legislature (hereafter “Act No. 51 of 1986”) authorizes the Governor to allocate the volume limit applicable to the Bonds (hereafter the “ceiling”) among the State and its political subdivisions in such a manner as the Governor deems to be in the best interest of the State of Louisiana;

WHEREAS, pursuant to Executive Order Number JBE 2021-16 (the “Allocation Order”) the Louisiana Housing Corporation (hereafter the “Corporation”) was awarded an allocation of the 2021 ceiling to be used in connection with providing funds for the acquisition, construction, rehabilitation, and equipping of three (3) residential rental housing developments for individuals and families of low and moderate income; and

WHEREAS, the Corporation has requested an extension of the allocation awarded pursuant to the Allocation Order through December 31, 2021 with respect to two (2) of the three (3) residential rental housing developments in order to accomplish the closing of the bond issue for which such allocation was made.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Pursuant to the Allocation Order, the bond issue, as described in this Section, was granted an allocation from the 2021 ceiling in the amount shown:

Amount of Allocation	Name of Issuer	Name of Project
\$15,000,000	Louisiana Housing Corporation	H3C Series 2021
\$22,000,000	Louisiana Housing Corporation	1300 OCH Series 2021

SECTION 2: The Allocation Order is hereby amended by this Executive Order to provide that the Amount of Allocation described therein for the two (2) rental housing developments specified above in Section 1 above shall be valid and in full force and effect through December 31, 2021.

SECTION 3: This Order is effective upon signature and shall remain in effect until amended, modified, terminated, or rescinded by the Governor, or terminated by operation of law.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana on this 22nd day of November, 2021.

John Bell Edwards
Governor

ATTEST BY
THE GOVERNOR
R. Kyle Ardoin
Secretary of State
2110#008

EXECUTIVE ORDER JBE 21-22

Flags at Half-Staff—Sebastian “Buster” John Guzzardo, Sr.

WHEREAS, Sebastian “Buster” John Guzzardo, Sr., a former distinguished member of the Louisiana Legislature, died on November 26, 2021, at the age of 98;

WHEREAS, he was predeceased by his wife of 65 years, Sara Campo Guzzardo; he is survived by their six children, B.J. Guzzardo, Jr., Jerome, Madelene, Ann, Lorraine, and Sara; 17 grandchildren, 34 great-grandchildren, and one great-great-granddaughter, as well as numerous nieces and nephews;

WHEREAS, a member of the Greatest Generation, he proudly and heroically served his nation during World War II, serving in the United States Army from 1943 to 1945; his decorated service included the Battles of Monte Cassino, Anzio, and the Battle of the Bulge, as well as the liberation of Holocaust concentration camps;

WHEREAS, he had a long and distinguished career in public service in Louisiana, first serving as an Alderman in Independence, then as a Deputy Sheriff of Tangipahoa Parish, a state lawmaker, then a Regional Supervisor for state agencies before his retirement;

WHEREAS, he served his state and his home of Tangipahoa Parish in the Louisiana Legislature for nine years, first taking office in 1987; and

Whereas, Sebastian “Buster” John Guzzardo, Sr.’s community leadership and public service as a lawmaker to the State of Louisiana will long be remembered.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: As an expression of respect and to honor Sebastian “Buster” John Guzzardo, Sr., the flags of

the United States and the State of Louisiana shall be flown at half-staff over the State Capitol and all state buildings from sunrise until sunset on Friday, December 3, 2021.

SECTION 2: This Order is effective upon signature and shall remain in effect until sunset, December 3, 2021.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 1st day of December, 2021.

John Bell Edwards
Governor

ATTEST BY
THE GOVERNOR
R. Kyle Ardoin
Secretary of State
2110#060

Emergency Rules

DECLARATION OF EMERGENCY

Office of the Governor
Division of Administration
Racing Commission

Wagering on Historical Horse Racing
(LAC 35:XVII.Chapter 131)

In accordance with the emergency provisions of the Administrative Procedures Act, R.S. 49:953.1, the Racing Commission has adopted LAC 35:XVII.Chapter 131. This action has been deemed necessary by the Racing Commission to prevent imminent peril to the public health, safety, and welfare by providing the initial administrative rules regulating historical horse racing in fulfillment of the Legislature's mandate to the Racing Commission "to encourage forceful and honest statewide control of horse racing for the public health, safety, and welfare by safeguarding the people of this state against corrupt, incompetent, dishonest and unprincipled horse racing practices" and "[t]o institute and maintain a program to encourage and permit development of the business of horse racing with pari-mutuel wagering thereon on a higher plane." R.S. 4:141(A) and (A)(1).

All in fulfillment of the Legislature's mandate for the Racing Commission to "institute and maintain a regulatory program for the business of racing horses, which program assures the protection of public health, safety and welfare, vesting with the commission forceful statewide control of horse racing with full powers to prescribe rules and regulations and conditions under which all horse racing is conducted with wagering upon the result thereof with the state." R.S. 4:141(A)(3).

This emergency adoption implements the initial administrative rules for conducting, application, licensing, enforcement, and regulation for wagering on historical horse racing in accordance with the provisions established in Act 437 of the 2021 Regular Session of the Louisiana Legislature, which established historical horse racing in the state of Louisiana. This Emergency Rule shall become effective November 19, 2021 and shall remain in effect for a period of 180 days from adoption, or until finally adopted as Rule.

Title 35

HORSE RACING

Part XVII. Historical Horse Racing

Chapter 131. Wagering on Historical Horse Racing

§13101. Pari-Mutuel System of Wagering Required for Historical Horse Racing

A. The only wagering permitted for historical horse racing shall be under the pari-mutuel system of wagering. All systems of wagering other than pari-mutuel shall be prohibited for historical horse racing. Any person participating or attempting to participate in prohibited wagering shall be ejected and excluded from association grounds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13103. Definitions

A. The following words and terms shall have the following meanings when used in this chapter, unless the context clearly indicates otherwise:

Applicant—a duly licensed association who has submitted an application to obtain a license to offer pari-mutuel wagering on historical horse racing from the commission.

Commission—the Louisiana State Racing Commission.

Historical Horse Race—a form of horse racing that creates pari-mutuel pools from wagers placed on previously conducted horse races and is hosted at an authorized facility, including:

- a. any horse race whether running or harness, that was previously conducted at a licensed pari-mutuel facility;
- b. concluded with official results; and
- c. concluded without scratches, disqualifications, or dead-heat finishes.

Historical Horse Racing—an electronic wagering system used to create and sell pari-mutuel pools from wagers placed on historic horse races, or the otherwise offer pari-mutuel wagers on such races.

Independent Testing Laboratory—a laboratory with a national reputation for honesty, independence, and timeliness that is demonstrably competent and qualified to scientifically test and evaluate devices for compliance with this chapter and to otherwise perform the functions assigned to it by this chapter. An independent testing laboratory shall not be owned or controlled by a licensee, the state, or any manufacturer, supplier, or operator of historical horse racing terminals.

Integrity Auditor—a company that conducts periodic and regular tests on the validity of pari-mutuel wagering, deductions, and payouts for the applicable historical horse racing event, including the legitimacy of the event itself, and tests that the order of finish of the race selected in the wager is valid, match to the order of finish that occurred empirically, and that all runners that were listed as entered into the race for the purposes of the wager, legitimately ran in the race.

Key Person License—a license issued to a key person of an operator licensed by the commission.

Key Person—any of the following entities:

- a. an officer, director, trustee, partner, or proprietor of a duly licensed association and/or person that has applied for or holds an operator, management company, or wagering vendor license or an affiliate or holding company that has control of a person that has applied for or holds any such license;
- b. a person that holds a combined direct, indirect, or attributed debt or equity interest of more than 5 percent in a person that has applied for or holds an operator, management company, or wagering vendor license;

c. a person that holds a combined direct, indirect, or attributed equity interest of more than 5 percent in a person that has a controlling interest in a person that has applied for or holds an operator, management company, or wagering vendor license.

d. a managerial employee of a person that has applied for or holds an operator, management company, or wagering vendor license in this state, or a managerial employee of an affiliate or holding company that has control of a person that has applied for or holds an operator, management company, or wagering vendor license in this state, who performs the function of principal executive officer, principal operating officer, principal accounting officer, or an equivalent officer;

e. a managerial employee of a person that has applied for or holds an operator, management company, or wagering vendor license, or a managerial employee of an affiliate or holding company that has control of a person that has applied for or holds an operator, management company, or wagering vendor license, who will perform or performs the function of historical horse racing operations manager, or will exercise or exercises management, supervisory, or policy-making authority over the proposed or existing historical horse racing wagering operation, or supplier business operations in this state and who is not otherwise subject to occupational licensing in this state;

f. any individual or business entity so designated by the commission or executive director; and

g. an institutional investor is not a key person unless the institution has a controlling interest or fails to meet the standards for waiver of eligibility and suitability requirements for qualification and licensure under the *Rules of Racing*.

Licensee—any entity holding an owner's or operator's license under R.S. 4:149, and/or offtrack wagering facility, pursuant to R.S. 4:213 who is granted a license by the commission under this chapter to conduct pari-mutuel wagering on historical horse racing.

Logic Area—a separately locked cabinet area with its own monitored, locked door or other monitored, locked covering that houses electronic components that have the potential to significantly influence the operation of the terminal.

Management Company—an organization retained by an association to manage the conducting of historical horse racing and provide services such as accounting, general administration, maintenance, recruitment, and other operational services.

Operator—a person or entity licensed pursuant to R.S. 4:141 et seq. to operate historical horse racing terminals in a location approved by the commission.

Takeout—the amount a historical horse racing licensee is authorized to withhold from a pari-mutuel wager. Takeout is also known as a commission.

Terminal—any self-service totalizator machine or other mechanical or electronic equipment used by a patron to place a pari-mutuel wager on a historical horse race, including hardware, software, communications equipment, and electronic devices that accepts and processes the cashing of wagers, calculates the odds or payouts of the wagers, and records, displays, and stores pari-mutuel wagering information.

Wagering Facility—the area approved by the commission where historical horsing racing is allowed to be operated.

Wagering Vendor—a person who is licensed by the commission to manufacture, fabricate, assemble, produce, program, refurbish, or make modifications to any critical component of a historical horse racing system, or associated program storage device for sale, lease, distribution, use or play by an operator in the State of Louisiana, or any supplier of goods or services the commission deems critical to the operation or integrity of a historical horse racing system.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13105. General Provisions

A. The commission may waive or grant a variance from the provisions of these regulations, if the commission determines that the waiver or variance is in the best interests of the public, is impractical, or overly burdensome. Any waiver or variance granted pursuant to this section constitutes an order of the commission pertaining to historical horse racing, violation of which subjects a licensee to discipline.

B. In granting any variance authorized by this section, the commission may impose certain conditions and restrictions with which the licensee must comply to accept and use the variance. Failure to meet the conditions or restrictions contained in the variance will immediately render the variance void, and the licensee may be subject to discipline in the same manner as if the variance had never been issued.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13107. Records Retention

A. All operator, management company, or wagering vendor licensees shall maintain, in a place secure from theft, loss, or destruction, adequate records of its business and accounting operations. The licensees shall make the records available to the commission or its agents, upon request, within a reasonable time prescribed by a subpoena duces tecum or by written request of the commission or its agents. The licensees shall hold the records for not less than five years. The records shall include, but not be limited to, all of the following:

1. all correspondence with, or reports to, the commission or any local, state, or federal governmental agency regarding the operation of an historical horse racing facility;

2. all correspondence concerning the acquisition, construction, maintenance, or business of a proposed or existing historical horse racing or support facility;

3. a personnel file on each employee;

4. notwithstanding Subsection A of this Section, a licensed operator shall hold copies of all promotional and advertising material, records, or complimentary distributions for at least one year, unless otherwise requested by the commission;

5. an operator licensee shall keep and maintain accurate, complete, legible, and permanent records of any books, records, or documents pertaining to, prepared in, or

generated by, the historical horse racing wagering operation, as described in its internal controls, as approved by the commission; and

6. an operator shall organize, and index all required records in a manner that enables the commission to locate, inspect, review, and analyze the records with reasonable ease and efficiency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13109. Duties of the Commission

A. The commission shall enact such policies and procedures to implement the following responsibilities:

1. license and regulate operators for the operation of historical horse racing wagering systems authorized pursuant to R.S. 4:141 et seq., including adopting, promulgating, and enforcing rules and regulations governing historical horse racing wagering consistent with R.S. 4:141 et seq.;

2. regulate the operation of historical horse racing wagering in order to prevent and eliminate corrupt practices and fraudulent behavior, and thereby promote integrity, security, and honest administration in, and accurate accounting of, the operation of historical horse racing wagering operations which are subject to R.S. 4:141 et seq.;

3. establish criteria to license applicants for operator licenses and all other types of licenses for other positions and functions incident to the operation of historical horse racing wagering, including adopting, promulgating, and enforcing rules, regulations, and eligibility standards, or waiving such criteria in limited circumstances as provided for in the *Rules of Racing*, for such operator licenses, management company licenses, vendor licenses, key person licenses and other occupational licenses, positions, and functions incident to the operation of historical horse racing wagering;

4. charge fees for applications for licenses, to include the cost of conducting background investigations, and for the issuance of operator licenses, management company licenses, vendor licenses, key person licenses and other occupational licenses and all other types of licenses to successful applicants which will be payable to the commission;

5. charge fees to operators in an amount necessary to compensate the commission for the cost of oversight and regulatory services to be provided, which will be payable to the commission;

6. grant, deny, revoke, and suspend operator licenses and all other types of licenses based upon reasonable criteria and procedures established by the commission to facilitate the integrity, productivity, and lawful conduct of historical horse racing within the State of Louisiana;

7. to investigate the suitability of applicants for operator licenses and all other types of licenses;

8. to determine the priority and eligibility of any applicant for a license and to select among competing applicants for a license, the applicant who or which best serves the interests of the residents of Louisiana;

9. to administer oaths and affirmations to the witnesses, when, in the opinion of the commission, it is necessary to enforce the provisions of R.S. 4:141 et seq. or the *Rules of Racing*;

10. to adopt technical standards governing the design, operation and control of historical horse racing equipment;

11. inspect the operation of any operator conducting historical horse racing wagering for the purpose of certifying the revenue thereof and receiving complaints from the public;

12. to approve the hours of operation for each historical horse racing facility. Change to such hours of operation may be made by the operator for extenuating circumstances with notice to the Commission stating the reasons for the change;

13. to audit or cause audit of historical horse racing wagering operations, including those that have ceased operation;

14. issue subpoenas for the attendance of witnesses or the production of any records, books, memoranda, documents, papers, videos, pictures, electronic media, or other things at or prior to any hearing as is necessary to enable the commission to effectively discharge its duties;

15. executive director oaths or affirmations as necessary to carry out R.S. 4:141 et seq.;

16. have the authority to impose, subject to judicial review, administrative fines not to exceed \$25,000 for each violation of R.S. 4:141 et seq. or any *Rules of Racing* adopted and promulgated pursuant to R.S. 4:141 et seq.;

17. to receive and investigate complaints from patrons concerning the conduct of historical horse racing;

18. to inspect, test and approve historical horse racing systems and related equipment proposed for use or placed in use in historical horse racing facilities;

19. to approve locations for the storage and servicing of historical horse racing systems and related equipment;

20. to require that a historical horse racing facility make devices and equipment available for examination and inspection;

21. establish procedures for the governance of the commission;

22. acquire necessary offices, and to employ the services of persons the commission considers necessary for the purposes of consultation or investigation, and fix the salaries of, or contract for the services of, legal, accounting, technical, operational, and other personnel and consultants;

23. to secure, by agreement, information and services as the commission considers necessary from any other unit of government;

24. maintain the excluded persons database in accordance with the provisions of the *Rules of Racing*;

25. establish and enforce minimum internal controls for the operation of historical horse racing wagering and by which each operator will develop their own internal controls;

26. establish procedures for an applicant for a staff position to disclose conflicts of interest as part of the application for employment;

27. to determine any facts or any conditions, practices, or other matters as the commission considers necessary or proper to aid in the enforcement of R.S. 4:141 et seq.; and

28. do all things necessary and proper to carry out its powers and duties under R.S. 4:141 et seq., including the adoption and promulgation of rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13111. Wagering on Historical Horse Races Authorized

A. Wagering on historical horse races is hereby authorized and may be conducted in accordance with R.S. 4:149 and 4:213.

B. Wagering on historical horse races shall only be conducted by associations licensed to operate a pari-mutuel facility, pursuant to R.S. 4:149, and/or by offtrack wagering facilities, pursuant to R.S. 4:213.

C. The commission may create classifications of licenses and establish a fee structure for license categories. Applicants for each category of license must apply on forms approved by the commission to be accompanied by the corresponding license application fee. All application fees are non-refundable.

D. An application for a license under R.S. 4:141 et seq. and this Chapter is a request by the applicant seeking a revocable privilege. A license may be granted by the commission if the applicant meets the licensing requirements of the act and these rules. The commission may require holders of a current pari-mutuel wagering facility license to complete an updated application form and undergo additional background screening prior to being authorized to conduct historical horse racing. The commission may issue new licenses to such existing license holders to include the conditions and licensing requirements contained in this Chapter.

E. An applicant for a license under R.S. 4:141 et seq. and this Chapter shall, at all times, have the burden of demonstrating to the commission, by clear and convincing evidence, that the applicant is eligible, qualified, and suitable to be granted and retain the license for which application is made under the applicable licensing standards and requirements of R.S. 4:141 et seq. and the *Rules of Racing*.

F. A license issued by the commission under R.S. 4:141 et seq. or this Chapter is a revocable privilege granted by the commission. A person who holds a license does not acquire, and shall not be deemed to acquire, a vested property right or other right, in the license.

G. Applicants for any license issued by the commission under the provisions of this Chapter must pay all fees and assessments prescribed either by law or the *Rules of Racing* in the manner and at the time prescribed by law and/or the *Rules of Racing*. Application fees and applicable assessments for all historical horse racing wagering licenses and must be paid by the applicant at the time that an application is filed with the commission. None of the licenses listed in this Chapter may be transferred or assigned.

H. The commission may refuse to take final action on any application if all license regulation, investigation, and fingerprint fees have not been paid in full. The commission may deny the application if the applicant refuses or fails to pay all such fees. Additionally, an applicant who has refused or failed to pay the required costs will not be eligible to file any other application with the commission until all such fees are paid in full. Neither the license fee or regulation fees nor any other fee is refundable.

I. Materials, or portions of materials, submitted under R.S. 4:141 et seq. or these rules may be identified as confidential by a licensee, an applicant for a license, or any other person. If the materials are exempt from disclosure by statute, the materials shall not be disclosed by the

commission, except to other jurisdictions or law enforcement agencies as provided in R.S. 4:141 et seq.

J. An applicant or licensee shall accept any risk of adverse publicity, public notice, notoriety, embarrassment, criticism, financial loss, or other unfavorable or harmful consequences that may occur in connection with, or as a result of, the application and licensing process or the public disclosure of information submitted to the commission with a license application or at the commission's request under R.S. 4:141 et seq. and the *Rules of Racing*.

K. Licensees have a continuing obligation to demonstrate suitability to hold a license by complying with R.S. 4:141 et seq., the *Rules of Racing*, and all federal, state, and local laws relating to the suitability of the licensee. The commission may reopen the investigation of a licensee at any time. The licensee shall be assessed fees, if any, to cover the additional costs of the investigation.

L. An applicant or licensee may claim any privilege afforded by the Constitution or laws of the United States or of the State of Louisiana in refusing to answer questions or provide information requested by the commission. However, a claim of privilege with respect to any testimony or evidence pertaining to the eligibility, qualifications, or suitability of an applicant or licensee to be granted or hold a license under R.S. 4:141 et seq. and the *Rules of Racing* may constitute cause for denial, suspension, revocation or restriction of the license.

M. An applicant and licensee shall have a continuing duty to do all of the following:

1. promptly notify the commission in writing within 10 business days of a material change in the information submitted in the license application submitted by the applicant or licensee or a change in circumstance, that may render the applicant or licensee ineligible, unqualified, or unsuitable to hold the license under the licensing standards and requirements of the act and these rules; and

2. provide any information requested by the commission relating to licensing or regulation, cooperate with the commission in investigations, hearings, and enforcement and disciplinary actions within the period of time requested by the commission, and comply with all conditions, restrictions, requirements, orders, and rulings of the commission in accordance with R.S. 4:141 et seq. and the *Rules of Racing*.

N. The following persons are required to hold an occupational license:

1. a person employed by an association or management company and whose duties are directly related to the conduct of historical horse racing;

2. all security personnel;

3. employees whose duties are performed off the wagering facility and whose duties include the handling of money or performing accounting and auditing functions that involve money obtained as a result of historical horse racing;

- a. An occupational license level one is the highest level of occupational license. An occupational licensee may perform any activity included within the occupational licensee's level of occupational license or any lower level of occupational license.

- b. An employee of an association or management company who does not hold an occupational license shall

not perform any duties relating to the conduct of historical horse racing at any time.

c. A person under 18 years of age shall not hold an occupational license of any level. Applicants for occupational license level one must be at least 21 years of age.

d. An application for an occupational license shall not be processed by the commission unless the applicant has an agreement or a statement of intent hire with an association or management company licensee or applicant, documenting that the applicant will be employed upon receiving the appropriate occupational license.

e. Employees of an authorized gaming operator who perform the following functions, regardless of title, shall obtain an occupational license level one:

i. audit director;

ii.

chief regulatory compliance officer;

iii. information technology director and managers;

iv. security director;

v. surveillance director;

vi. chief financial officer or controller, or both;

vii. historical racing operations director;

viii. general manager;

ix. assistant general manager; or

x. any other employee of an authorized gaming operator whom the commission deems necessary, to ensure compliance with R.S. 4:141 et seq. and the *Rules of Racing*, to hold an occupational license level one.

f. A person holding a level one license employed by an association or management company may not be employed concurrently by a wagering vendor, except that a person holding a level one license may be employed by a licensed management company that is also licensed as a wagering vendor.

4. employees of an association who perform the following functions, regardless of title, shall obtain an occupational license level two:

a. security personnel and surveillance personnel;

b. any employee of an association whose duties are performed are directly related to the conducting of historical horse racing;

c. any employee of an association whose duties include accounting and auditing functions and whose duties relate to money obtained as a result of historical horse racing; and

d. any other employee of an association whom the commission deems necessary, to ensure compliance with R.S. 4:141 et seq. and the *Rules of Racing*, to hold an occupational license level two;

5. the term of all occupational license levels is three years and requires an initial license application fee to be determined by the commission and an annual license fee.

O. Applicants for a historical horse racing wagering license, an occupational license, and applicants for renewals of such licenses shall comply with the following procedures:

1. Every application for a license category authorized by the commission must be submitted on forms supplied or approved by the commission and must contain such information and documents as required for such license category.

2. The applicant must file with the application all required supplemental forms.

3. Upon request of the commission, the applicant must further supplement any information provided in the application. The applicant must provide all requested documents, records, supporting data, and other information within the time period specified in the request. If the applicant fails to provide the requested information within the required time period as set forth in the request or the *Rules of Racing*, the commission may deny the application unless good cause is shown.

4. All information required to be included in an application must be true and complete as of the date of commission action sought by the applicant. If there is any change in the information contained in the application, the applicant must file a written amendment within 30 days of the change of information in accordance with the *Rules of Racing*.

5. The application and any amendments must be sworn to or affirmed by the applicant. If any document is signed by an attorney for the applicant, the signature must certify that the attorney has read the document and that, to the best of the attorney's knowledge, information and belief, based on diligent inquiry, the contents of the documents supplied are true.

6. The applicant must cooperate fully with the commission with respect to the background investigation of the applicant, including, upon request, making available any and all of its books and records for inspection. The commission will examine the background, personal history, financial associations, character, record, and reputation of the applicant to the extent the commission determines.

7. The commission will automatically deny the application of any applicant that refuses to submit to a background investigation as required pursuant to R.S. 4:141 et seq. and the *Rules of Racing*.

8. Neither the state, the commission, any agency with which the commission contracts to conduct background investigations, nor the employees of any of the foregoing, may be held liable for any inaccurate information obtained through such an investigation.

P. In addition to specific conditions imposed in any license issued by the commission under these rules, any license issued by the commission for the operation of historical horse racing wagering is subject to the following conditions.

1. With respect to a historical horse racing wagering operator's license, the licensed operator will at all times make its wagering facility available for inspection by the commission or their authorized representatives with or without prior announcement. Additionally, the licensed operator understands that a commission agent is authorized to be present anywhere within the wagering facility each day any time during operation of historical horse racing wagering, and whenever else deemed appropriate by the director of enforcement.

2. The operator licensee consents to the examination of all accounts, bank accounts, and records of, or under the control of the operator licensee, or any entity in which the operator licensee has a direct or indirect controlling interest.

Upon request of the commission or its authorized representative, the operator licensee must authorize all third parties in possession or control of the requested documents to allow the commission or commission agents to examine such documents.

3. The operator licensee will observe and enforce all rules, regulations, decisions, and orders issued by the commission. The operator's license is granted on the condition that the operator licensee, management, and its employees will obey all decisions and orders of the commission. Each operator licensee will have a continuing duty to report to the commission enforcement division any violation of the *Rules of Racing* or applicable laws of the state of Louisiana by the operator licensee, management, and its employees. Failure to report violations will result in disciplinary action against the operator licensee. The licensee is required to notify the commission in writing within 30 days of the violation.

Q. The commission may refuse to issue an operator licensee or deny any operator licensee application on any grounds deemed reasonable by the commission. Without limiting the foregoing, the commission may deny the application on any of the following grounds:

1. evidence of an applicant submitting an untrue or misleading statement of material fact, or willful omission of any material fact, in any application, statement, or notice filed with the commission, made in connection with any investigation, including the background investigation, or otherwise made to the commission or its staff;

2. conviction of any felony in any jurisdiction by key persons of the applicant or by the applicant which may affect the applicant's ability to properly perform his or her duties or reflect unfavorably on the integrity of a historical horse racing wagering facility;

3. conviction of any gambling offense in any jurisdiction by key persons or by the applicant;

4. entry of any civil or administrative judgment against the applicant or its key persons that is based, in whole or in part, on conduct that allegedly constituted a felony crime in the state or other jurisdiction in which the conduct occurred that may affect the applicant's ability to properly perform his or her duties or reflect unfavorably on the integrity of a historical horse racing wagering facility, or involved a gambling violation(s);

5. association by the applicant, applicant's spouse or members of applicant's immediate household with persons or businesses of known criminal background or persons of disreputable character that may adversely affect the general credibility, security, integrity, honesty, fairness or reputation of the historical horse racing wagering industry;

6. any aspect of the applicant's or any key person's past conduct, character, or behavior that the commission determines would adversely affect the credibility, security, integrity, honesty, fairness or reputation of the proposed historical horse racing wagering activity;

7. failure of the applicant or its key persons to demonstrate adequate business ability and experience to establish, operate, and maintain the business for the type of activity for which application is made;

8. failure to demonstrate adequate financing for the operation proposed in the application;

9. failure to satisfy any requirement for application or to timely respond to any request by the commission for additional information;

10. permanent suspension, revocation, denial or other limiting action on any license related to historical horse racing wagering issued by any jurisdiction; and

11. approval of the application would otherwise be contrary to Louisiana law or public policy.

R. The commission, in the same manner and in accordance with the Louisiana Administrative Procedures Act, will provide the applicant with written notice of the denial, and the applicant shall have the opportunity to appeal the commission decision in conformity with R.S. 4:214(J).

S. The commission may issue a provisional license to any applicant who provides the required fingerprint cards, photographs, completed application, and intent to employ statement. Provisional licenses may be valid for a period established by the commission but shall not be more than 90 days and is subject to the license conditions enumerated in the commission's authorization of the provisional license.

1. The commission may extend the duration of provisional licenses in 30-day increments if the licensing process has not been completed.

T. Wagering on historical horse races shall only be permitted in the designated area on the licensed premises of the pari-mutuel facility and/or offtrack wagering facility. Wagering on historical horse races shall not be offered in any other location.

U. Reserved

V. An applicant for a license to offer pari-mutuel wagering on historical horse racing shall submit a plan of operation that includes:

1. the number of terminals to be operated at the facility, broken down by terminal provider, make, and model;

2. a detailed description of the proposed area designated for the sale of pari-mutuel pool, and the placement of terminals within the area, including a drawn-to-scale architectural rendering that describes:

a. the size, construction, and capacity of the area;

b. the number and location of each terminal; and

c. the location of surveillance and other security equipment.

3. a description of the type of data processing, communication, totalizator and transmission equipment to be utilized;

4. a networking diagram detailing the manner in which the machines will be networked with the wagering servers and back office systems;

5. an IT security plan detailing the logical security measures for the wagering system;

6. the type, number and denominations of pari-mutuel wagers to be offered;

7. the terminal provider, make, and model of each terminal, including a copy of all literature supplied by the manufacturer of the terminal;

8. the maintenance and repair procedures that will ensure the integrity of the terminals;

9. detailed information on the wager types, including breakage, to be offered by the applicant, including information demonstrating compliance with the requirements of this chapter;

10. wager specification documentation, which shall include the rules for the mathematical models, methodology of calculating payouts of the pools, configuration of pools, how money is allocated to or from the pools (including seed pool(s) as applicable, and pool payout methodology. As used herein, a seed pool refers to a pool of money that is used to ensure that all patrons are paid the minimum payout on winning wagers.

W. Before offering wagering on historical horse races, an association shall first obtain the commission's written approval of all wagers offered as set forth in LAC 35:XIII.10703, LAC 35:XIII.10901, LAC 35:XIII.11105, LAC 35:XIII.11201, LAC 35:XIII.11507, LAC 35:XIII.11607, LAC 35:XIII.11701, and LAC 35:XIII.11801 or other accepted pari-mutuel wager type as approved by the commission.

X. A license for conducting pari-mutuel wagering on historical horse racing shall run concurrent with the association's license to conduct horse racing and/or operate offtrack wagering facilities. A licensee may not transfer its license, or assign responsibility for compliance with the conditions of its license, to any party, including, without limitation, a transfer of effective control of the licensee, without commission approval.

Y. Failure to comply with requirements in R.S. 4:149, and/or offtrack wagering facility requirements pursuant to R.S. 4:213 and the *Rules of Racing* may result in suspension or revocation of the license for conducting pari-mutuel wagering at the discretion of the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13113. Operational Requirements for the Conduct of Historical Horse Racing

A. An association may conduct wagering on historical horse races of any horse breed regardless of the type of breed that primarily races in live meets conducted by the association. An association may conduct wagering on historical horse races on any days and hours approved by the commission, and shall not be limited to times during which the association is conducting a live horse race meeting.

B. A mutuel wager on historical horse races may be placed only from a physical facility of a licensee.

C. A mutuel wager on historical horse racing may not be placed using a mobile device unless the system communicating with the mobile device to place the wager is fully controlled and operated by the licensed facility at which the wager is placed. For the purposes of this Section, "fully controlled and operated" means the licensed facility develops, owns, leases, acquires a license for, or otherwise contracts for services to operate and control a mobile historical horse racing wagering system.

D. No licensee may accept a mutuel wager on historical horse racing if the wager is placed via a mobile phone or other personal electronic device, unless the network infrastructure and all pari-mutuel wagering software complies with the relevant technical requirements within these rules.

E. Nothing in this Section independently authorizes wagering or facilitation of wagering on historical horse racing outside of the licensed pari-mutuel wagering operation.

F. Any historical horse racing solution that relies on wireless networked communications, including all mobile historical horse racing systems, shall annually conduct a system integrity and security risk assessment performed by an independent information technology security professional approved by the commission. The system integrity and security risk assessment shall be conducted no later than 90 days after commencing operations and annually thereafter. The scope of the pari-mutuel wagering system integrity and security assessment is subject to the approval of the commission and must include:

1. A vulnerability assessment of digital platforms, mobile applications, internal, external, and wireless networks with the intent of identifying vulnerabilities of all devices, the historical horse racing system, and applications transferring, storing, and/or processing personal identifying information or other sensitive information connected to or present on the networks;

2. A penetration test of all digital platforms, mobile applications, and internal, external, and wireless networks to confirm devices, the historical horse racing wagering systems, and applications are not susceptible to compromise;

3. A review of the firewall rules to verify the operating condition of the firewall and the effectiveness of its security configuration and rule sets that must be performed on all perimeter and internal firewalls;

4. A technical security control assessment against the commission's technical requirements for security and with generally accepted professional standards;

5. An evaluation of information security services, cloud services, payment services, financial institutions, payment processors, location services, and any other services that may be offered directly by the licensee or involve the use of third parties; and

6. At the discretion of the executive director, any additional assessments or specific testing criteria which may be required by internal control procedures.

G. All wagers offered on historical horse races shall incorporate the following elements:

1. A patron may only wager on historical horse races on a terminal approved by the commission;

2. For each different type of exotic wager on historical horse races offered by an association, the association shall at all times maintain at least two terminals offering each such exotic wager;

3. Once a patron deposits an amount in the terminal offering wagering on historical horse races, one or more historical horse races shall be made available for wagering as set forth in the wagering specification rules;

4. Prior to the patron making his or her wager selections, the terminal shall not display any information that would allow the patron to identify the historical horse race or races on which he or she is wagering, including the location of the race or races, the date on which the race or races was run, the names of the horses in the race or races, or the names of the jockeys that rode the horses in the race or races;

5. The terminal shall make available true and accurate past performance information on the historical horse race to the patron prior to making his or her wager selections. The information shall be current as of the day the historical horse race was actually run. The information provided to the

patron shall be displayed on the terminal in data or graphical form; and

6. After a patron finalizes his or her wager selections, the terminal shall display the patron's successful selections, the official results of each race, and a replay of the race or races, or a portion thereof, whether by digital or animated depiction or by way of a video recording. The identity of each race shall be revealed to the patron after the patron has placed his or her wager.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13115. Historical Horse Race Specification and Selection Requirements

A. The outcome of any historical horse race wager shall be derived from the result of one or more historical horse races.

B. All historical horse races must be chosen at random from a database of actual historical horse races. All races in the database shall have a valid historical horse race result with details recorded at the same level as other races in the database, and shall include:

1. race location;
2. race date; and
3. finishing order.

C. If available and provided for in the recorded race data, other information such as horse name and jockey name or associated identifiers may be included in the race database.

D. In the case where a random process is used to select the historical horse races for a wager, all possible races in the database shall be available for selection.

E. Each terminal shall:

1. be tested by an independent testing laboratory, selected by the commission, and found to be in compliance with all applicable technical standards. Any modifications made to the terminal or software shall require re-testing;

2. provide race information that is current as of the day the horse race was actually run;

3. allow any patron that is handicapping to exit the selection and not continue with a given race set;

4. display the information provided to the patron in graphic form which is discernable to the bettor;

5. not be in the nature of a slot machine. A terminal shall not be considered to be in the nature of a slot machine when it precludes the use of random elements to determine the outcome of a wager other than the selection of a race or races from a database of races, when all wagers and prizes are pari-mutuel in nature, and when it does not include any interest of the licensee.

F. Prior to the patron making his or her wager selections, the terminal shall:

1. make true and accurate past performance information available on each historical horse race; and

2. not display any information that would allow the patron to identify the historical horse race on which the patron is wagering, including:

- a. the location of the race;
- b. the date on which the race was run;
- c. the names of the horses in the race; or

d. the names of the jockeys who rode the horses in the race.

G. After the results of a patron's wager are determined, the terminal shall display:

1. the patron's selections;

2. the identity and official results of each race; and

3. a replay of the race or races, or a portion thereof, whether by digital, animated, or graphical depiction or by way of a video recording.

H. The video display required by Paragraph 3 of Subsection F of this Section shall be of a size and quality that allows the player to reasonably view and determine the outcome of the horse race or races.

I. In addition to the requirement of Paragraph 2 of Subsection F of this Section, the terminal may also display the wager and its outcome as part of an entertaining display, provided the underlying wager and outcome functions according to the pari-mutuel wagering pool specifications provided by the historical horse racing licensee to the commission.

J. Approximate odds or payouts for each wagering pool shall be posted, or made available, on each terminal for viewing by patrons.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13117. Payouts through Pari-Mutuel Pools Authorized

A. A wager on a historical horse race or races, less deductions permitted by R.S. 4:216(E), shall be placed in pari-mutuel pools approved by the commission.

B. A payout to a winning patron shall be paid from money wagered by patrons and shall not constitute a wager against the association.

C. An association conducting wagering on historical horse races shall not conduct wagering in such a manner that patrons are wagering against the association, or in such a manner that the amount retained by the association as a commission is dependent upon the outcome of any particular race or the success of any particular wager.

D. An association offering wagering on historical horse races shall operate a pari-mutuel pool or pools in a manner and method approved by the commission. An association offering wagering on historical horse races may operate a player-funded pool or pools in a manner and method approved by the commission for the purpose of ensuring that sufficient funds are at all times available to pay any winning wagers in situations where a pari-mutuel pool becomes a minus pool. For each wager made, an association may assign a percentage of the wager to a player-funded pool or pools.

E. If an association chooses to make a deposit into a trust account or seed pool for the purpose of ensuring that sufficient funds are at all times available to pay any winning wagers in situations where a pari-mutuel pool becomes a minus pool, then such trust account must be approved by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13119. Minors Prohibited from Wagering on Historical Horse Races

A. A minor shall not be permitted by any licensed association to purchase or cash a pari-mutuel ticket on historical horse races.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13121. Responsible Play

A. A licensee shall implement a program to promote responsible play of historical horse racing by its patrons and provide details of the same to the commission. At a minimum, such program shall require:

1. posting in a conspicuous place in every facility where pari-mutuel wagering on historical horse racing is conducted a sign that bears a toll-free number for an approved organization that provides assistance to problem gamblers;

2. providing informational leaflets or other similar materials at the licensee's facilities on the dangers associated with problem gambling;

3. including in the licensee's promotional and marketing materials information on problem gambling and organizations that provide assistance to problem gamblers;

4. providing patrons expressing concern with a gambling problem with information on organizations that provide assistance to problem gamblers; and

5. ensuring that any request by a patron who wishes to self-exclude from the licensee's facilities is honored by the licensee.

B. A licensee shall report annually to the commission and make a copy available to the public on its efforts to meet Subsection A of this Section, its efforts to identify problem gamblers, and steps taken to:

1. prevent such individuals from continuing to engage in pari-mutuel wagering on historical horse racing; and

2. provide assistance to these individuals to address problem gambling activity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13123. Totalizator or Other Approved Equipment Required

A. Pari-mutuel wagering on historical horse races shall only be conducted through the use of a totalizator or other similar mechanical or electrical equipment.

B. The totalizator or other mechanical or electrical equipment shall be available for testing under the supervision of the commission upon request by the commission to ensure its proper working order.

C. Wagering on historical horse races shall be offered on terminals that include a cabinet in which the electronics and other operating components are located. All terminals and other equipment shall be subject to inspection by the commission.

D. The terminal cabinet and electronics shall:

1. protect against electrostatic interference by being grounded so that static discharge energy shall not permanently damage or inhibit the normal operation of the electronics or other components within the wagering

terminal. In the event that a temporary disruption of the normal operation of a wagering terminal occurs as a result of an electrostatic discharge, the wagering terminal shall have the capacity to recover and complete any interrupted wager without loss or corruption of any control or critical data information. Each terminal shall be tested to a maximum discharge severity level of 27 kilovolt air discharge;

2. not be adversely affected, other than during resets, by surges or dips of up to 20 percent of the supply voltage. If a wagering terminal is designed such that a surge or dip of up to 20 percent of the supply voltage causes a reset, the terminal shall also be designed so that a surge or dip shall not result in damage to the equipment or loss or corruption of data. Upon reset, the wager play shall return to its previous state or return to a wager completion state, provided the wagering history and all credit and accounting meters comprehend a completed wager play;

3. have an on/off switch that controls the electrical current installed in a readily accessible location within the interior of the terminal so that power cannot be disconnected from outside of the terminal using the on/off switch. The on/off positions of the switch shall be labeled;

4. be designed so that power and data cables into and out of the terminal can be routed so that they are not accessible to the general public. Security-related wires and cables that are routed into a logic area shall be securely fastened within the interior of the terminal;

5. have an identification badge affixed to the exterior of the terminal by the terminal provider that is not removable without leaving evidence of tampering. This badge shall include the following information:

- a. the name of the terminal provider;
- b. a unique serial number;
- c. the terminal model number; and
- d. the date of manufacture;

6. have an external tower light located conspicuously on the top of the terminal that automatically illuminates when a patron has won an amount that the terminal cannot automatically pay or when an error condition has occurred;

7. be constructed of materials that are designed to allow only authorized access to the inside of the terminal. The terminal and its locks, doors, and associated hinges shall be capable of withstanding determined and unauthorized efforts to gain access to the inside of the terminal and shall be designed to leave evidence of tampering if such an entry is made;

8. be equipped with doors of a locked area that are designed to resist the use of tools or other objects used to breach the locked area by physical force;

9. have external doors that shall be locked and monitored by door access sensors. When the external doors are opened, the door access sensors shall:

- a. cause wagering activity to cease;
- b. disable all currency acceptance;
- c. enter an error condition;
- d. illuminate the tower light at a minimum; and
- e. record the error condition. The requirements of this Subsection do not apply to the drop box door;

10. have external doors designed so that it shall not be possible to insert a device into the terminal that will disable a sensor that indicates "door open" without leaving evidence of tampering when the door of the terminal is shut;

11. have a sensor system that shall provide notification that an external door is open when the door is moved from its fully closed and locked position, provided power is supplied to the device;

12. have a logic area, which is a separately locked cabinet area with its own monitored, locked door or other monitored, locked covering that houses electronic components that have the potential to significantly influence the operation of the terminal. There may be more than one such logic area in a terminal. The electronic components housed in the logic area shall include:

a. a central processing unit and any program storage device that contains software that may affect the integrity of wagering, including the individual play accounting, system communication, and peripheral firmware devices involved in or that significantly influence the operation and calculation of wager plays, wager outcome display, wager result determination, or wager play accounting, revenue, or security;

b. communication controller electronics and components housing the communication program storage device; and

c. the nonvolatile memory backup device, which if located in the logic area, shall be kept within a locked logic area; and

13. have a currency storage area that is separately keyed and fitted with sensors that indicate "door open/close" or "stacker receptacle removed," provided power is supplied to the device. Access to the currency storage area shall be secured by two locks before the currency can be removed. The locks shall be located on the relevant outer door and on at least one other door.

E. Critical memory requirements shall include the following:

1. Critical memory storage shall be maintained by a methodology that enables errors to be identified, including signatures, checksums, partial checksums, multiple copies, timestamps, effective use of validity codes, or any combination of these methods.

2. Comprehensive checks of critical memory shall be made following wager play initiation but prior to display of wager outcome to the patron.

3. An unrecoverable corruption of critical memory shall result in an error state. The memory error shall not be cleared automatically and shall cause the terminal to cease further functioning. The critical memory error shall also cause any communication external to the terminal to immediately cease. An unrecoverable critical memory error shall require restoration or clearing of software state by an authorized person.

4. If critical memory is maintained in nonvolatile memory on the terminal and not by the server-based system, then:

a. the terminal shall have the ability to retain data for all critical memory as defined in this Section and be capable of maintaining the accuracy of the data for 30 days after power is discontinued from the terminal;

b. for rechargeable battery types only, if the battery backup is used as an off-chip battery source, it shall recharge itself to its full potential in a maximum of 24 hours, and the shelf life of the battery shall be at least five years;

c. nonvolatile memory that uses an off-chip backup power source to retain its contents when the main power is switched off shall have a detection system that will provide a method for software to interpret and act upon a low battery condition before the battery reaches a level where it is no longer capable of maintaining the memory in question. Clearing nonvolatile memory shall require access to the locked logic area or other secure method, provided that the method is approved by the commission; and

d. following the initiation of a nonvolatile memory reset procedure, the wagering program shall execute a routine that initializes all bits in critical nonvolatile memory to the default state. All memory locations intended to be cleared as per the nonvolatile memory clear process shall be fully reset in all cases.

5. Critical memory of a server-based wager configuration may be maintained by the server, terminal, or some combination thereof. The critical memory related to each terminal shall:

a. be kept independent to all other wagering terminals. If corruption occurs in any single terminal's critical memory no other terminal shall be effected by the terminal's corrupt memory state; and

b. be clearly identified as to which physical terminal the critical memory represents, through unique identification, such as serial number or other unique terminal hardware identifier.

6. All terminals shall be equipped with a device, mechanism, or method for retaining the value of the meter information specified in §13135 in the event of a loss of power to the terminal. Storage and retrieval of the accounting meters from a server is an acceptable method of retrieval.

7. Configuration setting changes shall not cause an obstruction to the meters.

8. If the terminal is in a test, diagnostic, or demonstration mode, any test that incorporates credits entering or leaving the terminal shall be completed prior to resumption of normal operation. In addition, there shall not be any mode other than normal wagering operation that debits or credits any of the electronic meters. Any wagering credits on the terminal that were accrued during the test, diagnostic, or demonstration mode shall be cleared before the mode is exited. Specific meters are permissible for these types of modes, provided the meters are clearly identified.

9. Terminals shall not allow any information contained in a communication to or from the online monitoring system that is intended to be protected, including validation information, secure personal identification numbers, credentials, or secure seeds and keys, to be viewable through any display mechanism supported by the terminal.

F. Program storage devices shall be required to comply with the following.

1. All program storage devices shall:

a. be housed within a fully enclosed and locked logic compartment;

b. validate themselves during each processor reset; and

c. validate themselves the first time they are used.

2. Program storage devices that do not have the ability to be modified while installed in the terminal during normal operation shall be clearly marked with information to identify the software and revision level of the information stored in the devices.

3. Server-stored information shall be backed up no less often than once per day to an offsite storage facility. Offsite storage may include storage through a cloud service provider if approved by the commission. The server and offsite backup storage shall be accessible to the commission and subject to third-party checks and validation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13125. Terminal Operational/Software Requirements

A. Terminals shall have the ability to allow for an independent integrity check of all software that may affect the integrity of the wagering configurations available to the terminal. The integrity check shall be by an independent testing laboratory approved by the commission.

B. If a winning amount is in excess of the thresholds established in the Internal Revenue Service reporting requirements, the terminal shall cease operation and require attendant interaction to proceed.

C. Terminals shall be capable of detecting and displaying the following errors:

1. open door conditions;
2. nonvolatile memory errors;
3. low nonvolatile memory battery for batteries external to the nonvolatile memory itself for low power source;
4. program error or authentication mismatch;
5. display device errors;
6. the identification of an invalid bill or voucher; and
7. loss of communication to the tote system.

D. To protect the integrity of the wagering configuration, when a terminal error condition is detected, the terminal shall secure itself by:

1. ceasing play and requiring operator intervention prior to returning to normal play;
2. displaying an appropriate error message;
3. disabling bill and voucher acceptance;
4. sounding an alarm, illuminating the tower light, displaying the error on screen, or any combination of the three;
5. communicating the error condition to an online monitoring and control system; and
6. if the terminal is powered down with an unresolved error condition, remaining in error mode unless power down is used as a part of the error reset procedure.

E. Upon resolution of an error condition, a terminal may return to a wager completion state, provided the wagering history, wagering credits, and other meters display the completed wager properly.

F. Terminals shall not be adversely affected by the simultaneous or sequential activation of various terminal inputs and outputs.

G. Test, diagnostic, or demonstration modes on a terminal shall:

1. be entered only from an attendant following appropriate instructions;
2. not be accessible to a patron;

3. be indicated on the terminal via an appropriate message; and

4. upon exiting from test, diagnostic, or demonstration mode, a terminal shall return to its previous state.

H. Available wagering credit may be collected from the terminal by the patron at any time other than during:

1. a bet being wagered;
2. audit mode;
3. test mode;
4. a credit meter or win meter increment; or
5. an error condition

I. Terminals shall be capable of displaying wager recall, which shall:

1. include the last 10 wagers on the terminal, including at least 50 intermediary steps within those wagers, including free spins and bonuses;

2. be retrievable on the terminal via an external key-switch or other secure method not available to the patron; and

3. provide all information required to fully reconstruct the wagers, including:

- a. initial credits or ending credits associated with the wager;
- b. credits wagered;
- c. credits won;
- d. entertaining display symbol combinations and credits paid whether the outcome resulted in a win or a loss;
- e. representation in a graphical or text format;
- f. final wager outcome, including all patron choices and all bonus features; and
- g. as an optional feature, display of values as currency in place of wagering credits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13127. Requirements for Tickets or Vouchers used in Historical Horse Racing

A. Terminals shall not dispense currency. Payment to patrons shall only be accomplished by means of a printed voucher.

B. All vouchers shall contain the following printed information at a minimum:

1. licensee name and site identifier, which may be contained on the ticket stock itself;
2. terminal number or cashier booth location;
3. date and time stated according to the local time zone;
4. alpha and numeric dollar amount;
5. ticket or voucher sequence number;
6. validation number;
7. bar code or any machine-readable code representing the validation number;
8. type of transaction or other method of differentiating voucher types. If the voucher is a noncashable item, the ticket shall explicitly express that it has "no cash value"; and

9. the expiration period from date of issue, or date and time the ticket or voucher will expire according to the local time zone. This information may be contained on the ticket stock itself. Payment on valid pari-mutuel tickets, including tickets where refunds are ordered, shall be made only upon presentation and surrender of valid pari-mutuel tickets to the

licensee within 180 days after the purchase of the ticket. Failure to present any valid pari-mutuel ticket to the licensee within 180 days after the purchase of the ticket shall constitute a waiver of the right to payment.

C. A system approved by the commission shall be used to validate the payout ticket or voucher. The ticket or voucher information on the central system shall be retained for two calendar years after a voucher is valid at that location.

D. Payment by voucher as a method of credit redemption shall only be permissible when the terminal is linked to a computerized voucher validation system that is approved by the commission.

E. The validation system must be able to identify a duplicate ticket or voucher to prevent fraud.

F. Terminals must meet the following minimum requirements to incorporate the ability to issue offline vouchers after a loss of communication has been identified by a wagering terminal.

1. The wagering terminal shall not issue more offline vouchers than it has the ability to retain and display in the wagering terminal maintained voucher-out log.

2. The wagering terminal shall not request validation numbers used in the issuance of vouchers until all outstanding offline voucher information has been fully communicated to the voucher validation system.

3. The wagering terminal shall request a new set of validation numbers used in the issuance of online or offline vouchers if the current list of validation numbers has the possibility of being compromised, which shall include:

- a. after power has been recycled; or
- b. upon exit of a main door condition.

4. Validation numbers must always be masked when viewable through any display supported by the wagering terminal such that only the last four digits of the validation number are visible.

G. Vouchers may be inserted in any terminal participating in the validation system providing that no credits are issued to the terminal prior to confirmation of voucher validity.

H. The offline voucher redemption may be validated as an internal control process. A manual handpay may be conducted for the offline voucher value.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13129. Terminal Peripheral Device Requirements

A. Video monitor touch screens on terminals shall:

1. be accurate to manufacturer specifications for touch point sensitivity;

2. be able to be calibrated without access to the terminal cabinet other than opening the main door, and once calibrated shall maintain accuracy for at least the video touch screen manufacturer's recommended maintenance period; and

3. have no hidden or undocumented buttons or touch points anywhere on the screen that affect wagering or that impact the outcome of the bet, except as provided by the wagering configuration rules.

B. Paper currency acceptors used in a terminal shall:

1. be electronically based;

2. detect the entry of bills or vouchers inserted into the paper currency acceptor and provide a method to enable the terminal software to interpret and act appropriately upon a valid or invalid input;

3. be configured to ensure the acceptance of only valid bills or vouchers and reject all other items;

4. return to the patron all rejected bills or vouchers, and any other item inserted into the acceptor;

5. be constructed in a manner that protects against vandalism, abuse, or fraudulent activity;

6. register the actual monetary value or appropriate number of wagering credits received for the denomination used on the patron's credit meter for each valid bill or voucher;

7. register wagering credits only when the bill or other note has passed the point where it is accepted or stacked and the acceptor has sent an "irrevocably stacked" message to the terminal;

8. be designed to prevent the use of fraudulent crediting, the insertion of foreign objects, and any other fraudulent technique;

9. implement a method of detecting counterfeit bills;

10. only accept bills or vouchers when the terminal is enabled for play;

11. have the capability of detecting and displaying any supported error conditions;

12. shall communicate with the terminal using a bi-directional protocol;

13. be located in a locked area of the terminal that requires the opening of the main door for access. The paper currency acceptor shall not be located in the logic area. Only the bill or voucher insertion area shall be accessible by the patron;

14. have a secure stacker that shall:

a. deposit into the stacker all accepted items;

b. be attached to the terminal in such a manner that it cannot be easily removed by physical force; and

c. have a separate keyed lock to access the stacker area. The keyed lock shall be separate from the main door, and a separate keyed lock shall be required to remove the bills from the stacker; and

15. have a bill validator that shall:

a. retain in its memory and have the ability to display the information required of the last 25 items accepted by the bill validator;

b. have a recall log that may be combined or maintained separately by item type. If combined, the type of item accepted shall be recorded with the respective timestamp; and

c. give proper credit or return the bill or note if power failure occurs during acceptance of a bill or note.

C. Each terminal shall be equipped with a printer that:

1. is used to make payments to the patron by issuing a printed voucher. The terminal shall transmit the following data to an online system that records the following information regarding each payout ticket or voucher printed:

a. the value of credits in local monetary units in numerical form;

- b. the time of day the ticket or voucher was printed, showing hours and minutes;
 - c. the date, in format approved by the commission, indicating the day, month, and year that the ticket or voucher was issued;
 - d. the terminal number; and
 - e. a unique ticket or voucher validation number.
2. prints only one copy to the patron and retains information on the last 25 printed vouchers;
3. is housed in a locked area of the terminal but shall not be located within the logic area or the drop box; and
4. allows control program software to interpret and act upon all error conditions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13131. Location of Terminals Used for Wagering on Historical Horse Races

A. Terminals offering wagering on historical horse races shall be located within designated areas which have the prior written approval of the commission. Designated areas shall be established in such a way as to control access by the general public and prevent entry by any patron who is under 18 years of age or is otherwise not permitted to place wagers.

B. Each association shall monitor persons entering and leaving the designated areas and shall prevent access to any patron who is under 18 years of age or is otherwise not permitted to place wagers on historical horse races.

C. Each association shall provide terminals that are accessible to handicapped patrons.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13133. Records to be Maintained

A. Each association shall maintain complete records of all pari-mutuel wagering transactions on historical horse races, including the amounts wagered at each historical horse racing terminal.

B. A copy of the wagering records shall be retained and safeguarded for a period of not less than eighteen months and shall not be destroyed without the prior written permission of the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13135. Accounting and Occurrence Meter Requirements

A. The required accounting meters and related reporting as follows using the same or similar terminology:

- 1. coin in, which accumulates the total value of all wagers, whether the wagered amount results from the insertion of bills or vouchers or deduction from a credit meter;
- 2. coin out, which accumulates the total value of all amounts directly paid by the terminal as a result of winning wagers, whether the payback is made to a credit meter or any other means;

3. attendant paid jackpot, which accumulates the total value of credits paid by an attendant resulting from a single wager, in excess of thresholds established by the Internal Revenue Service reporting requirements, the amount of which results in Internal Revenue Service or applicable agency reporting;

4. attendant paid canceled credit, which accumulates the total value paid by an attendant resulting from a patron-initiated cashout or non-taxable winning wager that exceeds the physical or configured capability of the terminal to make the proper payout amount;

5. bill in, which accumulates the total value of currency accepted. Each wagering terminal shall have a specific occurrence meter for each denomination of currency accepted that records the number of bills accepted of each denomination;

6. voucher in, which accumulates the total value of all wagering terminal vouchers accepted by the device;

7. voucher out, which accumulates the total value of all wagering terminal vouchers issued by the device;

8. noncashable electronic promotion in, which accumulates the total value of noncashable credits from vouchers accepted by the terminal;

9. cashable electronic promotion in, which accumulates the total value of cashable credits from vouchers accepted by the terminal;

10. noncashable electronic promotion out, which accumulates the total value of noncashable credits issued to vouchers by the device; and

11. cashable electronic promotion out, which accumulates the total value of cashable credits issued to vouchers by the device.

B. Additional required occurrence meters are as follows:

1. cashable promotional credit wagered, which accumulates the total value of promotional cashable credits that are wagered;

2. plays wagered, which accumulates the number of wagers placed; and

3. plays won, which accumulates the number of wagers resulting in a win to the patron.

C. Electronic accounting meters shall maintain and calculate data to at least 10 digits in length.

D. Electronic accounting meters shall be maintained in credit units equal to the denomination or in dollars and cents.

E. If the electronic accounting meter is maintained in dollars and cents, eight digits must be used for the dollar amount and two digits must be used for the cents amount.

F. Devices configured for multi-denomination wagering shall display the units in dollars and cents at all times.

G. Any time the meter exceeds a value it is not capable of exceeding, the meter must roll over to zero.

H. Occurrence meters shall be at least eight digits in length but are not required to automatically roll over.

I. Meters shall be identified so that they can be clearly understood in accordance with their function.

J. Meters can be on the server instead of the terminal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13137. Required Reports for Wagering on Historical Horse Races; Audit and Inspection by the Commission

A. All systems used for pari-mutuel wagering on historical horse races shall provide financial reports for individual approved wager model configurations and total pool amounts for each pool. Reports shall be available at the end of the wagering day or upon request by the commission with information current since the end of the last wagering day. The reports shall include:

1. current values of each pari-mutuel wagering pool;
2. total amounts wagered for all pools;
3. total amounts won by patrons for all pools;
4. total commission withheld for all pools;
5. total breakage for all pools, where applicable;
6. total amount wagered at each terminal;
7. total amount won by patrons at a terminal;
8. the amount wagered on each mathematical model configuration and the amount won from each mathematical model configuration offered at a terminal;
9. total amount of each type of financial instrument inserted into a terminal;
10. total amount cashed out in voucher or handpays at a terminal; and
11. taxable win events including:
 - a. time and date of win;
 - b. wagering terminal identification number;
 - c. amount wagered resulting in taxable win; and
 - d. taxable amount won.

B. As provided in §13118, the commission or its authorized representatives may, at any time, conduct an audit or inspection of the financial reports, software, terminals, or other equipment used by a licensee in conducting operations under this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13139. Equipment and Laboratory Testing

A. Each association shall provide for a nationally recognized, independent testing laboratory approved by the commission to submit to the commission a general functional evaluation laboratory report regarding the hardware and software installed on each historical horse racing terminal and the software on each historical horse racing app indicating whether same is in compliance with applicable law and regulations.

B. Any alterations, modifications, or updates to the software or hardware on any historical horse racing terminal or the software on any historical horse racing app shall require the vendor to submit to the commission a new laboratory report as required under Subsection A of this Section before the wagering configuration may be used for play at an establishment.

C. If there is a complete breakdown of a terminal offering wagering on historical horse racing, the association offering the wager shall make a full refund of the patron's balance on the terminal at the time of the breakdown.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13141. Minimum Wagers and Payouts

A. The minimum wager to be accepted by an association on a wager based on the outcome of a historical horse race or races shall be \$0.10. The minimum payout on any wager shall not be less than the amount wagered.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13143. Odds and Payouts Posted

A. For wagering on historical horse races, approximate odds or payouts for each pari-mutuel pool shall be posted or made available on each terminal for viewing by patrons.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13145. Betting Explanation

A. Each association shall post, in conspicuous places in the designated area, a general explanation of pari-mutuel wagering offered on historical horse races and an explanation of each pari-mutuel pool offered. The explanation shall be submitted to the commission for approval prior to its posting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

§13147. Wagering Terminal Historical Horse Race

Display

A. All wagering terminals shall have video displays that clearly identify the entertaining theme, if any, being used to offer pari-mutuel wagering on historical horse racing. The video display shall make available the rules of the historical horse racing wager and the award that will be paid to the patron when the patron obtains a specific win.

B. All payable information, rules of play, and help screen information shall be available to a patron prior to placing a wager.

C. All wagering terminals shall have video displays that make available to the patron the rules of any features or interactive functions that may occur on the patron interface as part of the entertaining display of the wager and its outcome. The video displays shall:

1. clearly identify the entertaining theme, if any, being used to offer pari-mutuel wagering on historical horse racing;
2. make the following information available to the patron:
 - a. all payable information, rules of play, and help screen information;
 - b. the award that will be paid to the patron when the patron obtains a specific win; and
 - c. the rules of any features or interactive functions that may occur as part of the entertaining display of the wager and its outcome;
3. provide the race data in a reasonable manner as to not discourage patrons who wish to handicap from doing so; and

4. allows the patron to compare their picks against the true order of finish.

D. The video display shall clearly indicate whether awards are designated in credits or currency.

E. All wagering terminals shall display the following information to the patron at all times the wagering terminal is available for patron wager input:

1. the patron's current credit balance in currency or credits;

2. the current bet amount;

3. the amount won for the last completed wager until the next wager starts or betting options are modified;

4. the patron's options selected for the last completed wager until the next wager starts or a new selection is made; and

5. a disclaimer stating "Malfunction Voids All Pays" or some equivalent wording approved by the commission. This may be presented as a permanent sign on the terminal.

F. Entertaining features that simulate bonus or free plays shall meet the following requirements:

1. the initiation of a bonus or free play shall only be based on the result of the wager placed by the patron on the result of the historical horse race selected for the wager;

2. the bonus or free play shall not require additional money to be wagered by the patron;

3. the entertaining display shall make it clear to the patron that the patron is in bonus mode to avoid the possibility of the patron unknowingly leaving the wagering terminal while in a bonus mode; and

4. if the bonus or free play requires an input from the patron, the terminal shall provide a means to complete the bonus or free play from a touch screen or hard button.

G. Electronic metering displays shall:

1. at all times include all credits or cash available for the patron to wager or cash out unless the terminal is in an error or malfunction state. This information is not required when the patron is viewing a menu or help screen item;

2. reflect the value of every prize at the end of a wager and add it to the patron's credit meter, except for handpays; and

3. show the cash value collected by the patron upon a cashout unless the terminal is in an error or malfunction state. The production of a voucher containing this information shall be sufficient.

H. A wager is complete when the final transfer to the patron's credit meter takes place or when all credits wagered are lost.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48: **§13149. Access by Commission and Agents of the Commission**

A. Each association shall allow the commission and the agents of the commission unrestricted access to inspect the entire premises wherein historical horse racing is being conducted at any time to ensure that the *Rules of Racing* are being followed, this shall include the unrestricted access to inspect and test any mechanical, electrical, or electronic devices thereon being utilized or capable of being utilized by the association for historical horse racing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48: **§13151. Required Audits and Inspections**

A. Terminals shall have the ability to allow for an independent integrity check of all software that may affect the integrity of the wagering system. The integrity check shall be performed by an independent testing laboratory approved by the commission.

B. The independent testing laboratory's software may be embedded within the wagering software, utilize an interface port to communicate with the terminal, or require the removal of terminal media for external verification.

C. Each terminal used for wagering on historical horse races shall be tested by the independent testing laboratory to ensure its integrity and proper working order. This evaluation shall include a review of installed software prior to implementation and periodically within a timeframe established by the commission.

D. The licensee shall pay the cost of the independent testing laboratory's review and testing, and the reports of the same shall be delivered to the licensee and the commission.

E. To ensure the integrity of pari-mutuel wagering and validity of the race results, the licensee shall permit an integrity auditor, selected and paid for by the commission, complete access to review and monitor the integrity, security, and operation, including all race and handicapping data used in order to detect any compromise of or anomalies that would allow a player to have an unfair advantage.

F. The integrity auditor shall be in a position to extract actual data and use a statistically significant portion of this data applied to quality assurance testing and assess the validity of the vendor's management reporting by cross-referencing to a body of raw source information to determine correctness. The integrity auditor shall have experience and expertise involving all components of pari-mutuel wagering and totalizator systems.

G. The integrity auditor will collect and provide wagering data and reports from the licensee's vendor. This shall include pari-mutuel commission and liability reports for analysis and verification of the amounts wagered, payouts, takeout, and taxes in addition to all transactional data logs and reports daily as specified by the integrity auditor.

H. The licensee shall provide access to the integrity auditor to conduct periodic onsite inspections and terminal audits at licensed racetracks and satellite wagering facilities with assistance from the vendor. The licensee shall notify of and any adverse or unusual occurrences relating to the operation of play or payouts to the integrity auditor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 48:

Charles A. Gardiner III
Executive Director

2112#004

DECLARATION OF EMERGENCY

Office of the Governor Division of Administration Tax Commission

Ad Valorem Taxation

(LAC 61:V. 100, 111, 113, 117, 118, 121, 123, 203, 213, 301, 303, 304, 307, 703, 903, 907, 1103, 1307, 1503, 2501, 2503, 3101, 3102, 3103, 3105, 3106, 3107 and 3501)

The Louisiana Tax Commission exercised the provisions of the Administrative Procedure Act, R.S. 49:953.1, and pursuant to its authority under R.S. 47:1837, adopted the following additions, deletions and amendments to the Real/Personal Property Rules and Regulations.

This Emergency Rule is necessary in order for ad valorem tax assessment tables to be disseminated to property owners and local tax assessors no later than the statutory valuation date of record of January 1, 2022. Cost indexes required to finalize these assessment tables are not available to this office until late October 2021. The effective date of this Emergency Rule is January 1, 2022.

Pursuant to the Administrative Procedure Act, this Emergency Rule shall be in effect for a maximum of 180 or until adoption of the Final Rule or another Emergency Rule, whichever occurs first.

Title 61

REVENUE AND TAXATION

Part V. Ad Valorem Taxation

Chapter 1. Constitutional and Statutory Guides to Property Taxation

§100. Introduction

A. The power of local and state governments to tax real and personal property is contained within the constitution of the state of Louisiana. The broad constitutional principles are clarified in the revised statutes of the state of Louisiana. These statutes are further clarified and made workable by rules and regulations passed in accordance with the statutes and the constitution by the Louisiana Tax Commission. This summary of certain provisions of the constitution and revised statutes is for convenience only and is not intended as an official interpretation. Actual provisions of law supersede this summary.

AUTHORITY NOTE: Promulgated in accordance with Louisiana Constitution of 1974, Article VII, Section 18.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 15:1097 (December 1989), amended LR 48:

§111. Criteria for Determining Fair Market Value

A. - B. ...

C. The fair market value of real and personal property shall be determined by the following generally recognized appraisal procedures: the market approach, the cost approach, and the income approach, or a combination of the three. The fair market value of property shall be determined based upon the individual characteristics of the property that affect the market value of the property. The assessor shall consider all three approaches to value and shall utilize all available data that is specific to the valuation of property used to determine the fair market value of property.

1. In utilizing the market approach, the assessor shall use an appraisal technique in which the market value

estimate is predicated upon prices paid in actual market transactions. The assessor shall collect relevant comparable sales data, and shall consider such sales data when utilizing a market approach. The assessor shall estimate the value of property based on sales of comparable property in an arm's length transaction under usual and ordinary circumstances. Allocation of the purchase price by the purchaser among properties or assets purchased in a single sale or among elements of a single property may be indicative of fair market value of those properties or assets. Assessors shall reasonably and in good faith consider allocation of the purchase price in such sales.

2. In utilizing the cost approach, the assessor shall use a method in which the value of a property is derived by estimating the replacement or reproduction cost of the property; deducting therefrom the estimated physical, functional, and/or external depreciation, and then adding the market value of the land, if any. In utilizing the cost approach, the assessor shall legitimately consider and appropriately recognize functional and external obsolescence in the derived value. The assessor shall collect market data, including obsolescence, and shall consider such data when utilizing a cost approach.

3. In utilizing the income approach, the assessor shall use an appraisal technique in which the anticipated net income is capitalized to indicate the capital amount of the investment which produces the net income (R.S. 47:2323). The assessor shall collect market data and shall consider such market data when utilizing an income approach.

D. In determining which appraisal procedure to use for the final determination of fair market value, the assessor shall consider:

- a. the relevance of each approach to the property being valued.
- b. the amount and accuracy of the data used in each approach.
- c. the strengths and weaknesses of each approach.

E. When performing a valuation of any affordable rental housing property, the assessor shall not consider any of the following in determining fair market value:

1. income tax credits available to the property under section 42 of the Internal Revenue Code;
2. below-market interest rate on financing obtained under the Home Investment Partnership Program under the Cranston-Gonzales National Affordable Housing Act, or the Federal Home Loan Bank Affordable Housing Program established pursuant to the Financial Institution Reform, Recovery, and Enforcement Act of 1989;
3. any other federal, state, or similar program intended to provide or finance affordable rental housing to persons of low or moderate income and requiring restricted occupancy and rental rates based on the income of the persons occupying such housing.

NOTE: Also see, Chapter 2, §213.G. thru G.3. and Chapter 3, §303.C.4. thru C.4.c.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:920 (November 1984), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 20:198 (February 1994), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 43:648 (April 2017), LR 48:

§113. Assessments: General Information

A. Assessment Date. Assessments shall be made on the basis of the condition of things existing on the first day of January of each year.

B. Domicile. All property subject to taxation, including merchandise or stock in trade, shall be placed upon the assessment lists in the respective parishes or districts where situated. Personal property other than aircraft (§1501.A.4.), drilling rigs (§1101.B.), leased equipment (§2101.A.), watercraft (§701.A.), and public service property (R.S. 47:1855) acquires a situs at the domicile of the holder or owner, but tangible personal property used in business operations in any other taxing district is to be taxed where situated on January 1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1703(B) and R.S. 47:1952.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:921 (November 1984), LR 15:1097 (December 1989), LR 16:1063 (December 1990), amended by the Department of Revenue, Tax Commission, LR 34:677 (April 2008), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 45:531 (April 2019), LR 48:

§117. Personal Property Defined

Personal Property or Movable Property—includes all things other than real estate which have any pecuniary value, all moneys, credits, investments in bonds, stocks, franchises, shares in joint stock companies or otherwise (R.S. 47:1702 and R.S. 47:2322).

1. Personal property shall mean tangible property that is capable of being moved or removed from real property without substantial damage to the property itself or the real property from which it is capable of being removed. Personal property shall include, but not necessarily be limited to, inventory, furniture, fixtures, machinery and equipment, and all process and manufacturing machinery and equipment, including the foundation therefore (R.S. 47:2322).

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1702 and R.S. 47:2322.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:921 (November 1984), LR 15:1097 (December 1989), LR 48:

§118. Data Collection by the Assessor

A. The assessor may use self-reporting forms, as approved and adopted by the Louisiana Tax Commission or its successors, to gather data necessary to determine fair market value. A self-reporting form shall be returned to the assessor by the first day of April, or 45 days after receipt, whichever is later.

B. By failing to file a report when it is due, a property owner loses the right to appeal the appraisal by the assessor (R.S. 47:2329). If the failure to file is intentional, a penalty of 10 percent of the tax due shall be imposed [R.S. 47:2330(A)]. If a taxpayer files a false report with the intent to defraud, a penalty of 10 percent of the tax due shall be imposed.

C. The assessor shall collect market sales, cost, and income data in determining fair market value.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:2324, R.S. 47:2329 and R.S. 47:2330.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 15:1097 (December 1989), amended LR 16:1063 (December 1990), amended by the Department of Revenue, Tax Commission, LR 34:677 (April 2008), LR 48:

§121. Reappraisal

A. Real property, as defined in R.S. 47:2322, shall be reappraised at least every four years in accordance with the uniform valuation date and quadrennial reappraisal cycle as determined by the Tax Commission.

B. Personal property, as defined in R.S. 47:2322, shall be reappraised every year.

C. Incorporeal real or immovable property, as defined in R.S. 47:2322 and R.S. 47:1702, shall be reappraised once every four years.

D. Taxable intangible public service properties, bank stocks, and credit assessments on premiums written in Louisiana by insurance companies and loan and finance companies, per R.S. 47:1709 or incorporeal personal or movable property, as defined in R.S. 47:1702, shall be reappraised every year.

E. Public service property, as defined in R.S. 47:1851, shall be reappraised every year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:2331.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:921 (November 1984), LR 15:1097 (December 1989), LR 16:1063 (December 1990), amended by the Department of Revenue, Tax Commission, LR 34:677 (April 2008), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 43:649 (April 2017), LR 46:560 (April 2020), LR 48:

§123. Statutes Pertaining to Specific Personal Property

A. Listing and Assessing of Notes and Indebtedness

1. All credits, including open accounts, bills receivable, judgments and all promissory notes, not exempt, shall be assessed at the personal property ratio. Valuation shall be at an average of the capital employed in the business after deduction from accounts payable, bills payable and other liabilities of a similar character, not exempt. Liabilities due from branches or subsidiaries shall not be deducted (R.S. 47:1962).

2. Indebtedness and all evidence of indebtedness shall be taxable only at the situs and domicile of the holder or owner thereof (R.S. 47:1952).

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1952 and R.S. 47:1962.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:921 (November 1984), LR 15:1097 (December 1989), amended by the Department of Revenue, Tax Commission, LR 24:479 (March 1998), LR 48:

Chapter 2. Policies and Procedures for Assessment and Change Order Practices

§203. Change Order Requests

A. General Provision

1. A change order request may be made to correct an error in assessment if the change does not increase the taxpayer's tax liability or the taxpayer expressly consents to

the change. A change to an assessment that increases the taxpayer's tax liability is governed by R.S. 47:1966.

2. Change order requests shall be submitted via the LTC website (www.latax.state.la.us).

3. All change order requests shall comply with Louisiana Law and the Real/Personal Property Rules and Regulations of the LTC.

4. All change order requests shall require that the actual physical address of the property be identified. In the event that there is no actual physical street address, the assessor's office shall furnish the street/highway location and a brief location description.

5. Change order batches should not exceed a total of 50 change order requests, in order to facilitate speedy transmission.

6. Change order requests are subject to audit by the LTC.

7. All change order requests should be submitted to the LTC no later than noon on Thursday of each week in order to be considered on the next public meeting docket of the LTC.

8. All change order requests are subject to review by LTC staff for approval or denial by the commission at their regularly scheduled open meetings.

B. Form of the Change Orders

1. LTC website change order system requests shall comply with the Louisiana State Tax Commission electronic change order export specifications. These specifications can be found on the LTC website at www.latax.state.la.us.

a. Each parish assessors' office shall be identified by their federal information processing standards (FIPS) parish identification code.

b. All export data submitted to the LTC shall require utilization of the standard format currently posted on the LTC's website. Any parish that imports an individual parish change order data batch into the LTC's website must adhere to the LTC's format specifications.

c. Each parish will contact the LTC's change order supervisor to set up their individual parish login name and password. The chosen parish password should be confidentially guarded to protect the integrity of each parish's change order system.

C. Required content of all Change Orders

1. All change orders shall include the following:

a. enumerated reason for the change order as provided in all regulations of the LTC;

b. specifications identified and described in the LTC Electronic Change Order Export Specifications download file; (See §201.3.b above)

c. physical address of the property, including full numerical street address with applicable zip code. If vacant land, street/highway and brief location description must be provided.

D. Reasons for Change Orders

1. All Change Orders submitted shall delineate one of the following reasons:

a. adjudicated to parish—date adjudicated;

b. adjudicated to city of: (municipality)—date adjudicated;

c. exempt non-profit organization application filed/exclusive use verified—category: acquisition date;

d. homestead exemption—assessor's office error—acquisition date: occupancy date;

e. homestead exemption—taxpayer application—acquisition date: occupancy date;

f. special assessment level—land: improvement;

g. improvement—cancel—dual to assessment no. (provide no.);

h. improvement—cancel/not taxable—reason;

i. improvement—decrease value, error in square feet and/or classification calculation;

j. improvement—taxpayer appraisal—assessor concurs;

k. industrial exemption—exempt roll; contract no. improvement—personal property;

l. industrial exemption—expired—contract no.—expiration date;

m. land—cancel—dual to assessment no. (provide no.);

n. land—decrease value—reason;

o. personal property—cancel—business closed prior to January 1st (August 1st—Orleans Parish);

p. personal property—taxpayer provided additional information;

q. personal property—assessor's office error—reason;

r. public property—property donated or sold to a bona fide exempt public entity—donation or sale date;

s. public property—leased or rented to non-public party—date of lease: term of lease;

t. redemption—removed from adjudication roll. date redeemed;

u. redemption—taxpayer redeemed from tax sale—date redeemed;

v. use value—allow under category: no. of acres;

w. use value—change classification category to: no. of acres;

x. appeal;

y. other—assessor shall state reason.

2. The LTC change order reasons list is subject to periodic revision, as may be deemed necessary.

E. When a parish assessor receives notice of a decision on an appeal, the assessor shall implement the ruling, including completing and submitting a change order request to the LTC, within a reasonable time, which shall not exceed 15 calendar days from the decision becoming final. A LTC decision is final when either:

1. the appeal period of 30 days has run without a petition for judicial review having been filed; or

2. after disposition of a petition for judicial review under R.S. 47:1998.

F. Whenever a change order request is approved by the LTC, the assessor's website and all lists maintained by the assessor shall be updated to reflect such approval.

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution of 1974, Article VII, Section 20. (A)(1); R.S. 47:1703, R.S. 47:1703A., R.S. 47:1703.1.B., R.S. 47:1835, R.S. 47:1837, R.S. 47:1952, R.S. 47:1966, R.S. 47:1990, and R.S. 47:1991.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Commission, LR 31:700 (March 2005), LR 32:426 (March 2006), LR 48:

§213. Assessment Policies and Procedures

A. All property within the State of Louisiana shall be assessed at a percentage of fair market value or use value, as the law provides, and either placed on the regular tax rolls, exempt rolls, or adjudicated tax rolls.

B. Assessors shall value property at fair market value and then assessed valuations shall be based upon the percentage classification requirements of the Louisiana Constitution, Article VII, Section 18(B).

C. All property shall be reappraised and valued in accordance with the constitution at intervals of not more than four years. This quadrennial cycle reappraisal date is determined by the Louisiana Tax Commission.

D. "Sales chasing" and "sales listing chasing" is expressly prohibited. "Sales chasing" is the procedure by which an individual property assessment is based solely upon the price the property sold for. "Sales listing chasing" is the procedure by which an individual property assessment is based solely upon the listed sales price of the property.

E. The assessors shall submit applicable reporting forms to all taxpayers located within their parish, whether taxable or exempt, to ensure equity and uniformity in the assessment and valuation of all properties utilizing proper reporting data. If a taxpayer fails to report or files a false report, the assessors should apply those penalties provided for in state law.

F. The assessor shall collect and consider publicly available information and data, as well as market sales, cost, and income data, in determining fair value, and shall consider such information in determining fair market value. Any publicly available information and data, including market sales, cost, and income data, is deemed to have been presented to the assessor prior to the deadline for filing a complaint with the Board of Review provided for in R.S. 47:1992. Such information includes, but is not limited to:

1. aerial or other photography;
2. any Louisiana public record, including those of the Clerks of Court or other political subdivisions, including but not limited to building permits, conveyance records, city directories, occupancy permits, or demolition permits, and of the Department of Natural Resources, including but not limited to data from the Strategic Online Natural Resource Information System (SONRIS);
3. CAMA and/or mapping records;
4. public records;
5. legal news publications;
6. newspaper publications;
7. 911 Emergency Response System records;
8. occupational licenses;
9. occupancy permits;
10. physical inspections;
11. sales data, including but not limited to multiple listings reports (e.g. Multiple Listing Service and DeedFax);
12. utility records;
13. voter registrations;
14. cost data or cost guides and their related sources, including but not limited to N.A.D.A., Manufactured Housing Appraisal Guide and Marshall and Swift Cost Manual;
15. income data or income guides and their related sources, including but not limited to reports from the

National Apartment Association, Trends reports, the HOST Almanac, and Multiple Listing Service.

G. The LTC recommends that the assessor preserve a copy of all documents and written communication submitted by a taxpayer and shall maintain an individual file for each assessment/taxpayer for at least four years and shall record the date each document was received. In addition to a copy of any documents, the LTC recommends that the assessor also maintain a log of all non-written communication from a taxpayer, including the date of the communication, a brief summary of the communication, and the name and contact information of the persons privy to the communication, which shall be maintained in the individual file for such assessment/taxpayer. Such documents, written communication, and log of non-written communication shall be confidential and not available to the public.

H. When performing a valuation of any affordable rental housing property, the assessor shall not consider any of the following in determining fair market value:

1. income tax credits available to the property under Section 42 of the Internal Revenue Code;
2. below-market interest rate on financing obtained under the Home Investment Partnership Program under the Cranston-Gonzales National Affordable Housing Act, or the Federal Home Loan Bank Affordable Housing Program established pursuant to the Financial Institution Reform, Recovery, and Enforcement Act of 1989;
3. any other federal, state, or similar program intended to provide or finance affordable rental housing to persons of low or moderate income and requiring restricted occupancy and rental rates based on the income of the persons occupying such housing.

I. The fair market value of real property determined by the commission in connection with a review of the correctness of an assessment under R.S. 47:1989 shall be utilized by the assessor for assessment purposes in the subsequent tax years until reappraisal in a future mandated reappraisal year, unless there has been a change in the physical condition of the property that would justify reappraisal or a change in value. Nothing in this subparagraph shall be interpreted or applied to limit an assessor's ability or obligation to reduce an assessment due to a change in the condition of the property or under R.S. 47:1978 or R.S. 47:1978.1.

NOTE: Also see, Chapter 1, §111.D. thru D.3. and Chapter 3, §303.C.4. thru C.4.c.

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution of 1974, Article VII, Section 18, et seq., R.S. 47:1703, R.S. 47:1703.1, R.S. 47:1703.C., R.S. 47:1837, R.S. 47:1951, et seq., R.S. 47:1952, R.S. 47:1953, R.S. 47:1955, R.S. 47:1956, R.S. 47:1957, R.S. 47:1959, R.S. 47:1961, R.S. 47:1971, R.S. 47:1972, R.S. 47:2306, R.S. 47:2323, R.S. 47:2324; R.S. 47:2325, R.S. 47:2329, R.S. 47:2330, and R.S. 47:2331.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Commission, LR 31:703 (March 2005), LR 34:678 (March 2008), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 43:649 (April 2017), LR 46:560 (April 2020), LR 48:

Chapter 3. Real and Personal Property

§301. Definitions

Composite Multiplier—a factor obtained by multiplying the cost index for the base year times percent good.

Depreciation—loss in value of an object, relative to its replacement cost new, reproduction cost new, or original cost, whatever the cause of the loss in value. Depreciation is sometimes subdivided into three types: physical deterioration (wear and tear), functional obsolescence (suboptimal design in light of current technologies or tastes), and economic obsolescence (poor location or radically diminished demand for the product).

Economic Life—the normal useful life of the property as experienced by a particular business or industry.

External (Economic) Obsolescence—the loss of appraisal value (relative to the cost of replacing a property with property of equal utility) resulting from causes outside the property that suffers the loss. Usually locational in nature in the depreciation of real estate, it is more commonly marketwide in personal property, and is generally considered to be economically infeasible to cure.

Effective Age of a Property—its age compared with other properties performing like functions. It is the actual age less the age which has been taken off by face-lifting, structural reconstruction, removal of functional inadequacies, modernization of equipment, etc. It is an age which reflects a true remaining life for the property, taking into account the typical life expectancy of buildings or equipment of its class and usage. It is a matter of judgment, taking all factors into consideration.

Extended Life Expectancy—the increased life expectancy due to seasoning and proven ability to exist. Just as a person will have a total normal life expectancy at birth which increases as he grows older, so it is with structures and equipment.

Fair Market Value—the price for property which would be agreed upon between a willing and informed buyer and a willing and informed seller under usual and ordinary circumstances; it shall be the highest price estimated in terms of money which property will bring if exposed for sale on the open market with reasonable time allowed to find a purchaser who is buying with knowledge of all the uses and purposes to which the property is best adapted and for which it can be legally used.

Functional Obsolescence—loss in value due to lack of utility or desirability of part or all the property, inherent to the improvement or equipment. Thus a new structure or piece of equipment may suffer functional obsolescence.

Inventory—raw materials, work in process, finished goods or supplies.

Non-Operating or Non-Utility Property—property owned by a public service company used for purposes other than the normal operation of that public service company. See §2901 for further details.

Obsolescence—a decrease in the value of a property occasioned solely by shifts in demand from properties of this type to other types of property and/or to personal services. Some of the principal causes of obsolescence are:

1. changes in the esthetic arts;
2. changes in the industrial arts, such as new inventions and new processes;
3. legislative enactments;
4. change in consumer demand for products that results in inadequacy or overadequacy;
5. migration of markets that results in misplacement of the property.

Percent Good—equals 100 percent less the percentage of cost represented by depreciation. It is the present value of the structure or equipment at the time of appraisal, divided by its replacement cost.

Physical Depreciation—loss in value due to physical deterioration.

Reconciliation—the final step in the valuation process wherein consideration is given to the relative strengths and weaknesses of the three approaches to value, the nature of the property appraised, and the quantity and quality of available data in formation of an overall opinion of value (either a single point estimate or a range of value). Also termed “correlation” in some texts.

Remaining Life—the normal remaining life expectation. It is the length of time the structure or equipment may be expected to continue to perform its function economically.

Rules and Regulations of the Tax Commission—guidelines and procedures adopted which establish criteria to be applied uniformly in determining fair market value, use value and/or assessed value as stated in the Section applicable to a particular type or class of property.

Taxpayer—as used in the Tax Commission’s Rules and Regulations, the terms “taxpayer” and “property owner” are interchangeable and mean the individual(s) and/or entity(ies) who own the property and/or is responsible for payment of property taxes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837, R.S. 47:1853 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Louisiana Tax Commission, LR 3:77 (February 1977), amended by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), LR 10:16 (January 1984), LR 13:763 (December 1987), LR 16:1063 (December 1990), amended by the Department of Revenue, Tax Commission, LR 32:427 (March 2006), amended by the Office of the Governor, Division of Administration, Tax Commission LR 47:456 (April 2021), LR 48:

§303. Real Property

A. In making appraisals of any real property, including but not limited to residential, commercial and industrial land and improvements, the assessors shall follow the criteria and requirements in §111 of this Part.

B. The following procedure shall be used for assessing, listing and placing transferred property and property upon which improvements have been made after the date of the reappraisal as set by the Tax Commission.

1. Improvements shall be added to the rolls based upon the condition of things existing on January 1 of each year (except Orleans Parish). New improvements for Orleans Parish shall be added to the next year's tax roll, based upon the condition of things existing on August 1 of each year. The value of the improvements shall be in accordance with the uniform valuation date and quadrennial reappraisal cycle as determined by the Tax Commission.

C. - C.6. ...

D. All real property shall be reappraised based on a mandatory quadrennial reappraisal cycle, as set forth herein.

1. All real property shall be reappraised for the 2016 tax year in all parishes. Beginning in tax year 2016, all real property is to be valued as of January 1, 2015.

2. All real property shall be reappraised for the 2020 tax year in all parishes. Beginning in tax year 2020, all real property is to be valued as of January 1, 2019.

3. All real property shall be reappraised for the 2024 tax year in all parishes. Beginning in tax year 2024, all real property is to be valued as of January 1, 2023.

E. The annual ratio studies of the Tax Commission shall be performed in accordance with the uniform valuation date and quadrennial reappraisal cycle as determined by the Tax Commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Louisiana Tax Commission, LR 7:44 (February 1981), amended by the Department of Revenue and Taxation, Tax Commission, LR 9:69

(February 1983), LR 12:36 (January 1986), LR 13:764 (December 1987), LR 16:1063 (December 1990), LR 17:611 (June 1991), LR 21:186 (February 1995), amended by the Department of Revenue, Tax Commission, LR 25:312 (February 1999), LR 26:506 (March 2000), LR 29:367 (March 2003), LR 30:487 (March 2004), LR 34:678 (April 2008), LR 35:492 (March 2009), LR 36:765 (April 2010), amended by the Division of Administration, Tax Commission, LR 38:799 (March 2012), LR 39:487 (March 2013), LR 42:745 (May 2016), LR 43:650 (April 2017), LR 44:577 (March 2018), LR 45:532 (April 2019), LR 46:560 (April 2020), LR 48:

§304. Electronic Change Order Specifications, Property Classifications Standards and Electronic Tax Roll Export Specifications

- A. Electronic Change Order Specifications
* * *
- B. Property Classification Standards

Class Code	Class Description (TC-33)	Sub-Class Code	Sub-Class Description (Grand Recap)	Class Definition
Real Estate				
* * *				
		4530	Garages, Industrials, Lofts and Warehouses	Includes Industrial Buildings; Laboratories; Lofts; Computer Centers; Passenger Terminals; Broadcasting Facilities (Radio/TV Stations); Armories; Post Offices; Warehouses; Cold Storage Facilities; Creameries; Transit Warehouses; Mini-warehouses; Shipping docks; Loading Docks; Hangers: Maintenance, Storage and T-Hangers; Complete Auto Dealerships; Showrooms; Garages: Service and Repair, Storage (Municipal and Service Sheds) Industrials, Engineering/R&D (Laboratories, Manufacturing, Light/Heavy); Flex-mall Buildings; Mini-lube Garages; Parking Structures; Underground Parking Garages; Surface-level Parking Plots; Surface-level Parking Lots; Misc. Buildings: Bakery, Bottle & Cannery Plants; Control Towers, Laundry, Boiler, Recycling, Sound Stage and Telephone.
* * *				

- C. Electronic Tax Roll Export Specifications
* * *

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution of 1974, Article VII, §18 and R.S. 47:1837.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Commission, LR 31:703 (March 2005), LR 32:427 (March 2006), LR 36:765 (April 2010), amended by the Division of Administration, Tax Commission, LR 38:799 (March 2012), LR 39:487 (March 2013), LR 40:529 (March 2014), LR 41:672 (April 2015), LR 42:745 (May 2016), LR 43:651 (April 2017), LR 44:578 (March 2018), LR 45:532 (April 2019), LR 48:

§307. Personal Property Report Forms

A. The appropriate self-reporting Personal Property Report Form, is to be forwarded each year, on or before February 15 in the year in which the property is to be appraised, to each person in whose name the property is assessed. Upon completion, the property owner shall return the form to the assessor by the first day of April of that year or 45 days after receipt, whichever is later. Prior to the deadline for filing a complaint with the Board of Review provided for in R.S. 47:1992, the property owner shall also submit to the assessor, or the designee contracted by the assessor, any and all additional documentation and

information the property owner believes is relevant to the determination of fair market value of the reported property. The assessor shall legitimately consider all evidence and information submitted or publicly available to the assessor, including the consideration of functional and/or economic obsolescence. The assessor shall request additional documentation from the taxpayer if the assessor determines that the documentation submitted by the taxpayer is insufficient. The assessor shall promptly respond to a taxpayer's request for a reduction in value and/or obsolescence. On appeal to the Tax Commission, the assessor shall be prepared to offer an articulated analysis for the assessor's determination of value, including the consideration of functional and/or economic obsolescence, and shall be prepared to offer an articulated analysis for the assessor's evaluation of the sufficiency of the taxpayer's documentation.

A.1. - B.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837, R.S. 47:2324 and R.S. 47:2326.

HISTORICAL NOTE: Promulgated by the Tax Commission, LR 2:358 (November 1976), amended by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February

1982), LR 13:764 (December 1987), LR 16:1063 (December 1990), LR 21:186 (February 1995), amended by the Department of Revenue, Tax Commission, LR 33:489 (March 2007), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 45:533 (April 2019), LR 48:

Chapter 7. Watercraft

§703. Tables—Watercraft

A. Floating Equipment—Motor Vessels

Table 703.A.1 Floating Equipment—Motor Vessels				
Cost Index (Average)		Average Economic Life 12 Years		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2021	0.939	1	94	.88
2020	1.021	2	87	.89
2019	1.026	3	80	.82
2018	1.063	4	73	.78
2017	1.100	5	66	.73
2016	1.122	6	58	.65
2015	1.113	7	50	.56
2014	1.123	8	43	.48
2013	1.138	9	36	.41
2012	1.147	10	29	.33
2011	1.180	11	24	.28
2010	1.217	12	22	.27
2009	1.208	13	20	.24

B. Floating Equipment – Barges (Non-Motorized)

A. Table 703.B.1 B. Floating Equipment—Barges (Non-Motorized)				
Cost Index Average		Average Economic Life 20 Years		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2021	0.939	1	97	.91
2020	1.021	2	93	.95
2019	1.026	3	90	.92
2018	1.063	4	86	.91
2017	1.100	5	82	.90
2016	1.122	6	78	.88
2015	1.113	7	74	.82
2014	1.123	8	70	.79
2013	1.138	9	65	.74
2012	1.147	10	60	.69
2011	1.180	11	55	.65
2010	1.217	12	50	.61
2009	1.208	13	45	.54
2008	1.242	14	40	.50
2007	1.291	15	35	.45
2006	1.362	16	31	.42
2005	1.425	17	27	.38
2004	1.532	18	24	.37
2003	1.585	19	22	.35
2002	1.612	20	21	.34
2001	1.622	21	20	.32

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:924 (November 1984), LR 12:36 (January

1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:204 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:479 (March 1998), LR 25:312 (February 1999), LR 26:506 (March 2000), LR 27:425 (March 2001), LR 28:518 (March 2002), LR 29:368 (March 2003), LR 30:487 (March 2004), LR 31:715 (March 2005), LR 32:430 (March 2006), LR 33:490 (March 2007), LR 34:678 (April 2008), LR 35:492 (March 2009), LR 36:772 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1394 (May 2011), LR 38:802 (March 2012), LR 39:490 (March 2013), LR 40:530 (March 2014), LR 41:673 (April 2015), LR 42:746 (May 2016), LR 43:652 (April 2017), LR 44:579 (March 2018), LR 45:533 (April 2019), LR 46:560 (April 2020), LR 47:460 (April 2021), LR 48:

Chapter 9. Oil and Gas Properties

§903. Instructions for Reporting Oil and Gas

Properties

A. A separate LAT-12 form is used for each lease or facility. An attachment in lieu of the form is permitted only if information is in the same sequence. The LAT-12 form may be reproduced and used as an attachment; however, all attachments must be properly identified and attached to the original.

1. Wells under the same assessment number are required to be listed in serial number order.

2. All additional supporting documentation (DMIR, DT1, etc.) is recommended to be listed in serial number order.

3. Any well on which economic consideration is being requested due to dual status is required to be listed by serial number next to the serial number of its sibling well.

B. For operations with more than one lease or facility in any one field (by ward), the following will be permitted:

1. Furnish an original LAT-12 showing parish, ward and field with notation that attachments are made. Only this form needs date and signature.

2. Furnish separate attachment(s) (as stated above) for each lease or facility.

3. Total each attachment, by property classes and summarize.

4. Summary of all attachments, by property classes, may be on an attachment or in the space provided on the original.

C. At the assessor’s request, operators shall furnish a statement of lease operating expenses for the previous calendar year. This statement should correspond as closely as possible with the LAT 12 form(s) for each lease or facility (as stated above) and be in sufficient enough detail to indicate the extent and monthly timing of incurrence of various major categories of expense such as labor, power & fuel, salt water disposal, chemicals, materials & supplies, repair and maintenance, workovers, and district overhead.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2326.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 16:1063 (December 1990), LR 19:212 (February 1993), LR 22:117 (February 1996), LR 48:

§907. Valuation of Oil, Gas, and Other Wells

A. The cost-new schedules below cover only that portion of the well subject to ad valorem taxation. Functional and/or economic obsolescence shall be considered in the analysis of fair market value as substantiated by the taxpayer in writing. Consistent with R.S. 47:1957, the assessor may request additional documentation.

Instructions for Use of Tables 907.A-1, 907.A-2 and 907.A-3 and Procedure for Arriving at Assessed Value

1. Determine if well is located in Region 1 by reference to Table 907.B.1. See note for Region 2 or Region 3 (offshore state waters) wells.
2. Multiply the appropriate percent good factor based on age of the well as found in Table 907.B-2.
3. Use Oil cost-new to assess all active service wells for region where located.
4. See explanations in Section 901.E regarding the assessment of multiple completion wells.
5. For wells recompleted, use new perforation depth to determine fair market value.
6. Adjustments for Allowance of Economic Obsolescence
 - a. All wells producing 10 bbls oil or 100 mcf gas, or less, per day, as well as, all active service wells (i.e. injection, salt water disposal, water source, etc.) shall be allowed a 40 percent reduction. Taxpayer shall provide the assessor with proper documentation to claim this reduction. Once the 40 percent reduction has been applied and calculated, an additional 60 percent reduction shall be applied for any well producing 1 bbl of oil or 10 mcf of gas or less per day.
 - i. for wells producing 5 mcf or less of gas per day an additional reduction of 33 percent shall be applied;
 - ii. for wells producing 2 mcf or less of gas per day an additional reduction of 35 percent shall be applied.
 - b. All inactive (shut-in) wells shall be allowed a 90 percent reduction.
 - c. Deduct any additional obsolescence that has been appropriately documented by the taxpayer, as warranted, to reflect fair market value.
 - d. All oil and gas property assessments may be based on an individual cost basis.
 - e. Sales, properly documented, should be considered by the assessor as fair market value, provided the sale meets all tests relative to it being a valid sale.
7. Multiply depth of well by appropriate 15 percent of Cost-New amount as indicated in Table 907.A-1, 907.A-2 or 907.A-3.

1. Oil, Gas and Associated Wells; Region 1—North Louisiana

Table 907.A.1 Oil, Gas and Associated Wells; Region 1—North Louisiana				
Producing Depths	Cost—New By Depth, Per Foot		15% of Cost—New By Depth, Per Foot	
	\$ Oil	\$ Gas	\$ Oil	\$ Gas
0-1,249 ft.	45.56	152.54	6.83	22.88
1,250-2,499 ft.	41.13	112.16	6.17	16.82
2,500-3,749 ft.	32.33	74.29	4.85	11.14
3,750-4,999 ft.	44.73	74.02	6.71	11.10
5,000-7,499 ft.	52.59	72.25	7.89	10.84
7,500-9,999 ft.	115.28	97.38	17.29	14.61
10,000-12,499 ft.	336.14	118.13	50.42	17.72
12,500-14,999 ft.	546.68	178.38	82.00	26.76
15,000-17,499 ft.	699.69	203.40	104.95	30.51
17,500-Deeper ft.	N/A	568.96	N/A	85.34

2. Oil, Gas and Associated Wells; Region 2—South Louisiana

Table 907.A.2 Oil, Gas and Associated Wells; Region 2—South Louisiana				
Producing Depths	Cost—New By Depth, Per Foot		15% of Cost—New By Depth, Per Foot	
	\$ Oil	\$ Gas	\$ Oil	\$ Gas
0-1,249 ft.	163.31	151.55	24.50	22.73
1,250-2,499 ft.	120.98	251.88	18.15	37.78
2,500-3,749 ft.	118.13	200.82	17.72	30.12
3,750-4,999 ft.	104.13	160.64	15.62	24.10
5,000-7,499 ft.	142.25	182.48	21.34	27.37
7,500-9,999 ft.	194.06	191.06	29.11	28.66
10,000-12,499 ft.	264.61	249.75	39.69	37.46
12,500-14,999 ft.	347.13	323.10	52.07	48.47
15,000-17,499 ft.	562.28	432.59	84.34	64.89
17,500-19,999 ft.	686.51	612.74	102.98	91.91
20,000-Deeper ft.	366.58	919.92	54.99	137.99

3. Oil, Gas and Associated Wells; Region 3—Offshore State Waters

Table 907.A.3 Oil, Gas and Associated Wells; Region 3—Offshore State Waters*				
Producing Depths	Cost—New By Depth, Per Foot		15% Of Cost—New By Depth, Per Foot	
	\$ Oil	\$ Gas	\$ Oil	\$ Gas
0 -1,249 ft.	N/A	N/A	N/A	N/A
1,250 -2,499 ft.	1,755.98	1,227.42	263.40	184.11
2,500 -3,749 ft.	902.95	943.32	135.44	141.50
3,750 -4,999 ft.	1,288.85	864.98	193.33	129.75
5,000 -7,499 ft.	641.40	801.16	96.21	120.17
7,500 -9,999 ft.	813.16	758.13	121.97	113.72
10,000 -12,499 ft.	920.58	768.47	138.09	115.27
12,500 -14,999 ft.	800.64	747.87	120.10	112.18
15,000 -17,499 ft.	551.83	775.99	82.77	116.40
17,500 - 19,999 ft.	274.88	741.87	41.23	111.28
20,000 - Deeper ft.	N/A	1,166.13	N/A	174.92

B. The determination of whether a well is a Region 2 or Region 3 well is ascertained from its onshore/offshore status as designated on the Permit to Drill or Amended Permit to Drill form (Location of Wells Section), located at the Department of Natural Resources as of January 1 of each tax year. Each assessor is required to confirm the onshore/offshore status of wells located within their parish by referring to the Permit to Drill or Amended Permit to Drill form on file at the Department of Natural Resources.

1. Parishes Considered to be Located in Region I

Table 907.B.1 Parishes Considered to be Located in Region 1			
Bienville	DeSoto	Madison	Tensas
Bossier	East Carroll	Morehouse	Union
Caddo	Franklin	Natchitoches	Webster
Caldwell	Grant	Ouachita	West Carroll
Catahoula	Jackson	Red River	Winn
Claiborne	LaSalle	Richland	
Concordia	Lincoln	Sabine	

NOTE: All wells in parishes not listed above are located in Region 2 or Region 3.

2. Serial Number to Percent Good Conversion Chart

Table 907.B.2 Serial Number to Percent Good Conversion Chart			
Year	Beginning Serial Number	Ending Serial Number	20 Year Life Percent Good
2021	252613	Higher	97
2020	252171	252612	93
2019	251497	252170	90
2018	250707	251496	86
2017	249951	250706	82
2016	249476	249950	78
2015	248832	249475	74
2014	247423	248831	70
2013	245849	247422	65
2012	244268	245848	60
2011	242592	244267	55
2010	240636	242591	50
2009	239277	240635	45
2008	236927	239276	40
2007	234780	236926	35
2006	232639	234779	31
2005	230643	232638	27
2004	229010	230642	24
2003	227742	229009	22
2002	226717	227741	21
2001	Lower	226716	20 *
VAR.	900000	Higher	50

*Reflects residual or floor rate.

NOTE: For any serial number categories not listed above, use year well completed to determine appropriate percent good. If spud date is later than year indicated by serial number; or, if serial number is unknown, use spud date to determine appropriate percent good.

C. - C.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2326.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:205 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:480 (March 1998), LR 25:313 (February 1999), LR 26:507 (March 2000), LR 27:425 (March 2001), LR 28:518 (March 2002), LR 29:368 (March 2003), LR 30:488 (March 2004), LR 31:717 (March 2005), LR 32:431 (March 2006), LR 33:492 (March 2007), LR 34:679 (April 2008), LR 35:495 (March 2009), LR 36:773 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1395 (May 2011), LR 38:803 (March 2012), LR 39:490 (March 2013), LR 40:531 (March 2014), LR 41:673 (April 2015), LR 42:746 (May 2016), LR 43:653 (April 2017), LR 44:580 (March 2018), LR 45:534 (April 2019), LR 46:561 (April 2020), LR 47:465 (April 2021), LR 48:

Chapter 11. Drilling Rigs and Related Equipment §1103. Drilling Rigs and Related Equipment Tables

A. Land Rigs

Table 1103.A Land Rigs		
Depth "0" to 7,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
3,000	119,600	17,900

Table 1103.A Land Rigs		
4,000	211,900	31,800
5,000	224,100	33,600
6,000	233,700	35,100
7,000	291,300	43,700
Depth 8,000 to 10,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
8,000	424,300	63,600
9,000	640,800	96,100
10,000	933,500	140,000
Depth 11,000 to 15,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
11,000	1,283,500	192,500
12,000	1,664,100	249,600
13,000	2,044,900	306,700
14,000	2,395,200	359,300
15,000	2,688,400	403,300
Depth 16,000 to 20,000 Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
16,000	2,905,200	435,800
17,000	3,038,200	455,700
18,000	3,095,000	464,300
19,000	3,102,600	465,400
20,000	3,111,200	466,700
Depth 21,000 + Feet		
Depth (Ft.)	Fair Market Value	Assessment
	\$	\$
21,000	3,069,600	460,400
25,000 +	2,949,000	442,400

1. - 2. ...

B. Jack-Ups

Table 1103.B Jack-Ups			
Type	Water Depth Rating	Fair Market Value	Assessment
IC	0-199 FT.	\$ 57,900,000	\$ 8,685,000
	200-299 FT.	115,700,000	17,355,000
	300 FT. and Deeper	231,000,000	34,650,000
IS	0-199 FT.	17,400,000	2,610,000
	200-299 FT.	28,900,000	4,335,000
	300 FT. and Deeper	34,700,000	5,205,000
MC	0-199 FT.	5,800,000	870,000
	200-299 FT.	11,600,000	1,740,000
	300 FT. and Deeper	46,200,000	6,930,000
MS	0-249 FT.	12,100,000	1,815,000
	250 FT. and Deeper	23,900,000	3,585,000

IC - Independent Leg Cantilever
IS - Independent Leg Slot
MC - Mat Cantilever
MS - Mat Slot

C. Semisubmersible Rigs

Table 1103.C Semisubmersible Rigs		
Water Depth Rating	Fair Market Value	Assessment
	\$	\$
0- 800 FT.	52,900,000	7,935,000
801-1,800 FT.	94,700,000	14,205,000
1,801-2,500 FT.	173,500,000	26,025,000
2,501 FT. and Deeper	544,500,000	81,675,000

NOTE: The fair market values and assessed values indicated by these tables are based on the current market (sales) appraisal approach and not the cost approach.

1. - 3.b.i. ...

D. Well Service Rigs Land Only

Table 1103.D Well Service Rigs Land Only				
Class	Mast	Engine	Fair Market Value (RCNLD)	Assessment
I	71' X 125M# 71' X 150M# 72' X 125M# 72' X 150M# 75' X 150M#	C-7 50 SERIES 6V71	95,000	14,300
II	96' X 150M# 96' X 180M# 96' X 185M# 96' X 200M# 96' X 205M# 96' X 210M# 96' X 212M# 96' X 215M#	C-11 50 SERIES 8V71	135,000	20,300
III	96' X 240M# 96' X 250M# 96' X 260M# 102' X 215M#	C-11 50 SERIES 8V92	170,000	25,500
IV	102' X 224M# 102' X 250M# 103' X 225M# 103' X 250M# 104' X 250M# 105' X 225M# 105' X 250M#	C-15/C-13 60 SERIES 12V71	200,000	30,000
V	105' X 280M# 106' X 250M# 108' X 250M# 108' X 260M# 108' X 268M# 108' X 270M# 108' X 300M#	C-15/C-13 60 SERIES 12V71 12V92	230,000	34,500
VI	110' X 250M# 110' X 275M# 112' X 300M# 112' X 350M#	C-15 60 SERIES 12V71 (2) 8V92	265,000	39,800
VII	117' X 350M#	(2) C-18 (2) 60 SERIES (2) 8V92 (2) 12V71	310,000	46,500

D.1. - E.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:939 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 22:117 (February 1996), LR 23:205 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:487 (March 1998), LR 25:315 (February 1999), LR 26:508 (March 2000), LR 27:426 (March 2001), LR 28:519 (March 2002), LR 30:488 (March 2004), LR 31:718 (March 2005), LR 32:431 (March 2006), LR 33:493 (March 2007), LR 34:683 (April 2008), LR 35:497 (March 2009), LR 36:778 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1399 (May 2011), LR 38:808 (March 2012), LR 39:495 (March 2013), LR 40:536 (March 2014), LR 41:678

(April 2015), LR 42:748 (May 2016), LR 43:654 (April 2017), LR 44:581 (March 2018), LR 45:535 (April 2019), LR 46:562 (April 2020), LR 47:467 (April 2021), LR 48:

Chapter 13. Pipelines

§1307. Pipeline Transportation Tables

A. Current Costs for Other Pipelines (Onshore)

Table 1307.A Current Costs for Other Pipelines (Onshore)		
Diameter (inches)	Cost per Mile	15% of Cost per Mile
2	\$ 190,560	\$ 28,580
4	225,040	33,760
6	265,760	39,860
8	313,840	47,080
10	370,620	55,590
12	437,680	65,650
14	516,870	77,530
16	610,380	91,560
18	720,820	108,120
20	851,230	127,680
22	1,005,250	150,790
24	1,187,120	178,070
26	1,401,910	210,290
28	1,655,550	248,330
30	1,955,080	293,260
32	2,308,810	346,320
34	2,726,540	408,980
36	3,219,840	482,980
38	3,802,400	570,360
40	4,490,360	673,550
42	5,302,790	795,420
44	6,199,580	929,940
46	7,136,380	1,070,460
48	8,296,540	1,244,480

NOTE: Excludes river and canal crossings

B. Current Costs for Other Pipelines (Offshore)

Table 1307.B Current Costs for Other Pipelines (Offshore)		
Diameter (inches)	Cost per Mile	15% of Cost per Mile
2	\$ 1,082,160	\$ 162,320
4	1,086,970	163,050
6	1,092,820	163,920
8	1,111,220	166,680
10	1,133,760	170,060
12	1,166,170	174,930
14	1,202,590	180,390
16	1,248,700	187,310
18	1,304,510	195,680
20	1,370,020	205,500
22	1,445,230	216,780
24	1,530,140	229,520
26	1,624,740	243,710
28	1,729,050	259,360
30	1,843,050	276,460
32	1,966,750	295,010
34	2,100,150	315,020
36	2,243,240	336,490
38	2,396,040	359,410
40	2,558,530	383,780
42	2,723,900	408,590
44	2,898,050	434,710
46	3,073,160	460,970
48	3,255,910	488,390

C. Pipeline Transportation Allowance for Physical Deterioration (Depreciation)

Table 1307.C Pipeline Transportation Allowance for Physical Deterioration (Depreciation)	
Actual Age (Yrs)	26.5 Year Life Percent Good
1	98
2	96
3	94
4	91
5	88
6	86
7	83
8	80
9	77
10	73
11	70
12	67
13	63
14	60
15	56
16	52
17	48
18	44
19	39
20	35
21	33
22	30
23	28
24	26
25	25
26	23
27 and older	20 *

* Reflects residual or floor rate.

NOTE: See §1305.G (page PL-3) for method of recognizing economic obsolescence.

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Chapter 15. Aircraft

§1503. Aircraft (Including Helicopters) Table

A. Aircraft (Including Helicopters)

Table 1503 Aircraft (Including Helicopters)				
Cost Index (Average)		Average Economic Life (20 Years)		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2021	0.939	1	97	.91
2020	1.021	2	93	.95
2019	1.026	3	90	.92
2018	1.063	4	86	.91
2017	1.100	5	82	.90
2016	1.122	6	78	.88

Table 1503 Aircraft (Including Helicopters)				
Cost Index (Average)		Average Economic Life (20 Years)		
Year	Index	Effective Age	Percent Good	Composite Multiplier
2015	1.113	7	74	.82
2014	1.123	8	70	.79
2013	1.138	9	65	.74
2012	1.147	10	60	.69
2011	1.180	11	55	.65
2010	1.217	12	50	.61
2009	1.208	13	45	.54
2008	1.242	14	40	.50
2007	1.291	15	35	.45
2006	1.362	16	31	.42
2005	1.425	17	27	.38
2004	1.532	18	24	.37
2003	1.585	19	22	.35
2002	1.612	20	21	.34
2001	1.622	21	20	.32

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

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Chapter 25. General Business Assets

§2501. Guidelines for Ascertaining the Fair Market Value of Office Furniture and Equipment, Machinery and Equipment and Other Assets Used In General Business Activity

A. - C. ...

D. The procedure for establishing the fair market value of business and industrial personal property with the cost approach to value (excluding oil and gas properties, drilling rigs, inventories and leased equipment), includes these steps:

1. classify the personal property according to the classifications listed in Table 2503.A, or a different economic life supported by reliable evidence;

2. the classification table will refer the assessor to the correct composite multiplier column in Table 2503.D. The composite multiplier is a composite of the cost index and the percent good, which shall be updated annually by the LTC in order to comply with uniform assessment of personal property in this chapter;

3. select the correct composite multiplier from this table, based on the actual age of the equipment. For example, the age 1 composite multiplier applies to personal property purchased the year prior to the year it is being

assessed (two years back for Orleans) and so on for the other ages;

4. multiply the composite multiplier times the acquisition cost by year of the equipment. The result is the reproduction cost new less physical depreciation (RCNLPD) of the equipment;

5. in the year in which the personal property has reached its minimum percent good, the applicable composite multiplier in use at that time is “frozen”. For the assessment years that follow, the RCNLD value does not change until the personal property is permanently taken out of service. An exception to this rule applies when the property has been reconditioned to extend its remaining economic life.

6. determine the amount of other forms of depreciation, when present:

- a. functional obsolescence as defined in §301;
- b. economic (external) obsolescence as defined in §301;

7. deduct functional and/or economic (external) obsolescence from RCNLPD. The result is the fair market value of the equipment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 10:943 (November 1984), LR 12:36 (January 1986), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), amended by the Department of Revenue, Tax Commission, LR 31:719 (March 2005), LR 33:495 (March 2007), LR 34:685 (April 2008), LR 35:500 (March 2009), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 42:749 (May 2016), LR 47:469 (April 2021), LR 48:

§2503. Tables Ascertain Economic Lives, Percent Good and Composite Multipliers of Business and Industrial Personal Property

A. ...

1. Suggested Guidelines for Ascertain Economic Lives of Business and Industrial Personal Property

Table 2503.A Business Activity/Type of Equipment	Average Economic Life in Years
Agricultural Machinery & Equipment	10
Feed Mill Equipment (Production Line)	20
***	***
Soft Drink Mfg. M & E (Batch)	20
Solar Farm	
Modules, Panels, and Transformers	30
Racking/Racks	20
Fencing	15
Other Solar Farm Personal Property	5
Storage Buildings (portable)	10
***	***
*If acquisition cost and age of service station equipment are not available, see Chapter 9, Table 907.B-2 for alternative assessment procedure.	

B. Cost Indices

Table 2503.B Cost Indices			
Year	Age	National Average 1926 = 100	January 1, 2021 = 100*
2021	1	1888.1	0.939
2020	2	1736.4	1.021

Table 2503.B Cost Indices			
Year	Age	National Average 1926 = 100	January 1, 2021 = 100*
2019	3	1727.8	1.026
2018	4	1667.7	1.063
2017	5	1612.2	1.100
2016	6	1580.9	1.122
2015	7	1593.7	1.113
2014	8	1578.8	1.123
2013	9	1558.7	1.138
2012	10	1545.9	1.147
2011	11	1503.2	1.180
2010	12	1457.4	1.217
2009	13	1468.6	1.208
2008	14	1427.3	1.242
2007	15	1373.3	1.291
2006	16	1302.3	1.362
2005	17	1244.5	1.425
2004	18	1157.3	1.532
2003	19	1118.6	1.585
2002	20	1100.0	1.612
2001	21	1093.4	1.622
2000	22	1084.3	1.636
1999	23	1065.0	1.665
1998	24	1061.8	1.670
1997	25	1052.7	1.685
1996	26	1036.0	1.712
1995	27	1020.4	1.738
1994	28	985.0	1.800
1993	29	958.0	1.851
1992	30	939.8	1.887
1991	31	928.5	1.910

*Reappraisal Date: January 1, 2021 – 1773.4 (Base Year)

C. ...

D. Composite Multipliers 2022 (2023 Orleans Parish)

Table 2503.D Composite Multipliers 2022 (2023 Orleans Parish)										
Age	3 Yr	5 Yr	6 Yr	8 Yr	10 Yr	12 Yr	15 Yr	20 Yr	25 Yr	30 Yr
1	.66	.80	.82	.85	.86	.88	.89	.91	.92	.92
2	.50	.70	.75	.81	.86	.89	.92	.95	.97	.99
3	.35	.53	.58	.69	.78	.82	.87	.92	.95	.97
4	.17	.36	.44	.57	.71	.78	.84	.91	.96	.99
5		.25	.33	.47	.64	.73	.80	.90	.96	1.00
6		.20	.21	.37	.55	.65	.76	.88	.94	1.00
Age	3 Yr	5 Yr	6 Yr	8 Yr	10 Yr	12 Yr	15 Yr	20 Yr	25 Yr	30 Yr
7			.20	.29	.43	.56	.69	.82	.90	.96
8				.25	.34	.48	.62	.79	.88	.94
9				.23	.27	.41	.56	.74	.85	.93
10					.24	.33	.49	.69	.81	.91
11					.24	.28	.44	.65	.80	.90
12						.27	.38	.61	.78	.90
13						.24	.31	.54	.72	.86
14							.29	.50	.70	.84
15							.27	.45	.67	.84
16							.27	.42	.65	.83
17								.38	.63	.83
18								.37	.60	.83
19								.35	.54	.81
20								.34	.48	.76
21								.32	.45	.71
22									.43	.65
23									.40	.62
24									.33	.57

Table 2503.D										
Composite Multipliers										
2022 (2023 Orleans Parish)										
25									.34	.52
26									.34	.50
27										.45
28										.41
29										.39
30										.38
31										.38

1. Data sources for tables are:
 - a. cost index—Marshall and Swift Publication Co.;
 - b. percent good—Marshall and Swift Publication Co.;
 - c. average economic life—various.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:2323.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 8:102 (February 1982), amended LR 9:69 (February 1983), LR 10:944 (November 1984), LR 12:36 (January 1986), LR 13:188 (March 1987), LR 13:764 (December 1987), LR 14:872 (December 1988), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 17:1213 (December 1991), LR 19:212 (February 1993), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), LR 23:207 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:490 (March 1998), LR 25:317 (February 1999), LR 26:509 (March 2000), LR 27:427 (March 2001), LR 28:520 (March 2002), LR 29:370 (March 2003), LR 30:489 (March 2004), LR 31:719 (March 2005), LR 32:433 (March 2006), LR 33:496 (March 2007), LR 34:686 (April 2008), LR 35:500 (March 2009), LR 36:780 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1402 (May 2011), LR 38:810 (March 2012), LR 39:497 (March 2013), LR 40:538 (March 2014), LR 41:681 (April 2015), LR 42:750 (May 2016), LR 43:656 (April 2017), LR 44:584 (March 2018), LR 45:538 (April 2019), LR 46:564 (April 2020), LR 47:470 (April 2021), LR 48:

Chapter 31 Public Exposure of Assessments; Appeals §3101. Public Exposure of Assessments, Appeals to the Board of Review and Board of Review Hearings

A. - A.1. ...

2. A property owner or authorized agent of the property owner may make a written request for notice of the current year's assessment of the property of which that person is the owner, however, such request shall be made no sooner than the first day of June of that year, and such request shall be received by the assessor of the parish or district in which the property is located no later than June fifteenth of that same year. The authorized agent of the property owner shall provide with the request for the assessment, written authorization from the property owner for that agent to act as the authorized agent of the property owner in the request of the notice of an assessment. The property owner or the authorized agent of the property owner shall provide to the assessor at the time of the mailing of the notice, appropriate means for the return of the notice such as a self-addressed stamped envelope of sufficient size and adequate postage to hold the notice requested. The assessor, at no cost to him, shall deliver to the property owner or the authorized agent of the property owner through the means provided a written notice of the assessed value of

the property no later than the close of business on the third day for inspection of the assessment lists.

3. Any property owner or agent who has requested notice of assessed value pursuant to Paragraph 2 of this Subchapter may also provide an email address to the assessor. If an email address is provided within the period specified in Paragraph 2 of this Subchapter, the assessor shall email written notice of the assessed value of the related property on the first day for the inspection of the assessment lists.

B.1. Each assessor shall publish the dates, time and place of the public exposure of the assessment lists of both real and personal property in a newspaper of general circulation in their respective parishes. Notice shall be published at least twice within a period of not sooner than 21 days nor later than seven days prior to the beginning of the 15 calendar day period of exposure. This notice shall include the following:

“PLEASE NOTE: You must submit all information concerning the value of your property to your assessor before the deadline for filing an appeal with the Board of Review. The failure to submit such information may prevent you from relying on that information should you protest your value.”

2. Each assessor shall notify the Louisiana Tax Commission of the public exposure dates at least 21 days prior to the public exposure period, which dates shall be published by the Louisiana Tax Commission on its website.

C. - H.3. ...

4. The Board of Review shall certify the assessment list to the Louisiana Tax Commission on or before October twentieth of each year. The Louisiana Tax Commission requests and recommends that the Board of Review maintain the certified list on its website or through other publicly available digital means.

I. The Board of Review, during its public hearing(s), shall have copies of the Louisiana Tax Commission appeal rules and regulations and Appeal Form 3102/3103.A available for any assessor and/or taxpayer desiring to further appeal to the Tax Commission.

J. The Board of Review shall provide each taxpayer with a written notice of their particular appeal determination with a copy submitted to the assessor and the Tax Commission on or before the certification of the assessment list to the Tax Commission. The notice of determination shall be sent simultaneously to the assessor and the taxpayer at the address shown on the appeal form by registered or certified mail. The Board of Review shall include an Appeal Form 3102/3103.A with the notice of determination.

K.1. The determination of the Board of Review shall be final unless appealed, in writing, to the Tax Commission within 30 calendar days of the earlier of:

- a. actual delivery of the Board of Review decision;
- or
- b. written transmission of the Board of Review notice of determination.

2. The Board of Review shall record and report the method of transmission and the date of written transmission to the Louisiana Tax Commission. Either the taxpayer, the parish assessor, and/or a bona fide representative of an affected tax-recipient body may appeal the Board of Review determination to the Tax Commission.

**Form 3101
Exhibit A
Appeal to Board of Review by Property Owner/Taxpayer
For Real and Personal Property**

Name: _____ Parish/District: _____
Taxpayer

Address: _____ City, State, Zip: _____

Ward: _____ Assessment/Tax Bill Number: _____ Appeal No. _____
Board of Review

(Attach copy of complete appeal submitted to the Board of Review)
Address or Legal Description of Property Being Appealed (Also, please identify building by place of business for convenience of appraisal)

I hereby request the review of the assessment of the above described property pursuant to L.R.S. 47:1992.

The assessor has determined Fair Market Value of this property at:

Land \$ _____ Improvement \$ _____ Personal Property* \$ _____
Total \$ _____

I am requesting that the Fair Market Value of this property be fixed at:

Land \$ _____ Improvement \$ _____ Personal Property* \$ _____
Total \$ _____

* If you are not appealing personal property, leave this section blank.

Please notify me of the date, place and time of my appeal at the address shown below.

NOTE: If property owner/taxpayer disputes the Board of Review's decision, property owner/taxpayer may appeal to the La. Tax Commission by completing and submitting Appeal Form 3102/3103.A to the LTC within 10 business days after certified mail delivery to the appealing taxpayer or assessor of the BOR's written determination. For further information, call the LTC at (225) 219-0339.

Property Owner/Taxpayer

Address: _____

Telephone No. _____

Email Address: _____

PLEASE NOTE: You must submit all information concerning the value of your property to your assessor before the deadline for filing an appeal with the Board of Review. The failure to submit such information may prevent you from relying on that information should you protest your value.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1992, R.S. 47:2301 and R.S. 47:2321.

HISTORICAL NOTE: Promulgated by the Louisiana Tax Commission, LR 4:339 (September 1978), amended by the Department of Revenue and Taxation, Tax Commission, LR 13:188 (March 1987), LR 13:764 (December 1987), LR 15:1097 (December 1989), LR 16:1063 (December 1990), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 23:208 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:492 (March 1998), LR 25:319 (February 1999), LR 26:512 (March 2000), LR 32:435 (March 2006), LR 33:498 (March 2007), LR 34:688 (April 2008), LR 35:501 (March 2009), LR 36:781 (April 2010), amended by the Division of Administration, Tax Commission, LR 37:1403 (May 2011), LR 38:811 (March 2012), LR 40:539 (March 2014), LR 41:682 (April 2015), LR 42:751 (May 2016), LR 43:657 (April 2017), LR 45:538 (April 2019), LR 48:

**§3102. Appeals to the Louisiana Tax Commission
(for appeals filed before January 1, 2022)**

NOTE: The following procedure and rules shall apply and govern all appeals filed with the Louisiana Tax Commission before January 1, 2022.

A. The Louisiana Constitution provides that the correctness of assessments made by an assessor will be subject to review first by the parish governing authority, then by the Louisiana Tax Commission, and finally by the courts, all in accordance with procedures established by law. La. Const. Article VII, Section 18(E).

B.1. An appeal to the Louisiana Tax Commission shall be filed with the commission within 30 calendar days after the Board of Review's written decision is properly sent. In order to institute a proceeding before the commission, the taxpayer, assessor, or bona fide representative of a tax recipient body shall file Form 3102/3103.A and, if applicable, Form 3102/3103.B. The applicant must include a copy of the Board of Review's written decision and notification letter with the Form 3102/3103.A. All appeals shall be deemed filed when deposited with the United States Postal Service and can be evidenced by proof of mailing by registered or certified mail. Appeals may also be filed electronically on the Tax Commission's website.

2. Appeals filed by a taxpayer shall be docketed and captioned as follows.

**STATE OF LOUISIANA
LOUISIANA TAX COMMISSION
Taxpayer
v.
Assessor and Parish Board of Review
DOCKET NO. _____**

3. Appeals filed by an assessor shall be docketed and captioned as follows.

**STATE OF LOUISIANA
LOUISIANA TAX COMMISSION
Assessor
v.
Taxpayer and Parish Board of Review
DOCKET NO. _____**

4. Appeals filed by a bona fide representative of a tax recipient body shall be docketed and captioned as follows.

**STATE OF LOUISIANA
LOUISIANA TAX COMMISSION
Tax Recipient Body
v.
Assessor, Taxpayer, and Parish Board of Review
DOCKET NO. _____**

C.1. Except as otherwise provided, an original and seven copies of all filings, including pleadings and exhibits, shall be filed with the commission.

2. All pleadings are to be signed by the individual who files them, and shall include the capacity in which the individual is acting, the individual's mailing address, and telephone number.

3. The signing of the pleading will be construed to be the individual's statement that the individual is duly authorized to represent the taxpayer, that the allegations of the petition are true and correct to the best of the individual's information and belief and that the capacity in which the individual acts is properly stated.

4. All pleadings shall be accompanied by a certificate of service certifying that such pleadings have been served on all opposing parties or parties in interest in the case, and shall include the manner of service.

5. All pleadings shall reflect the caption set forth in Section B.

6. All filings to the Louisiana Tax Commission shall be on letter size paper.

7. Any filing that consists of 50 pages or less shall be filed in electronic/digital form only.

8. Any filing that consists of more than 50 pages shall be filed in electronic/digital form, along with the printed original and seven copies.

9. Motions and exceptions shall be in writing, shall be accompanied by an order or rule setting them from hearing and shall be served in accordance with these rules.

10. Motions, Rules and Exceptions may be heard by the commission by special setting, or referred to the merits of the case at the discretion of the commission.

11. The Tax Commission may issue discovery and filing deadlines through a case management scheduling order.

D.1. All parties shall receive notice of the scheduling of an appeal hearing at least 60 days prior to the scheduled hearing date. However, if an appeal hearing is continued or rescheduled, each party shall receive notice at least 30 days prior to the new hearing date.

2. In addition to the initial filing of Forms 3102/3103.A and 3102/3103.B, the taxpayer or assessor appealing the Board of Review decision may attach a pleading containing further information concerning the appeal.

3. Either party may request a continuance of a scheduled hearing. Such a request must be made in writing and filed and served on the opposing party at least 15 days prior to the scheduled hearing date, unless good cause can be shown why the fifteen-day requirement should be waived. Requests for continuance must contain the grounds on which the continuance is requested and state whether or not the opposing party objects to the request.

4. The applicant shall file and serve on the opposing party at least 45 days prior to the scheduled hearing date all documents and papers that may be offered into evidence at the hearing. The applicant must submit evidence that establishes the fair market value of their property or other grounds that would constitute reversal of the Board of Review's decision and/or modification of the original assessment.

5. The respondent shall file and serve on the opposing party at least 30 days prior to the scheduled hearing date all documents and papers that may be offered into evidence at the hearing.

6. Documents and papers offered into evidence for a hearing before the commission shall be marked as exhibits and bound. All exhibits, where it is helpful, to the consideration of such exhibits, shall be indexed, numbered,

color coded, tabbed or otherwise so identified as to provide ready accessibility. Exhibits offered by a taxpayer shall be marked "Exhibit Taxpayer _____" and shall be consecutively numbered. The taxpayer shall at the time an exhibit is offered state whether the exhibit contains information not furnished to the assessor before the end of the period for public exposure of the assessment lists. Exhibits offered by the assessor shall be marked "Exhibit Assessor _____" and shall be consecutively numbered. Exhibits offered by the commission or its staff representative shall be marked "Exhibit Tax Commission _____" and shall be consecutively numbered. It is the Tax Commission's policy to accept all pre-filed exhibits into the record, however, either party may object to the submission of any of the opposing parties' exhibits. Such objection(s) must be made at the beginning of the appeal hearing. The Tax Commission reserves the right to take such objections under advisement and/or to defer the objections to the merits of the appeal. Absent a timely objection, all timely filed exhibits are deemed admitted.

7. Legal memorandum submitted by the parties will be made part of the record proceedings before the commission, but shall not be filed as exhibits offered into evidence for the hearing before the commission.

8. Any party, including the taxpayer, assessor, and/or Tax Commission, may request, in writing, that all parties disclose witnesses that may be called to testify at the appeal hearing. Such a request must be made not less than 20 days prior to the hearing and if such a request is made, all parties must disclose, in writing, all witnesses that may be called to testify as follows: the applicant must make such disclosure at least 15 days prior to the hearing and the respondent must make such disclosure at least eight days prior to the hearing. The admissibility of rebuttal witnesses will be evaluated by the commission on a case-by-case basis.

E. If a taxpayer appeals the Board of Review's decision on the basis that the assessor appraised his or her property on the sole basis of a sale or sales listing, evidence establishing that the property was reappraised at the value of, or based solely upon, the sale or sales listing shall constitute prima facie evidence of sales/listing chasing and shall create a rebuttal presumption against the assessment.

F. Upon written notice by the commission, through either the administrator or Counsel to the Commission, the parties and/or their attorneys or other representatives may be directed to meet and confer together by telephone or otherwise prior to the hearing, for the purpose of formulating issues and considering:

1. simplification of issues;
2. a limitation, where possible of the number of witnesses;
3. the time required for presentations;
4. stipulations as to admissibility of exhibits;
5. submission of proposed findings of fact;
6. such other matters as may aid in the simplification of the proceedings and the disposition of the matters in controversy.

G. Upon written notice by the commission, through either the administrator or counsel to the commission, the parties or their attorneys or other representative may be directed to file memoranda with the commission. The legal memorandum shall address in a concise manner the issues

presented in the appeal to the commission together with a statement of any authority supporting the party's position.

H. Any party with leave of the commission or hearing officer may present prepared sworn deposition testimony of a witness either narrative or in question and answer form, which shall be incorporated into the record as if read by a witness. The opposing party will be allowed to cross-examine and/or submit any sworn testimony given by the witness in the deposition. Seven copies of the prepared deposition testimony shall be filed with the commission.

I. Any taxpayer or assessor may appear and be represented by an attorney at law authorized to practice law before the highest court of any state; a natural person may appear in his own behalf, through an immediate family member, an attorney, or Registered Tax Representative as herein defined below; or a corporation, partnership or association may appear and be represented to appear before the commission by a bona fide officer, partner, full time employee, or any other person duly authorized as provided for on "Exhibit B, Power of Attorney" (Form 3102/3103.B).

1. Registered tax representative is a person who represents another person at a proceeding before the Louisiana Tax Commission. The term does not include:

- a. the owner of the property or person liable for the taxes that is the subject of the appeal;
- b. an immediate family member of the owner of the property;
- c. a permanent full-time employee of the owner of the property or person liable for the taxes who is the subject of the appeal;
- d. representatives of local units of government appearing on behalf of the unit or as the authorized representative of another unit;
- e. a certified public accountant, when the certified public accountant is representing a client in a matter that relates only to personal property taxation; or
- f. an attorney who is a member in good standing of the Louisiana bar or any person who is a member in good standing of any other state bar and who has been granted leave by the board to appear pro hac vice.

2. To serve as a registered tax representative, a person must:

- a. be properly registered with the commission;
- b. be at least 18 years of age;
- c. have fully complied with all rules adopted by the commission regarding professional conduct and ethical considerations;
- d. have read and is familiar with all rules and regulations promulgated by the commission; and
- e. have a copy of a properly executed power of attorney from the taxpayer on the form prescribed by the commission on file before a hearing will be scheduled.

J. Every taxpayer or assessor, witness, attorney or other representative shall conduct himself in all proceedings with proper dignity, courtesy and respect. Disorderly conduct will not be tolerated. Attorneys shall observe and practice the standards of ethical behavior prescribed for attorneys at law by the Louisiana Bar Association. Any taxpayer or assessor, witness, attorney or other representative may be excluded by the commission from any hearing for such period and upon such conditions as are just for violation of this rule.

K. All official hearings conducted in any proceeding shall be open to the public. All hearings shall be held in Baton Rouge, LA, unless the commission shall designate another place of hearing.

L. A continuance shall not be granted due to an unexcused absence of a taxpayer, assessor or any representative, attorney or witness, at the time and place set for a scheduled hearing before the commission, without consent of the taxpayer and/or assessor. If such consent is refused, the hearing shall proceed.

M. The hearing shall be conducted informally. It will be the responsibility of the taxpayer or assessor to retain the services of an official reporter for a scheduled hearing should either anticipate the need for a transcript. The Tax Commission shall be notified no later than three business days prior to the scheduled hearing that an official reporter will be in attendance, and the commission shall be furnished a copy of the transcript, at no cost to the commission.

N. Witness testimony is permitted, and all witnesses shall be placed under oath at the onset of each hearing. However, the commission may limit the number of witnesses and limit the allotment of time for such testimony. The commission may permit live witness testimony via videoconference. All witnesses are subject to cross examination by any party.

O. Absent a timely objection, any evidence, which would be admissible under the Louisiana Rules of Evidence shall be deemed admissible by the commission. The Louisiana Rules of Evidence shall be applied liberally in any proceeding before the commission. Either party may object to evidence not previously disclosed by the opposing party. The commission may also exclude evidence, which is deemed by the commission to be incompetent, immaterial or unduly repetitious.

P. The commission shall take official notice without further identification of the contents of the original records and documents in possession of the commission when duly certified copies thereof are offered into evidence and made a part of the record. The Board of Review does not transmit a record or evidence to the Tax Commission. Any evidence or information that was submitted to the Board of Review must be filed by the parties, to be considered by the Tax Commission. The commission may receive other documentary evidence in the form of copies or excerpts or that which is incorporated by reference.

Q. Hearings may be conducted by a hearing officer selected and appointed by the commission. The hearing officer shall have the authority to administer oaths, may examine witnesses, and rule upon the admissibility of evidence and amendments to the pleadings. The hearing officer shall have the authority to recess any hearing from day to day.

R. The hearing officer shall have the responsibility and duty of assimilating testimony and evidence, compiling a written summary of the testimony and evidence, and presenting a proposed order to the commission.

S. At the close of evidence, each side will be allowed a reasonable amount of time to argue its case. This time will be allotted by the chairman or hearing officer.

T. The parties to an appeal shall be notified in writing, by registered or certified mail, of the final decision by the

commission. The taxpayer or assessor shall have 30 days from entry of the decision to appeal to a court of competent jurisdiction. In addition to registered or certified mail, the parties to an appeal may also be notified by electronic mail.

U. The Tax Commission defines "entry" under R.S. 47:1998, as the mailing of the decision to the parties. Decisions by the Tax Commission are not entered or final until signed and placed in the mail to the parties.

V. Following the entry of a final decision, the commission may, at its discretion, grant the request of a taxpayer or assessor for a rehearing; provided the rehearing request is made in accordance with the Administrative Procedure Act.

W. Subpoenas for the attendance of witnesses or for the production of books, papers, accounts or documents for a hearing may be issued by the commission upon its own motion, or upon the written request of the taxpayer or assessor. No subpoena shall be issued until the party who wishes to subpoena the witness first deposits with the agency a sum of money sufficient to pay all fees and expenses to which a witness in a civil case is entitled pursuant to R.S. 13:3661 and R.S. 13:3671. Any subpoena duces tecum shall allow no less than five days to assimilate and to deliver said documents subpoenaed by the subpoena recipient. The form of subpoena attached hereto as Form SUBP.T-2 (found on the Tax Commission's website under General Forms), or a reasonable variation thereof, shall be filled out and presented with the subpoena request. Service of the subpoena may be accomplished by any of the methods prescribed by the Louisiana Administrative Procedure Act.

X. The word "commission", as used herein, refers to the chairman and the members or its delegate appointed to conduct the hearing.

Y. A decision by the Tax Commission that determines the fair market value of real property shall be applied to subsequent tax years until reappraisal in a future mandated reappraisal year, unless there has been a change in the physical condition of the property that would justify reappraisal or a change in value. Nothing in this Subparagraph shall be interpreted or applied to limit an assessor's ability or obligation to reduce an assessment due to a change in the condition of the property or under R.S. 47:1978.1.

Z. Any notice, correspondence, order, directive, or similar communication issued by the commission may be by U.S. Mail and/or electronic mail.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837, R.S. 47:1989 and R.S. 47:1992.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Tax Commission, LR 48:

§3103. Appeals to the Louisiana Tax Commission (for appeals filed on or after January 1, 2022)

NOTE: The following procedure and rules shall apply and govern all appeals filed with the Louisiana Tax Commission on or after January 1, 2022.

A. The Louisiana Constitution provides that the correctness of assessments made by an assessor will be subject to review first by the parish governing authority, then by the Louisiana Tax Commission, and finally by the courts, all in accordance with procedures established by law. La. Const. Article VII, Section 18(E).

B.1. An appeal to the commission shall be filed with the commission within 30 calendar days of the earlier of:

a. the Board of Review's written decision is properly sent to the taxpayer and assessor, or

b. actual delivery of the Board of Review's determination, whether electronic or otherwise. In order to institute a proceeding before the commission, the taxpayer, assessor, or bona fide representative of a tax recipient body shall file Form 3102/3103.A and, if applicable, Form 3102/3103.B. The applicant must include a copy of the Board of Review's written decision and notification letter with the Form 3102/3103.A. All appeals shall be deemed filed when deposited with the United States Postal Service and can be evidenced by proof of mailing by registered or certified mail. Appeals may also be filed electronically on the commission's website. The commission may summarily dismiss an appeal not timely filed with all required documents.

2. In addition to the Forms 3102/3103.A and 3102/3103.B, the applicant may attach any additional documents or pleadings containing further information concerning the appeal.

3. Appeals filed by a taxpayer shall be docketed and captioned as follows.

STATE OF LOUISIANA
LOUISIANA TAX COMMISSION
Taxpayer
v.
Assessor and Parish Board of Review
DOCKET NO. _____

4. Appeals filed by an assessor shall be docketed and captioned as follows.

STATE OF LOUISIANA
LOUISIANA TAX COMMISSION
Assessor
v.
Taxpayer and Parish Board of Review
DOCKET NO. _____

5. Appeals filed by a bona fide representative of a tax recipient body shall be docketed and captioned as follows.

STATE OF LOUISIANA
LOUISIANA TAX COMMISSION
Tax Recipient Body
v.
Assessor, Taxpayer, and Parish Board of Review
DOCKET NO. _____

C.1. Except as otherwise provided, an original and seven copies of all filings, including pleadings and exhibits, shall be filed with the commission.

2. All pleadings are to be signed by the individual who files them, and shall include the capacity in which the individual is acting, the individual's mailing address, and telephone number.

3. The signing of the pleading will be construed to be the individual's statement that the individual is duly authorized to represent the property owner, that the allegations of the petition are true and correct to the best of

the individual's information and belief and that the capacity in which the individual acts is properly stated.

4. All pleadings shall be accompanied by a Certificate of Service certifying that such pleadings have been served on all opposing parties or parties in interest in the case and shall include the manner of service.

5. All pleadings shall reflect the caption set forth in Subsection B of this Section.

6. All filings to the commission shall be on letter size paper.

7. Any filing that consists of 50 pages or less shall be filed in electronic/digital form only.

8. Any filing that consists of more than 50 pages shall be filed in electronic/digital form, along with the printed original and seven copies.

9. Motions and Exceptions shall be in writing, shall be accompanied by an order or rule setting them for hearing and shall be served in accordance with these rules.

10. The commission may issue discovery and filing deadlines through a case management scheduling order.

11. In computing a period of time allowed or prescribed in this Subchapter or by order of the commission, the date of the act, event, or default after which the period begins to run is not to be included. The last day of the period is to be included, unless it is a legal holiday, in which event the period runs until the end of the next day which is not a legal holiday.

12. At the discretion of the commission, Motions, Objections, Rules, and/or Exceptions may be heard by the commission by special setting, referred to the merits of the case, or summarily adjudicated.

13. Upon written notice by the commission, through either the administrator or Counsel to the Commission, the parties or their attorneys or other representative may be directed to file memoranda with the commission. The legal memorandum shall address in a concise manner the issues presented in the appeal to the commission together with a statement of any authority supporting the party's position.

D.1. Except as otherwise provided, the review of the correctness of an assessment is confined to review of evidence presented to the assessor prior to the deadline for filing a complaint with the Board of Review.

2. The taxpayer shall pre-file all documentary evidence with the commission in accordance with these rules, or any case management scheduling order adopted by the commission.

3. If a taxpayer pre-files evidence which the assessor contends was not presented prior to the deadline for filing a complaint with the Board of Review, then the assessor shall file a written objection into the record. If maintained, the assessor's written objection should include a complete copy of the individual file/log as recommended in Section 213.G. The failure by the assessor to timely file a written objection shall be deemed a waiver. Such waiver shall be deemed to be good reason and shall operate to permit consideration of all evidence timely pre-filed by the taxpayer.

4. If the assessor timely objects to the pre-filed evidence by a taxpayer, the taxpayer may

1. respond to the objection on the basis that the evidence is deemed to have been submitted pursuant to the commission's rules,

2. respond to the objection on the basis that the evidence was timely submitted to the assessor,

3. respond to the objection on the basis that there are good reason(s) for the failure to timely submit such evidence, and/or

4. respond to the objection on the basis that the evidence is otherwise admissible and permitted under these rules or R.S. 47:1989.

5. The commission may order that a hearing be held regarding the assessor's objection(s) to the taxpayer's pre-filed exhibits.

6. If the assessor's objection is overruled on the basis that there are good reason(s) for the failure to timely submit such evidence, the commission may order that the assessor consider the additional evidence. Within 15 days of the commission's order to consider additional evidence, the assessor may modify an assessment and shall notify the commission and taxpayer of such a modification.

7. In all real property appeals, the commission may independently appraise the property utilizing the criteria set forth in R.S. 47:2323.

8. "Good reason" under R.S. 47:1989(C)(2)(a) shall include, but is not limited to, the assessor's failure to (1) comply with any of the commission's Rules and Regulations, including the requirements of Section 3101, (2) request additional information as required in Section 307.A., and/or (3) promptly respond to a taxpayer's request for a reduction in value and/or obsolescence. "Good reason" under R.S. 47:1989(C)(2)(a) shall not include a taxpayer's intentional withholding of evidence. Nothing in these Rules should be interpreted or applied to limit a finding of "good reason" in other circumstances.

9. Publicly available information, data, reports, resources, and/or guides is deemed to have been "presented" to the assessor prior to the close of the deadline for filing a complaint with the Board of Review.

E.1. Any taxpayer or assessor may appear and be represented by an attorney at law authorized to practice law before the highest court of any state; a natural person may appear in his own behalf, through an immediate family member, an attorney, or Registered Tax Representative as herein defined below; or a corporation, partnership or association may appear and be represented to appear before the commission by a bona fide officer, partner, full time employee, or any other person duly authorized as provided for on "Exhibit B, Power of Attorney" (Form 3102/3103.B).

2. Registered Tax Representative is a person who represents another person at a proceeding before the commission. The term does not include:

a. the owner of the property or person liable for the taxes that is the subject of the appeal;

b. an immediate family member of the owner of the property;

c. a permanent full-time employee of the owner of the property or person liable for the taxes who is the subject of the appeal;

d. representatives of local units of government appearing on behalf of the unit or as the authorized representative of another unit;

e. a certified public accountant, when the certified public accountant is representing a client in a matter that relates only to personal property taxation; or

f. an attorney who is a member in good standing of the Louisiana bar or any person who is a member in good standing of any other state bar and who has been granted leave by the board to appear pro hac vice.

3. To serve as a registered tax representative, a person must:

a. be properly registered with the commission;

b. be at least 18 years of age;

c. have fully complied with all rules adopted by the commission regarding professional conduct and ethical considerations;

d. have read and is familiar with all rules and regulations promulgated by the commission; and

e. have a copy of a properly executed power of attorney from the taxpayer on the form prescribed by the commission on file before a hearing will be scheduled.

4. The commission may deny any attorney or tax representative from representing any parties before the commission for failure to comply with R.S. 47:1998(I), which provides, in part: "The Louisiana Tax Commission shall receive a copy of every filing in a suit under this Section[.]"

F. Every taxpayer or assessor, witness, attorney or other representative shall conduct himself in all proceedings with proper dignity, courtesy and respect. Disorderly conduct will not be tolerated. Attorneys shall observe and practice the standards of ethical behavior prescribed for attorneys at law by the Louisiana Bar Association. Any taxpayer or assessor, witness, attorney or other representative may be excluded by the commission from any hearing for such period and upon such conditions as are just for violation of this rule.

G.1. The commission shall conduct a full evidentiary hearing to evaluate the correctness of the Board of Review's determination. However, if the Board of Review affirmed the original assessment/value, the commission shall evaluate the original assessment/value by the assessor.

2. All parties shall receive notice of the scheduling of an appeal hearing at least 60 days prior to the scheduled hearing date. However, if an appeal hearing is continued or rescheduled, each party shall receive notice at least 30 days prior to the new hearing date.

3. All official hearings conducted in any proceeding shall be open to the public. All hearings shall be held in Baton Rouge, LA, unless the commission shall designate another place of hearing.

4. The hearing shall be conducted informally. It will be the responsibility of the taxpayer or assessor to retain the services of an official reporter for a scheduled hearing should either anticipate the need for a transcript. The commission shall be notified no later than three (3) business days prior to the scheduled hearing that an official reporter will be in attendance, and shall be furnished a copy of the transcript. By motion of any party, such a transcript may be made part of the commission's administrative record.

5. Any party may request a continuance of a scheduled hearing. Except as otherwise provided, a request

for continuance must be made in writing and filed and served on the opposing parties at least 15 days prior to the scheduled hearing date, unless good cause can be shown why this deadline should be waived. Requests for continuance must contain the grounds on which the continuance is requested and state whether or not the opposing party objects to the request.

6. Except as otherwise provided in the commission's rules or by order of the commission, the applicant shall file and serve on the opposing party at least 45 days prior to the scheduled hearing date all documents and papers that may be offered into evidence at the hearing.

7. Except as otherwise provided in the commission's rules or by order of the commission, the respondent shall file written objections to any of the applicant's pre-filed exhibits at least 30 days prior to the scheduled hearing date. The failure to timely file a written objection may be deemed a waiver.

8. Except as otherwise provided in the commission's Rules or by order of the commission, the respondent shall file and serve on the opposing party at least 30 days prior to the scheduled hearing date all documents and papers that may be offered into evidence at the hearing.

9. Except as otherwise provided in the commission's Rules or by order of the commission, any party, including the taxpayer, assessor, and/or commission, may request, in writing, that all parties disclose witnesses that may be called to testify at the appeal hearing. Such a request must be made not less than 55 days prior to the hearing and if such a request is made, all parties must disclose, in writing, the actual identity of any witnesses that may be called to testify as follows: the applicant must make such disclosure at least 45 days prior to the hearing and the respondent must make such disclosure at least 30 days prior to the hearing. The admissibility of rebuttal witnesses will be evaluated by the commission on a case-by-case basis.

10. If a taxpayer appeals the Board of Review's decision on the basis that the assessor appraised the subject property on the sole basis of a sale or sales listing, evidence establishing that the property was reappraised at the value of, or based solely upon, the sale or sales listing shall constitute prima facie evidence of sales/listing churning and shall create a rebuttal presumption against the assessment.

11. If a taxpayer appeals the Board of Review's decision on the basis that the assessor inequitably assessed the subject property as compared to similarly situated comparable properties, then the taxpayer must submit evidence of such an inequity, and the assessor shall be prepared to respond to such evidence.

12. Notwithstanding §3103.D.1, or any other provision to the contrary, witness testimony is always permitted, and all witnesses shall be placed under oath at the onset of each hearing. However, the commission may limit the number of witnesses and limit the allotment of time for such testimony. The commission may permit live witness testimony via videoconference. All witnesses are subject to cross examination by any party.

13. It is the commission's policy to accept all pre-filed exhibits into the record; however, either party may object to the submission of any of the opposing parties' exhibits. Absent a timely objection, any evidence shall be admitted into the record. The Louisiana Rules of Evidence shall be

applied liberally in any proceeding before the commission. The commission may also exclude evidence, which is deemed by the commission to be incompetent, immaterial or unduly repetitious. The commission reserves the right to take any objection under advisement and/or to defer the objections to the merits of the appeal.

14. The commission shall take official notice without further identification of the contents of the original records and documents in possession of the commission when duly certified copies thereof are offered into evidence and made a part of the record. The Board of Review does not transmit a record or evidence to the commission. Any evidence or information that was submitted to the Board of Review must be filed by the parties to be considered by the commission. The commission may receive other documentary evidence in the form of copies or excerpts or that which is incorporated by reference.

15. Any party with leave of the commission or hearing officer may present prepared sworn deposition testimony of a witness either narrative or in question and answer form, which shall be incorporated into the record as if read by a witness. The opposing party will be allowed to cross-examine and/or submit any sworn testimony given by the witness in the deposition.

16. Subpoenas for the attendance of witnesses or for the production of books, papers, accounts or documents for a hearing may be issued by the commission upon its own motion, or upon the written request of any party. No subpoena shall be issued until the party who wishes to subpoena the witness first deposits with the agency a sum of money sufficient to pay all fees and expenses to which a witness in a civil case is entitled pursuant to R.S. 13:3661 and R.S. 13:3671. Any subpoena duces tecum shall allow no less than five days to assimilate and to deliver said documents subpoenaed by the subpoena recipient. The form of subpoena attached hereto as Form SUBP.T-2 (found on the commission's website under General Forms), or a reasonable variation thereof, shall be filled out and presented with the subpoena request. Service of the subpoena may be accomplished by any of the methods prescribed by the Louisiana Administrative Procedure Act.

17. Hearings may be conducted by a hearing officer selected and appointed by the commission. The hearing officer shall have the authority to administer oaths, may examine witnesses, and rule upon the admissibility of evidence and amendments to the pleadings. The hearing officer shall have the authority to recess any hearing from day to day. The hearing officer shall have the responsibility and duty of assimilating testimony and evidence, compiling a written summary of the testimony and evidence, and presenting a proposed order to the commission.

18. At the close of evidence, each side will be allowed a reasonable amount of time to argue its case. This time may be limited and/or allotted by the chairman or hearing officer.

19. The commission may take any matter under advisement and issue a decision/ruling without advance notice or any additional opportunity for hearing.

H.1. The commission may affirm the Board of Review decision, it may remand the matter for further consideration by the assessor, or it may reverse or modify the assessment because the assessment is any of the following:

- a. in violation of constitutional or statutory provisions;
- b. in excess of the authority of the assessor;
- c. made upon an unlawful procedure;
- d. affected by another error of law;
- e. arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion;
- f. not supported and sustainable by a preponderance of evidence as determined by the commission.

2. In determining whether the assessment is supported and sustainable by a preponderance of evidence, the commission shall make its own determination and conclusions of fact by a preponderance of evidence based upon its own evaluation of the evidence reviewed in its entirety including otherwise admissible first-hand witness testimony.

3. In determining whether the assessment is supported and sustainable by a preponderance of evidence, if the value indicated by the commission's review of the record is within 5 percent of the Board of Review's determination, there shall be a rebuttal presumption that the Board of Review's determination is correct.

I.1. Notwithstanding any other provision to the contrary, and except as otherwise instructed, the Appraisal Division shall perform a fee simple appraisal in connection with all real property appeals utilizing the criteria set forth in R.S. 47:2323 and the commission's Rules. The appraisal report shall be served on all parties at least sixty (60) days prior to the scheduled hearing and shall be entered into the record.

2. The commission may accept or reject all or any part of the appraisal prepared by the Appraisal Division in its evaluation of the appeal.

J. The parties to an appeal shall be notified in writing, by registered or certified mail, of the final decision by the commission. The parties shall have 30 days from entry of the decision to appeal to a court of competent jurisdiction. The parties to an appeal may also be notified by electronic mail.

K. The commission defines "entry" under R.S. 47:1998, as the mailing of the decision to the parties. Decisions by the commission are not entered or final until signed and placed in the mail to the parties.

L. Following the entry of a final decision, the commission may, at its discretion, grant a rehearing. A request for rehearing by any party shall be made in accordance with the Louisiana Administrative Procedure Act.

M. The word "commission", as used herein, refers to the chairman and the members or its delegate appointed to conduct the hearing. The word "applicant", as used herein, refers to the party who filed a protest/appeal with the commission under R.S. 47:1989. The word "respondent", as used herein, refers to the interested parties who did not file a protest/appeal with the commission under R.S. 47:1989. In a protest by a taxpayer, the interested parties include the parish assessor and Board of Review. In a protest by an assessor the interested parties include the taxpayer and Board of Review. In a protest by a bona fide representative of an affected tax-recipient body, the interested parties include the taxpayer, parish assessor, and Board of Review.

N. The chairman of the commission is authorized to rule upon, decide, and/or adjudicate any motion or objection.

Notice of rulings by the chairman shall be delivered to the parties by U.S. Mail and/or electronic mail. Any party may appeal a ruling by the chairman to the full commission within seven calendar days of notice. Such appeals may be heard by the commission by special setting or referred to the merits of the case at the discretion of the commission.

O. A decision by the commission that determines the fair market value of real property shall be applied to subsequent tax years until reappraisal in a future mandated reappraisal year, unless there has been a change in the physical condition of the property that would justify reappraisal or a change in value. Nothing in this Subparagraph shall be interpreted or applied to limit an assessor's ability or obligation to reduce an assessment due to a change in the condition of the property or under R.S. 47:1978.1.

P. Other than a final decision on the merits of an appeal, any ruling, notice, correspondence, order, directive, or similar communication issued by the commission may be by U.S. Mail and/or electronic mail.

Form 3102/3103.A
Exhibit A
Appeal to Louisiana Tax Commission
by Property Owner/Taxpayer or Assessor
for Real and Personal Property

La. Tax Commission
P.O. Box 66788
Baton Rouge, LA 70896
(225) 219-0339

Name: _____ Parish/District: _____
Taxpayer

Address: _____ City, State, Zip: _____

Ward: _____ Assessment/Tax Bill Number: _____ Appeal No. _____
Board of Review

Address or Legal Description of Property Being Appealed
Also, please identify building by place of business for convenience

I hereby appeal the decision of the Board of Review on the assessment of the above described property pursuant to La. R.S. 47:1992, R.S. 47:1989 and the rules of the Louisiana Tax Commission. I timely filed my appeal as required by law.

Date of the Board of Review Determination: _____

“You are required to include a copy of the Board of Review Determination with this Appeal Form.”

The original Fair Market Value by the assessor was:

Land \$ _____ Improvement \$ _____

Personal Property \$ _____ Total \$ _____

The Fair Market Value determined by the Board of Review was:

Land \$ _____ Improvement \$ _____

Personal Property \$ _____ Total \$ _____

The Fair Market Value should be:

Land \$ _____ Improvement \$ _____

Personal Property \$ _____ Total \$ _____

* If you are not appealing personal property leave this section blank.

NOTE: If you disagree with the Board of Review's determination, you must file an appeal. The appeal of the decision of the Board of Review by one party is not an appeal of that decision from the other party. To protect your rights, if you disagree with the determination of the Board of Review, you should file an appeal to the Louisiana Tax Commission

challenging the Board of Review's determination regardless of whether or not the other party has appealed that decision.

Applicant: _____ (Property Owner/Taxpayer/Assessor)

Address: _____

Telephone No.: _____

Email Address: _____

Date of Appeal: _____

Today's Date: _____

This form must be completed in its entirety. The failure to complete the form, in its entirety, or failure to attach a copy of the Board of Review Determination may result in summary dismissal at the discretion of the Tax Commission.

PLEASE NOTE: Any documents or other evidence submitted to the assessor and/or the Board of Review must be refiled/resubmitted to the Louisiana Tax Commission.

Form 3102/3103.B
Exhibit B
Power of Attorney

PLEASE TYPE OR PRINT

Taxpayer(s) must sign and date this form on Page 2.

I. TAXPAYER:

Your Name or Name of Entity: _____

Street Address, City, State, ZIP: _____

I/we appoint the following representative as my/our true and lawful agent and attorney-in-fact to represent me/us before the Louisiana Tax Commission. The representative is authorized to receive and inspect confidential information concerning me/our tax matters, and to perform any and all acts that I/we can perform with respect to my/our tax matters, unless noted below. Modes of communication for requesting and receiving information may include telephone, e-mail, or fax. The authority does not include the power to receive refund checks, the power to substitute another representative, the power to add additional representatives, or the power to execute a request for disclosure of tax information to a third party.

Representatives must sign and date this form on Page 3.

II. AUTHORIZED REPRESENTATIVE:

Name: _____

Firm: _____

Street Address _____

City, State, ZIP: _____

Telephone Number:() _____

Fax Number:() _____

Email Address: _____

III. SCOPE OF AUTHORIZED APPOINTMENT:

Acts Authorized. Mark only the boxes that apply. By marking the boxes, you authorize the representative to perform any and all acts on your behalf, including the authority to sign tax returns, with respect only to the indicated tax matters:

A. Duration:

_____ Tax Year _____ (Days, Months, etc.) _____ Until Revoked.

B. Agent Authority:

1. _____ General powers granted to represent taxpayer in all matters.

2. _____ Specified powers as listed.

(a.) ___ File notices of protest and present protests before the Louisiana Tax Commission.

(b.) ___ Receive confidential information filed by taxpayer.

(c.) ___ Negotiate and resolve disputed tax matters without further authorization.

(d.) ___ Represent taxpayer during appeal process.

C. Properties Authorized to Represent:

- 1. ___ All property.
- 2. ___ The following property only (give assessment number and municipal address or legal description).

Additional properties should be contained on separate page

NOTICES AND COMMUNICATIONS: Original notices and other written communication will be sent only to you, the taxpayer. Your representative may request and receive information by telephone, e-mail, or fax. Upon request, the representative may be provided with a copy of a notice or communication sent to you. If you want the representative to request or receive a copy of notices and communications sent to you, check this box.

REVOCAION OF PRIOR POWER(S) OF ATTORNEY: Except for Power(s) of Attorney and Declaration of Representative(s) filed on this Form, the filing of this Power of Attorney automatically revokes all earlier Power(s) of Attorney on file with the Louisiana Tax Commission for the same tax matters and years or periods covered by this document.

SIGNATURE OF TAXPAYER(S): If a tax matter concerns jointly owned property, all owners must sign if joint representation is requested. If signed by a corporate officer, partner, guardian, tax matters partner, executor, receiver, administrator, or trustee on behalf of the taxpayer. I certify that I have the authority to execute this form on behalf of the taxpayer.

IF THIS POWER OF ATTORNEY IS NOT SIGNED AND DATED, IT WILL BE RETURNED.

Signature

Date (mm/dd/yyyy)

Spouse/Other Owner Signature

Date (mm/dd/yyyy)

Signature of Duly Authorized Representative, if the taxpayer title is a corporation, partnership, executor, or administrator

Date (mm/dd/yyyy)

IV. DECLARATION OF REPRESENTATIVE:

Under penalties of perjury, I declare that:

I am authorized to represent the taxpayer identified above and to represent that taxpayer as set forth in Part III specified herein;

I have read and am familiar with all the rules and regulations promulgated by the commission;

I have fully complied with all rules adopted by the commission regarding professional conduct and ethical considerations.

Signature

Date (mm/dd/yyyy)

IF THIS DECLARATION OF REPRESENTATIVE IS NOT SIGNED AND DATED, THE POWER OF ATTORNEY WILL BE RETURNED.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837, R.S. 47:1989 and R.S. 47:1992.

HISTORICAL NOTE: Promulgated by the Louisiana Tax Commission, LR 4:339 (September 1978), amended by the Department of Revenue and Taxation, Tax Commission, LR 10:947 (November 1984), LR 15:1097 (December 1989), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 22:117 (February 1996), amended by the Department of Revenue, Tax Commission, LR 24:492 (March 1998), LR 25:319 (February 1999), LR 26:512 (March 2000), LR 28:521 (March 2002), LR 31:721 (March 2005), LR 32:436 (March 2006), LR 33:498 (March 2007), LR 34:688 (April 2008), LR 36:782 (April 2010), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 38:811 (March 2012), LR 41:682 (April 2015), LR 42:752 (May 2016), LR 43:658 (April 2017), LR 45:539 (April 2019), LR 46:567 (April 2020), LR 48:

§3105. Practice and Procedure for Public Service Properties Hearings

A. The Tax Commission or its designated representative, as provided by law, shall conduct hearings to consider the written protest of an applicant taxpayer. The appeal shall be filed within 30 days after receipt of the Public Service Section's Certificate of Value. In order to institute a proceeding before the commission, the taxpayer shall file Form 3105.A and, if applicable Form 3102/3103.B.

B.1. All filings to the Louisiana Tax Commission shall be filed, in proper form, consisting of an original and seven copies on letter size paper, with the Office of the Administrator. All appeals and filings shall be deemed filed when deposited with the United States Postal Service and can be evidenced by proof of mailing by registered or certified mail.

2. The Office of the Administrator shall be sent one "service copy" of all State Court, Federal Court, Appellate Court, and/or Supreme Court pleadings in which the LTC is named party in addition to Special Counsel for the LTC.

C. At the close of the time period for filing protests, the commission shall assign each case to the docket and notify the parties of the time and place of the hearing.

D. Thirty days prior to said hearings, the protesting taxpayer shall file a signed, pleading, specifying each respect in which the initial determination is contested, setting forth the specific basis upon which the protest is filed, together with a statement of the relief sought and seven copies of all hearing exhibits to be presented; which shall be marked "Exhibit Taxpayer_____" and shall be consecutively numbered, indexed and bound. Legal memorandum submitted by the parties will be made part of the record of proceedings before the commission, but shall not be filed as exhibits to be offered into evidence for the hearing before the commission.

E. - S. ...

**Form 3105.A
Exhibit A
Appeal to Louisiana Tax Commission
by Taxpayer
For Public Service Property**

La. Tax Commission
P.O. Box 66788
Baton Rouge, LA 70896
(225) 219-0339

Taxpayer Name:

Address:

City, State, Zip:

Circle one Industry:

Airline Boat/Barge Co-op Electric Pipeline Railcar Railroad Telephone

The Fair Market Value as determined by the Public Service Section of the Louisiana Tax Commission is:

Total \$ _____

I am requesting that the Fair Market Value be fixed at:

Total \$ _____

I understand that property is assessed at a percentage of fair market value which means the price for the property which would be agreed upon between a willing and informed buyer and a willing and informed seller under usual and ordinary circumstances, the highest price the property would bring on the open market if exposed for sale for a reasonable time.

Applicant: _____

Address: _____

Telephone No.: _____

Email Address: _____

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837 and R.S. 47:1856.

HISTORICAL NOTE: Promulgated by the Louisiana Tax Commission, LR 4:339 (September 1978), amended by the Department of Revenue and Taxation, Tax Commission, LR 10:947 (November 1984), LR 15:1097 (December 1989), LR 20:198 (February 1994), LR 21:186 (February 1995), LR 23:209 (February 1997), amended by the Department of Revenue, Tax Commission, LR 24:493 (March 1998), LR 25:320 (February 1999), LR 26:513 (March 2000), LR 30:492 (March 2004), LR 31:723 (March 2005), LR 32:438 (March 2006), LR 33:499 (March 2007), LR 34:689 (April 2008), LR 36:782 (April 2010), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 38:812 (March 2012), LR 41:683 (April 2015), LR 43:661 (April 2017), LR 45:541 (April 2019), LR 48:

§3106. Practice and Procedure for the Appeal of Bank Assessments

A. The Tax Commission or its designated representative, as provided by law, shall conduct hearings to consider the written protest of an applicant taxpayer. The appeal shall be filed within 30 days of the dated Certificate of Value to the taxpayer. In order to institute a proceeding before the commission, the taxpayer shall file Form 3106.A and, if applicable Form 3102/3103.B.

B. All filings to the Louisiana Tax Commission shall be filed with the Office of the Administrator. They shall be deemed filed only when actually received, in proper form. All filings shall be in the form of an original and seven copies on letter size paper.

1. The Office of the Administrator shall be sent one "service copy" of all State Court, Federal Court, Appellate Court, and/or Supreme Court pleadings in which the LTC is named party in addition to Special Counsel for the LTC.

C. At the close of the time period for filing protests, the commission shall assign each case to the docket and notify the parties of the time and place of the hearing.

D. Thirty days prior to said hearings, the protesting taxpayer shall file a signed, pleading, specifying each respect in which the initial determination is contested, setting forth the specific basis upon which the protest is filed, together with a statement of the relief sought and seven copies of all hearing exhibits to be presented; which shall be marked "Exhibit Taxpayer _____" and shall be consecutively numbered, indexed and bound. Legal memorandum submitted by the parties will be made part of the record of

proceedings before the commission, but shall not be filed as exhibits to be offered into evidence for the hearing before the commission.

E. - T. ...

**Form 3106.A
Appeal to Louisiana Tax Commission
by Taxpayer
for Bank Stock Assessments**

LA Tax Commission
P.O. Box 66788
Baton Rouge, LA 70896
(225) 219-0339

Name: _____ Parish/District: _____

Taxpayer

Address: _____ City, State, Zip: _____

Address or Legal Description of Property Being Appealed

The Fair Market Value of the Administrative Section of the Louisiana Tax Commission is: \$ _____

I am requesting that the Fair Market Value be fixed at: \$ _____

Applicant:

Address: _____

Telephone No.: _____

Date: _____

Email Address: _____

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Commission, LR 33:499 (March 2007), LR 34:690 (April 2008), LR 36:782 (April 2010), amended by the Division of Administration, Tax Commission, LR 38:812 (March 2012), LR 41:683 (April 2015), LR 43:661 (April 2017), LR 45:541 (April 2019), LR 48:

§3107. Practice and Procedure for Appeal of Insurance Credit Assessments

A. The Tax Commission or its designated representative, as provided by law, shall conduct hearings to consider the written protest of an applicant taxpayer. The appeal shall be filed within 30 days of the dated certificate of value to the taxpayer. In order to institute a proceeding before the commission, the taxpayer shall file Form 3107.A and, if applicable Form 3102/3103.B.

B. All filings to the Louisiana Tax Commission shall be filed with the Office of the Administrator. They shall be deemed filed only when actually received, in proper form. All filings shall be in the form of an original and seven copies on letter size paper.

1. The Office of the Administrator shall be sent one "service copy" of all state court, federal court, appellate court, and/or Supreme Court pleadings in which the LTC is named party in addition to Special Counsel for the LTC.

C. At the close of the time period for filing protests, the commission shall assign each case to the docket and notify the parties of the time and place of the hearing.

D. Thirty days prior to said hearings, the protesting taxpayer shall file a signed, pleading, specifying each respect in which the initial determination is contested, setting forth the specific basis upon which the protest is filed, together with a statement of the relief sought and seven copies of all hearing exhibits to be presented; which shall be marked "Exhibit Taxpayer _____" and shall be consecutively numbered, indexed and bound. Legal memorandum submitted by the parties will be made part of the record of

proceedings before the commission, but shall not be filed as exhibits to be offered into evidence for the hearing before the commission.

E. - T. ...

**Form 3107.A
Appeal To Louisiana Tax Commission
by Taxpayer
for Insurance Assessments**

LA Tax Commission
P.O. Box 66788
Baton Rouge, LA 70896
(225) 219-0339

Lawrence E. Chehardy
Chairman

2112#022

Name: _____ Parish/District: _____
Taxpayer

Address: _____ City, State, Zip: _____

Address or Legal Description of Property Being Appealed

The Fair Market Value of the Administrative Section of the Louisiana Tax Commission is: \$ _____

I am requesting that the Fair Market Value be fixed at: \$ _____

Appellant:
Address: _____

Telephone No.: _____

Date: _____

Email Address: _____

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1837.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Tax Commission, LR 33:501 (March 2007), amended LR 34:690 (April 2008), LR 36:782 (April 2010), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 38:812 (March 2012), LR 41:683 (April 2015), LR 43:661 (April 2017), LR 45:541 (April 2019), LR 48:

**Chapter 35. Miscellaneous
§3501. Service Fees—Tax Commission**

A. The Tax Commission is hereby authorized on an interim basis for the period beginning on July 1, 2021, and ending on June 30, 2026, to levy and collect the following fees in connection with services performed by the commission:

1. A fee for the assessment of public service properties, at the rate of four hundredths of one percent of the assessed value of such properties, to be paid by each public service property which pays ad valorem taxes.

2. A fee for the assessment of insurance companies, at the rate of three hundredths of one percent of the assessed value of such properties, to be paid by each insurance company which pays ad valorem taxes.

3. A fee for the assessment of financial institutions, at the rate of three hundredths of one percent of the assessed value of such properties, to be paid by each bank stock and loan and finance company which pays ad valorem taxes.

B. - D.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1835 and R.S. 47:1838.

HISTORICAL NOTE: Promulgated by the Department of Revenue and Taxation, Tax Commission, LR 19:212 (February 1993), amended LR 20:198 (February 1994), amended by the Department of Revenue, Tax Commission, LR 24:494 (March 1998), LR 25:320 (February 1999), LR 26:513 (March 2000), LR 28:521 (March 2002), LR 30:493 (March 2004), LR 31:724 (March 2005), LR 32:439 (March 2006), LR 33:502 (March 2007), LR

35:501 (March 2009), amended by the Office of the Governor, Division of Administration, Tax Commission, LR 37:1403 (May 2011), LR 41:683 (April 2015), LR 43:662 (April 2017), LR 44:585 (March 2018), LR 45:542 (April 2019), LR 48:

DECLARATION OF EMERGENCY

**Department of Revenue
Policy Services Division**

Income: Withholding Tax (LAC 61:I.1515)

In accordance with the emergency provisions of the Administrative Procedures Act, R.S. 49:953.1, and Act 285 of the 2021 Regular Session of the Louisiana Legislature, and R.S. 47:114, 114.1, 1511, 1520(A)(2) the Department of Revenue, Policy Services Division, (“the Department”) is, by emergency rule, amending LAC 61:I.1515. Louisiana Revised Statute 47:1520(A)(2) authorizes the Secretary the discretion to require electronic filing of tax returns or reports by administrative rule promulgated with legislative oversight in accordance with the Administrative Procedure Act, R.S. 49:950 et seq. The purpose of this regulation is to amend the rule on Mandatory Electronic Filing of Tax Returns to conform to the return reporting requirements set forth under R.S. 47:114.1 as authorized by Act 285 of the 2021 Regular Session of the Louisiana Legislature. Specifically, this Emergency Rule requires employers who file 50 or more Federal Form 1099-NEC to file such Forms electronically with accompanying LDR Form L-3, Form W-2s and any other informational returns. The promulgation of this rule on an emergency basis is necessary to expeditiously instruct taxpayers of the mandatory electronic filing requirement for Federal Form 1099-NECs. A delay in adopting this Rule could hinder the effective collection of Federal Form 1099-NECs due as early as January 1, 2022.

This Emergency Rule is effective December 1, 2021, and will remain in effect for 180 days, unless renewed or revoked, or until the adoption of the final Rule, whichever comes first.

Title 61

REVENUE AND TAXATION

**Part I. Taxes Collected and Administered by the
Secretary of Revenue**

Chapter 15. Income: Withholding Tax

**§1515. Withholding Tax Statements and Returns—
Electronic Filing Requirements**

A. - C. ...

a. Employers that file 50 or more Federal Form 1099-NECs due on or after January 1, 2022, are required to electronically file the Form L-3, the Form 1099-NECs, Form W-2s, and any information returns.

D. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:114, R.S. 47:287.614, R.S. 47:609, R.S. 47:1511 and R.S. 47:1520(A)(2).

HISTORICAL NOTE: Promulgated by the Louisiana Department of Revenue, Policy Services Division, LR 28:1489 (June 2002), amended LR 35:2204 (October 2009), LR 38:2382 (September 2012), amended LR44:1638 (September 2018),

amended by the Department of Revenue, Policy Services Division,
LR 48:

Kimberly J. Lewis
Secretary

2111#015

DECLARATION OF EMERGENCY

**Department of Wildlife and Fisheries
Wildlife and Fisheries Commission**

**Supplemental Feeding Ban in Union
and Morehouse Parishes**

In accordance with the emergency provisions of R.S. 49:953.1 and under the authority of R.S. 56:115 and 116, the Wildlife and Fisheries Commission hereby adopts the following Emergency Rule.

On December 2, 2021, the Arkansas Game and Fish Commission announced that a Chronic Wasting Disease (CWD) positive doe was discovered in Union County, Arkansas. The CWD positive doe was located just a few miles north of the Louisiana Border on Felsenthal National Wildlife Refuge.

Therefore, in response to the discovery of CWD in Arkansas near the Louisiana Border, the Department of

Wildlife and Fisheries (LDWF) is implementing its CWD Response Plan to monitor and curb the spread of CWD into Louisiana. The immediate cessation of all supplemental feeding, including mineral or salt licks, is hereby initiated for Union and Morehouse Parishes. The purpose of this feeding ban is to reduce the potential for the spread of CWD into Louisiana by reducing the risk of exposure when deer are concentrated around feeding sites.

The use of approved bait not normally ingested by deer for feral hog trapping will still be allowed. All bait must be placed and contained within the trap itself. Backyard bird feeders are also exempt from this Declaration of Emergency.

This Declaration of Emergency shall become effective December 6, 2021, and will remain in effect for the maximum period allowed under the Administrative Procedure Act. The Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Declaration of Emergency, and extend it if necessary.

Jerri G. Smitko
Chair

2110#012

Rules

RULE

Department of Agriculture and Forestry Office of Agricultural and Environmental Sciences Agricultural Chemistry and Seed Commission

Restrictions on Application of Certain Pesticides (LAC 7:XXIII.1103)

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 3:3203, the Louisiana Department of Agriculture and Forestry ("Department") has amended LAC 7:XXIII.1103 to repeal the herbicide application permitting program for the Sabine River Authority as it pertains to Giant Salvinia on and around the Toledo Bend Reservoir and to repeal the herbicide application permitting program on and around the waters of Lake Bistineau. The Sabine River Authority and the Louisiana Department of Wildlife and Fisheries have both requested that these rules be repealed. These rules were originally enacted in 2011 and required private citizens wishing to apply approved aquatic herbicides to nuisance vegetation (Giant Salvinia) located on their property on the Toledo Bend Reservoir or Lake Bistineau to attend an in-person training, submit records and retain those records. There has been very little spray effort by private individuals and no requests for additional training by uncertified citizens and the use of this herbicide program has not been active in many years. It is the opinion of the Department that the EPA rules already in place that govern the public's ability to apply aquatic herbicides to their private property are sufficient to govern any such activities on these lakes and these administrative rules are no longer necessary. This Rule is hereby adopted on the day of promulgation.

Title 7

AGRICULTURE AND ANIMALS

Part XXIII. Pesticides

Chapter 11. Regulations Governing Application of Pesticides

§1103. Restrictions on Application of Certain Pesticides

A. - I. ...

J. No person shall apply, use, or incorporate the use of any herbicide, as defined in §103, including but not limited to, those registered with and/or approved by the U.S. Environmental Protection Agency or the department, for the management, control, eradication or maintenance of weeds, grass, trees, shrubs, foliage, vegetation or other natural growth in any parish right-of-way, ditch, servitude, drainage area, roadside, road shoulder, green area, buffer zone, waterway, neutral ground or median in the unincorporated areas of St. Tammany Parish.

1. Definitions as used in this Subsection

Ditch—natural or dedicated area which provides for the containment or flow of water from rain or adjacent drainage areas or waterways such as streams, creeks, ponds, lakes or rivers.

Drainage Area—an area maintained for the purpose of channeling or preventing accumulation of water from surrounding land.

Easement—a designated right to use the property of another for a specific purpose, i.e., drainage, utility easement.

Median/Neutral Ground—the area dividing or separating a roadway and not used for right of passage.

Right-of-Way—any public way, street, road, alley, easement, servitude or access, which was dedicated to or acquired by the St. Tammany Parish to provide means of access to abutting properties; whether paved, improved or unimproved, including those areas dedicated for proposed or future uses.

Roadside/Road Shoulder—natural or dedicated areas which are parallel, contiguous to, abut, adjoin, border, edge, connect or approach any public right-of-way, road, street or highway.

Servitude—a right-of-way through or across property belonging to another.

2. Exemptions are hand held manual pump sprayers up to a maximum three-gallon capacity.

K. An ultra low volume (ULV) malathion and a ULV pyrethroid insecticide (tank mixed) may be applied to control plant bugs in cotton only between sunrise on May 15 through sunrise on September 15 of each year, subject to the following.

1. Applications shall be made at no less than seven-day intervals at an application rate not to exceed the individual pesticide product labels and with no other dilutions or tank mixes.

2. Each application shall be reported, in writing and within 24 hours of the application, to the appropriate Boll Weevil Eradication Program district office by the farmer, agricultural consultant or owner/operator.

3. The report shall include the names and addresses of the farmer, agricultural consultant (if appropriate), owner/operator and applicator; the applicator's number issued by the department; the field name or number; the number of acres treated; the name and EPA registration number of the pesticide product; and the application date and time.

L. - N. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:3203, R.S. 3:3242 and R.S. 3:3249.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Advisory Commission on Pesticides, LR 9:189 (April 1983), amended LR 10:196 (March 1984), LR 11:219 (March 1985), LR 11:942 (October 1985), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 18:953 (September 1992), LR 19:1119 (September 1993), LR 21:668 (July 1995), LR 24:281 (February 1998), LR 24:2076 (November 1998), LR 26:1428 (July 2000), LR 26:1966 (September 2000), LR 27:279 (March 2001), LR 27:1672 (October 2001), LR 33:1855 (September 2007), LR 35:628 (April 2009), LR 36:1980 (September 2010), LR 37:269 (January 2011), LR 37:809 (March 2011), amended by Department of Agriculture and Forestry,

Office of Agricultural and Environmental Sciences, Advisory Commission on Pesticides, LR 37:3478 (December 2011), amended by the Department of Agriculture and Forestry, Advisory Commission on Pesticides, LR 38:1556 (July 2012), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 42:732 (May 2016), LR 47:1832 (December 2021).

Mike Strain, DVM
Commissioner

2112#013

RULE

Department of Agriculture and Forestry Office of Agricultural and Environmental Sciences Agricultural Chemistry and Seed Commission

Industrial Hemp (LAC 7:XIII.Chapter 13)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority set forth in R.S. 3:1461 et seq., the Department of Agriculture and Forestry ("Department"), through the Office of Agricultural and Environmental Sciences, has amended LAC 7:XIII.1301, 1303, 1305, 1307, 1309, 1311, 1313, 1315, 1317, 1319, 1321, 1323, 1327, 1330, 1331, 1333, 1335, 1337 and 1341 of the Industrial Hemp Rules and Regulations. The amendments are being made in accordance with Act 336 of the 2021 Regular Session, pertaining to recent changes in the Louisiana Industrial Hemp Law as it relates to: adding additional definitions, changing the words "contract carrier" to "handler", establishing a handler license, establishing planting report requirements, changing the term "federally defined THC level" to "acceptable industrial hemp THC level," adding approval method for non-certified seed, adding additional prohibition line items, adding an industrial hemp research regulation, clarifying records requirement, adding a performance-based sampling section and adding a remediation provision in addition to the destruction option. A few of the provisions contain grammatical and formatting corrections as well. This Rule is hereby adopted on the day of promulgation.

Title 7

AGRICULTURE AND ANIMALS

Part XIII. Seeds

Chapter 13. Industrial Hemp

Subchapter A. General Provisions

§1301. Authority

A. The Louisiana Department of Agriculture and Forestry adopts these regulations under the authority of R.S. 3:1461 et seq. for the purpose of regulation, licensure, and enforcement of the cultivation, processing, and handling of industrial hemp.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:170 (February 2020), amended LR 47:1833 (December 2021).

§1303. Definitions

A. ...

B. The following words and terms shall have the following meanings.

Acceptable Industrial Hemp THC Level—when the application of the measurement of uncertainty to the reported total delta-9 tetrahydrocannabinol content concentration level on a dry weight basis produces a distribution range that includes 0.3 percent or less.

Certificate of Analysis—Repealed.

Corrective Action Plan—a plan proposed by LDAF for correcting a negligent violation or non-compliance for any licensed industrial hemp grower, seed producer, handler or other person(s) found to be in violation of these rules.

Destruction Report—an official document issued by LDAF that must be completed by a licensed producer of industrial hemp and submitted to LDAF prior to destruction of any industrial hemp plot.

Federally Defined THC Level for Hemp—Repealed.

Grower—a licensee authorized to obtain industrial hemp seed, possess industrial hemp seed for planting cultivating, cultivate an industrial hemp crop, harvest industrial hemp plant parts, as well as possess, store, transport, and market unprocessed plant parts grown under their grower's license, pursuant to this Chapter.

Handle or Handling—includes all of the following:

- transporting or delivering industrial hemp material in intrastate commerce for compensation;
- commercially harvesting, storing, or grinding industrial hemp material received from a grower;
- cleaning or packaging industrial hemp seed received from a seed producer;
- brokering industrial hemp material; or
- receiving industrial hemp material for testing.

Handler—a licensee authorized to engage in handling as defined herein.

Harvest Report—an official document issued by LDAF that must be completed by a licensed grower or seed producer of industrial hemp and submitted to LDAF prior to harvest of any industrial hemp plot.

Industrial Hemp—the plant *Cannabis sativa L.* and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total delta-9 tetrahydrocannabinol concentration level of not more than 0.3 percent on a dry weight basis.

Industrial Hemp Plant Parts—any floral buds, leaves, roots, seeds, stalks, or stems of the plant *Cannabis sativa L.* with a total delta-9 tetrahydrocannabinol concentration level of not more than 0.3 percent on a dry weight basis.

Key Participants—Repealed.

LDAF—the Louisiana Department of Agriculture and Forestry.

License Application—a document executed by a person and LDAF authorizing the person to grow, handle, process, or store industrial hemp at one or more specified locations in Louisiana under the terms set forth in the document, R.S. 3:1461 et seq., and this Chapter.

Licensee—any person possessing a handler, grower, processor or seed producer license issued by LDAF under the authority of this Chapter.

Negligence or Negligent Violation—failure to exercise the level of care that a reasonably prudent person would exercise in complying with the requirements set forth in this Chapter.

Non-Consumable Hemp—any product derived from industrial hemp that does not contain any cannabinoid, including cannabidiol, and is not intended for consumption or topical use.

Notice of Analysis—an official document issued by a laboratory approved by LDAF which includes, along with other sample information, the unique sample number and THC level test results of the submitted sample.

Processing—converting industrial hemp into a non-consumable, marketable form.

Processor—any licensed individual, partnership, corporation, cooperative association, or other business entity that receives industrial hemp for processing into non-consumable hemp commodities or products. Processor shall not include a consumable hemp processor as defined in R.S. 3:1481.

Prohibited Variety—an industrial hemp variety or strain that meets one or more of the following:

- a. more than 50 percent of official LDAF sample test results are above the 0.30 percent total THC concentration level;
- b. an official LDAF sample test result that is equal to or greater than 1.0 percent total THC;
- c. information in the public domain that supports the fact that the variety or strain is not industrial hemp.

Remediate or Remediation—the process of rendering non-compliant cannabis compliant by removing and destroying, in the presence of and by a method approved by LDAF, all flower material, while retaining stalk, stems, leaf material, and seeds, or by shredding the entire plant into a biomass-like material, then re-testing the shredded biomass material for compliance.

Research Institution—an accredited institution of higher learning or a research facility that conducts scientific research on industrial hemp, or any licensee producing industrial hemp for research purposes, when none of the industrial hemp grown is intended for commerce.

Seed Producer—a licensee authorized to obtain, produce, transport, and sell industrial hemp seed pursuant to this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462 and R.S. 3:1464.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental

Sciences, Agricultural Chemistry and Seed Commission, LR 46:170 (February 2020), LR 47:438 (April 2021), amended LR 47:1833 (December 2021).

Subchapter B. Licenses

§1305. Licensing

A. Each industrial hemp seed producer, grower, processor, or handler shall obtain a license from LDAF prior to engaging in the regulated activity.

B. - I. ...

J. The licensee shall submit to LDAF in writing any requests for license modification if there is any change to the information submitted in the application including but not limited to: sale of a business or any modifications to any information concerning the licensee's approved fields, greenhouses, indoor growing structures, or any other sites where that licensee stores, processes or handles industrial hemp plants or plant parts. Requests for license modifications shall be submitted to LDAF within 15 days of any change of the information submitted in the application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:171 (February 2020), LR 47:438 (April 2021); amended LR 47:1834 (December 2021).

§1307. Seed Producer License

A. - C. ...

D. The application shall include, at a minimum, the following information for consideration:

1. type of license being requested as set forth in R.S. 3:1465;
2. applicant's full name, Louisiana mailing and physical address, telephone number, email address, and proof of identification;
3. physical address, legal description, location ID, and GPS coordinates for each field, greenhouse, indoor growing structure, or site where industrial hemp will be grown, handled, or stored;
4. if the applicant is a business entity:
 - a. the full name of the business;
 - b. the principal Louisiana business physical address;
 - c. the full name, title and email address of the individual applying for the license;
 - d. the full name, title, and email address of the designated responsible party;
 - e. the full name and mailing address of the registered agent; and
 - f. the employer identification number.

D.5. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:171 (February 2020), LR 47:439 (April 2021), amended LR 47:1834 (December 2021).

§1309. Grower License

A. ...

B. A grower license issued by LDAF shall authorize the licensee to obtain industrial hemp seed, possess industrial hemp seed for planting, cultivate an industrial hemp crop, harvest industrial hemp plant parts, as well as possess, store,

transport, and market plant parts grown under their grower's license pursuant to this Chapter.

C. - C.1. ...

2. applicant's full name, Louisiana mailing and physical address, telephone number, email address, and proof of identification;

3. - 4.d....

e. the full name and mailing address of the registered agent; and

f. the employer identification number;

5. - 6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:172 (February 2020), LR 47:439 (April 2021), amended LR 47:1834 (December 2021).

§1311. Processor License

A. No person shall process industrial hemp into a non-consumable product without first applying for and receiving an industrial hemp processor license from LDAF.

B. A processor license issued by LDAF shall authorize the licensee to possess, process, store, or transport industrial hemp plant parts for processing pursuant to this Chapter.

C. The application shall include, at a minimum, the following information for consideration:

1. applicant's full name, Louisiana mailing and physical address, telephone number, email address, and proof of identification;

2. if the applicant is a business entity:

a. - d. ...

e. the full name and mailing address of the registered agent; and

f. the employer identification number.

3. detailed maps, legal description, physical address, location ID, and GPS coordinates for each building or site where industrial hemp will be processed, handled, or stored.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:172 (February 2020), LR 47:439 (April 2021), amended LR 47:1835 (December 2021).

§1313. Handler License

A. No person shall handle industrial hemp without first applying for and receiving an industrial hemp handler license from LDAF.

B. A handler license issued by LDAF shall authorize the licensee to:

1. transport or deliver industrial hemp in intrastate commerce for compensation;

2. commercially harvest, store, or grind industrial hemp material received from a grower;

3. clean or package industrial hemp seed received from a seed producer;

4. broker industrial hemp material; and

5. receive industrial hemp for testing.

C. The application shall require applicants to submit, at a minimum, the following information and documents:

1. applicant's full name, Louisiana mailing and physical address, telephone number, email address, and proof of identification;

2. if the applicant is a business entity:

a. - c. ...

d. the full name, title, and email address of the designated responsible party;

e. the full name and mailing address of the registered agent; and

f. the employer identification number.

3. detailed maps, legal description, physical address, location ID, and GPS coordinates for each building or site where industrial hemp will be cleaned, packaged, handled, or stored.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:172 (February 2020), amended LR 47:1835 (December 2021).

§1315. Criminal Background Check

NOTE: See §1305.H.1-2 for criminal conviction prohibitions regarding licensure

A. The applicant for each seed producer, grower, processor, or handler license shall undergo and pay for an annual criminal background check.

B. If the applicant is a business entity, the individual applying for a license, and the designated responsible party shall undergo and pay for an annual criminal background check.

C. - E. ...

F. Substitution of a designated responsible party shall require the submission of a current criminal background check report for the proposed substituted designated responsible party issued within the last 60 days. Licensee must obtain prior written approval from LDAF for the substitution of a designated responsible party.

1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:173 (February 2020), LR 47:439 (April 2021), amended LR 47:1835 (December 2021).

Subchapter C. Fees

§1317. Licensing and Testing Fees

A. License Fees

1. The annual fee for a seed producer, grower, processor, and handler license shall be \$500 each.

A.2. - B.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1467.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:173 (February 2020), LR 47:439 (April 2021), amended LR 47:1835 (December 2021).

Subchapter D. Seed Producers and Growers

§1319. Requirements for Seed Producers and Growers

A. - A.6. ...

B. LDAF may sample and test any industrial hemp material in a licensee's possession at any time if there is reason to believe that a violation of this Chapter has occurred.

C. A licensee shall submit in writing a completed Harvest or Destruction report to LDAF within 15 days of the

intended harvest date or intended destruction date of a failed crop.

D. Planting Reports

1. Grower licensees shall submit a completed first report of planting on a form provided by LDAF for all hemp plantings within 15 days of planting;

2. For all true seed production, seed producer licensees shall submit a completed first report of planting on a form provided by LDAF within 15 days of planting; and

3. For all vegetative stock plantings, seed producer licensees shall submit a completed quarterly planting report on a form provided by LDAF on or before March 31, June 30, September 30, and December 31 of each year.

E. Representatives of LDAF shall be provided with complete and unrestricted access to all industrial hemp plants, whether growing or harvested, and all land, buildings, and other structures used for the cultivation, handling, and storage of all industrial hemp plants and all locations listed in the license application.

F. An industrial hemp crop shall not be harvested more than 30 days following the date of sample collection by LDAF, unless specifically authorized in writing by LDAF.

G. An industrial hemp crop planted or cultivated in a field, greenhouse, or indoor growing structure shall be planted or cultivated in a manner to allow LDAF to collect a representative sample throughout the entire crop. If a crop is not planted or cultivated in such a manner that allows for the collection of a sample throughout the entire crop, then the grower shall make modifications to the crop to allow collection and sampling throughout the entire crop.

H. A licensee shall destroy any unharvested industrial hemp plants contained in a field, greenhouse, or indoor growing structure or any portion thereof resulting from crop failure or that licensee's failure to harvest for any reason. LDAF shall approve the written destruction method of the unharvested industrial hemp plants.

I. A licensee shall monitor and destroy volunteer industrial hemp plants from the licensee's cultivation for a period of three years after cultivation ends.

J. A licensee who fails to timely submit a Harvest or Destruction Report or who harvests a crop prior to a sample being collected by LDAF may be subject to crop destruction and regulatory action up to and including license revocation.

K. Licensed seed producers and growers shall report industrial hemp crop acreage or square footage to the USDA Farm Service Agency and shall provide, at a minimum, the following information:

1. street address and, to the extent practicable, GPS location for each field, greenhouse, or indoor growing structure where industrial hemp will be cultivated;

2. acreage or square footage for each field, greenhouse, or indoor growing structure dedicated to the cultivation of industrial hemp; and

3. LDAF license number.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464, R.S. 3:1467, and R.S. 3:1468.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:173 (February 2020), LR 47:439 (April 2021), amended LR 47:1835 (December 2021).

§1321. Seed Acquisition and Approval

A. - B.1. ...

2. seed originating from a Louisiana licensed seed producer or handler, or an out-of-state person authorized to produce hemp seed by the USDA or under an approved state plan pursuant to the Agriculture Improvement Act of 2018, P.L. 115-334, or under an authorized state pilot program pursuant to the Agriculture Improvement Act of 2014, P.L. 113-79, and that is accompanied by the following official documentation:

a. certificate of analysis issued by a third party independent laboratory showing that the industrial hemp from which the seed was harvested had a THC concentration of not more than the acceptable industrial hemp THC level;

B.2.b. - E. ...

F. No person shall sell or transfer industrial hemp seed to any person in Louisiana without first verifying that the person receiving the seed is licensed by LDAF.

G. No person shall buy or otherwise acquire industrial hemp seed from any person in Louisiana without first verifying that the person distributing the seed is a seed producer or handler licensed by LDAF.

H. Upon request from LDAF, a licensed seed producer shall provide a seed distribution list within 48 hours of the request showing locations where and to whom industrial hemp seed was distributed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431, R.S. 3:1436, R.S. 3:1445, 3:1463, R.S. 3:1464, R.S. 3:1465, and R.S. 3:1466.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:174 (February 2020), LR 47:440 (April 2021), amended LR 47:1836 (December 2021).

Subchapter E. Restrictions and Prohibitions

§1323. Land Use Restrictions

A. A licensee shall not grow, handle, process, or store industrial hemp in any structure that is used or appears to be used for residential purposes.

B. A licensee shall not grow, handle, process or store industrial hemp in any outdoor field or site that is located within 1,000 feet of a school, daycare or similar public areas frequented by children as determined by LDAF.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1465.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:175 (February 2020), LR 47:440 (April 2021), amended LR 47:1836 (December 2021).

§1327. Prohibitions

A. - A.10. ...

11. sell or transfer, or permit the sale or transfer of living industrial hemp plants or plant parts to a person in the state who does not hold an industrial hemp license issued by LDAF;

12. commingle harvested industrial hemp plant parts from one plot with harvested industrial hemp plant parts from another plot prior to receipt of compliant THC concentration level test results from LDAF;

13. commingle different varieties of industrial hemp plants in a single plot; or

14. adulterate industrial hemp plants or plant parts in any manner that renders it non-compliant with this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464, R.S. 3:1465, R.S. 3:1466, R.S. 3:1467, R.S. 3:1468, R.S. 3:1470, and R.S. 3:1471.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:175 (February 2020), LR 47:440 (April 2021), amended LR 47:1836 (December 2021).

Subchapter F. Reporting, Research, and Record-Keeping

§1330. Industrial Hemp Research

A. Except for those entities exempted pursuant to R.S. 3:1469, all research institutions who intend to perform industrial hemp research shall possess a valid license with LDAF, and submit an annual industrial hemp research plan to LDAF. The research plan shall include, but not be limited to, the following information:

1. a detailed research summary outlining the purpose and objectives that demonstrates to LDAF's satisfaction that research of hemp is being performed;

2. all locations where industrial hemp research will be conducted;

3. strain(s) and/or variety(ies) of industrial hemp used in the research;

4. a timeline of all research activities;

5. a destruction plan for all cannabis plants involved in the research;

6. results of hemp-related research information and findings conducted by the licensee during the previous 12-month period. Trade secret or patent information developed from hemp research may be omitted from the annual research plan so long as it is necessary for the research institution to protect such information; and

7. any other information as may be requested by LDAF.

B. No industrial hemp research shall be performed without first obtaining written approval of a research plan from LDAF;

C. No industrial hemp research shall be performed on strains or varieties not pre-approved by LDAF;

D. Any change(s) to the research plan must be submitted in writing to, and approved by, LDAF prior to implementation of the change(s);

E. Industrial hemp or industrial hemp plant parts grown for research purposes shall not be offered for sale or enter the stream of commerce, except as otherwise provided in this Chapter;

F. Industrial hemp grown for research purposes shall be subject to the inspection, record keeping, sampling, and testing requirements as set forth in this Chapter;

G. Licensees producing industrial hemp for both commercial and research purposes at the same location shall meet the following minimum isolation requirements between commercial and research plants and plant parts:

1. material grown or stored indoors shall be separated at all times by contiguous walls extending from the floor to the structure's ceiling; and

2. material grown or stored outdoors shall be separated by a minimum distance of twenty (20) feet at all times;

H. Each industrial hemp lot and harvested plant material produced for research purposes shall be plainly and clearly identified with the following information;

1. "for research purposes," and

2. the name of the strain or variety.

I. Research institutions shall be assessed a negligent violation if the THC content of a sample collected by LDAF exceeds 1 percent total delta-9 tetrahydrocannabinol. Research institutions shall not receive more than one negligent violation in a growing season.

J. If during the course of cultivation, the research institution decides to convert an industrial hemp research plot into commercial production, then the plot shall comply with the sampling and testing requirements set forth in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1469.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 47:1837 (December 2021).

§1331. Records

A. - A.2. ...

3. for seed producers and growers, documentation of traceability from seed acquisition to harvest or crop termination; and

4. ...

B. All licensees transporting or delivering industrial hemp or industrial hemp plant parts shall have a copy of their license(s) in their possession at all times during transport or delivery.

C. Any person transporting or delivering industrial hemp or industrial hemp plant parts entered into commerce shall also have a dated invoice, bill of lading, or manifest in his or her possession at all times during transport or delivery, which shall include:

1. the seller's and purchaser's name and address;

2. the specific origin and destination of the industrial hemp being transported; and

3. the quantity of industrial hemp being transported.

D. All records required under R.S. 3:1466 and this Chapter shall be maintained by the licensee while the license is valid and for a minimum of three years after the expiration of the license

E. Required records shall be provided for inspection within 48 hours upon request by LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1466.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:176 (February 2020), amended LR 47:1837 (December 2021).

Subchapter G. Inspections

§1333. Site Access and Compliance

A. When there is reason to believe that a violation of any provision of R.S. 3:1461 et seq. or this Chapter has occurred, the commissioner or his authorized agent(s) shall have access, during normal working hours, to any premises where

industrial hemp plants or plant parts are transported, produced, cultivated, handled, and/or stored for the purpose of inspection, investigation, and/or collection of samples for testing. The commissioner or his authorized agent(s) may inspect and/or sample any industrial hemp seed, plant, or plant parts located on the premises. LDAF shall not charge a testing fee for samples collected pursuant to an investigation initiated by LDAF.

B. LDAF shall conduct inspections, at least annually, of a random sample of licensees to verify that industrial hemp is not being produced in violation of this R.S. 3:1461 et seq., or this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464 and R.S. 3:1468.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:176 (February 2020), amended LR 47:1837 (December 2021).

Subchapter H. Sampling, Testing, Remediation, and Destruction

§1335. THC Sampling and Testing

A. All industrial hemp plants or plant parts, whether harvested or unharvested, shall be subject to sampling and testing for THC levels by LDAF as set forth in this Section.

B. ...

C. Sample Collection

1. Licensees shall submit a Harvest Report for each field, greenhouse or indoor growing structure to LDAF prior to harvesting any industrial hemp plants.

2. - 5. ...

6. All samples collected by LDAF become the property of the LDAF and are non-returnable. No compensation shall be owed by LDAF for samples collected under this Chapter.

7. ...

8. The licensee shall harvest industrial hemp plants or plant parts within 30 days of the sample collection by LDAF, unless an exception is authorized in writing by LDAF. Should a licensee fail to complete harvest within 30 days and no exception was authorized by LDAF, a second sample and test of the plot shall be performed and the licensee shall be assessed an additional testing fee per sample in an amount not to exceed \$250 per sample.

D. Performance-based Sampling

1. Industrial hemp lots produced for research purposes may not be subject to sampling and testing requirements outlined in this Section when all of the following requirements are met:

a. LDAF has a confidence level that 95 percent of the industrial hemp plants in each lot subject to alternate method will not test above the acceptable industrial hemp THC level;

b. no industrial hemp will enter the stream of commerce;

c. the research institution has submitted and received written approval of an industrial hemp research plan from LDAF;

d. the research institution maintains records documenting the strain or variety's compliance with the acceptable industrial hemp THC level.

2. LDAF may inspect, sample, and test any industrial hemp plants or plant parts, at any time to ensure compliance with this Chapter.

3. LDAF shall conduct random inspections, including records reviews on research institutions, regardless of whether or not they are subject to the sampling and testing requirements.

E. Laboratory Testing

1. Quantitative determination of THC levels measured using liquid chromatography with ultraviolet detection (LC-UV) or mass spectral detection if required by matrix interference (LC/MS/MS) shall be the accepted analytical technique to avoid the risk of incomplete decarboxylation, therefore, removing the need for any post-decarboxylation.

2. The testing methodology shall consider the potential conversion of THC-A in industrial hemp into THC and the test result shall measure the total available THC derived from the sum of the THC and THC-A content. Appropriately, the THC-A result will be modified by the molecular weight conversion factor 0.877 prior to summation with THC. The total THC concentration level shall be reported on a dry weight basis.

3. Analytical testing for purposes of detecting the concentration levels of THC shall meet the following standards:

a. laboratory quality assurance must ensure the validity and reliability of test results;

b. analytical method selection, validation, and verification must ensure that the testing method used is appropriate (fit for purpose), and that the laboratory can successfully perform the testing;

c. the demonstration of testing validity must ensure consistent, accurate analytical performance;

d. method performance specifications must ensure analytical tests are sufficiently sensitive for the purposes of detectability requirements of this Chapter;

e. an effective disposal procedure in accordance with DEA regulations for samples of industrial hemp plants and industrial hemp plant parts that do not meet the requirements of R.S. 3:1461 et seq. or this Chapter.

f. the measurement of uncertainty shall be estimated and reported with the results.

4. All testing of industrial hemp samples shall be conducted by LDAF or by any public postsecondary education institution in which LDAF has entered into a contract, cooperative endeavor agreement, memorandum of understanding, or other agreement for THC testing.

5. The results of the THC analysis shall be reported to the licensee and, if tested by an approved third party laboratory, to LDAF.

6. A notification of analysis shall be issued for samples with a THC concentration that do not exceed the acceptable industrial hemp THC level and no further action shall be required. The plot or harvested plant material from which the sample was obtained shall be released for marketing or further processing.

7. A notification of analysis shall be issued for samples that exceed the acceptable industrial hemp THC level and a licensee may request a resample of any harvested cannabis that has undergone remediation as set forth in §1337 of this Chapter. If no request is made within 10 calendar days of the sample results being reported to the licensee, or the retested sample results exceed the acceptable industrial hemp THC level, then the plot or harvested plant

material from which the sample was taken shall be subject to destruction as set forth in §1337.

8. No industrial hemp plants or plant parts for which a THC analysis is pending shall be transferred, transported, sold, marketed, or otherwise disposed of until approved by LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, R.S. 3:1467, and R.S. 3:1468.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:177 (February 2020), LR 47:440 (April 2021), amended LR 47:1838 (December 2021).

§1337. Remediation and Destruction

A. All industrial hemp plants or plant parts that are non-compliant with the acceptable industrial hemp THC level shall be remediated or destroyed in compliance with this Chapter.

B. Producers may choose to remediate any non-compliant industrial hemp plants by one of the following methods:

1. removing and destroying all flower material, while retaining stalk, stems, leaf material, and seeds; or
2. shredding the entire plant into a biomass-like material.

C. All remediated industrial hemp plants or plant parts shall be resampled and tested for THC concentration levels, and shall comply with the acceptable industrial hemp THC level.

D. Industrial hemp plants or plant parts that are not in compliance with the acceptable industrial hemp THC level after remediation shall be:

1. prohibited from being further handled, processed, or entered into the stream of commerce; and
2. destroyed in accordance with the USDA AMC published list of Hemp Disposal Activities. The method of destruction shall be approved by LDAF.

E. Licensees shall submit a Destruction Report for each plot to LDAF prior to destruction. LDAF shall approve the method of destruction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1462, R.S. 3:1464, R.S. 3:1467, and R.S. 3:1468.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:177 (February 2020), amended LR 47:1839 (December 2021).

Subchapter I. Enforcement

§1341. Corrective Action Plan for Negligent Violations and Mandatory Reporting

A. In addition to being subject to license suspension, license revocation, civil penalties, and industrial hemp destruction, a person who is determined by LDAF to have negligently committed the following violations may be subject to a corrective action plan:

1. - 2. ...
3. producing industrial hemp exceeding the acceptable hemp THC level. A person that has made reasonable efforts to grow industrial hemp and produces industrial hemp of containing less than 1.0 percent THC on a dry weight basis shall not be deemed to have committed a negligent violation.

B. - C. ...

D. A person who is determined by LDAF to have negligently violated R.S. 3:1461 et seq. and this Chapter

three times in a five-year period shall be ineligible to hold an industrial hemp license for a period of five years beginning on the date of the third violation.

E. ...

F. Licensed growers and seed producers of industrial hemp shall not receive more than one negligent violation per growing season.

G. LDAF shall report a person who is found by LDAF to have violated R.S. 3:1461 et seq. and this Chapter with a culpable mental state greater than negligence to the USDA, United States Attorney General, and the Louisiana Attorney General within 30 days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1464.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 46:178 (February 2020), amended LR 47:1839 (December 2021).

Mike Strain, DVM
Commissioner

2112#014

RULE

Department of Agriculture and Forestry Office of Agro Consumer Services

Weights and Measures
(LAC 7:XXXV.113, 123, 125, and 127)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority set forth in R.S. 3:4603, R.S. 3:4606, 4607, 4608, and R.S. 3:4622, the Department of Agriculture and Forestry (“department”) and the Weights and Measures Commission have amended LAC 7:XXXV.101, 113, 123, 125, and 127.

The Weights and Measures program has adopted by reference the standards and requirements set forth by the National Institute for Standards and Technology (NIST) in its Handbook 44, which is an industry-accepted publication.

The amendment to §113 is being repealed as it contains obsolete and unnecessary language. The department has adopted NIST Handbook 44 “Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices” which addresses the suitability of scales of all kinds, including scales used to purchase aluminum cans.

The amendment to §123 aligns the licensing dates for weighmaster licenses with all the other Weights and Measures licenses (January 1 through December 31).

The amendment to §125 sets the annual fees for registration of commercial weighing devices based on Act 145 of the 2021 Regular Legislative Session, which amends and reenacts R.S. 3:4622(B)(1) through (3), (C), and (E). Act 145 amended the fee schedule set forth in R.S. 3:4622 to increase the existing fees for registration of commercial weighing devices and sets a statutory range for the new fees. Previously, the statutory language established set fees. The amendment to this section establishes set fees within the new statutory fee range.

The amendment to §127 adds late fees for late payment of weighmaster, service agency, and service technician licenses. Currently, these types of licenses have no late fees and are

often paid after the deadline of December 31, as set forth in LAC 7.XXXV.127(F), for all other Weights and Measures licenses. This Rule is hereby adopted on the day of promulgation.

Title 7

AGRICULTURE AND ANIMALS

Part XXXV. Agro-Consumer Services

Chapter 1. Weights and Measures

§113. Scales for Use with Purchases of Aluminum

Cans

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4608.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Division of Weights and Measures, LR 19:1532 (December 1993). Repealed LR 47:1840 (December 2021).

§123. Weighmaster

A. - B. ...

C. The effective dates of all weighmaster licenses shall be January 1 through December 31 of any given year, and licenses must be renewed annually. Applications for weighmaster licenses may be submitted to LDAF at any time during the year, and are effective upon approval by LDAF through the end of that year.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4603 (formerly R.S. 55:3).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Commission of Weights and Measures, LR 13:158 (March 1987), amended LR 19:1533 (December 1993), LR 47:1840 (December 2021).

§125. Weights and Measures Fee Structure

A. - H. ...

I. The annual fee for registration of commercial weighing devices shall be as follows:

Category	Device Capacity	Annual Fee
1	Zero to 1,000 pounds	\$50
2	Over 1,000 pounds to 10,000 pounds	\$115
3	Over 10,000 pounds	\$215

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4608 and 3:4622.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Division of Weights and Measures, LR 19:1534 (December 1993), amended LR 23:857 (July 1997), LR 30:1142 (June 2004), LR 42:218 (February 2016), LR 42:1649 (October 2016), LR 47:852 (July 2021), LR 47:1840 (December 2021).

§127. Registration

A. Each commercial weighing and measuring device in use in Louisiana, and every weighmaster, service agency, and service technician currently active in Louisiana, shall be registered as required by this Chapter.

B. - E.5. ...

F. A late fee of \$25 will be assessed for each commercial weighing and measuring device, weighmaster, service agency, and service technician, when the application is submitted after December 31, with a maximum penalty of \$100 per location.

G. - R. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:4603 (formerly R.S. 55:3), 3:4607, 4608, and 3:4622.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Commission of Weights and Measures, LR 13:158 (March 1987), amended LR 15:78 (February 1989), amended by the Department of Agriculture and Forestry, Office of Agro-Consumer Services, Division of Weights and Measures, LR 19:1534 (December 1993), LR 23:857 (July 1997), LR 41:2098 (October 2015), LR 42:1649 (October 2016), amended by the Department of Agriculture and Forestry, Office of Agro-Consumer Services LR 47:562 (May 2021), LR 47:1840 (December 2021).

Mike Strain, DVM
Commissioner

2112#003

RULE

**Department of Children and Family Services
Economic Stability Section**

TANF Grant Amounts
(LAC 67:III.1229, 5329, and 5703)

In accordance with the provisions of the Administrative Procedure Act R.S. 49:953(A), the Department of Children and Family Services (DCFS) has amended LAC 67:III, Subpart 2, Section 1229 Income; Subpart 13, Section 5329 Income; and Subpart 16, Section 5703 Program Administration.

Pursuant to Louisiana's Temporary Assistance for Needy Families (TANF) Block Grant, the department considers these amendments necessary to facilitate the expenditure of TANF funds for FITAP and KCSP.

Amendment of Section 1229 is required to increase the FITAP flat grant amounts. Amendment of Section 5329 is required to update the KCSP child's monthly countable income threshold from \$222 to \$450, and to update the KCSP payment amount from \$222 per month to \$450 per month for each eligible child. Amendment of Section 5703 is required to maintain compliance with Act 209 of the 2021 Regular Session of the Louisiana Legislature, which allows the department more flexibility in the coordination and delivery of services, and removes the requirement to provide workers' compensation and liability insurance coverage for participants engaged in work experience or community service activities. This Rule is hereby adopted on the day of promulgation, and is effective January 1, 2022.

Title 67

SOCIAL SERVICES

Part III. Economic Stability

Subpart 2. Family Independence Temporary Assistance Program

Chapter 12. Application, Eligibility, and Furnishing Assistance

Subchapter B. Conditions of Eligibility

§1229. Income

A. - B.2. ...

C. Earned Income Deductions. Each individual in the income unit who has earned income is entitled to the following deductions only:

1. standard deduction of \$120;

2. \$900 time-limited deduction. This deduction is applied for six months when a recipient's earnings exceed the \$120 standard deduction. The months need not be consecutive nor within the same certification periods. The deduction is applicable for a six-month lifetime limit for the individual;

3. dependent care deduction. Recipients may be entitled to a deduction for dependent care for:

- a. an incapacitated adult;
- b. a child who is included in the filing unit; or
- c. effective May 1, 2006, the amount charged by a child care provider that exceeds the CCAP maximum for a child in care.

D. Flat Grant Amounts, effective January 1, 2022

Number of Persons	Flat Grant Amount
1	\$244
2	\$376
3	\$484
4	\$568
5	\$654
6	\$732
7	\$804
8	\$882
9	\$954
10	\$1,024
11	\$1,102
12	\$1,180
13	\$1,260
14	\$1,340
15	\$1,424
16	\$1,514
17	\$1,582
18	\$1,678
18+	See NOTE 1

NOTE 1: To determine the amount for households exceeding 18 persons, add the flat grant amount for the number in excess of 18 to the flat grant amount for 18 persons and subtract \$100.

E. - G ...

AUTHORITY NOTE: Promulgated in accordance with 42 USC 601 et seq., and 10602(c), R.S. 36:474, R.S. 46:231.1(B), R.S. 46:231.2, P.L. 108-447, Act 16, 2005 Reg. Session, and 7 CFR 273.2(j).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 25:2449 (December 1999), amended LR 26:1342 (June 2000), LR 26:2831 (December 2000), LR 31:2956 (November 2005), LR 32:1616 (September 2006), LR 32:1912 (October 2006), LR 34:2678 (December 2008), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2524 (November 2010), amended by the Department of Children and Family Services, Economic Stability Section, LR 40:1675 (September 2014), LR 42:1651 (October 2016), LR 44:444 (March 2018), LR 47:1840 (December 2021).

Subpart 13. Kinship Care Subsidy Program (KCSP)
Chapter 53. Application, Eligibility, and Furnishing Assistance

Subchapter B. Conditions of Eligibility

§5329. Income

A. - B.3. ...

C. Income after Pretest. The child is determined eligible for KCSP if the child's monthly countable income is,

effective January 1, 2022, less than \$450. If the child's monthly countable income is, effective January 1, 2022, \$450 or more, the child is ineligible.

D. Payment Amount

1. Effective January 1, 2022, the KCSP basic assistance payment amount is \$450 per month for each eligible child.

2. ...

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq. and 10602(c), R.S. 36:474, R.S. 46:231.1.B, R.S. 46:237, and P.L. 108-447, Act 16, 2005 Reg. Session, 7 CFR 273.2(j).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 26:353 (February 2000), amended LR 26:2832 (December 2000), LR 31:2958 (November 2005), LR 32:1617 (September 2006), LR 32:1913 (October 2006), repromulgated LR 32:2098 (November 2006), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2537 (November 2010), LR 38:1390 (June 2012), amended by the Department of Children and Family Services, Economic Stability Section, LR 45:1443 (October 2019), LR 47:1841 (December 2021).

Subpart 16. Strategies to Empower People (STEP) Program

Chapter 57 Strategies to Empower People (STEP) Program

Subchapter A. Designation and Authority of State Agency

§5703. Program Administration

A. The Department of Children and Family Services (DCFS) shall develop, implement, and administer STEP as the employment program for work-eligible recipients of the Family Independence Temporary Assistance Program (FITAP) in accordance with the provisions of the Federal Welfare Reform Act and make available to eligible FITAP recipients the allowable work, training, and education activities of the STEP Program.

B. Prior to receipt of FITAP, a work-eligible participant shall be notified in writing of program expectations and participant responsibilities. When possible, notification may be delivered via e-mail or other electronic means, and notification delivered in this manner shall be deemed to satisfy the written notification requirement established in this Chapter.

C. DCFS may collaborate with the Louisiana Workforce Commission (LWC) to identify and coordinate employment services for the program. Employment services may be delivered pursuant to performance-based contracts between the department and LWC, other government agencies, or any community partner.

D. A grievance procedure is available for resolving displacement complaints by regular employees or their representatives relating to STEP participants. A grievance procedure is also available for resolving complaints by, or on behalf of, STEP participants in a work-related activity. This grievance procedure hears complaints relating to on-the-job working conditions and workers' compensation coverage.

AUTHORITY NOTE: Promulgated in accordance with P.L. 104-193, R.S. 46:231, R.S. 46:460, and Act 58, 2003 Reg. Session.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 30:497 (March

2004), amended by the Department of Children and Family Services, Economic Stability Section, LR 40:1676 (September 2014), LR 47:1841 (December 2021).

Marketa Garner Walters
Secretary

2112#042

RULE

Department of Children and Family Services Economic Stability Section

TANF NRST Benefits and Post-FITAP Transitional Assistance (LAC 67:III.1229, 5329, 5551, and 5729)

In accordance with the provisions of the Administrative Procedure Act R.S. 49:953(A), the Department of Children and Family Services (DCFS) has amended LAC 67:III, Subpart 2, Section 1229 Income; Subpart 13, §5329 Income; Subpart 15, §5551 Community Response Initiative; and Subpart 16, §5729 Support Services.

Pursuant to Louisiana's Temporary Assistance for Needy Families (TANF) Block Grant, amendment of Sections 1229 and 5329 is required to allow TANF nonrecurrent, short-term (NRST) benefit payments to FITAP and KCSP recipients to mitigate the impact of a specific crisis situation or episode of need such as an economic crisis, disaster, pandemic, etc. Under the American Rescue Plan Act of 2021, \$7,905,732 has been allotted to Louisiana in Pandemic Emergency Assistance Funds (PEAF), which are a supplemental appropriation to the basic TANF block grant, to assist needy families impacted by the COVID-19 pandemic. The change would allow the department to issue PEAF-funded NRST benefits directly to TANF-eligible recipients of FITAP and KCSP.

Section 5551 has been amended to change earned income eligibility for those services meeting TANF goals 1 and 2 from 200 to 250 percent of the federal poverty level.

Section 5729 has been amended to provide time-limited Post-FITAP transitional assistance to families who are leaving cash assistance when their FITAP case closes due to earned income. Families that leave TANF for work continue to face hardships in making ends meet once cash assistance ends and may be unable to maintain employment. Transitional benefits provided to working families can reduce poverty by providing transitional assistance on top of the earnings families receive when they go to work and improve their ability to maintain employment. This Rule is hereby adopted on the day of promulgation, and is effective January 1, 2022.

Title 67

SOCIAL SERVICES

Part III. Economic Stability

Subpart 2. Family Independence Temporary Assistance Program

Chapter 12. Application, Eligibility, and Furnishing Assistance

Subchapter B. Conditions of Eligibility

§1229. Income

A. - D. ...

E. Payment Amount

1. For FITAP basic assistance, the budgetary deficit is the amount remaining after subtracting applicable income from the total assistance needs (flat grant amount). Round down to the next lower dollar of the budgetary deficit to determine the payment amount. Prorate the initial assistance payment from the date of application if otherwise eligible.

2. Within the limits of appropriations, a FITAP household may also receive a nonrecurrent, short-term (NRST) benefit that meets the regulatory definition (45 CFR 260.31(b)(1)) to mitigate the impact of a specific crisis situation broadly affecting needy families or a specific episode of need affecting a specific family, such as an economic crisis, disaster, pandemic, etc. The department has flexibility to respond with a sufficient and appropriate response regarding the duration of payments up to four months, type of payment (lump-sum or monthly installments), number of NRST benefits provided for different episodes of crisis or need, payment amount for each NRST benefit, and any lifetime limits imposed for eligible families.

F. - G. ...

AUTHORITY NOTE: Promulgated in accordance with 42 USC 601 et seq. and 10602(c), R.S. 36:474, R.S. 46:231.1(B), R.S. 46:231.2, P.L. 108-447, Act 16, 2005 Reg. Session, and 7 CFR 273.2(j).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 25:2449 (December 1999), amended LR 26:1342 (June 2000), LR 26:2831 (December 2000), LR 31:2956 (November 2005), LR 32:1616 (September 2006), LR 32:1912 (October 2006), LR 34:2678 (December 2008), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2524 (November 2010), amended by the Department of Children and Family Services, Economic Stability Section, LR 40:1675 (September 2014), LR 42:1651 (October 2016), LR 44:444 (March 2018), LR 47:1842 (December 2021).

Subpart 13. Kinship Care Subsidy Program (KCSP) Chapter 53. Application, Eligibility, and Furnishing Assistance

Subchapter B. Conditions of Eligibility

§5329. Income

A. - C. ...

D. Payment Amount

1. ...

2. Within the limits of appropriations, a KCSP household may also receive a nonrecurrent, short-term (NRST) benefit that meets the regulatory definition (45 CFR 260.31(b)(1)) to mitigate the impact of a specific crisis situation broadly affecting needy families or a specific episode of need affecting a specific family, such as an economic crisis, disaster, pandemic, etc. The department has flexibility to respond with a sufficient and appropriate response regarding the duration of payments up to four months, type of payment (lump-sum or monthly installments), number of NRST benefits provided for different episodes of crisis or need, payment amount for each NRST benefit, and any lifetime limits imposed for eligible families.

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq. and 10602(c), R.S. 36:474, R.S. 46:231.1.B, R.S. 46:237, and P.L. 108-447, Act 16, 2005 Reg. Session, 7 CFR 273.2(j).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 26:353 (February 2000), amended LR 26:2832 (December 2000), LR 31:2958 (November 2005), LR 32:1617 (September 2006), LR 32:1913 (October 2006), repromulgated LR 32:2098 (November 2006), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 36:2537 (November 2010), LR 38:1390 (June 2012), amended by the Department of Children and Family Services, Economic Stability Section, LR 45:1443 (October 2019), LR 47:1842 (December 2021).

Subpart 15. Temporary Assistance for Needy Families (TANF) Initiatives

Chapter 55 TANF Initiatives

§5551. Community Response Initiative

A. The department may enter into Memoranda of Understanding or contracts to develop innovative and strategic programming solutions suited to the unique needs of Louisiana's communities.

B. The services provided by the various partners must meet one, or a combination of, the four TANF goals:

1. Goal 1—to provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives;

2. Goal 2—to end dependence of needy parents on government benefits by promoting job preparation, work, and marriage;

3. Goal 3—to prevent and reduce the incidence of out-of-wedlock pregnancies; and

4. Goal 4—to encourage the formation and maintenance of two-parent families.

C. Eligibility for those services meeting TANF goals 1 and 2 is limited to needy families, that is, a family in which any member receives a Family Independence Temporary Assistance Program (FITAP) grant, Kinship Care Subsidy Program (KCSP) grant, Supplemental Nutrition Assistance Program (SNAP) benefits, Child Care Assistance Program (CCAP) services, Title IV-E, Medicaid, Louisiana Children's Health Insurance Program (LaChip) benefits, Supplemental Security Income (SSI), Free or Reduced Lunch, or who has earned income at or below 250 percent of the federal poverty level. For TANF goals 1 and 2 a family consists of minor children residing with custodial parents, or caretaker relatives of minor children.

D. Eligibility for those services meeting TANF goals 3 and 4 may include any family in need of the provided services regardless of income. For TANF goals 3 and 4 a family consists of a minor child residing with a custodial parent or caretaker relative of the minor child, and non-custodial parents, and legal guardians.

E. Services are considered non-assistance by the agency.

AUTHORITY NOTE: Promulgated in accordance with 42 U.S.C. 601 et seq.; R.S. 46:231 and R.S. 36:474; Act 13, 2002 Reg. Session, Act 18, 2007 Reg. Session.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 28:2374 (November 2002), amended LR 34:695 (April 2008), amended by the Department of Children and Family Services, Economic Stability Section, LR 47:1843 (December 2021).

Subpart 16. Strategies to Empower People (STEP) Program

Chapter 57 Strategies to Empower People (STEP) Program

Subchapter C. STEP Program Process

§5729. Support Services

A. Clients may be provided support services that include but are not limited to:

1. a full range of case maintenance and case management services designed to lead to self-sufficiency;
2. transportation assistance;
3. Supplemental Nutrition Assistance Program (SNAP) benefits;
4. Medicaid benefits;
5. child care;
6. TANF-funded services;
7. other services necessary to accept or maintain employment; and
8. Post-FITAP transitional assistance benefits.

a. Effective September 1, 2021, these services may be provided to participants who are or become ineligible for cash assistance due to earned income within the limits of appropriations. They include a monthly transportation payment, other supportive service payments used to cover certain costs deemed necessary for employment, housing assistance used to address a specific episode of need deemed necessary to maintain employment, educational assistance, and a work retention incentive. The payments may begin with the first month of FITAP ineligibility and continue through the twelfth month of ineligibility or through the last month of employment, whichever comes first. The twelve months need not be consecutive.

B. Support services may be provided to:

1. persons participating in the family assessment;
2. persons referred by the department to other activities, such as drug counseling, prior to their participation in a work activity;
3. FITAP recipients participating in approved activities necessary to meet exemptions to the FITAP time limits;
4. FITAP recipients to facilitate their attendance in the FITAP Drug Testing Program or Parenting Skills Program;
5. allow participation in educational activities for FITAP recipients who are exempt from STEP.

C. Electronic disbursement of support services payments shall be mandatory for all payment types.

1. Electronic disbursement of support services payments includes direct deposit to the STEP participant's bank account (checking or savings) or payments to a stored value card account for the STEP participant.

D. The department shall inform participants of available supportive services as part of the initial family assessment and shall integrate the provision of any necessary supportive services to the family success agreement developed and signed by the department and the participant.

AUTHORITY NOTE: Promulgated in accordance with P.L. 104-193, R.S. 46:231, R.S. 46:460, and Act 58, 2003 Reg. Session, ACYF-IM-CC-05-03.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Family Support, LR 30:500 (March 2004), amended LR 32:2098 (November 2006), amended by the Department of Children and Family Services, Economic Stability and Self-Sufficiency Section, LR 38:1391 (June 2012), amended by the Department of Children and Family Services, Economic Stability Section, LR 40:1678 (September 2014), LR 47:1843 (December 2021).

Marketa Garner Walters
Secretary

2112#043

RULE

Department of Children and Family Services Licensing Section

Sanctions, Child Placing Supervisory Visits, and Specialized Provider Provisions
(LAC 67:V.6712, 6962, 7109, 7111, 7112, 7117, 7309, 7311, 7313, 7314, 7315, 7319, 7321 and 7508)

In accordance with the provisions of the Administrative Procedure Act R.S. 49:953(A), the Department of Children and Family Services (DCFS has amended LAC 67:V, Subpart 8, Sections 6712, 6962, 7109, 7111, 7112, 7117, 7309, 7311, 7313, 7314, 7315, 7319, 7321 and 7508.

The implementation of this Rule to Sections 7109, 7111, and 7311 places in the Rule, the authority of the department to institute intermediate sanctions and levy fines against licensed providers that fail to comply with the requirement of a state central registry clearance for individuals owning, working in, and having access to children/youth in DCFS licensed facilities and agencies. In accordance with R.S. 46:1430, as amended by Act 31 of the 2021 Regular Legislative Session, it is necessary to promulgate this Rule to make permanent the implementation of R.S. 46:1430 which was effective August 1, 2021.

Pursuant to Children's Code Article 1213, as amended by Act 6 of the 2021 Regular Legislative Session, the department is adopting rules to Sections 7313 and 7321 to make permanent the emergency rule in accordance with the required law which was effective August 1, 2021. The department considers action necessary to meet the requirements of Act 6 of the 2021 Regular Legislative Session.

In addition, the department has amended §§6712, 6962, 7112, 7117, 7309, 7314, 7315, 7319, and 7508. The Rule requires individuals to request a state central registry clearance every 5 years if the individual resides in a state other than Louisiana. The current Rule only requires submission if the individual is a resident of Louisiana. Section 7117 allows a nurse practitioner to complete a medical examination, in addition to a physician. Section 7314 removes the term children of residents from the Rule as this is not a term associated with child placing agency regulations. In addition, §7319 clarifies the requirements of a legally married couple when applying to become a foster/adoptive parent. This Rule is hereby adopted on the day of promulgation, and it is effective January 1, 2022.

Title 67

SOCIAL SERVICES

Part V. Child Welfare

Subpart 8. Residential Licensing

Chapter 67. Maternity Home

§6712. State Central Registry

A. - A.2. ...

3. In accordance with R.S. 46:1414.1, an inquiry of the State Central Registry for all owners and operators shall be conducted prior to a license being issued or if currently licensed, prior to the addition of a new board member who meets the definition of an owner. The Louisiana State Central Registry clearance form shall be dated no earlier than 45 days prior to the application being received by the Licensing Section or the addition of a new board member who meets the definition of an owner. For states other than Louisiana, clearance forms shall be dated no earlier than 120 days prior to application being received by the licensing section or the addition of a new board member who meets the definition of an owner; however, individuals who continue to reside outside of the state of Louisiana but own/operate a maternity home in the state of Louisiana, their clearances shall be dated prior to the issuance of the initial license, but no earlier than 45 days prior to the initial application being received by the Licensing Section. A request for a state central registry clearance from the state in which the owner/operator resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS. No person who is recorded on any state's child abuse and neglect registry with a valid justified (valid) finding of abuse or neglect of a child shall be eligible to own, operate, or participate in the governance of the maternity home.

3.a. - 4.a. ...

b. repealed.

A.5. - B.1.b. ...

c. In accordance with R.S. 46:1414.1, an inquiry of the State Central Registry for all staff (paid, non-paid and volunteers) shall be conducted prior to employment being offered to a potential hire. Staff (paid, non-paid, and volunteers) persons who have resided in another state within the preceding five years, provider shall request a check and obtain State Central Registry clearance from that state's child abuse and neglect registry. Louisiana State Central Registry clearance forms shall be dated no earlier than 45 days prior to the staff (paid, non-paid, and volunteers) being present on the premises or having access to residents and/or infants of residents. Other states' State Central Registry clearance forms shall be dated no earlier than 120 days prior to the staff (paid, non-paid, and volunteers) being present on the premises or having access to residents and/or infants of residents ; however, individuals who continue to reside outside of the state of Louisiana but volunteer with or work for the maternity home or with residents and/or infants of residents in the state of Louisiana, their clearances shall be dated prior to hire and/or providing services to residents and/or infants of residents, but no earlier than 45 days of hire or providing services. A request for a state central registry clearance from the state in which the staff/volunteer resides shall be submitted by provider every five years prior to the

date noted on the most current clearance and at any time upon the request of DCFS. No person who is recorded on any state's child abuse and neglect registry with a valid (justified) finding of abuse and/or neglect shall be eligible for employment in a licensed maternity home.

B.1.c.i. - C.1.c.i. ...

d. Louisiana State Central Registry clearance forms shall be dated no earlier than 45 days prior to the individual providing services or having access to residents and/or infants of residents. Other states' State Central Registry clearance information shall be dated no earlier than 120 days prior to the individual providing services or having access to residents and/or infants of residents however, individuals who continue to reside outside of the state of Louisiana but contract with or provide services for the maternity home or with residents and/or infants of residents in the state of Louisiana, their clearances shall be dated prior to hire and/or providing services to residents and/or infants of residents, but no earlier than 45 days of hire or providing services. A request for a state central registry clearance from the state in which the contractor resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS. No person who is recorded on any state's child abuse and neglect registry with a valid (justified) finding of abuse and/or neglect shall be eligible for employment in a licensed maternity home.

C.1.e. - D.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1414.1.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Licensing Section, LR 45:516 (April 2019), effective May 1, 2019, LR 46:672 (May 2020), effective June 1, 2020, LR 47:1844 (December 2021).

Chapter 69. Child Residential Care, Class B

§6962. State Central Registry

A. - A.2. ...

3. In accordance with R.S. 46:1414.1, an inquiry of the State Central Registry for all owners and operators shall be conducted prior to a license being issued or if currently licensed, prior to the addition of a new board member who meets the definition of an owner. The Louisiana State Central Registry clearance form shall be dated no earlier than 45 days prior to the application being received by the Licensing Section or the addition of a new board member who meets the definition of an owner. For states other than Louisiana, clearance forms shall be dated no earlier than 120 days prior to the application being received by the Licensing Section or the addition of a new board member who meets the definition of an owner; however, individuals who continue to reside outside of the state of Louisiana, but own/operate a residential home in Louisiana, their clearances shall be dated prior to the issuance of the initial license, but no earlier than 45 days prior to the initial application being received by the Licensing Section. A request for a state central registry clearance from the state in which the owner/operator resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS. No person who is recorded on any state's child abuse and neglect registry with a valid justified (valid) finding of abuse or neglect of a child shall be eligible to own, operate, or participate in the governance of the residential home.

A.3.a. - B.1.b. ...

c. In accordance with R.S. 46:1414.1, an inquiry of the State Central Registry for all staff (paid, non-paid and volunteers) shall be conducted prior to employment being offered to a potential hire. Staff (paid, non-paid, and volunteers) persons who have resided in another state within the preceding five years, provider shall request a check and obtain State Central Registry clearance from that state's child abuse and neglect registry. Louisiana State Central Registry clearance forms shall be dated no earlier than 45 days prior to the staff (paid, non-paid, and volunteers) being present on the premises or having access to children/youth. Other states State Central Registry clearance forms shall be dated no earlier than 120 days prior to the staff (paid, non-paid, and volunteers) being present on the premises or having access to children/youth; however, individuals who continue to reside outside of the state of Louisiana, but volunteer with and/or work for a licensed provider in the state of Louisiana, their clearances shall be dated no earlier than 45 days prior to hire and/or having access to children/youth. A request for a state central registry clearance from the state in which the staff/volunteer resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS. No person who is recorded on any state's child abuse and neglect registry with a valid (justified) finding of abuse and/or neglect shall be eligible for employment in a licensed residential home.

B.1.c.i. - C.1.c.i. ...

d. Louisiana State Central Registry clearance forms shall be dated no earlier than 45 days prior to the individual providing services or having access to children/youth. Other state's State Central Registry clearance information shall be dated no earlier than 120 days prior to the individual providing services or having access to children/youth; however, individuals who continue to reside outside of the state of Louisiana, but contract with and/or work for a licensed provider in the state of Louisiana, their clearances shall be dated no earlier than 45 days prior to hire and/or having access to children/youth. A request for a state central registry clearance from the state in which the contractor resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS. No person who is recorded on any state's child abuse and neglect registry with a valid (justified) finding of abuse and/or neglect shall be eligible for employment in a licensed residential home.

C.1.e. - D.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1414.1.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Licensing Section, LR 45:510 (April 2019), effective May 1, 2019, LR 46:688 (May 2020), effective June 1, 2020, LR 47:1845 (December 2021).

Chapter 71. Residential Homes—Type IV

§7109. Critical Violations/Fines

A. - A.5. ...

6. §7107.A.8, §7107.A.9, §7107.D.4.f.iv., §7107.E.2.g, §7111.A.2.c.iii, §7111.A.5.c, §7111.B.2.a.x, §7112.A-D, and/or §7117.A.14.k state central registry clearance effective August 1, 2021.

B. - E.1.k. ...

1. When the cited critical violation was for a state central registry clearance not being completed prior to hire as required, but obtained before the individual was on the premises and/or had access to a resident or child of a resident, the fine shall be decreased by \$25.

m. When the cited critical violation was for state central registry clearance not being completed prior to the individual being on the premises and/or having access to a resident or child of a resident, the fine shall be increased by \$25.

F. - H.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1401 et seq.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Licensing Section, LR 43:258 (February 2017), amended LR 43:1725 (September 2017), LR 44:1991 (November 2018), effective December 1, 2018, amended by the Department of Children and Family Services, Licensing Section, LR 45:521 (April 2019), effective May 1, 2019, LR 46:674 (May 2020), effective June 1, 2020, LR 47:1845 (December 2021).

§7111. Provider Requirements

A. - A.2.c.ii. ...

iii. have a state central registry clearance form from Child Welfare as required in §7112;

A.2.c.iv. - J.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:477 and R.S. 46:1401 et seq.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Service, LR 36:811 (April 2010), amended by the Department of Children and Family Services, Division of Programs, Licensing Section, LR 38:979, 984 Title 67, Part V 247 Louisiana Administrative Code April 2021 (April 2012), LR 42:221 (February 2016), amended by the Department of Children and Family Services, Licensing Section, LR 43:261 (February 2017), LR 43:1725 (September 2017), LR 44:1992 (November 2018), effective December 1, 2018, amended by the Department of Children and Family Services, Licensing Section, LR 45:521 (April 2019), effective May 1, 2019, LR 46:674 (May 2020), effective June 1, 2020, LR 47:1846 (December 2021).

§7112. State Central Registry

A. - A.2. ...

3. In accordance with R.S. 46:1414.1, an inquiry of the State Central Registry for all owners and operators shall be conducted prior to a license being issued or if currently licensed, prior to the addition of a new board member who meets the definition of an owner. The Louisiana State Central Registry clearance form shall be dated no earlier than 45 days prior to the initial application being received by the Licensing Section or the addition of a new board member who meets the definition of an owner. For states other than Louisiana, clearance forms shall be dated no earlier than 120 days prior to the initial application being received by the Licensing Section or the addition of a new board member who meets the definition of an owner; however, individuals who continue to reside outside of the state of Louisiana but own/operate a residential home in the state of Louisiana, their clearances shall be dated prior to the issuance of the initial license, but no earlier than 45 days prior to the initial application being received by the Licensing Section. A request for a state central registry clearance from the state in which the owner/operator resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time

upon the request of DCFS. No person who is recorded on any state's child abuse and neglect registry with a valid justified (valid) finding of abuse or neglect of a child shall be eligible to own, operate, or participate in the governance of the residential home.

A.3.a. - B.1.b. ...

c. In accordance with R.S. 46:1414.1, an inquiry of the State Central Registry for all staff (paid, non-paid and volunteers) shall be conducted prior to employment being offered to a potential hire. Staff (paid, non-paid, and volunteers) persons who have resided in another state within the preceding five years, provider shall request a check and obtain State Central Registry clearance from that state's child abuse and neglect registry. Louisiana State Central Registry clearance forms shall be dated no earlier than 45 days prior to the staff (paid, non-paid, and volunteers) being present on the premises or having access to residents and/or children of residents. Other states' State Central Registry clearance forms shall be dated no earlier than 120 days prior to the staff (paid, non-paid, and volunteers) being present on the premises or having access to residents and/or children of residents; however, individuals who continue to reside outside of the state of Louisiana and volunteer with and/or work for a licensed provider in the state of Louisiana, their clearances shall be dated no earlier than 45 days prior to hire and/or having access to residents and/or children of residents. A request for a state central registry clearance from the state in which the staff/volunteer resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS. No person who is recorded on any state's child abuse and neglect registry with a valid (justified) finding of abuse and/or neglect shall be eligible for employment in a licensed residential home.

B.1.c.i. - C.1.c.i. ...

d. Louisiana State Central Registry clearance forms shall be dated no earlier than 45 days prior to the individual providing services or having access to residents and/or children of residents. Other states' State Central Registry clearance information shall be dated no earlier than 120 days prior to the individual providing services or having access to children/youth; however, individuals who continue to reside outside of the state of Louisiana and provide services for and/or work for a licensed provider in the state of Louisiana, their clearances shall be dated no earlier than 45 days prior to hire and/or having access to residents and/or children of residents. A request for a state central registry clearance from the state in which the contractor resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS. No person who is recorded on any state's child abuse and neglect registry with a valid (justified) finding of abuse and/or neglect shall be eligible for employment in a licensed residential home.

C.1.e. - D.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1414.1.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Licensing Section, LR 45:521 (April 2019), effective May 1, 2019, LR 46:674 (May 2020), effective June 1, 2020, LR 47:1846 (December 2021).

§7117. Provider Services

A. - D.1.a.viii. ...

2. Medical Care

a. The provider shall ensure that a medical examination by a physician or nurse practitioner for the resident or child of a resident is conducted within a week of admission unless the resident or child of a resident has received such an examination within 30 days before admission and the results of this examination are available to the provider. If the resident or child of a resident is being transferred from another residential home and has had a medical examination within the last 12 months, a copy of this examination may be obtained to meet the requirement of the admission medical examination. The medical examination shall include:

D.2.a.i. - F.19. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:477 and R.S. 46:1401 et seq.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Community Service, LR 36:823 (April 2010), amended by the Department of Children and Family Services, Division of Programs, Licensing Section, LR 38:985 (April 2012), amended by the Department of Children and Family Services, Licensing Section, LR 43:278 (February 2017), LR 43:1725 (September 2017), LR 46:675 (May 2020), effective June 1, 2020, LR 47:1847 (December 2021).

Chapter 73. Child Placing Agencies—General Provisions

§7309. Background Checks

A. - B.2. ...

3. In accordance with R.S. 46:1414.1, an inquiry of the State Central Registry for all owners and operators shall be conducted prior to a license being issued or if currently licensed, prior to the addition of a new board member who meets the definition of an owner. The Louisiana State Central Registry clearance form shall be dated no earlier than 45 days prior to the application being received by the Licensing Section or the addition of a new board member who meets the definition of an owner. For states other than Louisiana, clearance forms shall be dated no earlier than 120 days prior to the application being received by the Licensing Section or the addition of a new board member who meets the definition of an owner; however, individuals who continue to reside outside of the state of Louisiana but own/operate a child placing agency in Louisiana, their clearances shall be dated prior to the issuance of the initial license, but no earlier than 45 days prior to the initial application being received by the Licensing Section. A request for a state central registry clearance from the state in which the owner/operator resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS. No person who is recorded on any state's child abuse and neglect registry with a valid justified (valid) finding of abuse or neglect of a child shall be eligible to own, operate, or participate in the governance of the child-placing agency.

B.3.a. - E.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1407(D).

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Licensing Section, LR 45:357 (March 2019), effective April 1, 2019, LR 46:679 (May 2020), effective June 1, 2020, LR 47:1847 (December 2021).

§7311. Licensing Requirements—Foster Care, Adoption, Transitional Placing

A. - B.5.g.v. ...

vi. if an individual resided in a state other than Louisiana in the previous five years, State Central Registry clearance from those states dated no earlier than 120 days prior to hire; however, individuals who continue to reside outside of the state of Louisiana and work for a licensed provider in the state of Louisiana, their clearances shall be dated no earlier than 45 days prior to hire and/or having access to children/youth or if a currently hired staff person assuming the position of program director, then a copy of the SCR clearance which is on file for individual's previous position with the agency. A request for a state central registry clearance from the state in which the director resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS.

B.5.h. - D.2.r. ...

s. documentation of out of State Central Registry clearance forms for owners dated no earlier than 120 days prior to the CHOL application being received by the Licensing Section as noted in §7309.B ; however, individuals who continue to reside outside of the state of Louisiana but own/operate a child placing agency in the state of Louisiana, their clearances shall be dated prior to the issuance of the initial CHOL license, but no earlier than 45 days prior to the initial application being received by the Licensing Section. A request for a state central registry clearance from the state in which the owner resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS.

t. - u. ...

v. documentation of out of State Central Registry clearance forms for foster/adoptive parents and household members age 18 years and older, excluding youth in DCFS custody, dated no earlier than 120 days prior to the CHOL application being received by the Licensing Section as noted in §7315.C; however, for household members over the age of 18 years who continue to reside outside of the state of Louisiana, but their official domicile is a certified foster/adoptive home in the state of Louisiana, their clearances shall be dated prior to the issuance of the initial license, but no earlier than 45 days prior to the initial CHOL application being received by the Licensing Section; A request for a state central registry clearance from the state in which the household member resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS.

w. - x. ...

y. documentation of out of State Central Registry clearance forms for staff (paid, non-paid, and volunteers) and contractors dated no earlier than 120 days prior to the application being received by the Licensing Section as noted in §7313.I.9.and/or §7313.M.1., as applicable; however, individuals who continue to reside outside of the state of Louisiana, but volunteer with, provide services for, and/or work for a licensed provider in the state of Louisiana, their clearances shall be dated no earlier than 45 days prior to hire and/or having access to children/youth. A request for a state

central registry clearance from the state in which the staff/contractor resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS.

D.2.z. - E.2.q. ...

r. documentation of out of State Central Registry clearance forms for owners dated no earlier than 120 days prior to the CHOW application being received by the licensing section as noted in §7309.B; however, individuals who continue to reside outside of the state of Louisiana but own/operate a child placing agency in the state of Louisiana, their clearances shall be dated prior to the issuance of the initial license, but no earlier than 45 days prior to the initial CHOW application being received by the Licensing Section. A request for a state central registry clearance from the state in which the owner resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS.

s. - t. ...

u. documentation of out of State Central Registry clearance forms for staff (paid, non-paid, and volunteers) and contractors dated no earlier than 120 days prior to the CHOW application being received by the Licensing Section as noted in §7313.I.10. and/or §7313.M.2., as applicable, however, individuals who continue to reside outside of the state of Louisiana but volunteer with, provide services for, and/or work for a licensed provider in the state of Louisiana, their clearances shall be dated no earlier than 45 days prior to hire and/or having access to children/youth. A request for a state central registry clearance from the state in which the staff/contractor resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS.

v. - w. ...

x. documentation of out of State Central Registry clearance forms for foster/adoptive parents and household members age 18 years and older, excluding youth in DCFS custody, dated no earlier than 120 days prior to the application being received by the Licensing Section as noted in §7315.C; however; for household members over the age of 18 years who continue to reside outside of the state of Louisiana, but their official domicile is a certified foster/adoptive home in the state of Louisiana, their clearances shall be dated prior to the issuance of the initial license, but no earlier than 45 days prior to the initial CHOW application being received by the Licensing Section. A request for a state central registry clearance from the state in which the household member resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS.

E.2.y. - M.1. ...

a. §7309.A, §7309.C.1-9, §7309.D.1-4, §7311.B.5.d.vi-vii., §7311.B.5.g.iv., §7311.B.5.h.v., §7311.C.2.g, §7313.I.9, §7313.L.5, §7313.M.1, §7314.A-G, §7315.B, and/or §7321.J.1-2 - criminal background check;

b. - c. ...

d. §7309.B., §7311.B.5.d.viii, §7311.B.5.g.v. – vi, §7311.B.5.h.iv, §7311.C.2.h, §7313.I.10, §7313.L.6, §7313.M.2, §7315.C., and/or §7321.J. 1-2 – state central registry clearance effective August 1, 2021.

2. - 7.i. ...

j. When the cited critical violation was for a state central registry clearance not being completed prior to hire as required, but obtained before the individual was on the premises and/or had access to a child/youth, the fine shall be decreased by \$25.

k. When the cited critical violation was for state central registry clearance not being completed prior to the individual being on the premises and/or having access to a child/youth, the fine shall be increased by \$25.

M.8. - N.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:477 and R.S. 46:1401 et seq.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Licensing Section, LR 45:359 (March 2019), effective April 1, 2019, LR 46:681 (May 2020), effective June 1, 2020, amended LR 47:350 (March 2021), effective April 1, 2021, repromulgated LR 47:441 (April 2021), LR 47:1847 (December 2021).

§7313. Administration and Operation

A. - H.6.d. ...

7. Effective April 1, 2019, staff conducting supervisory visits with foster parents, children/youth in certified foster home placements, and/or youth in transitional placing placements shall possess, at a minimum, a bachelor's degree in social work or a human service related bachelor's degree.

8. Effective August 1, 2021 in accordance with Act 6 of the 2021 Regular Legislative Session, all supervisory visits noted in Section 7321. H. shall be conducted by a social worker in the employ of the licensed adoption agency, licensed social worker, licensed professional counselor, licensed psychologist, medical psychologist, licensed psychiatrist, or licensed marriage and family therapist.

I. - I.10.b. ...

c. In accordance with R.S. 46:1414.1, an inquiry of the State Central Registry for all staff (paid, non-paid and volunteer staff) shall be conducted prior to employment being offered to a potential hire. Staff persons who have resided in another state within the preceding five years, provider shall request a check and obtain State Central Registry clearance from that state's child abuse and neglect registry. Louisiana State Central Registry clearance forms shall be dated no earlier than 45 days prior to the staff being present on the premises or having access to children/youth. Other states' State Central Registry clearance forms shall be dated no earlier than 120 days prior to the staff being present on the premises or having access to children/youth; however, individuals who continue to reside outside of the state of Louisiana, but volunteer with and/or work for a licensed provider in the state of Louisiana, their clearances shall be dated no earlier than 45 days prior to hire and/or having access to children/youth. A request for a state central registry clearance from the state in which the staff resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS. No person who is recorded on any state's child abuse and neglect registry with a valid (justified) finding of abuse and/or neglect shall be eligible for employment in a licensed child-placing agency.

I.10.c.i. - J.7. ...

8. All staff hired effective January 1, 2022 whose job duties will include working with foster/adoptive parents, birth parents, children and youth and their adoptive or kinship families or conducting/approving home studies shall complete the NTI Training for Child Welfare Professionals (20 hours) offered by the National Adoption Competency Mental Health Training Initiative available at <https://adoptionsupport.org/nti/> prior to working unsupervised with foster/adoptive parents, birth parents, children and youth and their adoptive or kinship families or conducting/approving home studies. Documentation of training shall be the certificate obtained upon successful completion of the training.

K. - K.6. ...

7. All staff hired prior to January 1, 2022 who currently work with foster/adoptive parents, birth parents, children and youth and their adoptive or kinship families or conduct/approve home studies shall complete the NTI Training for Child Welfare Professionals (20 hours) offered by the National Adoption Competency Mental Health Training Initiative available at <https://adoptionsupport.org/nti/> by March 31, 2022. Documentation of training shall be the certificate obtained upon successful completion of the training. If an adoption competency training other than the NTI training was previously completed by staff prior to January 1, 2022, provider shall submit the certificate obtained upon successful completion of the training as well as a description of the topics/areas addressed in the training to DCFS for approval by January 31, 2022.

L. - M.2.c.i. ...

d. Louisiana State Central Registry clearance forms shall be dated no earlier than 45 days prior to the individual providing services or having access to children/youth. Other states' State Central Registry clearance information shall be dated no earlier than 120 days prior to the individual providing services or having access to children/youth; however, individuals who continue to reside outside of the state of Louisiana, but contract with and/or work for a licensed provider in the state of Louisiana, their clearances shall be dated no earlier than 45 days prior to hire and/or having access to children/youth. A request for a state central registry clearance from the state in which the contractor resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS. No person who is recorded on any state's child abuse and neglect registry with a valid (justified) finding of abuse and/or neglect shall be eligible for employment in a licensed child-placing agency.

M.2.e. - U.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1407(D).

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Licensing Section, LR 45:368 (March 2019), effective April 1, 2019, LR 46:683 (May 2020), effective June 1, 2020, LR 47:351 (March 2021), effective April 1, 2021, repromulgated LR 47:441 (April 2021), LR 47:1848 (December 2021).

§7314. Criminal Background Checks

A. - E.4. ...

5. Upon notification that the contractor has been convicted of a crime listed in 15:587.1(C), the individual shall no longer be eligible to provide services for the

provider. The provider shall submit a signed, dated statement to Licensing within 24 hours or no later than the next business day after notification has been made indicating that the contract has been terminated and the individual is no longer allowed access to the children/youth. If this statement is not received by Licensing within the aforementioned timeframe, the license shall be immediately revoked.

E.6. - F. ...

1. Contractors hired to perform work which does not involve any contact with children/youth shall not be required to have a criminal background check if accompanied at all times by a staff person when children/youth are present in the agency.

2. A person shall not be deemed a contractor if he/she is a staff person of the agency.

3. Contractors hired to perform work which involves contact with children/youth shall be required to have documentation of a satisfactory fingerprint-based criminal background check through the Federal Bureau of Investigation (FBI) as required by R.S. 15:587.1 and R.S. 46:51.2. This check shall be obtained prior to the individual being present in the agency or having access to the children/youth.

F.4. - G.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1407(D).

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Licensing Section, LR 46:683 (May 2020), effective June 1, 2020, LR 47:1849 (December 2021).

§7315. Foster and Adoptive Certification

A. - C.5. ...

6. The DCFS State Central Registry clearance form shall be dated no earlier than 45 days of the foster/adoptive parents being certified or household members over the age of 18 years being present in the home. Out-of-state clearance forms shall be dated no earlier than 120 days of foster/adoptive parents being certified. However, for household members over the age of 18 years who continue to reside outside of the state of Louisiana but their official domicile is a certified foster/adoptive home in the state of Louisiana, their clearances shall be dated no earlier than 45 days prior to certifying the foster/adoptive parents. A request for a state central registry clearance from the state in which the household member resides shall be submitted by provider every five years prior to the date noted on the most current clearance and at any time upon the request of DCFS.

C.7. - V.1. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1407(D).

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Licensing Section, LR 45:377 (March 2019), effective April 1, 2019, LR 46:686 (May 2020), effective June 1, 2020, LR 47:351 (March 2021), effective April 1, 2021, repromulgated LR 47:442 (April 2021), LR 47:1849 (December 2021).

§7319. Foster Care Services

A. - C. ...

1. The provider shall place a child/youth only with certified foster parents in an approved home. If a couple is legally married and is seeking to foster a child/youth, both individuals shall meet certification requirements. If an individual is seeking to foster a child/youth, he/she has not yet been judicially separated or divorced and his/her spouse

continues to reside in the home, both individuals shall meet certification requirements.

C.2. - G.2.g. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1407(D).

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Licensing Section, LR 45:385 (March 2019), effective April 1, 2019, LR 47:1849 (December 2021).

§7321. Adoption Services

A. - B.2. ...

3. A child shall not be placed in an adoptive placement until the adoptive parents are certified and the home has been approved. If a couple is legally married and is seeking to adopt a child/youth, both individuals shall meet certification requirements. If an individual is seeking to adopt a child/youth, he/she has not yet been judicially separated or divorced and his/her spouse continues to reside in the home, both individuals shall meet certification requirements.

C. - H.1. ...

2. Provider shall conduct an initial in home in person supervisory visit with the child and one adoptive parent within seven calendar days of the child's placement. Effective August 1, 2021, in accordance with Act 6 of the 2021 Regular Legislative Session, the next in home in-person supervisory visit shall occur within 30 days of the initial in home in-person supervisory visit.

3. ...

4. Provider shall conduct a private supervisory visit without the presence of the adoptive parents with each child age one year and above; every other month with at least a segment of the visit occurring in the adoptive home.

5. - 10. ...

11. Effective August 1, 2021 and in accordance with Act 6 of the 2021 legislative session, provider shall submit a confidential report to DCFS, Child Welfare concerning requirements noted in Section 7321.H.2-10 upon completion and to the court prior to the hearing on the final decree of the adoption. If DCFS requests additional information, the provider shall submit the requested information to the department by the date specified in the notification correspondence.

I. - L. ...

1. In domestic adoptions, DCFS may request information and/or documents from the provider required to be submitted to the court. The provider shall submit the requested information and/or documents to the department by the date specified in the notification correspondence.

L.2. - M.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1407(D).

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Licensing Section, LR 45:388 (March 2019), effective April 1, 2019, LR 47:353 (March 2021), effective April 1, 2021, repromulgated LR 47:443 (April 2021), LR 47:1850 (December 2021).

Chapter 75. Juvenile Detention Facilities

§7508. State Central Registry

A. - E. ...

1. Effective November 1, 2018, and in accordance with R.S. 15:1110.2, an inquiry of the state central registry

for all staff (paid, non-paid and volunteers) shall be conducted prior to employment being offered to a potential hire or volunteer services provided. For staff persons who have resided in another state within the preceding five years, provider shall request a state central from that state's child abuse and neglect registry prior to hire. While awaiting the results of the out of state central registry results, the individual shall be directly supervised by a paid staff (employee) of the juvenile detention facility at any and all times when he/she is on the premises and/or in the presence of a child/youth. The employee responsible for supervising the individual shall not also be awaiting the results of an out of state central registry clearance. Under no circumstances shall the individual awaiting out of state central registry results be left alone and unsupervised with a child/youth pending the official determination from that state that the individual is or is not listed on the state central registry. Louisiana state central registry clearances shall be dated no earlier than 45 days prior to the staff being present on the premises or having access to children/youth. Out-of-state state central registry clearances shall be dated no earlier than 120 days prior to staff being present on the premises or having access to children/youth in the facility.

E.1.a. - G. ...

1. Effective November 1, 2018, and in accordance with R.S. 15:1110.2, an inquiry of the state central registry for all contractors and LDE staff shall be conducted prior to providing contracted services or having access to children/youth. For contractors and LDE staff who have resided in another state within the preceding five years, provider shall request a state central registry check from that state's child abuse and neglect registry prior to the individual providing services or having access to children/youth. While awaiting the results of the out of state central registry results, the individual shall be directly supervised by a paid staff (employee) of the juvenile detention facility at any and all times when he/she is on the premises and/or in the presence of a child/youth. The employee responsible for supervising the individual shall not also be awaiting the results of an out of state central registry clearance. Under no circumstances shall the individual awaiting out of state central registry results be left alone and unsupervised with a child/youth pending the official determination from that state that the individual is or is not listed on the state central registry. Louisiana state central registry clearances shall be dated no earlier than 45 days prior to the individual providing services or having access to children/youth. Out-of-state state central registry clearances shall be dated no earlier than 120 days prior to contractors and LDE staff being present on the premises or having access to children/youth in the facility.

G.1.a. - H.1 ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:1110.2.

HISTORICAL NOTE: Promulgated by the Department of Children and Family Services, Licensing Section, LR 45:653 (May 2019), effective June 1, 2019, LR 47:1850 (December 2021).

Marketa Garner Walters
Secretary

2112#041

RULE

Department of Environmental Quality Office of the Secretary Legal Affairs and Criminal Investigations Division

Conditional Exclusion for Carbon Dioxide (CO₂) Streams in Geologic Sequestration Activities (LAC 33:V.105 and 109)(HW128ft)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary has amended the Hazardous Waste regulations, LAC 33:V.105 and 109 (Log #HW128ft).

This Rule is identical to federal regulations found in 40 CFR Part 260.10 and 261.4(h), which are applicable in Louisiana. For more information regarding the federal requirement, contact Deidra Johnson at (225) 219-3985. No fiscal or economic impact will result from the Rule. This Rule is promulgated in accordance with the procedures in R.S. 49:953(F)(3) and (4).

This rulemaking has adopted the federal Rule published by the U.S. Environmental Protection Agency on January 3, 2014. The Rule revises the regulations for hazardous waste management under the Resource Conservation and Recovery Act (RCRA) to conditionally exclude carbon dioxide (CO₂) streams that are hazardous from the definition of hazardous waste, provided these hazardous CO₂ streams are captured from emission sources, are injected into Underground Injection Control Class VI wells regulated under the Safe Drinking Water Act for purposes of geologic sequestration, and meet certain other conditions. The management of these CO₂ streams, when meeting certain conditions, does not present a substantial risk to human health or the environment, and therefore additional regulation pursuant to hazardous waste regulations is unnecessary.

Geologic sequestration is the process of injecting CO₂ captured from an emission source into deep subsurface rock formations in order to isolate the CO₂ permanently. Geologic sequestration is a key component of carbon capture and storage, which is a set of climate change mitigation technologies. This Rule will substantially reduce the uncertainty associated with identifying these CO₂ streams under RCRA subtitle C, and will also facilitate the deployment of geologic sequestration by providing additional regulatory certainty. The basis and rationale for this Rule are to mirror the federal regulations. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This Rule is hereby adopted on the day of promulgation.

Title 33

ENVIRONMENTAL QUALITY

Part V. Hazardous Waste and Hazardous Materials

Subpart 1. Department of Environmental Quality— Hazardous Waste

Chapter 1. General Provisions and Definitions

§105. Program Scope

These rules and regulations apply to owners and operators of all facilities that generate, transport, treat, store, or dispose of hazardous waste, except as specifically provided

otherwise herein. The procedures of these regulations also apply to the denial of a permit for the active life of a hazardous waste management facility or individual unit at a treatment, storage, and disposal (TSD) facility under LAC 33:V.706. Definitions appropriate to these rules and regulations, including *solid waste* and *hazardous waste*, appear in LAC 33:V.109. Wastes that are excluded from regulation are found in this Section.

A. - D.9.b.iii ...

10. Carbon Dioxide Stream Injected for Geologic Sequestration. A carbon dioxide stream that is captured and transported for purposes of injection into an underground injection well subject to the requirements for Class VI Underground Injection Control wells, including the requirements in 40 CFR Parts 144 and 146 of the Underground Injection Control Program of the Safe Drinking Water Act (or LAC 43:XVII.Subpart 6.Chapter 36 of the Louisiana Underground Injection Control Program for underground injection wells located in Louisiana), is not a hazardous waste, provided the following conditions in Subparagraphs a-d are met.

a. Transportation of the carbon dioxide stream shall be in compliance with U.S. Department of Transportation requirements, including the pipeline safety laws (49 U.S.C. 60101 et seq.) and regulations (49 CFR Parts 190-199) of the U.S. Department of Transportation, and pipeline safety regulations (LAC 33:V.Subpart 2.Chapter 301) adopted and administered by the Louisiana Department of Natural Resources, Office of Conservation, pursuant to a certification under 49 U.S.C. 60105, as applicable.

b. Injection of the carbon dioxide stream shall be in compliance with the applicable requirements for Class VI Underground Injection Control wells, including the applicable requirements in 40 CFR Parts 144 and 146 (or LAC 43:XVII.Subpart 6.Chapter 36 of the Louisiana Underground Injection Control Program for underground injection wells located in Louisiana).

c. No hazardous wastes shall be mixed with, or otherwise co-injected with, the carbon dioxide stream.

d. Certification statements are required from the generator of the carbon dioxide stream and the owner or operator of the well, as stated below in Clauses d.i-iii.

i. Any generator of a carbon dioxide stream, who claims that a carbon dioxide stream is excluded under Paragraph D.10 of this Section, shall have an *authorized representative*, as defined in LAC 33:V.109, sign a certification statement worded as follows:

I certify under penalty of law that the carbon dioxide stream that I am claiming to be excluded under LAC 33:V.105.D.10 has not been mixed with hazardous wastes, and I have transported the carbon dioxide stream in compliance with (or have contracted with a pipeline operator or transporter to transport the carbon dioxide stream in compliance with) U.S. Department of Transportation requirements, including the pipeline safety laws (49 U.S.C. 60101 et seq.) and regulations (49 CFR Parts 190-199) of the U.S. Department of Transportation, and pipeline safety regulations (LAC 33:V.Subpart 2.Chapter 301) adopted and administered by the Louisiana Department of Natural Resources, Office of Conservation, pursuant to a certification under 49 U.S.C. 60105, as applicable, for injection into a well subject to the requirements for the Class VI Underground Injection Control Program of the Safe Drinking Water Act.

ii. Any Class VI Underground Injection Control well owner or operator, who claims that a carbon dioxide stream is excluded under Paragraph D.10 of this Section,

shall have an *authorized representative*, as defined in LAC 33:V.109, sign a certification statement worded as follows:

I certify under penalty of law that the carbon dioxide stream that I am claiming to be excluded under LAC 33:V.105.D.10 has not been mixed with, or otherwise co-injected with, hazardous waste at the Underground Injection Control (UIC) Class VI permitted facility, and that injection of the carbon dioxide stream is in compliance with the applicable requirements for UIC Class VI wells, including the applicable requirements in 40 CFR Parts 144 and 146 (or LAC 43:XVII.Subpart 6.Chapter 36 of the Louisiana Underground Injection Control Program for underground injection wells located in Louisiana).

iii. The signed certification statement shall be kept on-site for no less than three years, and shall be made available within 72 hours of a written request from a duly designated representative of the department. The signed certification statement shall be renewed every year that the exclusion is claimed, by having an *authorized representative*, as defined in LAC 33:V.109, annually prepare and sign a new copy of the certification statement within one year of the date of the previous statement. The signed certification statement shall also be readily accessible on the facility's publicly-available website, if such website exists, as a public notification with the title of "Carbon Dioxide Stream Certification" at the time the exclusion is claimed.

E. - R.8.h. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq., and in particular, 2186(A)(2).

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 11:1139 (December 1985), LR 12:319 (May 1986), LR 13:84 (February 1987), LR 13:433 (August 1987), LR 13:651 (November 1987), LR 14:790 (November 1988), LR 15:181 (March 1989), LR 16:47 (January 1990), LR 16:217, LR 16:220 (March 1990), LR 16:398 (May 1990), LR 16:614 (July 1990), LR 17:362, 368 (April 1991), LR 17:478 (May 1991), LR 17:883 (September 1991), LR 18:723 (July 1992), LR 18:1256 (November 1992), LR 18:1375 (December 1992), amended by the Office of the Secretary, LR 19:1022 (August 1993), amended by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 20:1000 (September 1994), LR 21:266 (March 1995), LR 21:944 (September 1995), LR 22:813, 831 (September 1996), amended by the Office of the Secretary, LR 23:298 (March 1997), amended by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 23:564, 567 (May 1997), LR 23:721 (June 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 23:952 (August 1997), LR 23:1511 (November 1997), LR 24:298 (February 1998), LR 24:655 (April 1998), LR 24:1093 (June 1998), LR 24:1687, 1759 (September 1998), LR 25:431 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:268 (February 2000), LR 26:2464 (November 2000), LR 27:291 (March 2001), LR 27:706 (May 2001), LR 29:317 (March 2003), LR 30:1680 (August 2004), amended by the Office of Environmental Assessment, LR 30:2463 (November 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2451 (October 2005), LR 32:605 (April 2006), LR 32:821 (May 2006), LR 33:450 (March 2007), LR 33:2097 (October 2007), LR 34:614 (April 2008), LR 34:1008 (June 2008), LR 34:1893 (September 2008), LR 34:2395 (November 2008), LR 35:1878 (September 2009), LR 36:2553 (November 2010), LR 38:791

(March 2012), amended by the Office of the Secretary, Legal Division, LR 40:1336 (July 2014), LR 42:2178, 2181 (December 2016), LR 43:1151 (June 2017), repromulgated by the Office of the Secretary, Legal Affairs and Criminal Investigation Division, LR 43:1523 (August 2017), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 46:896 (July 2020), LR 47:1851 (December 2021).

§109. Definitions

For all purposes of these rules and regulations, the terms defined in this Chapter shall have the following meanings, unless the context of use clearly indicates otherwise.

* * *

Carbon Dioxide Stream—carbon dioxide that has been captured from an emission source (e.g., power plant), plus incidental associated substances derived from the source materials and the capture process, and any substances added to the stream to enable or improve the injection process.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 10:200 (March 1984), amended LR 10:496 (July 1984), LR 11:1139 (December 1985), LR 12:319 (May 1986), LR 13:84 (February 1987), LR 13:433 (August 1987), LR 13:651 (November 1987), LR 14:790, 791 (November 1988), LR 15:378 (May 1989), LR 15:737 (September 1989), LR 16:218, 220 (March 1990), LR 16:399 (May 1990), LR 16:614 (July 1990), LR 16:683 (August 1990), LR 17:362 (April 1991), LR 17:478 (May 1991), LR 18:723 (July 1992), LR 18:1375 (December 1992), repromulgated by the Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 19:626 (May 1993), amended LR 20:1000 (September 1994), LR 20:1109 (October 1994), LR 21:266 (March 1995), LR 21:944 (September 1995), LR 22:814 (September 1996), LR 23:564 (May 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:655 (April 1998), LR 24:1101 (June 1998), LR 24:1688 (September 1998), LR 25:433 (March 1999), repromulgated LR 25:853 (May 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:269 (February 2000), LR 26:2465 (November 2000), LR 27:291 (March 2001), LR 27:708 (May 2001), LR 28:999 (May 2002), LR 28:1191 (June 2002), LR 29:318 (March 2003); amended by the Office of the Secretary, Legal Affairs Division, LR 31:2452 (October 2005), LR 31:3116 (December 2005), LR 32:606 (April 2006), LR 32:822 (May 2006), LR 33:1625 (August 2007), LR 33:2098 (October 2007), LR 34:71 (January 2008), LR 34:615 (April 2008), LR 34:1009 (June 2008), LR 34:1894 (September 2008), LR 34:2396 (November 2008), LR 36:1235 (June 2010), repromulgated LR 36:1535 (July 2010), amended LR 36:2554 (November 2010), LR 38:774, 781 (March 2012), repromulgated LR 38:1009 (April 2012), amended by the Office of the Secretary, Legal Division, LR 40:1338 (July 2014), LR 41:2600 (December 2015), LR 42:565 (April 2016), LR 42:2178 (December 2016), LR 43:1138 (June 2017), repromulgated by the Office of the Secretary, Legal Affairs and Criminal Investigation Division, LR 43:1531 (August 2017), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 46:898 (July 2020), LR 47:1852 (December 2021).

Courtney J. Burdette
General Counsel

2112#019

RULE

Department of Environmental Quality Office of the Secretary Legal Affairs and Criminal Investigations Division

Medical Use of Byproduct Material

(LAC 33:XV.102, 328, 331, 613, 706, 708, 710, 712, 718, 719, 732, 735, 739, 741, 742, 743, 744, 745, 747, 750, 762, 763, 777, 915, 1510, and 1520) (RP069ft)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary has amended the Radiation Protection regulations, LAC 33:XV.102, 328, 331, 613, 706, 708, 710, 712, 718, 719, 732, 735, 739, 741, 742, 743, 744, 745, 747, 750, 762, 763, 777, 915, 1510, and 1520 (Log #RP069ft).

This Rule is identical to federal regulations found in 10 CFR 30, 32, and 35, which are applicable in Louisiana. For more information regarding the federal requirement, contact Deidra Johnson at (225) 219-3985. No fiscal or economic impact will result from the Rule. This Rule will be promulgated in accordance with the procedures in R.S. 49:953(F)(3) and (4).

This Rule updates the regulations pertaining to the medical use of byproduct material. This Rule was promulgated by the Nuclear Regulatory Commission (NRC) as RATS IDs 2018-1 and 2020-2. This Rule will update the state regulations to be compatible with changes in the federal regulations. The changes in the state regulations are category B, C, and H and S requirements for the state of Louisiana to remain an NRC agreement state. The basis and rationale for this Rule are to mirror the federal regulations and maintain an adequate agreement state program. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This Rule is hereby adopted on the day of promulgation.

Title 33

ENVIRONMENTAL QUALITY

Part XV. Radiation Protection

Chapter 1. General Provisions

§102. Definitions and Abbreviations

A. As used in these regulations, these terms have the definitions set forth below. Additional definitions used only in a certain chapter may be found in that Chapter.

* * *

Associate Radiation Safety Officer—an individual who:

a. meets the requirements in LAC 33:XV.763.A and M; and

b. is currently identified as an associate radiation safety officer for the types of use of byproduct material for which the individual has been assigned duties and tasks by the radiation safety officer on:

i. a specific medical use license issued by the NRC or an agreement state; or

ii. a medical use permit issued by a NRC master material licensee.

* * *

Ophthalmic Physicist—an individual who:

a. meets the requirements in LAC 33:XV.719.N.1.b and 763.M; and

b. is identified as an ophthalmic physicist on a:

i. specific medical use license issued by the NRC or an agreement state;

ii. permit issued by a NRC or agreement state broad scope medical use licensee;

iii. medical use permit issued by a NRC master material licensee; or

iv. permit issued by a NRC master material licensee broad scope medical use permittee.

* * *

Preceptor—an individual who provides, directs, or verifies the training and experience required for an individual to become an authorized user, an authorized medical physicist, an authorized nuclear pharmacist, a radiation safety officer, or an associate radiation safety officer.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), LR 19:1421 (November 1993), LR 20:650 (June 1994), LR 22:967 (October 1996), LR 24:2089 (November 1998), repromulgated LR 24:2242 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2563 (November 2000), LR 26:2767 (December 2000), LR 30:1171, 1188 (June 2004), amended by the Office of Environmental Assessment, LR 31:44 (January 2005), LR 31:1064 (May 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:811 (May 2006), LR 32:1853 (October 2006), LR 33:1016 (June 2007), LR 33:2175 (October 2007), LR 34:982 (June 2008), LR 36:1771 (August 2010), amended by the Office of the Secretary, Legal Division, LR 38:2748 (November 2012), LR 40:283 (February 2014), LR 40:1338 (July 2014), LR 40:1926 (October 2014), LR 41:1276 (July 2015), LR 41:2321 (November 2015), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:2137 (December 2018), LR 45:1752 (December 2019), LR 47:1853 (December 2021).

Chapter 3. Licensing of Byproduct Material

Subchapter D. Specific Licenses

§328. Special Requirements for Specific License to Manufacture, Assemble, Repair, or Distribute Commodities, Products, or Devices that Contain Byproduct Material

A. - J.1.b.v. ...

c. the applicant submits to the Office of Environmental Compliance information on the radionuclide, the chemical and physical form, the maximum activity per vial, syringe, generator, or other container of the radioactive drug; and the shielding provided by the packaging to show it is appropriate for the safe handling and storage of the radioactive drugs by medical use licensees; and

d. the applicant commits to the following labeling requirements:

i. the label is affixed to each transport radiation shield, whether it is constructed of lead, glass, plastic, or other material, of a radioactive drug to be transferred for commercial distribution. The label shall include the radiation symbol and the words "CAUTION, RADIOACTIVE MATERIAL"

or "DANGER, RADIOACTIVE MATERIAL," the name of the radioactive drug or its abbreviation, and the quantity of radioactivity at a specified date and time. For radioactive drugs with a half-life greater than 100 days, the time may be omitted; and

ii. a label is affixed to each syringe, vial, or other container used to hold a radioactive drug to be transferred for commercial distribution. The label shall include the radiation symbol and the words "CAUTION, RADIOACTIVE MATERIAL" or "DANGER, RADIOACTIVE MATERIAL" and an identifier that ensures that the syringe, vial, or other container can be correlated with the information on the transport radiation shield label.

2. - 2.e....

i. a copy of each individual's certification by a specialty board whose certification process has been recognized by the department, the NRC, or agreement state as specified in LAC 33:XV.763.K;

2.e.ii. - 3.b. ...

4. A licensee shall satisfy the labeling requirements in Subparagraph J.1.d. of this Section.

5. Nothing in this Section relieves the licensee from complying with applicable FDA, other federal, and state requirements governing radioactive drugs.

K. - M.4.g....

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), LR 24:2092 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2569 (November 2000), LR 26:2768 (December 2000), LR 27:1228 (August 2001), LR 30:1664 (August 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2526 (October 2005), LR 33:2179 (October 2007), LR 36:1771 (August 2010), amended by the Office of the Secretary, Legal Division, LR 38:2746 (November 2012), LR 40:286 (February 2014), LR 40:1341 (July 2014), LR 41:1278 (July 2015), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:2137 (December 2018), LR 47:1853 (December 2021).

§331. Specific Terms and Conditions of Licenses

A. ...

B. No license issued or granted in accordance with these regulations and no right to possess or utilize radioactive material granted by any license issued pursuant to this Chapter shall be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person unless the department shall, after securing full information, find that the transfer is in accordance with the provisions of the act and shall give its consent in writing.

1. ...

C. Each person licensed by the administrative authority in accordance with these regulations shall confine his use and possession of the byproduct material to the locations and purposes authorized in the license. Except as otherwise provided in the license, a license issued in accordance with these regulations shall carry with it the right to receive, acquire, own, and possess byproduct material. Preparation

for shipment and transport of byproduct material shall be in accordance with the provisions of Chapter 15.

D. - F. ...

G. Each licensee preparing technetium-99m radiopharmaceuticals from molybdenum-99/technetium-99m generators or rubidium-82 from strontium-82/rubidium-82 generators shall:

1. test the generator eluates for molybdenum-99 breakthrough or strontium-82 and strontium-85 contamination, respectively, in accordance with LAC 33:XV.732;

2. record the results of each test and retain each record for three years after the record is made; and

3. report the results of any test that exceeds the permissible concentration listed in LAC 33:XV.732.A at the time of generator elution, in accordance with LAC 33:XV.732.D and E.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and 2104.B.

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Chapter 6. X-Rays in the Healing Arts

§613. Notifications, Reports, and Records of Medical Events

A. - C.

D. All reports, notifications, and records shall be in accordance with LAC 33:XV.712.D, E, and G.

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, LR 31:1064 (May 2005), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 45:751 (June 2019), LR 45:1758 (December 2019), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1854 (December 2021).

Chapter 7. Use of Radionuclides in the Healing Arts

§706. Radiation Safety Officer

A. A licensee's management shall appoint a radiation safety officer, who agrees, in writing, to be responsible for implementing the radiation protection program. The licensee, through the radiation safety officer, shall ensure that radiation safety activities are being performed in accordance with licensee-approved procedures and regulatory requirements. A licensee's management may appoint, in writing, one or more associate radiation safety officers to support the radiation safety officer. The radiation safety officer, with written agreement of the licensee's management, shall assign the specific duties and tasks to each associate radiation safety officer. These duties and tasks are restricted to the types of use for which the associate radiation safety officer is listed on a license. The radiation safety officer may delegate duties and tasks to the associate

radiation safety officer but shall not delegate the authority or responsibilities for implementing the radiation protection program.

B. - 4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2588 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 32:813 (May 2006), LR 47:1854 (December 2021).

§708. Statement of Authorities and Responsibilities

A. A licensee shall provide sufficient authority, organizational freedom, time, resources, and management prerogative to the radiation safety officer and the radiation safety committee to:

1. ...
2. initiate, recommend, or provide corrective actions;
3. stop unsafe operations; and
4. verify implementation of corrective actions.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1855 (December 2021).

§710. Report and Notification of a Dose to an Embryo/Fetus or a Nursing Child

A. A licensee shall report any dose to an embryo/fetus that is greater than 50 mSv (5 rem) dose equivalent that is a result of an administration of byproduct material or radiation from byproduct material to a pregnant individual unless the dose to the embryo/fetus was specifically approved, in advance, by the authorized user.

B. A licensee shall report any dose to a nursing child that is a result of an administration of byproduct material to a breast-feeding individual that:

B.1. - F.1.a. ...

b. the identification number or if no other identification number is available, the social security number of the individual who is the subject of the event; and

F.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, Environmental Planning Division, LR 30:1174 (June 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 33:2185 (October 2007), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1855 (December 2021).

§712. Notifications, Reports, and Records of Medical Events

A. A licensee shall report any event as a medical event, except for an event that results from patient intervention, in which the administration of byproduct material or radiation from byproduct material, except permanent implant brachytherapy, results in:

1. a dose that differs from the prescribed dose, or the dose that would have resulted from the prescribed dosage, by more than 0.05 Sv (5 rem) effective dose equivalent, 0.5

Sv (50 rem) to an organ or tissue, or 0.5 Sv (50 rem) shallow dose equivalent to the skin, and:

1.a. - 2. ...

a. an administration of a wrong radioactive drug containing byproduct material or the wrong radionuclide for a brachytherapy procedure;

b. an administration of a radioactive drug containing byproduct material by the wrong route of administration;

c. - e. ...

3. a dose to the skin or an organ or tissue other than the treatment site that exceeds by:

a. 0.5 Sv (50 rem) or more the expected dose to that site from the procedure if the administration had been given in accordance with the written directive prepared or revised before administration; and

b. 50 percent or more the expected dose to that site from the procedure if the administration had been given in accordance with the written directive prepared or revised before administration.

B. For permanent implant brachytherapy, the administration of byproduct material or radiation from byproduct material (excluding sources that were implanted in the correct site but migrated outside the treatment site) that results in:

1. the total source strength administered differing by 20 percent or more from the total source strength documented in the post-implantation portion of the written directive;

2. the total source strength administered outside of the treatment site exceeding 20 percent of the total source strength documented in the post-implantation portion of the written directive; or

3. an administration that includes any of the following:

a. the wrong radionuclide;

b. the wrong individual or human research subject;

c. sealed source(s) implanted directly into a location discontinuous from the treatment site, as documented in the post-implantation portion of the written directive; or

d. a leaking sealed source resulting in a dose that exceeds 0.5 Sv (50 rem) to an organ or tissue.

C. A licensee shall report any event resulting from intervention of a patient or human research subject in which the administration of byproduct material or radiation from byproduct material results or will result in unintended permanent functional damage to an organ or a physiological system, as determined by a physician.

D. The following notifications are required for a medical event.

1. The licensee shall notify the Office of Environmental Compliance by telephone at (225) 765-0160 in the manner provided in LAC 33:1.3923 no later than the next calendar day after discovery of the medical event.

2. The licensee shall submit a written report to the Office of Environmental Compliance using the procedures provided in LAC 33:1.3925.B and C within 15 days after discovery of the medical event.

a. The written report shall include:

i. the licensee's name;

ii. the name of the prescribing physician;

iii. a brief description of the event;

- iv. why the event occurred;
- v. the effect, if any, on the individual(s) who received the administration;
- vi. what actions, if any, have been taken or are planned to prevent recurrence; and
- vii. certification that the licensee notified the individual (or the individual's responsible relative or guardian), and if not, why not.

b. The report may not contain the individual's name or any other information that could lead to identification of the individual.

3. The licensee shall notify the referring physician and also notify the individual who is the subject of the medical event no later than 24 hours after its discovery, unless the referring physician personally informs the licensee either that he or she will inform the individual or that, based on medical judgement, telling the individual would be harmful. The licensee is not required to notify the individual without first consulting the referring physician. If the referring physician or the affected individual cannot be reached within 24 hours, the licensee shall notify the individual as soon as possible thereafter. The licensee may not delay any appropriate medical care for the individual, including any necessary remedial care as a result of the medical event, because of any delay in notification. To meet the requirements of this Paragraph, the notification to the individual who is the subject of the medical event may be made instead to that individual's responsible relative or guardian. If a verbal notification is made, the licensee shall inform the individual, or appropriate responsible relative or guardian, that a written description of the event can be obtained from the licensee upon request. The licensee shall provide such a written description if requested.

E. Each licensee shall retain a record of each medical event for five years. The record shall contain the names of all individuals involved (including the prescribing physician, allied health personnel, the individual affected by the medical event, and the individual's referring physician), the individual's driver's license or state identification number and the issuing state, a brief description of the medical event, why it occurred, the effect on the individual, what improvements are needed to prevent recurrence, and the actions taken to prevent recurrence.

F. Aside from the notification requirement, nothing in this Section affects any rights or duties of licensees and physicians in relation to each other, the individual, or the individual's responsible relatives or guardians.

G. A licensee shall:

- 1. annotate a copy of the report provided to the department with:
 - a. the name of the individual who is the subject of the event; and
 - b. the identification number or if no other identification number is available, the social security number of the individual who is the subject of the event; and
- 2. provide a copy of the annotated report to the referring physician, if other than the licensee, no later than 15 days after the discovery of the event.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 24:2102 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2588 (November 2000), LR 30:1174 (June 2004), LR 30:1679 (August 2004), amended by the Office of Environmental Assessment, LR 30:2804 (December 2004), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1855 (December 2021).

§718. Authorization for Calibration, Transmission, and Reference Sources

A. Any person authorized by LAC 33:XV.702 for medical use of byproduct material may receive, possess, and use the following byproduct material for check, calibration, transmission, and reference use:

1. sealed sources manufactured and distributed by persons specifically licensed in accordance with Chapter 3 of these regulations or equivalent provisions of the U.S. NRC, an agreement state, or a licensing state, and that do not exceed 30 millicuries (1.11 GBq) each;

2. sealed sources redistributed by a licensee authorized to redistribute the sealed sources manufactured and distributed by a person licensed under LAC 33:XV.328.L or equivalent agreement state regulations, providing the redistributed sealed sources are in the original packaging and shielding and are accompanied by the manufacturer's approved instructions and do not exceed 30 mCi (1.11 GBq) each;

3. any byproduct material with a half-life of 120 days or less in individual amounts not to exceed 15 millicuries (0.56 GBq);

4. any byproduct material with a half-life greater than 120 days in individual amounts not to exceed the smaller of 200 microcuries (7.4 MBq) or 1000 times the quantities in LAC 33:XV.499.Appendix C; or

5. technetium-99m in amounts as needed.

B. Byproduct material in sealed sources authorized by this provision shall not be:

1. used for *medical use* as defined in LAC 33:XV.102 except in accordance with the requirements in LAC 33:XV.739; or

2. combined (i.e., bundled or aggregated) to create an activity greater than the maximum activity of any single sealed source authorized under this Section.

C. A licensee using calibration, transmission, and reference sources in accordance with the requirements in Subsections A or B of this Section need not list these sources on a specific medical use license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1856 (December 2021).

§719. Requirements for Possession of Sealed Sources and Brachytherapy Sources

A. - K. ...

L. A licensee shall mathematically correct the outputs or activities determined in Subsection J of this Section for

physical decay at intervals consistent with 1 percent physical decay.

M. ...

N. Strontium-90 Sources for Ophthalmic Treatments.

1. Licensees who use strontium-90 for ophthalmic treatments shall ensure that certain activities as specified in Paragraph N.2 of this Section are performed by either:

- a. an authorized medical physicist; or
- b. an individual who:

- i. is identified as an ophthalmic physicist on a specific medical use license issued by the NRC or an agreement state; permit issued by an NRC or agreement state broad scope medical use licensee; medical use permit issued by an NRC master material licensee; or permit issued by an NRC master material licensee broad scope medical use permittee;

- ii. holds a master's or doctor's degree in physics, medical physics, other physical sciences, engineering, or applied mathematics from an accredited college or university;

- iii. has successfully completed one year of full-time training in medical physics and an additional year of full-time work experience under the supervision of a medical physicist; and

- iv. has documented training in:

- (a). the creation, modification, and completion of written directives;

- (b). procedures for administrations requiring a written directive; and

- (c). performing the calibration measurements of brachytherapy sources as detailed in LAC 33:XV.719.J.

2. The individuals who are identified in Paragraph N.1 of this Section shall:

- a. calculate the activity of each strontium-90 source that is used to determine the treatment times for ophthalmic treatments. The decay shall be based on the activity determined under LAC 33:XV.719.J; and

- b. assist the licensee in developing, implementing, and maintaining written procedures to provide high confidence that the administration is in accordance with the written directive. These procedures shall:

- i. include the frequencies that the individual meeting the requirements in Paragraph N.1 of this Section will observe treatments;

- ii. review the treatment methodology;

- iii. calculate treatment time for the prescribed dose; and

- iv. review records to verify that the administrations were in accordance with the written directives.

3. Licensees shall retain a record of the activity of each strontium-90 source for the life of the source in accordance with LAC 33:XV.744.C.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2589 (November 2000), LR 30:1176 (June 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2533 (October 2005), LR 33:2185 (October 2007), amended by the Office of the Secretary, Legal

Affairs and Criminal Investigations Division, LR 47:1856 (December 2021).

§732. Permissible Molybdenum-99, Strontium-82, and Strontium-85 Concentrations

A. - C. ...

D. The licensee shall notify the Office of Environmental Compliance by telephone at (225) 765-0160 and the distributor of the generator within seven calendar days after discovery that an eluate exceeded the permissible concentration specified in LAC 33:XV.732.A at the time of generator elution. The telephone report to the department shall include:

1. the manufacturer;
2. model number, and serial number (or lot number) of the generator;
3. the results of the measurement;
4. the date of the measurement;
5. whether dosages were administered to patients or human research subjects;
6. when the distributor was notified; and
7. the action taken.

E. By an appropriate method listed in LAC 33:I.3923, the licensee shall submit a written report to the Office of Environmental Compliance within 30 calendar days after discovery of an eluate exceeding the permissible concentration at the time of generator elution.

1. The written report shall include:

- a. the action taken by the licensee;
- b. the patient dose assessment;
- c. the methodology used to make this dose assessment if the eluate was administered to patients or human research subjects;

- d. the probable cause and an assessment of failure in the licensee's equipment, procedures, or training that contributed to the excessive readings if an error occurred in the licensee's breakthrough determination; and

- e. the information in the telephone report as required by Subsection D of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2589 (November 2000), amended by the Office of the Secretary, Legal Division, LR 40:291 (February 2014), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1857 (December 2021).

§735. Use of Radiopharmaceuticals for Therapy

A. - B.2. ...

C. A licensee may use any unsealed byproduct material identified in 763.E.1.b.i.(b).(vii) prepared for medical use and for which a written directive is required that is:

1. obtained from:

- a. a manufacturer or preparer licensed under LAC 33:XV.328.J or equivalent agreement state requirements; or

- b. a PET radioactive drug producer licensed in accordance with LAC 33:XV.324.D.1 or equivalent NRC or agreement state requirements; or

2. excluding production of PET radionuclides, prepared by:

- a. an authorized nuclear pharmacist;

b. a physician who is an authorized user and who meets the requirements specified in LAC 33:XV.763.D or E.1; or

c. an individual under the supervision, as specified in LAC 33:XV.709, of the authorized nuclear pharmacist in Subparagraph C.2.a of this Section or the physician who is an authorized user in Subparagraph C.2.b of this Section; or

3. obtained from and prepared by a NRC or agreement state licensee, for use in research in accordance with an Investigational New Drug (IND) protocol accepted by FDA; or

4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 24:2104 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:1178 (June 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 40:292 (February 2014), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1857 (December 2021).

§739. Use of Sealed Sources and Medical Devices for Diagnosis

A. A licensee shall use only sealed sources that are not in medical devices for diagnostic medical uses if the sealed sources are approved in the Sealed Source and Device Registry for diagnostic medicine. The sealed sources may be used for diagnostic medical uses that are not explicitly listed in the Sealed Source and Device Registry but shall be used in accordance with the radiation safety conditions and limitations described in the Sealed Source and Device Registry.

B. A licensee shall only use medical devices containing sealed sources for diagnostic medical uses if both the sealed sources and medical devices are approved in the Sealed Source and Device Registry for diagnostic medical uses. The diagnostic medical devices may be used for diagnostic medical uses that are not explicitly listed in the Sealed Source and Device Registry but shall be used in accordance with the radiation safety conditions and limitations described in the Sealed Source and Device Registry.

C. Sealed sources and devices for diagnostic medical uses may be used in research in accordance with an active Investigational Device Exemption (IDE) application accepted by the U.S. Food and Drug Administration provided the requirements of LAC 33:XV.713.A.1 are met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:1178 (June 2004), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1858 (December 2021).

§741. Use of Sources for Brachytherapy

A. - B. ...

1. as approved in the Sealed Source and Device Registry for manual brachytherapy medical use. The manual brachytherapy sources may be used for manual brachytherapy uses that are not explicitly listed in the Sealed

Source and Device Registry, but shall be used in accordance with the radiation safety conditions and limitations described in the Sealed Source and Device Registry; or

2. in research to deliver therapeutic doses for medical use in accordance with an active Investigational Device Exemption (IDE) application accepted by the FDA, provided the requirements of LAC 33:XV.713.A.1 are met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:1178 (June 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 32:813 (May 2006), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1858 (December 2021).

§742. Safety Instructions

A. The licensee shall provide oral and written radiation safety instruction to all personnel caring for a patient or human research subject receiving brachytherapy and cannot be released under LAC 33:XV.725. Refresher training shall be provided at intervals not to exceed one year.

B. - B.4.a. ...

b. visitation authorized in accordance with LAC 33:XV.421.F;

5. - 6. ...

C. A licensee shall maintain a record of individuals receiving instruction required by Subsection A of this Section, a description of the instruction, the date of instruction, and the name of the individual who gave the instruction for three years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 24:2105 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:1179 (June 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 32:813 (May 2006), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1858 (December 2021).

§743. Safety Precautions

A. - B. ...

1. dislodged from the patient; and

B.2. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 24:2105 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:1179 (June 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 32:814 (May 2006), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1858 (December 2021).

§744. Brachytherapy Records

A. - A.1. ...

2. As soon as possible after removing sources from a patient or a human research subject, the licensee shall return

brachytherapy sources to an area of storage from the area of use, and immediately count or otherwise verify the number returned to ensure that all sources taken from the storage area have been returned.

3. A licensee shall maintain a record of brachytherapy source accountability required by Paragraphs 1 and 2 of this Section for three years.

a. For temporary implants, the record shall include:

i. the number and activity of sources removed from storage, the time and date they were removed from storage, the name of the individual who removed them from storage, and the location of use; and

ii. the number and activity of sources returned to storage, the time and date they were returned to storage, and the name of the individual who returned them to storage.

b. For permanent implants, the record shall include:

i. the number and activity of sources removed from storage, the date they were removed from storage, and the name of the individual who removed them from storage;

ii. the number and activity of sources not implanted, the date they were returned to storage, and the name of the individual who returned them to storage; and

iii. the number and activity of sources permanently implanted in the patient or human research subject.

B. - C.2.b. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 24:2106 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:1179 (June 2004), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1858 (December 2021).

§745. Surveys After Source Implant and Removal

A. ...

B. Immediately after removing the last temporary implant source from a patient or human research subject, the licensee shall perform a radiation survey of the patient or human research subject with a radiation detection survey instrument to confirm that all sources have been removed.

C. ...

D. A licensee shall maintain a record of patient or human research subject surveys that demonstrates compliance with Subsections A, B, and C of this Section for three years. Each record shall include the date and results of the survey, the survey instrument used, and the name of the individual who made the survey.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 24:2106 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:1180 (June 2004), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1859 (December 2021).

§747. Use of Sealed Sources in Teletherapy Units, Remote Afterloader Units, and Gamma Stereotactic Radiosurgery Units

A. - A.2. ...

B. A licensee shall use teletherapy units, photon-emitting remote afterloader units, or gamma stereotactic radiosurgery units:

1. approved in the Sealed Source and Device Registry to deliver a therapeutic dose for medical use. These devices may be used for therapeutic medical treatments that are not explicitly provided for in the Sealed Source and Device Registry, but shall be used in accordance with radiation safety conditions and limitations described in the Sealed Source and Device Registry; or

2. in research in accordance with an active Investigational Device Exemption (IDE) application accepted by the FDA provided the requirements of LAC 33:XV.713.A.1 are met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:1180 (June 2004), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1859 (December 2021).

§750. Safety Procedures and Instructions for Remote Afterloader Units, Teletherapy Units, and Gamma Stereotactic Radiosurgery Units

A. - C.2. ...

D. Prior to the first use for patient treatment of a new unit or an existing unit with a manufacturer upgrade that affects the operation and safety of the unit, a licensee shall:

1. ensure that vendor operational and safety training is provided to all individuals who will operate the unit. The vendor operational and safety training shall be provided by the device manufacturer or by an individual certified by the device manufacturer to provide the operational and safety training; and

2. provide operational and safety instructions, initially and at least annually, to all individuals who operate the unit, as appropriate to the individual's assigned duties. The instructions shall include instructions in:

a. the procedures identified in Paragraph A.4 of this Section; and

b. the operating procedures for the unit.

E. ...

F. A licensee shall maintain a record of individuals receiving instruction required by Subsection D of this Section, a description of the instruction, the date of instruction, the name(s) of the attendee(s), and the name of the individual who gave the instruction for three years.

G. A licensee shall retain a copy of the procedures required by Paragraphs A.4 and D.2 of this Section until the licensee no longer possesses the remote afterloader, teletherapy unit, or gamma stereotactic radiosurgery unit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 24:2106 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 30:1180 (June 2004), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1859 (December 2021).

§762. Full Inspection Servicing for Teletherapy and Gamma Stereotactic Radiosurgery Units

A. A licensee shall have each teletherapy unit and gamma stereotactic radiosurgery unit fully inspected and serviced during each source replacement or at intervals not to exceed five years, whichever comes first, to ensure proper functioning of the source exposure mechanism and other safety components.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2590 (November 2000), LR 30:1186 (June 2004), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1860 (December 2021).

§763. Training

A. Training for a Radiation Safety Officer and Associate Radiation Safety Officer. Except as provided in Subsection B of this Section, the licensee shall require an individual fulfilling the responsibilities of the radiation safety officer or an individual assigned duties and tasks as an associate radiation safety officer as provided in LAC 33:XV.706 to be an individual:

1. who is certified by a specialty board whose certification process has been recognized by the NRC or an agreement state, and who meets the requirements in Paragraph A.4 of this Section. The names of board certifications that have been recognized by the NRC or an agreement state are posted on the NRC's Medical Uses Licensee Toolkit web page. To have its certification process recognized, a specialty board shall require all candidates for certification to:

a. - b. ...

i. hold a master's or doctor's degree in physics, medical physics, other physical science, engineering, or applied mathematics from an accredited college or university;

ii. - ii.(a) ...

(b). in clinical nuclear medicine facilities providing diagnostic or therapeutic services under the direction of physicians who meet the requirements for authorized users in Subsection B or D, or Paragraph E.1 of this Section; and

1.b.iii. - 2.a.v. ...

b. one year of full-time radiation safety experience under the supervision of the individual identified as the radiation safety officer on a NRC or agreement state license or permit issued by a NRC master material licensee that authorizes similar type(s) of use(s) of byproduct material. An associate radiation safety officer may provide supervision for those areas for which the associate radiation safety officer is authorized on a NRC or an agreement state license or permit issued by a NRC master material licensee. The full-time radiation safety experience shall involve the following:

i. - vi. ...

vii. disposing of byproduct material; and

c. this individual shall obtain a written attestation, signed by a preceptor radiation safety officer or associate radiation safety officer who has experience with the radiation safety aspects of similar types of use of byproduct material for which the individual is seeking approval as a radiation safety officer or an associate radiation safety officer. The written attestation shall state that the individual has satisfactorily completed the requirements in Paragraphs A.2 and A.4 of this Section, and is able to independently fulfill the radiation safety-related duties as a radiation safety officer or as an associate radiation safety officer for a medical use license; or

3. ...

a. is a medical physicist who has been certified by a specialty board whose certification process has been recognized by the NRC or an agreement state in accordance with Subsection J of this Section, has experience with the radiation safety aspects of similar types of use of byproduct material for which the licensee is seeking the approval of the individual as radiation safety officer or an associate radiation safety officer, and who meets the requirements in Paragraph A.4 of this Section; or

b. is an authorized user, authorized medical physicist, or authorized nuclear pharmacist identified on a NRC or an agreement state license, or a permit issued by a NRC or an agreement state licensee of broad scope, or a permit issued by the NRC master material license broad scope permittee, has experience with the radiation safety aspects of similar types of use of byproduct material for which the licensee seeks the approval of the individual as the radiation safety officer or associate radiation safety officer, and meets the requirements in Paragraph 4 of this Section; or

c. has experience with the radiation safety aspects of the types of use of byproduct material for which the individual is seeking simultaneous approval both as the radiation safety officer and the authorized user on the same new medical use license or new medical use permit issued by a NRC master material license. The individual shall also meet the requirements in Paragraph A.4 of this Section.

4. The individual shall have training in the radiation safety, regulatory issues, and emergency procedures for the types of use for which a licensee seeks approval. This training requirement may be satisfied by completing training that is supervised by a radiation safety officer, an associate radiation safety officer, authorized medical physicist, authorized nuclear pharmacist, or authorized user, as appropriate, who is authorized for the type(s) of use for which the licensee is seeking approval.

B. ...

1. An individual identified on an agreement state or a NRC license or a permit issued by a NRC or an agreement state broad scope licensee or master material license permit or by a master material license permittee of broad scope as a radiation safety officer, a teletherapy or medical physicist, an authorized medical physicist, a nuclear pharmacist, or an authorized nuclear pharmacist on or before January 14, 2019, need not comply with the training requirements of Subsections A, J, or K of this Section, respectively, except the radiation safety officers and authorized medical physicists identified in this Paragraph shall meet the training

requirements in Paragraphs A.4 or J.3 of this Section as appropriate, for any material or uses for which they were not authorized prior to this date.

2. Any individual certified by the American Board of Health Physics in Comprehensive Health Physics; American Board of Radiology; American Board of Nuclear Medicine; American Board of Science in Nuclear Medicine; Board of Pharmaceutical Specialties in Nuclear Pharmacy; American Board of Medical Physics in radiation oncology physics; Royal College of Physicians and Surgeons of Canada in nuclear medicine; American Osteopathic Board of Radiology; or American Osteopathic Board of Nuclear Medicine on or before October 24, 2005, need not comply with the training requirements of Subsection A of this Section to be identified as a radiation safety officer or as an associate radiation safety officer on a NRC or an agreement state license or NRC master material license permit for those materials and uses that these individuals performed on or before October 24, 2005.

3. Any individual certified by the American Board of Radiology in therapeutic radiological physics, Roentgen ray and gamma ray physics, X-ray and radium physics, or radiological physics, or certified by the American Board of Medical Physics in radiation oncology physics, on or before October 24, 2005, need not comply with the training requirements for an authorized medical physicist described in Subsection J of this Section, for those materials and uses that these individuals performed on or before October 24, 2005.

4. A radiation safety officer, a medical physicist, or a nuclear pharmacist, who used only accelerator-produced radioactive materials, discrete sources of radium-226, or both, for medical uses or in the practice of nuclear pharmacy at a government agency or federally-recognized Indian tribe before November 30, 2007, or at any other location of use before August 8, 2009, or an earlier date as noticed by the NRC, need not comply with the training requirements of Subsections A, J, or K of this Section, respectively, when performing the same uses. A nuclear pharmacist, who prepared only radioactive drugs containing accelerator-produced radioactive materials, or a medical physicist, who used only accelerator-produced radioactive materials, at the locations and during the time period identified in this Paragraph, qualifies as an authorized nuclear pharmacist or an authorized medical physicist, respectively, for those materials and uses performed before these dates, for purposes of this Chapter.

5. Physicians, dentists, or podiatrists identified as authorized users for the medical use of byproduct material on a license issued by the NRC or agreement state, a permit issued by a NRC master material licensee, a permit issued by a NRC or an agreement state broad scope licensee, or a permit issued by a commission master material license broad scope permittee on or before January 14, 2019, who perform only those medical uses for which they were authorized on or before that date need not comply with the training requirements of this Chapter.

6. Physicians, dentists, or podiatrists not identified as authorized users for the medical use of byproduct material on a license issued by the NRC or agreement state, a permit issued by a NRC master material licensee, a permit issued by

a NRC or an agreement state broad scope licensee, or a permit issued by a NRC master material license of broad scope on or before October 24, 2005, need not comply with the training requirements of this Chapter for those materials and uses that these individuals performed on or before October 24, 2005, as follows:

a. for uses authorized under LAC 33:XV.729 or 731, or oral administration of sodium iodide I-131 requiring a written directive for imaging and localization purposes, a physician who was certified on or before October 24, 2005, in nuclear medicine by the American Board of Nuclear Medicine; diagnostic radiology by the American Board of Radiology; diagnostic radiology or radiology by the American Osteopathic Board of Radiology; nuclear medicine by the Royal College of Physicians and Surgeons of Canada; or American Osteopathic Board of Nuclear Medicine in nuclear medicine;

b. for uses authorized under LAC 33:XV.735.C, a physician who was certified on or before October 24, 2005, by the American Board of Nuclear Medicine; the American Board of Radiology in radiology, therapeutic radiology, or radiation oncology; nuclear medicine by the Royal College of Physicians and Surgeons of Canada; or the American Osteopathic Board of Radiology after 1984;

c. for uses authorized under LAC 33:XV.741, a physician who was certified on or before October 24, 2005, in radiology, therapeutic radiology, or radiation oncology by the American Board of Radiology; radiation oncology by the American Osteopathic Board of Radiology; radiology, with specialization in radiotherapy, as a British "Fellow of the Faculty of Radiology" or "Fellow of the Royal College of Radiology"; or therapeutic radiology by the Canadian Royal College of Physicians and Surgeons; and

d. for uses authorized under LAC 33:XV.739, a physician who was certified on or before October 24, 2005, in radiology, diagnostic radiology, therapeutic radiology, or radiation oncology by the American Board of Radiology; nuclear medicine by the American Board of Nuclear Medicine; diagnostic radiology or radiology by the American Osteopathic Board of Radiology; or nuclear medicine by the Royal College of Physicians and Surgeons of Canada.

7. Physicians, dentists, or podiatrists who used only accelerator-produced radioactive materials, discrete sources of radium-226, or both, for medical uses performed at a government agency or federally-recognized Indian tribe before November 30, 2007, or at all other locations of use before August 8, 2009, or an earlier date as noticed by the NRC, need not comply with the training requirements of this Chapter when performing the same medical uses. A physician, dentist, or podiatrist who used only accelerator-produced radioactive materials, discrete sources of radium-226, or both, for medical uses at the locations and time period identified in this Paragraph, qualifies as an authorized user for those materials and uses performed before these dates, for purposes of this Chapter.

8. Individuals who need not comply with training requirements as described in this Section may serve as preceptors for, and supervisors of, applicants seeking authorizations on Agreement State or NRC licenses for the same uses for which these individuals are authorized.

C. ...

1. who is certified by a medical specialty board whose certification process has been recognized by the NRC or an agreement state. The names of board certifications that have been recognized by the NRC or an agreement state are posted on the NRC's Medical Uses Licensees Toolkit web page. To have its certification process recognized, a specialty board shall require all candidates for certification to:

a. complete 60 hours of training and experience in basic radionuclide handling techniques and radiation safety applicable to the medical use of unsealed byproduct material for uptake, dilution, and excretion studies as described in Clauses C.3.a.i-ii of this Section; and

b. ...

2. who is an authorized user under Subsection D or Paragraph E.1 of this Section, or equivalent agreement state requirements, or NRC requirements; or

3. ...

a. has completed 60 hours of training and experience, including a minimum of eight hours of classroom and laboratory training, in basic radionuclide handling techniques applicable to the medical use of unsealed byproduct material for uptake, dilution, and excretion studies. The training and experience shall include:

i. - ii.(f). ...

b. has obtained written attestation that the individual has satisfactorily completed the requirements in Subparagraph C.3.a of this Section and is able to independently fulfill the radiation safety-related duties as an authorized user for the medical uses authorized in LAC 33:XV.729. The attestation shall be obtained from either:

i. a preceptor authorized user who meets the requirements in Subsections B, C, D, or Paragraph E.1 of this Section, or equivalent NRC or agreement state requirements; or

ii. a residency program director who affirms in writing that the attestation represents the consensus of the residency program faculty where at least one faculty member is an authorized user who meets the requirements in Subsections B, C, D, or Paragraph E.1 of this Section, or equivalent NRC or agreement state requirements, and concurs with the attestation provided by the residency program director. The residency training program shall be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and shall include training and experience specified in Subparagraph C.3.a of this Section.

D. ...

1. who is certified by a medical specialty board whose certification process has been recognized by the NRC or an agreement state. The names of board certifications that have been recognized by the NRC or an agreement state are posted on the NRC's Medical Uses Licensee Toolkit web page. To have its certification process recognized, a specialty board shall require all candidates for certification to:

1.a. - 3. ...

a. has completed 700 hours of training and experience, including a minimum of 80 hours of classroom and laboratory training, in basic radionuclide handling techniques applicable to the medical use of unsealed

byproduct material for imaging and localization studies. The training and experience shall include, at a minimum:

i. - i.(e). ...

ii. work experience, under the supervision of an authorized user, who meets the requirements in this Subsection, Subsection B, or Subclause D.3.a.ii.(g) and Paragraph E.1 of this Section, or equivalent agreement state requirements, or NRC requirements. An authorized nuclear pharmacist who meets the requirements in Subsections B or K of this Section may provide the supervised work experience for Subclause D.3.a.ii.(g) of this Section. Work experience shall involve:

(a). - (g). ...

b. has obtained written attestation that the individual has satisfactorily completed the requirements in Subparagraph D.3.a of this Section and is able to independently fulfill the radiation safety-related duties as an authorized user for the medical uses authorized in LAC 33:XV.729 and LAC 33:XV.731.H. The attestation shall be obtained from either:

i. a preceptor authorized user who meets the requirements in this Subsection, Subsection B, or Paragraph E.1 and Subclause D.3.a.ii.(g) of this Section, NRC or equivalent agreement state requirements; or

ii. a residency program director who affirms in writing that the attestation represents the consensus of the residency program faculty where at least one faculty member is an authorized user who meets the requirements in this Subsection, Subsection B, or Paragraph E.1 and Subclause D.3.a.ii.(g), or equivalent NRC or agreement state requirements, and concurs with the attestation provided by the residency program director. The residency training program shall be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and shall include training and experience specified in Subparagraph D.3.a of this Section.

E. - E.1. ...

a. who is certified by a medical specialty board whose certification process has been recognized by the NRC or an agreement state, and who meets the requirements in Division E.1.b.i.(b).(vii) of this Section. The names of board certifications that have been recognized by the NRC or an agreement state are posted on the NRC's Medical Uses Licensee Toolkit web page. To be recognized, a specialty board shall require all candidates for certification to:

i. successfully complete residency training in a radiation therapy or nuclear medicine training program or a program in a related medical specialty. These residency training programs shall include 700 hours of training and experience as described in Subclause E.1.b.i.(a) through Division E.1.b.i.(b).(v) of this Section. Eligible training programs shall be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education, the Royal College of Physicians and Surgeons of Canada, or the Council on Postdoctoral Training of the American Osteopathic Association; and

a.ii. - b. ...

i. has completed 700 hours of training and experience, including a minimum of 200 hours of classroom

and laboratory training, in basic radionuclide handling techniques applicable to the medical use of unsealed byproduct material requiring a written directive. The training and experience shall include:

(a). - (a).(v). ...

(b). work experience, under the supervision of an authorized user who meets the requirements in this Paragraph, Subsection B of this Section, or equivalent agreement state requirements or NRC requirements. A supervising authorized user, who meets the requirements in Subparagraph E.1.b of this Section, shall also have experience in administering dosages in the same dosage category or categories (i.e., Division E.1.b.i.(b).(vii) of this Section) as the individual requesting authorized user status. The work experience shall involve:

(i). - (vi). ...

(vii). administering dosages of radioactive drugs to patients or human research subjects from the three categories in this Division. Radioactive drugs containing radionuclides in categories not included in this Division are regulated elsewhere in this Chapter. This work experience shall involve a minimum of three cases in each of the following categories for which the individual is requesting authorized user status:

[a]. - [b]. ...

[c]. parenteral administration of any radioactive drug that contains a radionuclide that is primarily used for its electron emission, beta radiation characteristics, alpha radiation characteristics, or photon energy of less than 150 keV, for which a written directive is required; and

ii. has obtained written attestation that the individual has satisfactorily completed the requirements in Clause E.1.b.i of this Section, and is able to independently fulfill the radiation safety-related duties as an authorized user for the medical uses authorized in LAC 33:XV.735.C for which the individual is requesting authorized user status. The attestation shall be obtained from either:

(a). a preceptor authorized user who meets the requirements in this Paragraph, Subsection B of this Section, equivalent agreement state requirements, or NRC requirements and has experience in administering dosages in the same dosage category or categories as the individual requesting authorized user status; or

(b). a residency program director who affirms in writing that the attestation represents the consensus of the residency program faculty where at least one faculty member is an authorized user who meets the requirements in this Paragraph, Subsection B of this Section, equivalent agreement state requirements, or NRC requirements, has experience in administering dosages in the same dosage category or categories as the individual requesting authorized user status, and concurs with the attestation provided by the residency program director. The residency training program shall be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and shall include training and experience specified in Clause E.1.b.i of this Section.

2. ...

a. who is certified by a medical specialty board whose certification process includes all of the requirements in Clauses E.2.c.i and ii of this Section and whose certification process has been recognized by the NRC or an agreement state. The names of board certifications that have been recognized by the NRC or an agreement state are posted on the NRC's Medical Uses Licensee Toolkit web page; or

b. - c. ...

i. has successfully completed 80 hours of classroom and laboratory training, applicable to the medical use of sodium iodide I-131 for procedures requiring a written directive. The training shall include:

(a). - (e). ...

ii. has work experience, under the supervision of an authorized user who meets the requirements in this Paragraph, Subsection B of this Section, or Paragraphs E.1 or E.3 of this Section, or equivalent agreement state requirements or NRC requirements. A supervising authorized user who meets the requirements in Subparagraph E.1.b of this Section shall also have experience in administering dosages as specified in Subdivision E.1.b.i.(b).(vii).[a] or [b] of this Section. The work experience shall involve:

(a). - (f). ...

iii. has obtained written attestation that the individual has satisfactorily completed the requirements in Clauses E.2.c.i and ii of this Section, and is able to independently fulfill the radiation safety-related duties as an authorized user for oral administration of less than or equal to 1.22 gigabecquerels (33 millicuries) of sodium iodide I-131 for medical uses authorized in LAC 33:XV.735.C. The attestation shall be obtained from either:

(a). a preceptor authorized user who meets the requirements in this Paragraph, Subsection B of this Section, Paragraphs E.1 or E.3 of this Section, equivalent NRC or agreement state requirements, and has experience in administering dosages as specified in Subdivision E.1.b.i.(b).(vii).[a] or [b] of this Section; or

(b). a residency program director who affirms in writing that the attestation represents the consensus of the residency program faculty where at least one faculty member is an authorized user who meets the requirements in this Paragraph, Subsection B of this Section, Paragraphs E.1 or E.3 of this Section, or equivalent NRC or agreement state requirements, has experience in administering dosages as specified in Subdivision E.1.b.i.(b).(vii).[a] or [b] of this Section, and concurs with the attestation provided by the residency program director. The residency training program shall be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and shall include training and experience specified in Clauses E.2.c.i and ii of this Section.

3. ...

a. who is certified by a medical specialty board whose certification process includes all of the requirements in Clauses E.3.c.i and ii of this Section, and whose certification process has been recognized by the NRC or an agreement state. The names of board certifications that have been recognized by the NRC or an agreement state are

posted on the NRC's Medical Uses Licensee Toolkit web page; or

b. - c. ...

i. has successfully completed 80 hours of classroom and laboratory training, applicable to the medical use of sodium iodide I-131 for procedures requiring a written directive. The training shall include:

(a). - (e). ...

ii. has work experience, under the supervision of an authorized user who meets the requirements in this Paragraph of this Section, Subsection B of this Section, Paragraph E.1 of this Section, or equivalent agreement state requirements or NRC requirements. A supervising authorized user who meets the requirements in Subparagraph E.1.b of this Section shall also have experience in administering dosages as specified in Subdivision E.1.b.i.(b).(vii).[b] of this Section. The work experience shall involve:

(a). - (f). ...

iii. has obtained written attestation that the individual has satisfactorily completed the requirements in Clauses E.3.c.i and ii of this Section, and is able to independently fulfill the radiation safety-related duties as an authorized user for oral administration of greater than 1.22 gigabecquerels (33 millicuries) of sodium iodide I-131 for medical uses authorized in LAC 33:XV.735.C. The attestation shall be obtained from either:

(a). a preceptor authorized user who meets the requirements in this Paragraph, Subsection B of this Section, Paragraphs E.1 of this Section, equivalent NRC or agreement state requirements, and has experience in administering dosages as specified in Subdivision E.1.b.i.(b).(vii).[b] of this Section; or

(b). a residency program director who affirms in writing that the attestation represents the consensus of the residency program faculty where at least one faculty member is an authorized user who meets the requirements in this Paragraph, Subsection B of this Section, Paragraphs E.1 of this Section, or equivalent NRC or agreement state requirements, has experience in administering dosages as specified in Subdivision E.1.b.i.(b).(vii).[b] of this Section, and concurs with the attestation provided by the residency program director. The residency training program shall be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and shall include training and experience specified in Clauses E.3.c.i and ii of this Section.

4. ...

a. who is an authorized user in accordance with Paragraph E.1 of this Section for uses listed in Subdivision E.1.b.i.(b).(vii).[c] of this Section, or equivalent agreement state requirements or NRC requirements; or

b. who is an authorized user in accordance with Subsections F or I of this Section, or equivalent agreement state requirements, NRC requirements, and who meets the requirements in Subparagraph E.4.d of this Section; or

c. who is certified by a medical specialty board whose certification process has been recognized by the NRC or an agreement state in accordance with Subsections F or I

of this Section, and who meets the requirements in Subparagraph E.4.d of this Section; or

d. ...

i. has successfully completed 80 hours of classroom and laboratory training, applicable to parenteral administrations listed in Subdivision E.1.b.i.(b).(vii).[c]. The training shall include:

(a). - (e). ...

ii. has work experience, under the supervision of an authorized user who meets the requirements in this Paragraph, Subsection B, or Paragraph E.1 of this Section, or equivalent agreement state requirements, or NRC requirements in the parenteral administration listed in Subdivision E.1.b.i.(b).(vii).[c]. A supervising authorized user who meets the requirements in this Paragraph, Paragraph E.1 of this Section, or equivalent NRC or agreement state requirements, shall have experience in administering dosages in the same category or categories as the individual requesting authorized user status. The work experience shall involve:

(a). - (e). ...

(f). administering dosages to patients or human research subjects, that include at least three cases of the parenteral administrations as specified in Subdivision E.1.b.i.(b).(vii).[c]; and

iii. has obtained written attestation that the individual has satisfactorily completed the requirements in Clauses E.4.d.i and ii of this Section, and is able to independently fulfill the radiation safety-related duties as an authorized user for the parenteral administration of unsealed byproduct material requiring a written directive. The attestation shall be obtained from either:

(a). a preceptor authorized user who meets the requirements in this Paragraph, Subsection B of this Section, Paragraph E.1 of this Section, or equivalent NRC or agreement state requirements. A preceptor authorized user who meets the requirements in this Paragraph, Paragraph E.1 of this Section, or equivalent NRC or agreement state requirements, shall have experience in administering dosages in the same category or categories as the individual requesting authorized user status; or

(b). a residency program director who affirms in writing that the attestation represents the consensus of the residency program faculty where at least one faculty member is an authorized user who meets the requirements in this Paragraph, Subsection B of this Section, Paragraph E.1 of this Section, or equivalent NRC or agreement state requirements, has experience in administering dosages in the same dosage category or categories as the individual requesting authorized user status, and concurs with the attestation provided by the residency program director. The residency training program shall be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and shall include training and experience specified in Clauses 4.d.i and ii of this Section.

F. Training for Use of Manual Brachytherapy Sources. Except as provided in Subsection B of this Section, the licensee shall require the authorized user of a manual

brachytherapy source for the uses authorized in LAC 33:XV.741.B to be a physician:

1. who is certified by a medical specialty board whose certification process has been recognized by the NRC or an agreement state. The names of board certifications that have been recognized by the NRC or an agreement state are posted on the NRC's Medical Uses Licensee toolkit web page. To have its certification process recognized, a specialty board shall require all candidates for certification to:

a. successfully complete a minimum of three years of residency training in a radiation oncology program approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association; and

1.b. - 2.a.i.(d). ...

ii. 500 hours of work experience under the supervision of an authorized user who meets the requirements in this Subsection, Subsection B of this Section or equivalent agreement state requirements or NRC requirements at a medical facility authorized to use byproduct materials in accordance with LAC 33:XV.741.B, involving:

(a) - (f). ...

b. has completed three years of supervised clinical experience in radiation oncology under an authorized user who meets the requirements in this Subsection, Subsection B of this Section or equivalent agreement state requirements, or NRC requirements as part of a formal training program approved by the Residency Review Committee for Radiation Oncology of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association. This experience may be obtained concurrently with the supervised work experience required in Subparagraph F.2.a.ii of this Section; and

c. has obtained written attestation that the individual has satisfactorily completed the requirements in Subparagraphs F.2.a and b of this Section, and is able to independently fulfill the radiation safety-related duties as an authorized user of manual brachytherapy sources for the medical uses authorized in LAC 33:XV.741.B. The attestation shall be obtained from either:

i. a preceptor authorized user who meets the requirements in this Subsection, Subsection B of this Section, or equivalent NRC or agreement state requirements; or

ii. a residency program director who affirms in writing that the attestation represents the consensus of the residency program faculty where at least one faculty member is an authorized user who meets the requirements in this Subsection, Subsection B of this Section or equivalent NRC or agreement state requirements, and concurs with the attestation provided by the residency program director. The residency training program shall be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and shall include training and experience specified in Subparagraphs 2.a and b of this Section.

G. - G.2. ...

a. has completed 24 hours of classroom and laboratory training applicable to the medical use of strontium-90 for ophthalmic radiotherapy. The training shall include:

i. - iv. ...

b. supervised clinical training in ophthalmic radiotherapy under the supervision of an authorized user at a medical institution, clinic, or private practice that includes the use of strontium-90 for the ophthalmic treatment of five individuals. This supervised clinical training shall involve:

i. - iv. ...

c. has obtained written attestation, signed by a preceptor authorized user who meets the requirements in Subsections B or F and G of this Section, or equivalent agreement state requirements, or NRC requirements that the individual has satisfactorily completed the requirements in Subparagraphs G.2.a and b of this Section and is able to independently fulfill the radiation safety-related duties as an authorized user of strontium-90 for ophthalmic use.

H. Training for Use of Sealed Sources and Medical Devices for Diagnosis. Except as provided in Subsection B of this Section, the licensee shall require the authorized user of a diagnostic sealed source or a device authorized in LAC 33:XV.739 to be a physician, dentist, or podiatrist:

1. who is certified by a specialty board whose certification process includes all of the requirements in Paragraphs H.3 and 4 of this Section and whose certification has been recognized by the NRC or an agreement state. The names of board certifications that have been recognized by the NRC or an agreement state will be posted on the NRC's Medical Uses Licensee Toolkit web page; or

2. who is an authorized user for uses listed in LAC 33:XV.731.H, or equivalent NRC or agreement state requirements; or

3. who has completed eight hours of classroom and laboratory training in basic radionuclide handling techniques specifically applicable to the use of the device. The training shall include:

a. radiation physics and instrumentation;

b. radiation protection;

c. mathematics pertaining to the use and measurement of radioactivity; and

d. radiation biology; and

4. who has completed training in the use of the device for the uses requested.

I. ...

1. who is certified by a medical specialty board whose certification process has been recognized by the NRC or an agreement state, and who meets the requirements in Paragraph I.3 of this Section. The names of board certifications that have been recognized by the NRC or an agreement state are posted on the NRC's Medical Uses Toolkit web page. To have its certification process recognized, a specialty board shall require all candidates for certification to:

a. successfully complete a minimum of three years of residency training in a radiation therapy program approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or

the Council on Postdoctoral Training of the American Osteopathic Association; and

1.b. - 2.a.i.(d). ...

ii. 500 hours of work experience under the supervision of an authorized user who meets the requirements in this Subsection, or Subsection B of this Section or equivalent agreement state requirements or NRC requirements at a medical facility that is authorized to use byproduct materials in LAC 33:XV.747 involving:

(a) - (f). ...

b. has completed three years of supervised clinical experience in radiation therapy under an authorized user who meets the requirements in this Subsection, or Subsection B of this Section or equivalent agreement state requirements, or NRC requirements, as part of a formal training program approved by the Residency Review Committee for Radiation Oncology of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association. This experience may be obtained concurrently with the supervised work experience required in Clause I.2.a.ii of this Section; and

c. has obtained written attestation that the individual has satisfactorily completed the requirements in Subparagraphs I.2.a and b and Paragraph I.3 of this Section, and is able to independently fulfill the radiation safety-related duties as an authorized user of each type of therapeutic medical unit for which the individual is requesting authorized user status. The attestation shall be obtained from either:

i. a preceptor authorized user who meets the requirements in this Subsection or Subsection B of this Section or equivalent agreement state requirements or NRC requirements for the type(s) of therapeutic medical unit for which the individual is requesting authorized user status; or

ii. a residency program director who affirms in writing that the attestation represents the consensus of the residency program faculty where at least one faculty member is an authorized user who meets the requirements in this Subsection, Subsection B of this Section, or equivalent NRC or agreement state requirements, for the type(s) of therapeutic medical unit for which the individual is requesting authorized user status, and concurs with the attestation provided by the residency program director. The residency training program shall be approved by the Residency Review Committee of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Council on Postdoctoral Training of the American Osteopathic Association and shall include training and experience specified in Subparagraphs 2.a and b of this Section.

3. who has received training in device operation, safety procedures, and clinical use for the type(s) of use for which authorization is sought. This training requirement may be satisfied by satisfactory completion of a training program provided by the vendor for new users or by receiving training supervised by an authorized user or authorized medical physicist, as appropriate, who is authorized for the type(s) of use for which the individual is seeking authorization.

J. ...

1. who is certified by a specialty board whose certification process has been recognized by the NRC or an agreement state, and who meets the requirements in Paragraph J.3 of this Section. The names of board certifications that have been recognized by the NRC or an agreement state are posted on the NRC's Medical Uses Licensee Toolkit web page. To have its certification process recognized, a specialty board shall require all candidates for certification to:

a. hold a master's or doctor's degree in physics, medical physics, other physical science, engineering, or applied mathematics from an accredited college or university;

b. ...

i. under the supervision of a medical physicist who is certified in medical physics by a specialty board whose certification process has been recognized under this Section by the NRC or an agreement state; or

ii. in clinical radiation facilities providing high-energy, external beam therapy (photons and electrons with energies greater than or equal to 1 million electron volts) and brachytherapy services under the direction of physicians who meet the requirements for an authorized user in Subsection B, F or I of this Section; and

1.c. - 2....

a. holds a master's or doctor's degree in physics, medical physics, other physical science, engineering, or applied mathematics from an accredited college or university, and has completed one year of full-time training in medical physics and an additional year of full-time work experience under the supervision of an individual who meets the requirements for an authorized medical physicist for the type(s) of use for which the individual is seeking authorization. This training and work experience shall be conducted in clinical radiation facilities that provide high-energy, external beam therapy (photons and electrons with energies greater than or equal to 1 million electron volts) and brachytherapy services, and shall include:

i. - iv. ...

b. has obtained written attestation that the individual has satisfactorily completed the requirements in Subparagraph J.2.a and Paragraph J.3 of this Section, and is able to independently fulfill the radiation safety-related duties as an authorized medical physicist for each type of therapeutic medical unit for which the individual is requesting authorized medical physicist status. The written attestation shall be signed by a preceptor authorized medical physicist who meets the requirements in this Subsection, Subsection B of this Section or equivalent agreement state requirements or NRC requirements for an authorized medical physicist for each type of therapeutic medical unit for which the individual is requesting authorized medical physicist status; and

3. who has training for the type(s) of use for which authorization is sought that includes hands-on device operation, safety procedures, clinical use, and the operation of a treatment planning system. This training requirement may be satisfied by satisfactorily completing either a training program provided by the vendor or by training supervised by an authorized medical physicist authorized for the type(s) of use for which the individual is seeking authorization.

K. ...

1. who is certified by a specialty board whose certification process has been recognized by the NRC or an agreement state, and who meets the requirements in Subparagraph K. 2.b of this Section. The names of board certifications that have been recognized by the NRC or an agreement state are posted on the NRC's Medical Uses Licensee Toolkit web page. To have its certification process recognized, a specialty board shall require all candidates for certification to:

1.a. - 2.a.ii.(e). ...

b. has obtained written attestation, signed by a preceptor authorized nuclear pharmacist, that the individual has satisfactorily completed the requirements in Subparagraph K.2.a, of this Section and is able to independently fulfill the radiation safety-related duties as an authorized nuclear pharmacist.

L. - M. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 24:2106 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2590 (November 2000), LR 30:1186 (June 2004), amended by the Office of Environmental Assessment, LR 31:1061 (May 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:814 (May 2006), LR 34:983 (June 2008), LR 34:2121 (October 2008), LR 36:1772 (August 2010), amended by the Office of the Secretary, Legal Division, LR 38:2748 (November 2012), LR 40:1342 (July 2014), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:2138 (December 2018), LR 45:1179 (September 2019), LR 47:1860 (December 2021).

§777. Written Directives

A. A written directive shall be dated and signed by an authorized user before the administration of I-131 sodium iodide greater than 1.11 megabecquerels (MBq) (30 microcuries (μCi)), any therapeutic dosage of unsealed byproduct material, or any therapeutic dose of radiation from byproduct material. If, because of the emergent nature of the patient's condition, a delay in order to provide a written directive would jeopardize the patient's health, an oral directive is acceptable. The information contained in the oral directive shall be documented as soon as possible in writing in the patient's record. A written directive shall be prepared within 48 hours of the oral directive.

B. - B.1. ...

2. for an administration of a therapeutic dosage of unsealed byproduct material other than sodium iodide I-131:

2.a. - 5.d. ...

e. the total dose;

6. for permanent implant brachytherapy:

a. before implantation:

i. the treatment site;

ii. the radionuclide; and

iii. the total source strength; and

b. after implantation but before the patient leaves the post-treatment recovery area:

i. the treatment site;

ii. the number of sources implanted;

iii. the total source strength implanted; and

iv. the date; or

7. for all other brachytherapy, including low, medium, and pulsed dose-rate remote afterloaders:

a. before implantation:

i. the treatment site;

ii. the radionuclide; and

iii. the dose; and

b. after implantation but before completion of the procedure:

i. the radionuclide;

ii. the treatment site;

iii. the number of sources;

iv. the total source strength and exposure time (or the total dose); and

v. the date.

C. A written revision to an existing written directive may be made if the revision is dated and signed by an authorized user before the administration of:

1. the dosage of unsealed byproduct material;

2. the brachytherapy dose;

3. the gamma stereotactic radiosurgery dose;

4. the teletherapy dose; or

5. the next fractional dose.

D. If, because of the patient's condition, a delay in order to provide a written revision to an existing written directive would jeopardize the patient's health, an oral revision to an existing written directive is acceptable. The oral revision shall be documented as soon as possible in the patient's record. A revised written directive shall be signed by the authorized user within 48 hours of the oral revision.

E. The licensee shall retain a copy of each written directive as required by this Section for three years.

F. For any administration requiring a written directive, the licensee shall develop, implement, and maintain written procedures to provide high confidence that:

1. the patient's or human research subject's identity is verified before each administration; and

2. each administration is in accordance with the written directive.

G. At a minimum, the procedures required by Subsection F of this Section shall address the following items that are applicable to the licensee's use of byproduct material:

1. verifying the identity of the patient or human research subject;

2. verifying that the administration is in accordance with the treatment plan, if applicable, and the written directive;

3. checking both manual and computer-generated dose calculations;

4. verifying that any computer-generated dose calculations are correctly transferred into the consoles of therapeutic medical units authorized by LAC 33:XV.747;

5. determining if a medical event, as described in LAC 33:XV.712, has occurred; and

6. determining, for permanent implant brachytherapy, within 60 calendar days from the date the implant was performed, the total source strength administered outside of the treatment site compared to the total source strength documented in the post-implantation portion of the written directive, unless a written justification of patient unavailability is documented.

Courtney J. Burdette
General Counsel

2112#020

RULE

**Office of the Governor
Board of Architectural Examiners**

**Adoption and Amendment of Rules
(LAC 46:I.2303)**

The Board of Architectural Examiners, in accordance with the provisions of R.S. 49:950 et seq., and through the authority granted in R.S. 37:144(C), has amended LAC 46:I.2303 pertaining to adoption and amendment of rules.

R.S. 49:953(C)(1) provides that interested persons may petition an agency requesting the adoption, amendment, or repeal of a rule, and state agencies shall provide by rule the form for petitions and the procedure for their submission, consideration, and disposition. The board seeks to comply with this statute by amending LAC 46:I.2303 and adopting Subsections B-F, the form for petitions requesting the adoption, amendment, or repeal of a rule and the procedure for their submission, consideration, and disposition. This Rule is hereby adopted on the day of promulgation.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part I. Architects

Chapter 23. Application of Rules

§2303. Adoption and Amendment of Rules

A. ...

B. An interested person may petition the board requesting the adoption, amendment, or repeal of a rule. The petition shall be sent to the board at the board's office. The petition shall be titled "Petition for Rule-Making," and it shall include the following information:

1. the name, telephone number, physical address, and any email address of the person submitting the petition;
2. a citation to any rule for which a change or repeal is requested;
3. a draft of any proposed new rule or amended rule;
4. an explanation of why the new rule, amendment, or repeal is being requested and a detailed statement as to the effects of the new rule, amendment, or repeal upon the board's procedures and upon persons regulated by the board; and
5. any other information that the person submitting the petition considers relevant.

C. In its consideration of the petition, the board may request further information from the person or persons requesting the adoption, amendment, or repeal of a rule.

D. The board shall decide whether to grant or deny a petition for rule-making within 90 days of its receipt of the petition. In making its decision, the board shall

H. The licensee shall retain a copy of the procedures required under Subsection F of this Section for the duration of the license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq., and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 21:554 (June 1995), LR 24:2110 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2591 (November 2000), LR 30:1187 (June 2004), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1867 (December 2021).

**Chapter 9. Radiation Safety Requirements for
Particle Accelerators**

**Subchapter B. Radiation Safety Requirements for the
Use of Particle Accelerators**

**§915. Notifications, Reports, and Records of Medical
Events**

A. - B. ...

C. All reports, notifications, and records shall be in accordance with LAC 33:XV.712.D, E, and G.

D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2104 et seq. and 2104.B.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Environmental Assessment, LR 31:1065 (May 2005), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 47:1868 (December 2021).

Chapter 15. Transportation of Radioactive Material

**§1510. General License: Use of Foreign Approved
Package**

A. - D.1. ...

2. complies with the terms and conditions of the certificate and revalidation and with the applicable requirements of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2104.B and 2113.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:1268 (June 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 34:2108 (October 2008), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 45:1183 (September 2019), LR 47:1868 (December 2021).

§1520. Quality Assurance

A. - A.3. ...

4. A program for transport container inspection and maintenance limited to radiographic exposure devices, source changers, or packages transporting these devices, and meeting the requirements of LAC 33:XV.547.B or equivalent NRC or other agreement state requirement, is deemed to satisfy the requirements of LAC 33:XV.1508 and LAC 33:XV.1520.A.

B. - J.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2104.B and 2113.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 34:2112 (October 2008), repromulgated LR 34:2393 (November 2008), amended by the Office of the Secretary, Legal

consider the information submitted with the petition and any other relevant information.

E. If the board denies a rule-making petition, it shall send written notice of its denial to the person who submitted the petition. The notice shall state in writing the reasons for the denial.

F. If the board grants a rule-making petition, it shall initiate rule-making proceedings within 90 days of its receipt of the petition, and it shall send written notice that rule-making proceedings have been initiated to the person who submitted the petition.

G. The board will presume that its current rules are valid unless this presumption is rebutted by persuasive evidence is offered in the petition for the declaratory ruling. When the board determines that a rule is invalid, the board shall initiate rule-making proceedings, sending written notice of the proceedings to the person who submitted the petition.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 29:577 (April 2003), amended LR 47:1868 (December 2021).

Katherine E. Hillegas
Executive Director

2112#016

RULE

Office of the Governor Board of Architectural Examiners

Declaratory Orders and Rulings
(LAC 46:I.2305)

The Board of Architectural Examiners, in accordance with the provisions of R.S. 49:950 et seq., and through the authority granted in R.S. 37:144(C), has adopted LAC 46:I.2305 pertaining to declaratory orders and rulings.

R.S. 49:962 provides that state agencies shall provide by rule for the filing and prompt disposition of petitions for declaratory orders and rulings as to the applicability of any statutory provision or of any rule or order of the agency. The board seeks to comply with this statute by adopting the proposed Rule, which provides by rule for the filing and prompt disposition of petitions for declaratory orders and rulings as to the applicability of any statutory provision or of any rule or order of the agency. This Rule is hereby adopted on the day of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part I. Architects

Chapter 23. Application of Rules

§2305. Declaratory Orders and Rulings

A. The board may issue, upon request, a declaratory order or ruling as to the applicability of any statutory provision or of any rule or order of the board. Declaratory orders and rulings shall have the same status as board decisions or orders in disciplinary and enforcement proceedings.

B. A request for a declaratory order or ruling shall be made in the form of a written petition to the board on a form provided by the board. To be considered, the form must be completed in full.

C. A petition properly made shall be considered by the board.

D. In its consideration of the petition, the board may request further information from the person or persons who filed the petition. Any such request for further information must be answered promptly and fully.

E. The declaratory order or ruling of the board on said petition shall be in writing and mailed to the petitioner at the last address furnished to the board.

F. If the request for declaratory order or ruling concerns or is related to pending or anticipated litigation, administrative action, or other adjudication, the board may defer issuing a declaratory order or ruling until the litigation, administrative action, or other adjudication is final.

G. The board will presume that its current rules are valid unless this presumption is rebutted by persuasive evidence offered by the petitioner for the declaratory ruling. When the board determines that a rule is invalid, the board shall initiate rule-making proceedings, sending written notice of the proceedings to the person who submitted the petition.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 47:1869 (December 2021).

Katherine E. Hillegas
Executive Director

2112#017

RULE

Office of the Governor Board of Architectural Examiners

Members of the Military and Spouses and
Dependents of Members of the Military (LAC 46:I.1109)

The Board of Architectural Examiners, in accordance with the provisions of R.S. 49:950 et seq., and through the authority granted in R.S. 37:144(C), has amended LAC 46:I.1109 pertaining to Members of the Military and Spouses and Dependents of Members of the Military.

Act No. 200 of 2020 amended R.S. 37:3651 which pertains to licensure for members of the military, their spouses and dependents. This Act requires professional licensing boards to adopt rules implementing its provisions, and in Subsection B the board seeks to comply with this statute by amending LAC 46:I.1109, its current rule pertaining to military-trained architects and architect spouses of military personnel. Subsection B requires the board to issue a license to a military member, including United States Department of Defense civilian employee who has been assigned to duty in Louisiana, or an applicant who is married to or is a dependent of a member of the military or a United States Department of Defense civilian employee, if the

member receives military orders for a change of station to a military installation or assignment located in this state or if the member has established this state as his state of legal residence as reflected in the member's military record, if he meets certain requirements. Subsection A adopts the path to licensure for military personnel contained in the *2021 NCARB Model Law and Regulations*. The requirements outlined in Subsection A reflect programs that are accepted by all architecture licensing boards in the United States. This Rule is hereby adopted on the day of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part I. Architects

Chapter 11. Licenses

§1109. Members of the Military and Spouses and Dependents of Members of the Military

A. Except as provided in §1109.B below, members of the military and their spouse and dependents shall meet all of the requirements for obtaining licensure set forth in this Section.

1. In evaluating qualifications, the board may, prior to reaching its decision, require the applicant to substantiate the applicant's qualifications.

2. To obtain an initial license, members of the military and their spouse and dependents shall be of good character as verified to the board by an applicant's employers or by honorable discharge evidenced by a copy of military discharge document (DD 214).

3. To obtain an initial license, members of the military and their spouse and dependents shall complete an Approved Education Program, or its equivalent, as described herein.

4. An Approved Educational Program is a degree accredited by the National Architectural Accrediting Board (NAAB) or education deemed equivalent by the board to the *NCARB Education Standard* pursuant to Subparagraph b below. At a minimum, the criteria for determining such compliance with the education requirement shall include:

a. an original certified transcript from an approved educational program transmitted through NCARB; or

b. as an alternate to satisfying the approved educational program requirement, the board may consider

i. any other architectural curriculum that has not been accredited by NAAB, but that has been evaluated and found to be an equivalent standard based on NCARB Alternatives to Education Requirement as identified in the August 2021 *NCARB Certification Guidelines*, such version being incorporated herein by reference; or

ii. demonstration of successful completion of an Education Evaluation Services for Architects (EESA) review. The board may also consider an applicant's combination of education and experience that has been evaluated and found to be equivalent to the January 2021 *NCARB Education Standard*, such version being incorporated by reference.

5. To obtain an initial license, members of the military and their spouse and dependents shall complete the approved experience program administered by NCARB (AXP). In lieu of completing AXP, the board may accept professional

training while in active duty as it deems acceptable and in keeping with the experience requirements set forth by NCARB.

6. To obtain an initial license, members of the military and their spouse and dependents shall pass the Architectural Registration Examination administered by NCARB.

B. R.S. 37:3651 enacts special rules for obtaining licensure applicable to certain members of the military and their spouses and dependents who satisfy the following qualifications. Pursuant to such statute:

1. a member of the military, including a United States Department of Defense civilian employee who has been assigned to duty in Louisiana, or an applicant who is married to or is a dependent of a member of the military or United States Department of Defense civilian employee, if the member or United States Department of Defense civilian receives military orders for a change in station to a military installation or assignment located in this state or if the member of United States Department of Defense civilian has established this state as his state of legal residence as reflected in the member's or United States Department of Defense civilian's military record who demonstrates all of the following conditions to the satisfaction of the board shall be issued a license, permit pending normal license, or registration to practice architecture in Louisiana:

a. the applicant holds a current and valid occupational license in architecture;

b. the applicant has held the occupational license in the other state for at least one year;

c. the applicant has passed an examination, or met any education, training, or experience standards as required by the board in the other state;

d. the applicant is held in good standing by the board in the other state;

e. the applicant does not have a disqualifying criminal record as determined by the board;

f. the applicant has not had an occupational license revoked by a board in another state because of negligence or intentional misconduct related to the applicant's work in architecture;

g. the applicant did not surrender an occupational license because of negligence or intentional misconduct related to the person's work in architecture in another state;

h. the applicant does not have a complaint, allegation, or investigation pending before a board in another state which relates to unprofessional conduct of an alleged crime; if the applicant has a complaint, allegation, or investigation pending, the board shall not issue or deny a license to the applicant until the complaint, allegation, or investigation is resolved, or the applicant otherwise satisfies his criteria for licensure to the satisfaction of the board;

i. the applicant pays all applicable fees in this state; and

j. the applicant simultaneously applies for a permanent license; if the applicant fails to qualify for a permanent license once the permanent application is vetted, the permit automatically terminates;

2. a member of the military, or an applicant who is married to or is a dependent of a member of the military, or

United States Department of Defense civilian employee who has been assigned duty in Louisiana, who demonstrates all of the following conditions to the satisfaction of the board shall be granted a license, permit pending normal license, or registration to practice architecture in Louisiana provided:

a. the applicant worked in a state that does not use an occupational license or government certification to regulate the practice of architecture;

b. the applicant worked at least three years in the lawful occupation; and

c. the applicant satisfies the requirements of Subparagraphs B.1.f.-j of this Section;

3. a member of the military or a United States Department of Defense civilian employee who has been assigned duty in Louisiana, or an applicant who is married to or is a dependent of a member of the military or United States Department of Defense civilian employee, shall be issued a license, permit pending normal license, or registration based on holding a private certification and work experience in another state, provided the applicant demonstrates all of the following conditions to the satisfaction of the board:

a. the applicant worked in a state that does not use an occupational license or government certification to regulate the practice of architecture;

b. the applicant worked for at least two years in the occupation privately certified;

c. the applicant holds a current and valid private certification in the lawful occupation;

d. the private certification organization holds the applicant in good standing; and

e. the applicant satisfies the requirements of Subparagraphs B.1.f.-j of this Section;

4. to wholly or partially satisfy the education, training, or experience requirements for architectural licensure, an applicant must present clear and convincing evidence of comparable education, training, or experience as a member of the United States armed forces or any national guard or other reserve component. The board will determine whether the evidence of education, training, or experience is in fact comparable;

5. for purposes of this rule, *military* and *dependent* shall have the meanings set forth in R.S. 37:3651(N) and (O), such meanings incorporated herein by reference;

6. this Section shall not apply to any applicant receiving a dishonorable discharge or a military spouse whose spouse received a dishonorable discharge.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:144.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Architectural Examiners, LR 47:1870 (December 2021).

Katherine E. Hillegas
Executive Director

2112#018

RULE

Department of Health Bureau of Health Services Financing and Office for Citizens with Developmental Disabilities

Act 421 Children's Medicaid Option
(LAC 50:I.3103, III.2331, and XXII.Chapters 81-85)

The Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities have amended LAC 50:I.3103, adopted III.2331, and repealed XXII.Chapters 81-85 in the Medical Assistance Program as authorized by R.S. 36:254, 46:977.21-977.25 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 50

PUBLIC HEALTH-MEDICAL ASSISTANCE

Part I. Administration

Subpart 3. Managed Care for Physical and Behavioral Health

Chapter 31. General Provisions

§3103. Recipient Participation

A. The following Medicaid recipients shall be mandatory participants in managed care:

1. mandatory enrollees:

a. - i. ...

j. individuals and families who have more income than is allowed for Medicaid eligibility, but who meet the standards for the Regular Medically Needy Program;

k. individuals from age 19 to 65 years old at or below 133 percent of the federal poverty level with a 5 percent income disregard as provided in 42 CFR 435.119, hereafter referred to as the new adult group; or

l. individuals eligible through the Act 421 Children's Medicaid Option (421-CMO) program.

B. ...

1. Participation in a managed care organization (MCO) for the following participants is mandatory for specialized behavioral health, applied behavior analysis (ABA)-based therapy and non-emergency medical transportation (NEMT) services (ambulance and non-ambulance) only, and is voluntary for physical health services:

a. - a.vi. ...

b. individuals under the age of 21 who are otherwise eligible for Medicaid, and who are listed on the DHH Office for Citizens with Developmental Disabilities' request for services registry and not enrolled in the 421-CMO. These children are identified as Chisholm class members:

B.1.b.i. - I....

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 37:1573 (June 2011), amended LR 40:310 (February 2014), LR 40:1096 (June 2014), LR 40:2258 (November 2014), LR 41:929 (May 2015), LR 41:2363 (November 2015), LR 42:754 (May 2016), amended by the Department of Health, Bureau of Health Services Financing, LR 42:1522 (September 2016), LR 43:663 (April 2017), LR 43:1553 (August 2017), LR 44:1253 (July 2018), LR 47:1871 (December 2021).

Part III. Eligibility

Subpart 3. Eligibility Groups and Factors

Chapter 23. Eligibility Groups and Medicaid Programs

§2331. Act 421 Children's Medicaid Option (TEFRA/Katie Beckett)

A. General Provisions

1. Pursuant to section 1902(e)(3) of the Social Security Act the state may extend Medicaid eligibility to certain children living in the community, who require the level of care provided in an institution, and who would be eligible for Medicaid if living in an institution.

2. Effective January 1, 2022, the department implements the Act 421 Children's Medicaid Option (421-CMO) program to provide Medicaid State Plan services to children with disabilities who meet the eligibility criteria set forth in this Section, despite parental or household income and resources that would otherwise exclude them from Medicaid eligibility.

B. Eligibility Requirements. In order to qualify for the 421-CMO program, an individual must meet both programmatic and clinical eligibility requirements set forth herein.

1. Programmatic Eligibility Requirements. In order to be eligible for the 421-CMO program, an individual must meet all of the following criteria:

- a. is 18 years of age or younger (under 19 years of age);
- b. is a U.S. citizen or qualified non-citizen;
- c. is a Louisiana resident;
- d. has or has applied for a Social Security Number;
- e. has countable resources that are equal to or less than the resource limits for the Supplemental Security Income (SSI) program;
 - i. only the applicant/421-CMO enrollee's resources shall be considered in determining eligibility for the 421-CMO program;
 - f. has countable income equal to or less than the special income level for long-term care services (nursing facility, ICF/IID, and home and community-based services);
 - i. only the applicant/421-CMO enrollee's income shall be considered in determining eligibility for the 421-CMO program;
 - g. has care needs that can be safely met at home at a lower cost than the cost of services provided in an institutional setting; and
 - h. is not otherwise eligible for Medicaid or CHIP.

2. Clinical Eligibility Requirements. In order to be eligible for the 421-CMO program, an individual must meet all of the following criteria:

- a. qualifies as a disabled individual under section 1614(a) of the Social Security Act;

b. requires a level of care, assessed on an annual basis, provided in an intermediate care facility for individuals with intellectual disabilities (ICF/IID), a nursing facility, or a hospital;

i. an individual meets ICF/IID level of care when he/she:

(a). has obtained a statement of approval from the Office for Citizens with Developmental Disabilities or its designee, confirming that he/she has a developmental disability as defined in R.S. 28:451.2; and

(b). meets the requirements for active treatment of a developmental disability under the supervision of a qualified developmental disability professional, as prescribed on Form 90-L;

ii. an individual meets nursing facility level of care when he/she demonstrates one of the following two standards, assessed in accordance with the Act 421 children's Medicaid option assessment tool:

(a). Standard I

(i). the need for skilled nursing and/or therapeutic interventions on a regular and sustained basis; and

(ii). substantial functional limitations as compared to same age peer group in two of the following areas: learning, communication, self-care, mobility, social competency, money management (for children 18 and older), work, and meal preparation;

(b). Standard II

(i). substantial functional limitations as compared to same age peer group in four of the following areas: learning, communication, self-care, mobility, social competency, money management (for children 18 and older), work, and meal preparation;

iii. an individual meets hospital level of care when he/she demonstrates the following, assessed in accordance with the Act 421 children's Medicaid Option assessment tool:

(a). the need for frequent and complex medical care that requires the use of equipment to prevent life-threatening situations, with skilled medical care required multiple times during each 24-hour period;

(b). the need for complex skilled medical interventions that are expected to persist for at least six months; and

(c). an overall health condition that is highly unstable and presents constant potential for complications or rapid deterioration, with the result that he/she requires continuous assessment by professional nurses, parents, or other properly instructed individuals, in order to detect unstable and life-threatening conditions and respond promptly with appropriate care.

C. Ineligibility for Services

1. 421-CMO enrollees shall be terminated from the 421-CMO program if admitted to an ICF/IID, nursing facility, or hospital without the intent to return to 421-CMO services.

a. A 421-CMO enrollee is deemed to intend to return to 421-CMO services when documentation is received from the treating physician that the admission is temporary and shall not exceed 90 days

b. The 421-CMO enrollee will be discharged from the 421-CMO program on the ninety-first day after admission if the 421-CMO enrollee is still in the ICF/IID, nursing facility, or hospital.

D. Cost Effectiveness

1. On an annual basis, each 421-CMO enrollee's expenditures will be measured against the average cost of care in an institution that corresponds to his/her level of care (i.e. hospital, ICF/IID, nursing facility) to ensure that home and community-based care is more cost effective than institutional care.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, 46:977.21-977.25, and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 47:1872 (December 2021).

Part XXII. 1115 Demonstration Waivers

Subpart 9. Act 421 Children's Medicaid Option

Chapter 81. General Provisions

§8101. Purpose

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, 46:977.21-977.25, and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 46:1676 (December 2020), repromulgated LR 47:43 (January 2021), repealed LR 47:1873 (December 2021).

§8103. Effective Date and Administration

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, 46:977.21-977.25, and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 46:1677 (December 2020), repromulgated LR 47:43 (January 2021), repealed LR 47:1873 (December 2021).

§8105. Enrollee Qualifications and Admissions Criteria

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, 46:977.21-977.25, and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 46:1677 (December 2020), repromulgated LR 47:43 (January 2021), repealed LR 47:1873 (December 2021).

§8107. Admission Denial or Discharge Criteria

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, 46:977.21-977.25, and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 46:1678 (December 2020), repromulgated LR 47:44 (January 2021), repealed LR 47:1873 (December 2021).

§8109. Allocation of Act 421 Children's Medicaid Option Opportunities

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, 46:977.21-977.25, and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 46:1678 (December 2020), repromulgated LR 47:44 (January 2021), repealed LR 47:1873 (December 2021).

§8111. Eligibility and Enrollment

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, 46:977.21-977.25, and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 46:1679 (December 2020), repromulgated LR 47:45 (January 2021), repealed LR 47:1873 (December 2021).

Chapter 83. Services

§8301. Covered Services

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, 46:977.21-977.25, and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 46:1679 (December 2020), repromulgated LR 47:46 (January 2021), repealed LR 47:1873 (December 2021).

§8303. Service Delivery

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, 46:977.21-977.25, and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 46:1679 (December 2020), repromulgated LR 47:46 (January 2021), repealed LR 47:1873 (December 2021).

Chapter 85. Reimbursement

§8501. Reimbursement Methodology

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, 46:977.21-977.25, and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office for Citizens with Developmental Disabilities, LR 46:1680 (December 2020), repromulgated LR 47:46 (January 2021), repealed LR 47:1873 (December 2021).

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Dr. Courtney N. Phillips
Secretary

2112#053

RULE

**Department of Health
Bureau of Health Services Financing
and
Office of Behavioral Health**

Behavioral Health Services
Services for Targeted Populations
(LAC 50:XXXIII.7101, 7103, 7301, 7303, 7501, and 7701)

The Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health have adopted LAC 50:XXXIII.Subpart 8 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part XXXIII. Behavioral Health Services

Subpart 8. Services for Targeted Populations

Chapter 71. General Provisions

§7101. Introduction

A. The Medicaid program hereby adopts provisions to provide coverage under the 1915(b)(3) waiver for services rendered to the targeted population of adults with mental health disorders who have transitioned from a nursing facility or been diverted from nursing facility level of care. These services shall be administered under the authority of the Department of Health, in collaboration with the managed care organizations (MCOs), which shall be responsible for the necessary operational and administrative functions to ensure adequate service coordination and delivery.

B. Personal care services (PCS) rendered to adults shall be necessary to assist and provide supervision with activities of daily living or to restore the individual to his/her best possible functioning level in the community.

C. Individual placement and support (IPS) services rendered to adults shall be necessary to reduce the disability resulting from mental illness and to restore the individual to his/her best possible functioning level in the community.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 47:1874 (December 2021).

§7103. Recipient Qualifications

A. The targeted population for the 1915(b)(3) services shall be Medicaid recipients who:

1. are at least 21 years of age;
2. have a qualifying mental health diagnosis;
3. meet medical necessity in accordance with LAC 50:I.1101; and
4. have transitioned from a nursing facility or been diverted from nursing facility level of care.

B. Recipients of personal care services (PCS) must meet the following additional recipient eligibility criteria:

1. recipients must be medically stable;
2. recipients shall not be enrolled in a Medicaid-funded program which offers a personal care service or related benefit; and

3. recipients' care needs do not exceed that which can be provided under the scope and/or service limitations of PCS.

C. An adult with a diagnosis of a substance use disorder or intellectual and developmental disability without an additional co-occurring qualifying mental health diagnosis shall not meet the criteria for mental health services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 47:1874 (December 2021).

Chapter 73. Services

§7301. General Provisions

A. All services must be medically necessary, in accordance with the provisions of LAC 50:I.1101. The medical necessity for services shall be determined by a licensed mental health practitioner or physician who is acting within the scope of his/her professional license and applicable state law.

B. All services must be prior authorized. Services which exceed the initial authorization must be approved for re-authorization prior to service delivery.

C. There shall be recipient involvement throughout the planning and delivery of services.

1. Services shall be:

a. delivered in a culturally and linguistically competent manner; and

b. respectful of the individual receiving services.

2. Services shall be appropriate to individuals of diverse racial, ethnic, religious, sexual, and gender identities and other cultural and linguistic groups.

3. Services shall be appropriate for:

a. age;

b. development; and

c. education.

D. Anyone providing services must operate within their scope of practice license.

E. Evidence-based practices require prior approval and fidelity reviews on an ongoing basis as determined necessary by department.

F. Services must be delivered in home and community-based settings.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 47:1874 (December 2021).

§7303. Covered Services

A. The following services for the targeted populations shall be reimbursed under the Medicaid Program:

1. personal care services (PCS); and

2. individual placement and support (IPS) services.

B. Service Exclusions. The following shall be excluded from Medicaid reimbursement:

1. components that are not provided to, or directed exclusively toward the treatment of, the Medicaid eligible individual; and

2. services provided at a work site which are not directly related to the treatment of the recipient's needs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 47:1874 (December 2021).

Chapter 75. Provider Participation

§7501. Provider Responsibilities

A. Each provider of services for the target populations shall enter into a contract with one or more of the managed care organizations (MCOs) in order to receive reimbursement for Medicaid covered services.

B. Providers shall deliver all services in accordance with their license and scope of practice, federal and state laws and regulations, the provisions of this Rule, and other directives issued by the department. The provider shall create and maintain documents to substantiate that all requirements are met.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 47:1875 (December 2021).

Chapter 77. Reimbursement

§7701. Reimbursement Methodology

A. The department, or its fiscal intermediary, shall make monthly capitation payments to the MCOs. The capitation rates paid to the MCOs shall be actuarially sound rates and the MCOs will determine the rates paid to its contracted providers. No payment shall be less than the minimum Medicaid rate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing and the Office of Behavioral Health, LR 47:1875 (December 2021).

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Dr. Courtney N. Phillips
Secretary

2112#054

RULE

**Department of Health
Bureau of Health Services Financing**

Federally Qualified Health Centers and Rural Health Clinics
Community Health Worker Services
Alternative Payment Methodology
(LAC 50:XI.10703 and 16703)

The Department of Health, Bureau of Health Services Financing has amended LAC 50:XI.10703 and §16703 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part XI. Clinic Services

Subpart 13. Federally Qualified Health Centers

Chapter 107. Reimbursement Methodology

§10703. Alternate Payment Methodology

A. - H. ...

I. Effective for dates of service on or after January 1, 2022, the Medicaid Program shall reimburse for community health worker services through a separate payment outside the PPS rate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 34:1033 (June 2008), amended by the Department of Health, Bureau of Health Services Financing, LR 44:1894 (October 2018), LR 44:2162 (December 2018), LR 45:434 (March 2019), amended LR 46:182 (February 2020), LR 47:1528 (October 2021), LR 47:1875 (December 2021).

Subpart 15. Rural Health Clinics

Chapter 167. Reimbursement Methodology

§16703. Alternate Payment Methodology

A. - H. ...

I. Effective for dates of service or after January 1, 2022, the Medicaid Program shall reimburse for community health worker services through a separate payment outside the PPS rate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 34:1036 (June 2008), amended by the Department of Health, Bureau of Health Services Financing, LR 44:1903 (October 2018), LR 44:2168 (December 2018), LR 45:435 (March 2019), amended LR 46:185 (February 2020), LR 47:1528 (October 2021), LR 47:1875 (December 2021).

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Dr. Courtney N. Phillips
Secretary

2112#055

RULE

**Department of Health
Bureau of Health Services Financing**

Managed Care for Physical and Behavioral Health
Independent Review Process for Provider Claims
(LAC 50:I.3111)

The Department of Health, Bureau of Health Services Financing, has amended LAC 50:I.3111 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This Rule is

promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq. This Rule is hereby adopted on the day of promulgation.

Title 50

PUBLIC HEALTH-MEDICAL ASSISTANCE

Part I. Administration

Subpart 3. Managed Care for Physical and Behavioral Health

Chapter 31. General Provisions

§3111. Independent Review Process for Provider

Claims

A. Definitions

Abuse—provider practices that are inconsistent with sound fiscal, business, or medical practices, and result in unnecessary costs to the Medicaid program, or in reimbursement for services that are not medically necessary or that fail to meet professionally recognized standards for health care.

Fraud—an intentional deception or misrepresentation made by a person or a provider with the knowledge that the deception could result in some unauthorized benefit to him/her or some other person or entity. It includes any act that constitutes fraud under applicable federal or state law.

Mental Health Rehabilitation Provider—an outpatient healthcare program provider of any psychosocial rehabilitation (PRS), crisis intervention (CI) and/or community psychiatric support and treatment (CPST) services that promotes the restoration of community function and well-being of an individual diagnosed with a mental health or mental or emotional disorder.

Waste—over-utilization of services, or practices that result in unnecessary cost to the Medicaid program. Waste is generally not considered to be caused by criminally negligent actions but rather by misuse of resources. Any overpayment which is not considered either fraud or abuse, is considered waste.

B. Right of Providers to Independent Review

1. Pursuant to Act 349 of the 2017 Regular Session of the Louisiana Legislature, for adverse determination related to claims filed on or after January 1, 2018, a healthcare provider shall have a right to an independent review of the adverse action of the managed care organization (MCO).

a. - c. Repealed.

2. Pursuant to Act 204 of the 2021 Regular Session of the Louisiana Legislature, mental health rehabilitation service providers shall have a right to an independent review of an adverse determination taken by an MCO that results in a recoupment of the payment of a claim based upon a finding of waste or abuse.

3. For purposes of these provisions, adverse determinations shall refer to claims submitted by healthcare providers for payment for services rendered to Medicaid enrollees and denied by an MCO, in whole or in part, or a claim that results in recoupment of a payment from the healthcare provider.

C. Request for Reconsideration

1. A provider shall submit a written request for reconsideration to the MCO. The request shall identify the claim(s) in dispute, the reasons for the dispute, and any documentation supporting the provider's position or request by the MCO within 180 days from one of the following dates:

a. the date on which the MCO transmits remittance advice or other notice electronically;

b. 60 days from the date the claim was submitted to the MCO if the provider receives no notice from an MCO, either partially or totally, denying the claim; or

c. the date on which the MCO recoups monies remitted for a previous claim payment.

2. The MCO shall acknowledge in writing its receipt of a reconsideration request submitted in accordance with §3111.C.1, within five calendar days after receipt of the request and, render a final decision by providing a response to the provider within 45 calendar days from the date of receipt of the request for reconsideration, unless another time frame is agreed upon in writing by the provider and the MCO.

3. - 9. Repealed.

D. Independent Review Requirements

1. If the MCO upholds the adverse determination, or does not respond to the reconsideration request within the time frames allowed, the provider may file a written notice with the department requesting the adverse determination be submitted to an independent reviewer. The department must receive the written request from the provider for an independent review within 60 days from the date the provider receives the MCO's notice of the decision of the reconsideration request, or if the MCO does not respond to the reconsideration request within the time frames allowed, the last date of the time period allowed for the MCO to respond.

2. The provider shall include a copy of the written request for reconsideration with the request for an independent review. The address to be used by the provider for submission of the request shall be LDH/Health Plan Management, P.O. Box, 91030, Bin 24, Baton Rouge, LA 70821-9283, Attn: Independent Review.

3. If the MCO reverses the adverse determination pursuant to a request for reconsideration, payment of the claim(s) in dispute shall be made no later than 20 days from the date of the MCO's decision.

4. Subject to approval by the department, a provider may aggregate multiple adverse determinations involving the same MCO when the specific reason for nonpayment of the claims aggregated involve a dispute regarding a common substantive question of fact or law.

5. Within 14 calendar days of receipt of the request for independent review, the independent reviewer shall request to be provided all information and documentation submitted for reconsideration regarding the disputed claim or claims within 30 calendar days.

6. If the independent reviewer determines that guidance on a medical issue from the department is required to make a decision, the reviewer shall refer this specific issue to the department for review and concise response to the request within 90 calendar days after receipt.

7. The independent reviewer shall examine all materials submitted and render a decision on the dispute within 60 calendar days. The independent reviewer may request in writing an extension of time from the department to resolve the dispute. If an extension of time is granted by the department, the independent reviewer shall provide notice of the extension to the provider and the MCO.

8. If the independent reviewer renders a decision requiring a MCO to pay any claims or portion of the claims, within 20 calendar days, the MCO shall send the provider payment in full along with 12 percent interest calculated back to the date the claim was originally denied or recouped.

9. Within 60 calendar days of an independent reviewer's decision, either party to the dispute may file suit in any court having jurisdiction to review the independent reviewer's decision to recover any funds awarded by the independent reviewer to the other party.

E. Independent Review Costs

1. The fee for conducting an independent review shall be paid to the independent reviewer by the MCO within 30 calendar days of receipt of a bill for services. A provider shall, within 10 days of the date of the decision of the independent reviewer, reimburse a MCO for the fee associated with conducting an independent review when the decision of the MCO is upheld. If the provider fails to submit payment for the independent review within 10 days from the date of the decision, the MCO may withhold future payments to the provider in an amount equal to the cost of the independent review, and the department may prohibit that provider from future participation in the independent review process.

2. If the MCO representatives fails to pay the bill for the independent reviewer's services, the reviewer may request payment directly from the department from any funds held by the state that are payable to the MCO.

3. Repealed.

F. Independent Reviewer Selection Panel

1. The independent reviewer selection panel shall select and identify an appropriate number of independent reviewers and determine a uniform rate of compensation be paid to each reviewer, not to exceed \$2,000 per review.

2. The panel shall consist of the secretary or his/her duly designated representative, two provider representatives and two MCO representatives.

3. Each MCO shall utilize only independent reviewers who are selected in accordance with Act 349 of the 2017 Regular Session of the Louisiana Legislature, and shall comply with the provisions of this Section in the resolution of disputed adverse determinations.

G. Penalties

1. An MCO in violation of any provision governing the independent review process herein may be subject to a penalty of up to \$25,000 per violation.

a. - c. Repealed.

2. An MCO may be subject to an additional penalty of up to \$25,000 if subject to more than 100 independent reviews annually and the percentage of adverse determinations overturned in favor of the provider as a result of an independent review is greater than 25 percent.

H. Independent Review Applicability

1. Independent review shall not apply to any adverse determination:

a. associated with a claim filed with an MCO prior to January 1, 2018, regardless of whether the claim is re-filed after that date;

b. associated with an adverse determination involved in litigation or arbitration;

c. not associated with a Medicaid enrollee.

2. Independent review does not otherwise prohibit or limit any alternative legal or contractual remedy available to a provider to contest the partial or total denial of a claim for payment for healthcare services. Any contractual provision executed between a provider and a MCO which seeks to limit or otherwise impede the appeal process as set forth in this Section shall be null, void, and deemed to be contrary to the public policy of this state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 44:283 (February 2018), amended LR 47:1876 (December 2021).

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Dr. Courtney N. Phillips
Secretary

2112#056

RULE

**Department of Health
Office of Public Health**

**Public Health Immunization Requirements
(LAC 51:II.701)**

Under the authority of R.S. 40:4 and 40:5, and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, the state health officer, acting through the Department of Health, Office of Public Health (LDH/OPH), has amended and recodified parts of Chapter 7 of Title 51—Public Health Immunization Requirements.

This Rule will amend §701 of Chapter 7 of Title 51—Public Health Immunization Requirements. The amendments add vaccines for SARS-CoV-2 to the list of required vaccinations for school entry to the extent that such vaccines are approved by the Food and Drug Administration for the individual's age, and also require such vaccines, and all potential boosters, on the same basis for school attendance. This Rule is hereby adopted on the day of promulgation.

Title 51

PUBLIC HEALTH—SANITARY CODE

Part II. The Control of Diseases

**Chapter 7. Public Health Immunization
Requirements**

§701. Immunization Schedule

[formerly paragraph 2:025]

A. The Office of Public Health (OPH) will determine the Louisiana immunization schedule, with appropriate immunizations for age using the current immunization schedule from the Advisory Committee for Immunization Practice (ACIP) of the United States Public Health Service (USPHS). Compliance for school and day care center entry will be based on the individual having received an appropriate number of immunizations for his/her age of the following types:

1. vaccines which contain tetanus and diphtheria toxoids, including Diphtheria and Tetanus (DT), Diphtheria/Tetanus/Acellular Pertussis (DTaP), Tetanus and Diphtheria (Tdap), Tetanus Toxoid (TT) or combinations which include these components;

2. polio vaccine, including Inactivated Polio Vaccine (IPV), or combinations which include this component;

3. vaccines which contain measles antigen, including Measles, Mumps, and Rubella (MMR) and combinations which include these components;

4. vaccines which contain hepatitis antigen, including Hepatitis B (HepB), Hepatitis A (HepA), and combinations which include these components;

5. vaccines which contain varicella antigen, including varicella and combinations which include this component.

6. vaccines which contain meningococcal antigen and combinations which include this component.

7. vaccines for severe acute respiratory syndrome-coronavirus 2 (SARS-CoV-2, the virus which causes Coronavirus Disease 2019, also known as COVID-19), or variants thereof, to the extent that such vaccines have been fully approved by the U.S. Food and Drug Administration (FDA) for the individual's age.

B. - D. ...

E. Notwithstanding anything in this Section or Code to the contrary, and in addition to any other requirements of law, each individual entering or attending any school within the state in-person shall present to such school satisfactory evidence of having received vaccination(s) in accordance with the dosing schedule, including any booster doses recommended by the U.S. Centers for Disease Control and Prevention (CDC), set forth in the applicable Vaccine Information Statement (VIS) for severe acute respiratory syndrome-coronavirus 2 (SARS-CoV-2, the virus which causes COVID-19), or known variants thereof, to the extent that such vaccines have been fully approved by the U.S. Food and Drug Administration (FDA) for the individual's age. Satisfactory evidence that administration of such vaccinations is in progress will satisfy this requirement. Each school in this state shall prohibit in-person attendance of any individual not vaccinated as required by this subsection, unless the individual submits a written statement from a physician stating that such vaccination is contraindicated for medical reasons, or the individual or his parent or guardian submits a written dissent. Each school in this state shall maintain records showing compliance of each attending individual with the requirements of this subsection. As used in this subsection, the term *school* shall include, but is not limited to, elementary and secondary schools, kindergartens, colleges, universities, proprietary schools, vocation schools, and licensed day care centers.

AUTHORITY NOTE: Promulgated in accordance with the provisions of R.S. 40:4(A)(2), R.S. 40:5(A) and R.S. 40:31.15. Also see R.S. 17:170, R.S. 22:1030, and R.S. 44:17.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 28:1221 (June 2002), amended LR 38:1252 (May 2012), amended by the Department of Health, Office of Public Health, LR 45:670 (May 2019), amended LR 46:590 (April 2020), amended by the

Department of Health, Office of Public Health, LR 47:1877 (December 2021).

Joseph Kanter, MD, MPH
State Health Officer
and
Dr. Courtney N. Phillips
Secretary

2112#063

RULE

Department of Insurance Office of the Commissioner

Regulation 119—Issuance of Consent or a Waiver Pursuant to R.S. 22:1554 (LAC 37:XIII.Chapter 177)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., has adopted Regulation 119—Issuance of Consent or a Waiver Pursuant to R.S. 22:1554. Regulation 119 (1) establishes the procedure for the issuance of consent or a waiver to an insurance producer seeking to employ or to otherwise associate with his business an individual engaged in the business of insurance who has been convicted of a felony in accordance with R.S. 22:1554(A)(18); (2) prescribes the duration and transferability of consent or a waiver issued to an insurance producer; (3) provides for the applicability of 18 U.S.C. §1033(e)(B)(2); and (4) provides for the penalties imposed for failure to comply with this regulation in accordance with R.S. 22:1554A. This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

Part XIII. Regulations

Chapter 177. Regulation Number 119—Issuance of Consent or a Waiver Pursuant to R.S. 22:1554

§17701. Purpose

A. The purpose of this regulation is to establish a procedure by which an insurance producer may request consent or a waiver to employ or to otherwise associate with his business an individual engaged in the business of insurance who has been convicted of a felony in accordance with R.S. 22:1554(A)(18), prescribe the duration and transferability of consent or a waiver issued to an insurance producer; provide for the applicability of 18 U.S.C. §1033(e)(B)(2); and provide for the penalties imposed for failure to comply with this regulation in accordance with R.S. 22:1554A.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1554, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1878 (December 2021).

§17703. Applicability and Scope

A. Regulation 119 shall apply to all insurance producers licensed in Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1554, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1879 (December 2021).

§17705. Definitions

A. Strictly for the purposes of Regulation 119, the following terms are defined as follows:

Business of Insurance—the writing of insurance or the reinsuring of risks by an insurance producer, including all acts necessary or incidental to such writing or reinsuring, and the activities of persons who act as, or are, officers, directors, agents, or employees of producers, or who are other persons authorized to act on behalf of such persons.

Commissioner—the Louisiana Commissioner of Insurance.

Convicted—having been found guilty of a felony by a judge or jury, having entered a felony plea of guilty or nolo contendere or no contest, or having been given felony probation, a suspended sentence, or a fine, regardless of whether the record is expunged.

Employee—an individual who has established an employment relationship as a W-2 employee or as a 1099 independent contractor.

Insurance License—a document issued by the commissioner authorizing a person to act as an insurance producer issued pursuant to Title 22.

Insurance Producer—a person required to be licensed under the laws of this state to sell, solicit, or negotiate insurance, and includes all persons or business entities otherwise referred to as "insurance agent" or "agent," or "insurance broker" or "broker," or "insurance solicitor" or "solicitor," or "surplus lines broker" pursuant to R.S. 22:1542(6).

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1554, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1879 (December 2021).

§17707. Procedure to Request Consent or a Waiver Pursuant to R.S. 22:1554

A. The commissioner may place on probation, suspend, revoke, or refuse to issue, renew, or reinstate an insurance producer license, or may levy a fine not to exceed five hundred dollars if an insurance producer, without the consent of or a waiver from the commissioner, has employed or has allowed to associate with his business, in any manner, any person engaged in the business of insurance who has been convicted of a felony under the laws of this state or any other state or territory, the District of Columbia, the United States, or any foreign country.

B. In order to ensure compliance with R.S. 22:1554(A)(18), insurance producers should screen potential employees by performing a background check.

C. An insurance producer requesting consent or a waiver pursuant to R.S. 22:1554(A)(18) shall do so in writing in a form approved by the commissioner. Such request shall include:

1. the employee's name, job title and date of birth;
2. the employee's date of employment;
3. a detailed description of the employee's job duties;
4. a statement from the employee explaining the facts and circumstances of the conviction;
5. a bill of information or other charging documents, court minutes, sentencing documents, and proof of successful completion of sentence for the felony conviction(s);
6. any other information deemed necessary by the commissioner.

D. The decision to grant or deny a request for consent or a waiver shall be issued in writing to the requesting employer.

E. The commissioner may deny consent or a waiver if he finds:

1. the competence, experience or integrity of the employee are such that it would not be in the best interest of clients of the employer or the public to allow the individual to be employed in the business of insurance;
2. the employing insurance producer or the employee knowingly makes a materially false statement or omission of material information in the request; or
3. any other reason, now or hereinafter, as provided for in applicable statutes and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1554, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1879 (December 2021).

§17709. Duration and Transferability

A. Consent or a waiver issued pursuant to R.S. 22:1554(A)(18) shall be issued solely to the employing insurance producer and shall remain in effect during the employment of the individual with the insurance producer. However, such consent or waiver may be rescinded if the employee is found to have subsequently committed an act pursuant to R.S. 22:1554(A)(7), or it is found that the request for consent or a waiver contained materially false information or omitted material information.

B. Consent or a waiver shall not be transferred to another employer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1554, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1879 (December 2021).

§17711. Applicability of 18 U.S.C. §1033

A. An individual who has been convicted of a felony involving dishonesty or breach of trust shall be required to request written consent from the commissioner to engage in the business of insurance or participate in such business pursuant to 18 U.S.C. §1033(e)(B)(2).

B. The employing insurance producer of an individual who obtained written consent pursuant to 18 U.S.C. §1033(e)(B)(2) is required to obtain a waiver pursuant to R.S. 22:1554(A)(18). However, an employer is not required to submit the documents enumerated in §17707.B.5. of Regulation 119 if the employee has an active license in this state.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1554, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1879 (December 2021).

§17713. Violations and Penalties

A. The commissioner may impose penalties in accordance with R.S. 22:1554(A) for failure to comply with this regulation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1554, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1880 (December 2021).

§17715. Effective Date

A. This regulation shall become effective upon final publication in the *Louisiana Register*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1554, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1880 (December 2021).

§17717. Severability

A. The provisions of this Subpart are severable. If any provision or item of this Subpart, or application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of this Subpart, which are to be given effect without the invalid provision, item, or application of the Subpart.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:11, 22:1554, and the Administrative Procedure Act, R.S. 49:950 et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 47:1880 (December 2021).

James J. Donelon
Commissioner

2112#007

RULE

Louisiana Lottery Corporation

Lottery Sports Wagering
(LAC 42:XV.Chapter 11)

The Louisiana Lottery Corporation in compliance with, and under authority of R.S. 49:950 et seq. and R.S. 47:9000 et seq., as amended by Act 80 of the 2021 Regular Session, has amended rules to implement lottery sports wagering.

During the last regular session, the Legislature enacted Act 80 authorizing the Louisiana Lottery Corporation to conduct and administer sports wagering in the State of Louisiana.

As stated in Act 80, the Legislature recognizes that the Louisiana Lottery Corporation is uniquely positioned to participate in the sports wagering industry based upon its business model, infrastructure, and current relationship with retail establishments.

In May of 2018, the Supreme Court issued a decision that allowed all states to authorize sports wagering. Since then,

sports wagering has been implemented in 22 jurisdictions. Several lotteries throughout the United States have approved regulations to begin offering sports wagering through their website, on their mobile application or at retail locations. Most of the state lotteries that offer sports wagering are doing so electronically. Montana is one state that does offer sports wagering at licensed retail locations with several other states to follow suit very soon.

In other states, the lotteries are the only licensee for sports wagering or one of a very few. Act 440 of the 2021 Regular Session authorizes 20 sports wagering licenses in addition to the Louisiana Lottery Corporation for both onsite and mobile sports wagering.

The Corporation will look to implement sports wagering in retail establishments in the 55 parishes where sports wagering is authorized. In addition, the corporation will offer sports wagering via a website and a mobile application.

The Corporation will offer sports wagering in keeping with its mission statement as defined by R.S. 47:9000 et seq. to generate maximum revenue for the State of Louisiana while upholding the highest standards of integrity and public trust. This Rule is hereby adopted on the day of promulgation.

Title 42 GAMING

Part XV. Lottery

Chapter 11. Lottery Sports Wagering

Subchapter A. General Provisions

§1101. Policy Statement

A. The rules and procedures contained herein are promulgated by the corporation in order to assure public confidence in the procedures followed by the corporation in the operation and administration of lottery sports wagering. The operation of lottery sports wagering is a unique activity of an instrumentality of the State of Louisiana. Public confidence depends on the corporation developing and maintaining procedures that are subject to the highest ethical standards and promote administrative efficiency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1880 (December 2021).

§1103. Definitions

A. The following words and terms shall have the meaning set forth herein when used in the policies and rules.

Act—the provisions of the Louisiana Lottery Corporation Law, R.S. 47:9001 et seq.

Anti-Money Laundering Standards or *AML*—the requirements and guidelines provided in the federal Bank Secrecy Act of 1970, as amended, and the Anti-Money Laundering Act of 2020, as amended, for the prevention and detection of money laundering and the financing of terrorism.

Applicant—a person, business, or legal entity who has submitted an application to the corporation seeking a permit or the renewal of a permit.

Application—the forms and schedules prescribed by the corporation upon which an applicant seeks a permit or the renewal of a permit. An application shall also include any other information or fee required by the corporation to be submitted with an application such as disclosure statements, financial statements, and any type of fee.

Board—the board of directors of the Louisiana Lottery Corporation.

Corporation—the Louisiana Lottery Corporation.

Distributor—a permitted business or legal entity that is domiciled in this state and markets, buys, sells, leases, services, or repairs sports wagering mechanisms in this state.

Electronic Sports Wagering—sports wagering via a sports wagering mechanism on the premises of a permitted retail establishment or via a website or mobile application.

Lottery—any game of chance approved by the corporation and operated pursuant to this Chapter and shall not include sports wagering authorized pursuant to this Subtitle.

Major Procurement—any item, product, or service in the amount of one hundred thousand dollars or more, including but not limited to major advertising contracts, annuity contracts, prize products, and services unique to the Louisiana lottery, but not including materials, supplies, equipment, and services common to the ordinary operations of a corporation.

Manufacturer—a permitted person that contracts with an operator to manufacture a self-service sports wagering mechanism.

Mobile Application—an application on a mobile phone or other device through which a player is able to register, fund, and place a wager with an operator on a sports event and receive a credit on their sports wagering account.

Mobile Wagering—wagering on a sports event through a website or mobile application.

Net Gaming Proceeds—the amount equal to the total gross revenue of all sports wagers placed by patrons less the total amount of all winnings paid out to patrons.

Net Proceeds—gross lottery revenues less amounts paid or estimated to be paid as prizes and expenses of operation of the lottery.

Operator Vendor—a permitted person that contracts with an operator to provide products or services related to sports wagering but not including products and services common to the ordinary operations of a corporation.

Patron or Player—an individual who places a wager on a sports event.

Permit—any permit or authorization, or application therefor, issued pursuant to the provisions of this Subtitle.

Permittee—any person who is issued a permit pursuant to the provisions of this Subtitle.

Person—any individual, corporation, partnership, unincorporated association, or other legal entity.

Personnel—permitted employees that directly participate in the conduct and operation of the sports book.

President—the president of the Louisiana Lottery Corporation, who shall also serve as chief executive officer of the corporation.

Retail Establishment—a retail business that is permitted by the corporation to host a sports wagering mechanism.

Retailer—any person with whom the corporation has contracted to sell lottery tickets to the public.

Security—the protection of information that would provide an unfair advantage to any individual involved in the operation of the lottery, protection, and preservation of the integrity of lottery games and operations, as well as measures taken to prevent crimes against the corporation and its retailers.

Sports Book—the offering of sports wagering by a sports wagering platform provider on the premises of a permitted retail establishment or through a sports wagering platform.

Sports Event—any professional sport or athletic event, any collegiate sport or athletic event, any Olympic or international sports competition event, or any other special event or competition of relative skill as authorized by the corporation to be a sports event for purposes of this Chapter. "Sports event" shall not include high school sports, youth events, any international sports events where the majority of the athletes are under the age of eighteen years old, electronic sports, competitive video games, fantasy sports contests as provided in Chapter 6 of Title 27 of the Louisiana Revised Statutes of 1950, and any event prohibited by law.

Sports Wager or Sports Bet—a sum of money or representation of value risked by a player on an occurrence associated with a sports event for which the outcome is uncertain. The term includes but is not limited to single-game bets, teaser bets, parlay bets, over-under bets, money line bets, pools, exchange wagering, in-game wagering, in-play bets, proposition bets, and straight bets.

Sports Wagering—the acceptance of a wager on a sports event or on a portion of a sports event or on the individual performance or statistics of an athlete or participant in a sports event or a combination of sports events, by any system or method of wagering.

Sports Wagering Account—an electronic financial record established with an operator for an individual patron in which the patron may deposit and withdraw funds for sports wagering and other authorized purchases and to which the operator may credit winnings or other amounts due to that patron or authorized by that patron.

Sports Wagering Mechanism or Kiosk—a corporation approved self-service mechanical, electrical, or computerized terminal, device, apparatus, or piece of equipment that is directly tied to the central system of the sports wagering platform provider approved by and contracting with the corporation, which allows a patron to place a sports wager on premises of a permitted retail establishment. Sports wagering mechanism does not include a personal computer, mobile phone, or other device owned and used by a player to wager on a sports event.

Sports Wagering Platform—an integrated system of hardware, software, or applications, including mobile applications and servers, through which an operator conducts the business of offering sports wagering conducted in accordance with this Subtitle.

Sports Wagering Platform Provider or Operator—a suitable person that holds a permit from the corporation to engage in the operation of a sports book on behalf of the corporation.

Sports Wagering Service Provider—a person that holds a permit from the corporation that contracts with an operator to provide support services for the operation of a sports book.

Supplier—a permitted person that contracts with an operator to provide goods or services related to sports wagering but not including materials, supplies and services common to the ordinary operations of a corporation.

Vendor—any person who has entered into a major procurement contract with the corporation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1880 (December 2021).

§1105. Compliance with Law/Rules

A. In placing a sports wager, the player agrees to abide by applicable laws, operator rules, all corporation rules, policies, instructions, conditions, and final decisions of the president of the corporation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1882 (December 2021).

§1107. Operation and Administration

A. The corporation through a contract with an operator will operate and administer a sports book. The sports book operated on behalf of the corporation will be a separate and distinct responsibility and operation from lottery gaming.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1882 (December 2021).

Subchapter B. Permitting

§1109. Permits, General

A. The operator, sports wagering service providers, distributors, manufacturers, vendors, suppliers, personnel, and retail establishments will be permitted by the corporation based on qualifications and suitability standards detailed in the Act and this Subchapter.

B. Any permit issued by the corporation is deemed to be a revocable privilege. No person holding such a permit is deemed to have acquired any vested rights therein.

C. Permits are not transferable or assignable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1882 (December 2021).

§1111. Applications

A. An application for a permit is seeking the granting of a privilege. The burden of proving qualification and suitability to receive the permit is at all times on the applicant.

B. An applicant accepts the risk of adverse public notice, embarrassment, criticism or other action or financial loss that may result from action with respect to an application and expressly waives any claim for damages as a result thereof, except relating to willful misconduct by the corporation.

C. The filing of an application constitutes a request for a decision upon the applicant's general suitability, character, integrity, and ability to engage in a contract with the corporation or the operator. By filing an application, the applicant specifically consents to the making of such decision by the corporation.

D. Any false statement contained in any report, disclosure, application, permit form or any other document required by the corporation shall be a violation of these rules and the Act.

E. All original and renewal applications may be submitted to the corporation by certified or registered mail, return receipt, private or commercial interstate carrier, electronic submission, hand delivery or any other method of delivery approved by the corporation.

F. Renewal applications may be submitted to the corporation 120 days prior to the expiration of the permit term.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1882 (December 2021).

§1113. Application Contents

A. The application for a permit should demonstrate by clear and convincing evidence to the corporation the applicant's qualifications and suitability.

B. The application must contain the disclosure requirements in the applicable suitability standards.

C. The application must include the names of all persons required to submit to suitability pursuant to the Act or these rules.

D. The application must contain a certification signed by a duly authorized representative of the applicant that:

1. the information contained therein is true and correct;

2. the applicant has read the Act and these rules; and

3. the applicant agrees to comply with these rules and the Act.

E. The application must include tax clearance from the appropriate state agencies prior to the granting of a permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1882 (December 2021).

§1115. Fees

A. Application, permit, and renewal fees will be charged and paid in accordance with R.S. 47:9095, R.S. 47:9096, R.S. 47:9097 and R.S. 47:9098.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1882 (December 2021).

§1117. Forms

A. The corporation may develop forms for permit applications requesting all such information required by law or that the corporation deems necessary or appropriate to evaluate applicants. The corporation may require that such application be completed, executed, acknowledged, notarized or any of the foregoing, and that an officer of the applicant execute and acknowledge or notarize any oath that the corporation deems necessary or appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1882 (December 2021).

Subchapter C. Qualification and Suitability Standards

§1119. Operator Permit

A. An applicant for an operator permit must meet and maintain the suitability standards provided for in the Act and these rules, including but not limited to, R.S. 47:9094.

B. An applicant for an operator permit must demonstrate the ability to satisfy the technical and operational standards and requirements for sports wagering required by the corporation.

C. An applicant must demonstrate the ability to satisfy the requirement that the operator will contract with multiple distributors and operator vendors to provide maximum opportunity for economic development.

D. An applicant must be a person domiciled in Louisiana or a domestic business entity with a certificate of existence from the Secretary of State and in good standing or a foreign corporation with a certificate of authority to transact business in this state from the Secretary of State and in good standing.

E. An applicant must provide the corporation with financial statements indicating any sports wagering revenues or gaming revenues for the previous three years.

F. Suitability is an ongoing process. A permittee or person required to submit to suitability by the Act or these rules has a continuing duty to inform the corporation of any action which could reasonably be believed to constitute a violation of the Act or these rules.

G. An applicant, permittee or person required to submit to suitability by the Act or these rules has a continuing duty to inform the corporation of material changes in their affiliations, businesses, financial standing, operations, ownership relationships, corporate management personnel, officers, or directors.

H. The corporation may consider the following criteria when deciding whether to issue a permit or a finding of suitability to conduct sports wagering or whether to continue permitting or finding a person suitable to participate in sports wagering:

1. the applicant or permittee and its operation is properly financed;
2. the corporation may consider whether the sports wagering platform is designed and secured in a manner that provides adequate security for all aspects of its operation and for players;
3. the corporation may consider the character and reputation of all persons identified with the ownership and operation of the applicant or permittee and their capability to comply with the Act and these rules; and
4. the corporation may consider such other factors as may arise in the circumstances presented.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1882 (December 2021).

§1121. Retail Establishment Permit

A. An applicant for a retail establishment permit must meet one of the requirements of R.S. 47:9098(B) to be qualified to receive a permit.

B. An applicant for permit must meet and maintain the following suitability standards.

1. An applicant must be a person of good character, honesty, and integrity.
2. An applicant must be a person whose prior activities or criminal activity, if any, do not pose a threat to the effective operation of lottery sports wagering.
3. An applicant must be likely to conduct the activities for which the applicant or permittee is approved or permitted.
4. An applicant must not have been found guilty of a felony related to the security or integrity of a lottery in this or any other state or jurisdiction.

C. An applicant must provide the applicant's name and address and, as applicable, the name and address of the following:

1. if the applicant is a corporation, the officers, directors, and each stockholder in such corporation, other than the stockholders of a publicly traded corporation;
2. if the applicant is a trust, the trustee and all persons entitled to receive income or benefit from the trust;
3. if the applicant is an association, the members, officers, and directors;
4. if the applicant is a partnership or joint venture, all of the general partners, limited partners, or joint ventures.

D. An applicant for a retail establishment may not become and remain a permitted retail establishment unless the applicant meets the following threshold criteria:

1. The applicant is current in payment of all taxes, interest, and penalties owed to any taxing political subdivision where the applicant's establishment is located.
2. The applicant is current in filing all applicable tax returns and in payment of all taxes, interest, and penalties owed to the state of Louisiana, excluding items under formal appeal pursuant to applicable statutes.
3. The applicant has not been:
 - a. convicted of any illegal gambling activity, false statements, false swearing, or perjury in this or any other jurisdiction, or convicted of any crime punishable by more than one year imprisonment or a fine of more than one thousand dollars, or both;
 - b. found to have violated the provisions of these rules, the Act or any rule adopted thereunder, unless either 10 years have passed since the violation, or the president and the board find the violation both minor and unintentional in nature;
 - c. a vendor [as defined in Section 9002(30) of the Act] or any employee or agent of any vendor doing business with the corporation;
 - d. a resident in the same household as an officer of the corporation;
 - e. found to have made a statement of material fact to the corporation, knowing such statement to be false.
4. The applicant meets such other criteria as the Corporation adopts from time to time relating to the integrity, reputation, financial responsibility, business practices or qualifications of an applicant.

E. In assessing the qualification of an applicant, the corporation may consider the following factors, among others:

1. financial responsibility;
2. integrity;
3. reputation;
4. accessibility of the place of business or activity to the public;
5. security of the premises;
6. sufficiency of existing retail establishments to serve the public convenience;
7. projected volume of sales for sports wagering.

F. The corporation may conduct whatever investigations it deems necessary to analyze an application and may require any applicant to produce any information the corporation deems necessary.

G. The selection of a retail establishment shall be made without regard to political affiliation, activities, or monetary contributions to political organizations or candidates for any public office.

H. The corporation will maintain a limitation on the number of self-service sports wagering mechanisms made available based on the number allowed under the corporation's contract with the operator.

I. An applicant agrees to provide written approval for a criminal background investigation by the corporation.

J. Any contract between a retail establishment and the operator is contingent upon the applicant receiving and maintaining a permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1883 (December 2021).

§1123. Additional Permits

A. The provisions of this section apply to sports wagering service providers, distributors, manufacturers, operator vendors, suppliers, and personnel.

B. An applicant for a permit must meet and maintain the following suitability standards.

1. An applicant must be a person of good character, honesty, and integrity.

2. An applicant must be a person whose prior activities or criminal activity, if any, do not pose a threat to the effective operation of lottery sports wagering.

3. An applicant must be likely to conduct the activities for which the applicant or permittee is approved or permitted.

4. An applicant must not have been found guilty of a felony related to the security or integrity of a lottery in this or any other state or jurisdiction.

C. In order to demonstrate qualification and suitability, an applicant must provide the following disclosures:

1. A disclosure of the applicant's name and address, and as applicable, the name and address of the following:

a. if the applicant is a corporation, the officers, directors, and each stockholder in such corporation, other than the stockholders of a publicly traded corporation;

b. if the applicant is a trust, the trustee and all persons entitled to receive income or benefit from the trust;

c. if the applicant is an association, the members, officers, and directors;

d. if the applicant is a partnership or joint venture, all of the general partners, limited partners, or joint ventures.

2. A disclosure of all the states and jurisdictions in which the applicant has contracts to supply gaming services, including but not limited to sports wagering, for lotteries or other gaming entities, or to supply other gaming goods and services, and the nature of the goods or services involved for each state or jurisdiction.

3. A disclosure of all the states and jurisdictions in which the applicant has applied for, has sought renewal of, has received, has been denied, has pending, or has had revoked a gaming license of any kind, or had fines or penalties assessed against their license, contract or operation, and the disposition of such in each such state or jurisdiction. If any lottery or gaming license or contract has been revoked or has not been renewed or any lottery or gaming license or application has been either denied or is pending and has remained pending for more than six months, all of the facts and circumstances underlying the failure to receive such a license must be disclosed.

4. A disclosure of the details of any finding of plea, conviction, or adjudication for guilt, in a state or federal court, of the applicant or any person included in Paragraph C.1. above for any felony or any other criminal offense other than a traffic violation.

5. A disclosure of the details of any bankruptcy, insolvency, or reorganization of the applicant

6. A listing of gaming clients currently serviced by the applicant under an existing contract in the United States, including the length of time each contract has been in effect, and provide information regarding any contract that has ended for any reason within the last three years.

D. An applicant currently providing gaming services related to sports wagering and internet gaming in this or any other state or jurisdiction may be considered qualified and suitable by the corporation.

E. An applicant agrees to provide written approval for a criminal background investigation by the corporation.

F. Any contract between an applicant and the operator must be contingent upon the applicant receiving and maintaining a permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1884 (December 2021).

§1125. Continuing Suitability

A. Suitability is an ongoing process. An applicant or permittee, or person required to submit to suitability by the rules or the Act has a continuing duty to inform the corporation of any action which could reasonably be believed to constitute a violation of these rules or the Act.

B. An applicant, permittee, or person required to submit to suitability shall also have a continuing duty to inform the corporation of material changes in the affiliations, businesses, financial standing, operations, ownership relationships, corporate management personnel, officers, or directors.

C. An applicant, permittee, or person required to submit to suitability shall also have a continuing duty to inform the corporation of all administrative actions instituted or pending in any other jurisdiction against or involving the applicant or permittee.

D. Failure to report or provide required notice may constitute grounds for delaying consideration of the application or denial of the application, suspension, or revocation of the permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1884 (December 2021).

§1127. Permit Renewal

A. The renewal application must contain a statement by the applicant that any and all changes in history and financial information provided in the previous application have been disclosed.

B. A permittee in good standing with the corporation at the time of renewal will be considered qualified and suitable for renewal of the permit.

C. Renewal applications may be submitted to the corporation 120 days prior to the expiration of the permit term.

D. Renewal applications must include tax clearances from the appropriate state agencies prior to the granting of the renewal. The corporation may consider a temporary extension of a permit to avoid interruption of service in the event there is a delay in receiving the tax clearances.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1884 (December 2021).

§1129. Suspension, Revocation

A. Any permit may, for good cause, be suspended or revoked by the president if the permittee is found to have violated any provisions of these rules, the Act, or objective criteria established by the corporation.

B. Any permit granted by the corporation pursuant to these rules and the Act will specify the reasons for which any permit may be suspended or revoked by the corporation, which reasons include but are not limited to:

1. commission of a violation of these rules, the Act, or other provisions of Louisiana law;
2. commission of any fraud, deceit, or misrepresentation;
3. conduct prejudicial to public confidence in the lottery;
4. the permittee filing for or being placed in bankruptcy or receivership;
5. failure to accurately account for tickets, revenues or prizes as required by the corporation;
6. insufficient sale of sports wagers; or
7. any material changes in any matter considered by the corporation in granting the permit to the permittee.

C. If, in the discretion of the president, suspension or revocation of a permit is in the best interests of the lottery, the public welfare, or the state of Louisiana, the president may suspend or revoke, after notice and a hearing, any permit granted pursuant to these rules or the Act. Such permit may, however, be temporarily suspended by the president without prior notice, pending any prosecution, hearing, or investigation, whether by a third party or by the president. A permit may be suspended or revoked by the president for any one or more of the reasons enumerated herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1885 (December 2021).

§1131. Appeals

A. The procedures stated in this section apply to an appeal of a corporation determination by a permittee or a person seeking a permit under these rules and the Act.

1. Prior to making an appeal, an appellant must send the president a request letter stating the action of which the appellant seeks modification and all reasons the appellant advances for modification. The request letter must state the appellant's name and address, must enclose copies of all documents relevant to the request and must be signed by the appellant. The appellant must represent that all facts stated in the request letter are correct to the best knowledge of the appellant. The president shall respond to the request letter in writing within 10 days of the corporation's receipt of it, stating all reasons for the response.

2. An appellant may appeal the president's denial of all, or any part of the appellant's request stated in the

appellant's request letter by sending the president a notice of appeal. The notice of appeal shall be effective only if it is in writing, states the substance and basis of the appeal, and is received by the corporation within 10 days of the appellant's receipt of the president's letter denying the appeal. The notice may request that the hearing be expedited, provided that such a request shall constitute an undertaking by the appellant to pay the costs assessable by the board. Upon receipt of a notice of appeal, the president shall deliver the notice, the appellant's request letter and the president's denial letter to the board.

3. The board shall consider the appeal at its next regular meeting to occur five or more days after receipt of the notice of appeal. The hearing shall be conducted in accordance with the provisions of the Administrative Procedure Act. The chairman may call a special meeting of the board to hear an appeal if the appellant has requested an expedited hearing and the chairman in his or her sole discretion believes that the appeal warrants an expedited hearing. The president shall give the appellant reasonable notice of the time and location of the board meeting. The appellant shall be permitted to present the appeal orally for a time period determined by the board. The presentation may not include points or subjects which were not included in the appellant's request letter. The corporation shall keep a complete record of the hearing and shall make it available to the appellant. The board shall render its decision on the appeal by majority vote within five days after conclusion of the hearing.

4. If the appellant requested an expedited hearing, the board conducts the hearing at a special meeting, and the board denies the appeal, the board may charge the appellant the corporation's reasonable costs incurred in connection with the special meeting, including any travel and per diem expenses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1885 (December 2021).

Subchapter C. Rules; Operations

§1133. Sports Wagering Operator Requirements and Restrictions; Internal Controls; Comprehensive Rules

A. The operator may only conduct sports wagering expressly authorized by the Act, these rules, or its internal controls.

B. Sports wagering authorized by the Act shall be conducted pursuant to the Act, these rules, and an operator's internal controls.

C. The operator shall have an ongoing responsibility to contract with multiple distributors and operator vendors to provide maximum opportunity for economic development.

D. The operator shall comply with all provisions of the Act, these rules, and its internal controls regarding child support arrearages.

E. The operator shall not accept a sports wager from a prohibited player.

F. An applicant shall submit its internal controls with its application for permitting as a sports wagering platform provider or operator. Whenever internal controls are updated, they shall be immediately submitted to the corporation for approval to ensure the corporation is in possession of the current internal controls at all times.

G. The operator shall implement internal controls and commercially reasonable procedures for sports wagering to ensure compliance with all requirements of the Act and these rules including, but not limited to:

1. prohibit a player from sports wagering while the player is located in a prohibited parish;
2. comply with all applicable tax laws and rules including, without limitation, laws, and rules applicable to winnings and tax withholdings;
3. preventing the sharing or prohibited release of personal patron data and confidential information that could affect sports wagering with third parties until the information is made publicly available;
4. not knowingly accept a wager from a prohibited player, and shall comply with the limitations listed in LR 47:47:9099;
5. verifying that a player is 21 years of age or older;
6. providing players with access to information on responsible play;
7. providing players with access to the player's play history and account details that are not confidential;
8. slowing individuals to restrict themselves from placing a sports wager upon request and provide reasonable steps to prevent the person placing a sports wager offered by an operator;
9. insuring that commercially reasonable measures are in place to deter, detect, and, to the extent reasonably possible, prevent cheating, collusion, and the use of cheating devices;
10. not offer sports wagering on any prohibited sports events;
11. withholding all winnings from players determined to be under the age of 21 or determined to have participated in sports wagering from within a prohibited parish;
12. allowing players to file complaints regarding the sports wagering operation and the handling of the player's sports wagering account;
13. requiring patrons to establish a sports wagering account prior to accepting wagers through a website or mobile application. Verifying the following for players requesting to open an account, in accordance with the information provided by players under section 1139(B)(2) of this Chapter:
 - a. identity; and
 - b. date of birth;
14. publishing and facilitating parental control procedures to allow parents or guardians to exclude minors from access to a sports wagering platform;
15. determining the geographical location of a player when placing a sports wager;
16. reporting of problem gamblers;
17. operational controls for sports wagering accounts;
18. setting up and maintaining user access control for a sports wagering platform and ensuring proper segregation of duties at the sports book and sports wagering platform;
19. procedures for identifying and reporting fraud and suspicious wagering activity;
20. anti-money laundering compliance standards, including limitations placed on anonymous sports wagering at sports wagering mechanisms;
21. detailing procedures for W-2G issuance when triggered.

22. automated and manual risk management procedures;

23. process for submitting and receiving approval for all types of sports wagers available to be offered by the operator;

24. description of process for accepting sports wagers and issuing payouts, including additional controls for accepting sports wagers and issuing payouts in excess of \$10,000;

25. description of process for accepting multiple sports wagers from one player within a 24-hour cycle, including process to identify player structuring of sports wagers to circumvent recording and reporting requirements; and

H. the operator shall report all winnings withheld and remit all withheld amounts to the corporation. Winnings withheld from underage and excluded patrons shall be sent to the corporation.

I. The operator shall provide information regarding the player's ability to file a complaint with the corporation and provide the information necessary to file such a complaint.

J. the operator shall ensure that all information required by the Act, these rules, or its internal controls to be provided to players is easily accessible through the sports wagering platform or printed copies, is clear and concise in language, and provides methods to contact the operator with questions.

K. The operator shall adopt comprehensive rules governing sports wagering transactions with its patrons and submit such rules to the corporation for approval. The comprehensive rules shall include, at a minimum:

1. the method for calculation and payment of winning wagers;
2. the effect of schedule changes for sports events;
3. the method of notifying players of odds or proposition changes;
4. acceptance of wagers at terms other than those posted;
5. expiration dates for winning tickets in accordance with the Act;
6. circumstances under which the operator will cancel a bet;
7. treatment of errors, late bets, and related contingencies;
8. method of contacting the operator with complaints or questions;
9. description of those persons who are prohibited from wagering with the operator;
10. instructions on how to self-restrict, self-limit, and self-exclude, including hyperlinks to such;
11. the method and location and posting and publishing the comprehensive rules; and
12. the methods for redeeming a winning ticket, including by mail if the operator allows such.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1885 (December 2021).

§1135. Sports Wagering Platforms; Duties of Operator

A. To ensure the protection of players, a sports wagering platform shall identify the person that is the operator.

B. The operator shall provide a set of terms and conditions readily accessible to the player on its sports wagering platforms.

C. The operator shall provide a readily accessible privacy policy to the player on its sports wagering platforms. The privacy policy shall state the information that is required to be collected, the purpose for information collection, and the conditions under which information may be disclosed. Any information about a player's sports wagering account that is not subject to disclosure pursuant to the privacy policy shall be kept confidential, except where the release is required by law or requested by the corporation. Player information shall be securely erased from hard disks, magnetic tapes, solid state memory, and other devices before the device is decommissioned. If erasure is not possible, the storage device must be destroyed.

D. An operator shall ensure that wagering on its sports wagering platform complies with the Act, these rules, and any requirements of the corporation. An operator shall comply with AML standards, Federal and state law, and the limitations set forth in R.S. 47:9099.

E. The operator shall have procedures that do all of the following prior to operating in this state:

1. prevent unauthorized withdrawals from a sports wagering account by the operator or others;
2. make clear that funds in a sports wagering account are not the property of the operator and are not available to the operator's creditors;
3. ensure any amounts won by a player from a sports wager is deposited into the player's account within one day from the time of the event, unless the wager is part of an investigation;
4. ensure players can withdraw the funds maintained in their sports wagering accounts in accordance with the Act and these rules;
5. allows a player to permanently close his sports wagering account at any time for any reason;
6. offers players access to their play history and account details;
7. prevent all persons from tampering with or interfering with the operation of sports wagering or sports wagering equipment.

F. The operator shall establish procedures for a player to report complaints to the operator regarding whether his sports wagering account has been misallocated, compromised, or otherwise mishandled, and a procedure for the operator to respond to those complaints. The operator shall maintain a record of all complaints for a period of five years.

1. A player who believes his account has been misallocated, compromised, or otherwise mishandled may notify the corporation. Upon notification, the corporation shall investigate the claim and may take any action the corporation deems appropriate pursuant to the provisions of the Act or these rules.

G. If a session is terminated due to player inactivity, the player's device must display to the player that the session has timed out and inform him of the steps needed to be taken to reestablish the session. If the session is terminated due to a player inactivity timeout, no further participation is permitted unless and until a new session is established by the player. This process shall include, at a minimum, the manual entry of the player's secure password or an alternate form of authentication approved by the corporation.

H. With the approval of the corporation, the operator shall cooperate with investigations conducted by sports governing bodies or law enforcement agencies. However, an operator shall not share any information that would interfere or impede a criminal investigation or an investigation of the corporation. Information shared under this subsection by an operator or a sports governing body is confidential, unless disclosure is required by the corporation or court order for enforcement or legal purposes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1886 (December 2021).

§1137. Prohibited Parish; Geolocation, Geofencing; Proxy Servers

A. The operator shall not allow a player to place a sports wager while located in a prohibited parish.

B. The operator shall implement and abide by protocols and procedures to ensure a player is not utilizing remote desktop software, rootkits, virtualization, proxy servers, virtual private network, spoofing, or other means to disguise their physical location or their computer or device's physical location when conducting a sports wagering transaction. Operator shall use, at a minimum:

1. geolocation and geo-fencing techniques and capability; and
2. commercially reasonable standards for the detection and restriction of remote desktop software, rootkits, virtualization, proxy servers, virtual private networks, spoofing, or other means of disguising one's location.

C. The operator shall prohibit the placing of a sports wager if a player is utilizing any means to disguise his identity or physical location or his computer or device's physical location or attempting to act as a proxy for another player.

D. The operator shall detect and block patrons that make malicious or repeated unauthorized attempts to access the online sports wagering system. This includes players utilizing any means to disguise their identity or physical location or their computers or device's physical location or acting as a proxy for another player in order to place a sports wager. The player's sports wagering account shall be flagged and reviewed, and the operator shall follow protocols to reach a final determination about the player's sports wagering account and future access and account privileges. The operator shall maintain a record of all information, documentation, or evidence of such activity.

E. The operator shall immediately notify the corporation of any sports wagers made when the player was located in a prohibited parish and shall provide the corporation with all information, documentation, and other evidence of such sports wager.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1887 (December 2021).

§1139. Sports Wagering Account; Player Registration Required

A. A person shall register with an operator prior to placing a sports wager on a sports wagering platform through a website or mobile application. Operator shall not allow any person to place a sports wager on its sports

wagering platform through a website or mobile application unless that person is registered and maintains a sports wagering account. Nothing in this section shall prohibit an operator from accepting anonymous wagers at a sports wagering mechanism on the licensed premises in accordance with the Act, these rules, and internal controls.

1. The operator shall include sports wagering account procedures necessary to setup and register for an account in the internal controls submitted for approval prior to implementation.

B. With respect to registration, an operator shall do all of the following:

1. implement security standards to prevent the placing of sports wagers by a person whose identity has not been verified in accordance with the Act, these rules, or internal controls;

2. ensure that all persons provide the following information before establishing a sports wagering account and placing a sports wager;

a. legal name;

b. date of birth;

c. Social Security number, or the last four digits thereof, or an equivalent identification number for a noncitizen person such as a passport or taxpayer identification number;

d. residential address; a post office box is unacceptable;

e. electronic mail address;

f. telephone number; and

g. any other information necessary to verify the person's identity;

3. utilize commercially reasonable steps to confirm that a person registering for an account is at least 21 years of age before such person places a sports wager;

4. clearly and conspicuously publish parental control procedures to facilitate parents or guardians to exclude minors from access to a sports wagering platform.

5. maintain a patron file including, at a minimum, the information obtained in establishing a sports wagering account, the method used to verify the person's identity; and the date of verification. The person's Social Security or identification number, passwords, PINs, and personal financial information shall be encrypted.

C. During the registration process, a person shall agree to the privacy policy and the following applicable terms and conditions of service:

1. registration information provided by the person to the operator is accurate;

2. the person has been informed, and acknowledges, that as a player he is prohibited from allowing any other person access to or use of his sports wagering account;

3. specify the handling of funds where the sports wager is canceled;

4. specify the handling of funds for sports events that are voided or canceled;

5. clearly define the rules by which any unrecoverable malfunctions of hardware or software are addressed;

6. advise the player to keep his password and login ID secure;

7. advise the player on requirements regarding forced password changes, password strength, and other related items;

8. No individual less than 21 year of age is permitted to maintain a sports wagering account or place a sports wager;

9. the method by which players will be notified of updates to the terms and conditions and privacy policy;

10. the conditions under which an account is declared inactive and explain what actions will be undertaken on the account once this declaration is made including the forfeiting of any monies remaining in the sports wagering account; and

11. clearly define what happens to any winnings from a sports wager prior to and after any self-imposed or operator-imposed exclusion.

D. An operator shall not allow any business entity or any entity other than an individual person to register for a sports wager account or to place a sports wager.

E. Players may fund a sports wagering account through:

1. online and mobile payment systems that support online money transfers;

2. winnings remaining in their sports wagering account;

3. adjustments or refunds pursuant to these rules;

4. promotional play;

5. reloadable prepaid card, which has been verified as being issued to the player and is non-refundable; and

6. any other method approved by the corporation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1887 (December 2021).

§1141. Limitation on Active Accounts; Obligations to Players

A. An operator shall:

1. limit each authorized player to one active and continuously used account and username;

2. implement rules and procedures to suspend all accounts of any player that establishes or seeks to establish more than one username or more than one account, whether directly or by use of another person as a proxy;

3. publish parental control procedures to facilitate parents or guardians to exclude minors from access to a sports wagering platform. The procedures shall include a link or toll-free number to call for help in establishing such parental controls;

4. make clear conspicuous statements that are not inaccurate or misleading concerning the conduct of sports wagering;

5. permit any player to permanently close an account registered to the player at any time and for any reason;

6. implement measures to protect the privacy and online security of players, their sports wagering account, and their personal financial information and personal patron data.

7. not allow a player to transfer funds from a sports wagering account to another player's sports wagering account.

8. employ a mechanism that can detect and prevent any sports wagering or withdrawal activity initiated by a player that would result in a negative balance of a sports wagering account.

9. allow a player to withdraw the funds maintained in his sports wagering account within five business days of the

request being made. For purposes of this Paragraph, a request for withdrawal is considered honored if it is processed by the operator but delayed by a payment processor, credit card issuer, or by the custodian of a financial account through no fault, action, or inaction of the operator. If an operator has requested documentation from a player in order to facilitate the withdrawal, the time waiting for such documentation shall not be factored into the five business days for approval.

a. An operator may decline to honor a player's request to withdraw funds only if the operator believes in good faith that the player engaged in fraudulent conduct or other conduct that would put the operator in violation of the Act or these rules. In such cases, the operator may withhold the funds for a reasonable investigatory period until the investigation is resolved, if the operator conducts its investigation in a reasonable and expedient fashion.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1888 (December 2021).

§1143. Charging for Inactive Accounts

A. An operator shall not charge a player for an inactive sports wagering account.

B. No player shall be charged for failure to deposit certain amounts of cash or cash equivalent into a sports wagering account.

C. The operator shall follow state law as it regards unclaimed property for inactive accounts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1889 (December 2021).

§1145. Protection for Problem or Compulsive Gamblers

A. Self-Restriction

1. The operator shall allow a player to restrict themselves from placing a sports wager or accessing a sports wagering account for a specific period of time, minimum of which shall be 30 days, as determined by the player and shall implement procedures to prevent the person from placing sports wagers.

2. The operator shall develop and maintain an online self-restriction form and a process to exclude any person from placing a sports wager who completes and submits the form to the operator and shall provide a mechanism on its sports wagering platforms to access the online self-restriction form. The operator shall retain each submitted online self-restriction form and restrict such persons from placing a sports wager and may close the player's sports wagering account for the specified time.

3. Online self-restriction is different than submitting for the state's self-exclusion list. When a player chooses the option of self-restriction, the operator shall notify the requester of the option to also self-exclude with the state.

B. Self-Imposed Limits

1. The operator shall implement and maintain procedures that allow players to limit themselves from:

- a. placing a sports wager for a set period of time;
- b. paying more than a certain amount of money for a sports wager; and
- c. depositing more than a set amount of funds into their sports wagering account.

d. players shall have the option to adjust the self-limits to make them more restrictive as often as they choose but shall not have the option to make the time period or limits less restrictive within 72 hours of setting. Any change must provide a prompt to ensure the player is aware of the change and the player must then confirm the change.

C. The operator shall enforce the limitations placed upon sports wagering accounts by:

1. providing a plan to honor requests from players to self-restrict or self-limit or self-exclude;

2. providing a plan to ensure that, immediately upon a player self-restricting or self-excluding, no sports wagers or deposits are accepted from that player until the self-restriction expires or is removed or the self-exclusion is terminated;

3. providing a plan to allow a player that self-restricts or self-excludes to access and withdraw remaining funds from his sports wagering account; and

4. ensuring self-restricted and self-excluded persons do not receive marketing or advertisement during the period of self-restriction or self-exclusion.

D. The operator shall provide the information necessary for a person to self-exclude.

F. The operator shall comply with all requirements of the Act, these rules, and internal controls.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1889 (December 2021).

§1147. Advertising, Mandatory Signage

A. The corporation and the operator shall not advertise sports wagering to a person by phone, email, or any other form of individually targeted advertisement or marketing material if the person has self-restricted or is excluded pursuant to the provisions of the Act or these rules, or if the person is otherwise barred from participating in sports wagering (including, but not limited to, advertisements targeted to persons under the age of 21).

B. Advertisements and marketing material shall not depict minors.

C. The corporation and the operator shall not advertise or run promotional activities at any primary or secondary schools, as defined by Louisiana law and including elementary, middle, and high schools, or sports venues exclusively used for primary or secondary schools.

D. The corporation and the operator shall ensure that all advertisements of sports wagering do not target prohibited players, persons under the age of 21, or self-restricted or excluded persons.

E. The corporation and the operator shall not misrepresent the frequency or extent of winning in any advertisement.

F. The corporation and the operator shall provide on its sports wagering platform, any websites, and in any print advertisement of sports wagering for such the toll-free telephone number available for information and referral services regarding compulsive or problem gambling.

G. The corporation and the operator shall ensure that all advertising, public relations activities, and marketing campaigns comply with this Section and do not: contain false or misleading information; fail to disclose conditions or limiting factors associated with the advertisement; use a

font, type size, location, lighting, illustration, graphic depiction or color obscuring conditions or limiting factors associated with the advertisement; consist of indecent or offensive graphics or audio, or both; encourage players to chase their losses or re-invest their winnings; or suggest that sports wagering is a means of solving financial problems.

H. The operator shall retain a copy of all advertising and marketing materials intended to promote any sports wagering operation in the State of Louisiana, which shall be made available to the corporation upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1889 (December 2021).

§1149. Sports Events

A. Operator shall not offer sports wagering on sports events or subjects prohibited by the Act, these rules, or the corporation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1890 (December 2021).

§1151. Sports Wagers

A. The operator shall not accept any sports wager on a sports event unless it has received approval from the corporation to conduct that type or category of sports wager. A type of sports wager refers to the method of determining the outcome of the sports wager. The category refers to the kind of event being wagered on. For all particular categories or sports wager types approved by the Act or these rules or later approved by the corporation for its first use may be used on multiple events by the operator without further approval.

1. If an operator accepts a sports wager on an unapproved sports event, the operator shall void and refund all sports wagers associated with that sports event. If any sports wagers for unapproved sports events cannot be refunded in full, the operator shall immediately provide the corporation with a report detailing such sports wagers and the reasons therefore.

2. The corporation maintains the right to disapprove of the source of data for any reason including, but not limited to, the type of sports wager and method of data collection.

B. Sports Wagers; Restrictions

1. The operator shall only offer and accept sports wagers in accordance with the Act and these rules and on sports events where:

- a. the outcome of the event can be verified, and the operator shall disclose the source of verification;
- b. the event would be effectively supervised;
- c. there are integrity safeguards in place;
- d. the outcome can be generated by a reliable and independent process;
- e. the outcome of the event is unlikely to be affected by any sports wager placed; and
- f. the outcome is conducted in conformity with all applicable federal and state laws, the Act, these rules, and internal controls.

2. Sports wagers shall only be made through a player's sports wagering account, cash, cash equivalents, or promotional play.

3. The operator shall adopt procedures to obtain personally identifiable information from any person who places any single sports wager in an amount of \$10,000 or greater on a sports event. Subsequent to accepting a sports wager in excess of \$10,000 or making a payout in excess of \$10,000 on a winning sports wager, the Operator shall record or maintain records that include: the date and time of the sports wager or payout; the amount of the sports wager or payout; the player's legal name and the ticket number or other identifying number for the sports wager or payout;

4. The operator shall not knowingly allow, and shall take reasonable steps to prevent, the circumvention of reporting requirements through a player making a structured sports wager, including multiple sports wagers or a series of sports wagers that are designed to accomplish indirectly that which could not be accomplished directly. The operator shall not encourage or instruct the player to structure or attempt to structure sports wagers. This section does not prohibit an operator from informing a player of the regulatory requirements imposed upon the operator, including the definition of structured sports wagers. An operator shall not knowingly assist a player in structuring or attempting to structure sports wagers.

C. Categories

1. The corporation shall maintain a list of approved categories for which an operator may accept a sports wager.

D. Types

1. The corporation shall maintain a list of approved types of sports wagers that an operator may accept.

2. No sports wagers may be accepted or paid by an operator on the occurrence of injuries or penalties or the outcome of an athlete's disciplinary rulings or replay reviews.

E. Tickets

1. Upon placing a sports wager, the player shall receive an unalterable virtual or printed wager record (ticket) which shall contain the information required in these rules.

2. Any sports wager placed with a sports wagering mechanism shall be evidenced by a ticket indicating: the information required in R.S. 47:9101 D.; the name of the operator; and a statement that the patron must redeem the ticket within 180 days of the date of the event, that the failure to present a winning ticket within such time shall constitute a waiver of the right to the payment, and that the holder of the ticket shall thereafter have no right to enforce payment of the ticket.

F. Canceled Wagers

1. The operator's comprehensive rules shall clearly state what is to occur when a sports event is canceled, or the subject of the bet ceases to exist. Any such cancellations of a sports wager shall be made available to the corporation.

2. Canceled wagers may only be made at the system level and in accordance with the requirements of this subsection and these rules.

3. All canceled wagers shall be refunded to the player as soon as practical and deducted from the adjusted gross sports wagering revenue if already included.

G. Voided Wagers

1. A sports wager is deemed void if the player is a prohibited person or located in a prohibited parish at the time the sports wager was made. An operator shall void

sports wagers made by prohibited persons or a persons located in a prohibited parish immediately upon becoming aware the player is a prohibited person or located in a prohibited parish.

2. A sports wager is deemed void if the subject of the wager was not approved by the corporation prior to accepting the wager.

3. An operator may void a sports wager if the operator has reasonable basis to believe there was obvious error in the placement or acceptance of the sports wager. Errors include but are not limited to: the sports wager was placed with incorrect odds; human error in the placement of the sports wager; the ticket does not correctly reflect the sports wager; or equipment failure rendering a ticket unreadable. Wagers voided in this case must be approved pursuant to the internal controls or house rules.

4. The operator shall include procedures and conditions on which they will void wagers in their internal controls.

5. All voided wagers shall be refunded to the player and deducted from the adjusted gross sports wagering revenue if previously included. However, should a player self-exclude after placing a wager, the player shall not be entitled to a refund or any winnings; the monies shall be handled in accordance with internal controls.

6. No wagers shall be rescinded except in compliance with the Act, these rules, internal controls, and house rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1890 (December 2021).

§1153. Unusual and Suspicious Wagering Activity

A. The operator shall employ a system to identify irregularities in volume or odds and swings that could signal suspicious wagering activities that should require further investigation.

B. The operator shall have internal controls in place to identify unusual wagering activity and report such to the corporation.

C. An operator receiving a report of suspicious wagering activity shall be permitted to cancel related wagers after receiving approval from the corporation and in accordance with approved procedures as set forth in internal controls.

D. All information and data received pursuant to this Section by the corporation related to unusual or suspicious wagering activity shall be considered confidential and shall not be revealed in whole or in part, except upon the lawful order of a court of competent jurisdiction or, with any law enforcement entity, member club, sports governing body, or regulatory agency that the corporation deems appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1891 (December 2021).

§1155. Sports Wagering Mechanisms

A. Sports wagering mechanisms shall be linked to the sports wagering operator's sports wagering platform.

B. Sports wagering mechanisms or the platform shall be capable of generating a transaction report which documents each completed transaction. Unless otherwise approved by the corporation, the report shall include, at a minimum:

1. the date and time;
2. a description of the transaction;

3. the value of non-cash transactions;
4. the value of currency inserted;
5. the value of all promotional play;
6. the value of all sports wagering tickets dispensed.

C. Sports wagering mechanisms shall not: dispense cash; allow deposits to a sports wagering account of more than \$10,000; or accept wagers of \$3,000 or more unless made using funds in a sports wagering account.

D. The operator shall contract with only permitted distributors domiciled in Louisiana for the services of collection and repair of sports wagering mechanisms.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1891 (December 2021).

§1157. Retail Establishment Contract

A. A contract between the operator and a retail establishment shall include the following requirements.

1. The operator may suspend or terminate the contract in the event of suspension or termination of the retail establishment permit. No person may operate as a retail establishment without a permit.

2. A sports wagering mechanism shall be located only in an area where accessibility is limited to patrons 21 years of age or older.

3. In consideration for the hosting of a sports wagering mechanism, the retail establishment shall be paid the greater of the following each month.

a. One and one half percent of the cash accumulated in the sports wagering mechanism located on the retail establishment's premises.

b. Ten percent of the net gaming proceeds of all wagers placed by patrons through a sports wagering mechanism located on the premises of the retail establishment and wagers placed through an operator website or mobile application while the patron is located on the premises of the retail establishment.

4. The monies owed to the retail establishment shall be remitted to the retail establishment within 20 days of the end of each calendar month for the immediately preceding calendar month.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1891 (December 2021).

Subchapter D. Audit and Accounting

§1159. Audit and Accounting Requirements

A. The operator must meet specific auditing and accounting obligations as set forth below, including, but not limited to:

1. the operator shall have a complete corporate financial audit conducted annually, at its own expense. The audit must follow generally accepted auditing standards (GAAS) (or the appropriate non-U.S. equivalent). A copy of the operator's audited financial statement shall be provided within one quarter after the close of the operator's fiscal year;

2. the operator shall provide the corporation with Securities and Exchange Commission (SEC) 10-K reports (or the appropriate non-U.S. equivalent) as they are issued, together with any other reports required pursuant to Section 13 of the Securities and Exchange Act of 1934, as amended;

3. a third-party review of the operator's Louisiana operations must also be conducted annually. This audit will be a SOC 2 Type 2, SOC for Service Organizations: Trust Services Criteria and shall be paid for by the operator. For this review the operator will suggest, for the corporation's approval, the firm(s) to perform the work. All relevant aspects shall be conducted pursuant to auditing standards as issued by the American Institute of Certified Public Accountants. The SOC 2 Type 2 audit shall be completed and submitted to the corporation by March 31 of each year;

4. the operator is required to maintain its books, records, and all other evidence pertaining to the contract in accordance with generally accepted accounting principles (GAAP) (or the appropriate non-U.S. equivalent) and such other procedures specified by the corporation. These records shall be available to the Lottery, its internal auditors, or external auditors (and other designees) at all times during the contract period and for five years from the contract expiration date or the final payment on the contract, whichever is later.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1891 (December 2021).

§1161. Segregation of Funds

A. The operator shall segregate sports wagering account funds from operational funds.

B. The operator contract with the permitted operator vendor for sports wagering account services shall require the operator vendor to maintain crime insurance in an amount determined by the operator and the corporation. Such insurance shall cover any loss due to any fraudulent or dishonest act on the part of the permitted operator's officers, employees, agents, or subcontractors. Such an event, in the sole discretion of the corporation, could be grounds for termination of the operator vendor permit whether or not the losses arising as a result thereof were paid under the crime insurance policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1892 (December 2021).

Subchapter E. Computer Systems and Sports Wagering Platforms; Security

§1163. Computer Systems and Sports Wagering Platforms

A. The operator shall use a sports wagering platform to offer, conduct, or operate sports wagering in accordance with the Act and rules set forth by the corporation.

1. The operator shall comply with, and the corporation adopts and incorporates by reference, the Gaming Laboratories International, LLC Standard, GLI-33: Standards for Event Wagering systems and its Appendices, version 1.1 and any future amendments and updates thereto. The GLI-33 standards are intended to supplement rather than supplant other technical standards and requirements under these rules.

2. The operator may provide evidence of compliance with GLI-33 in other states where the operator has an existing sports wagering platform until the operator can certify the sports wagering platform in Louisiana.

3. A sports wagering platform utilized to conduct sports wagering shall meet the specifications of these rules and any additional technical specifications prescribed by the corporation.

B. The operator shall submit all equipment and software utilized with the sports wagering platform to a designated firm approved by the corporation for an initial certification to ensure the sports wagering platform is in operational compliance with the Act, these rules, corporation technical guidelines, and internal controls. The certification report shall, at a minimum, identify system interfaces of service providers and the applicable methods, programs, protocols, and security measures implemented by the operator to ensure compliance.

C. At the discretion of the corporation, additional testing or re-certification of the entire sports wagering platform may be required and shall be completed by a designated firm approved by the corporation. The operator shall incur all costs associated with the testing of the sports wagering platform.

D. Upon placing a sports wager at a sports wagering mechanism, the player shall receive an unalterable virtual or printed wager record (ticket) which shall contain, at a minimum:

1. name of the operator issuing the ticket;
2. the date and time the sports wager was placed;
3. the date and time the sports event is expected to occur;
4. any patron choices involved in the sports wager including, but not limited to:
 - a. sports wager selection(s);
 - b. type of sports wager and line postings;
 - c. any special condition(s) applying to the sports wager;
 - d. pay out, applicable at the time the sports wager is placed;
5. total amount wagered, including any promotional play if applicable;
6. sports event and market identifiers;
7. a barcode or similar symbol or marking as approved by the corporation, corresponding to the unique wager identifier.

E. A sports wagering platform system that offers in-play wagering shall be capable of the following:

1. the accurate and timely update of odds for in-play wagers;
2. the ability to notify the patron of any change in odds after a wager is attempted that is not beneficial to the patron;
3. the ability for the patron to confirm the wager after notification of the odds change; and
4. the ability to freeze or suspend the offering of wagers, when necessary.

F. A sports wagering platform shall be capable of performing the following functions:

1. creating wagers;
2. settling wagers;
3. reprinting tickets;
4. resettling wagers;
5. voiding wager

6. cancelling wagers; and
7. preventing the acceptance of wagers on prohibited sports events.

G. When a sports wager is voided or cancelled, the operator shall clearly indicate that the ticket is voided or cancelled, render it nonredeemable, and make an entry in the system indicating the void or cancellation and identity of the automated process.

H. A sports wagering platform shall prevent past posting of wagers and the cancellation of wagers after the outcome of an event is known.

I. In the event a patron has a pending sports wager and then the operator becomes aware of the patron self-excluding, the wager shall be governed in accordance with the Act, these rules, and internal controls.

J. A sports wagering platform shall periodically perform a self-authentication process on all software used to offer, record, and process wagers to ensure there have been no unauthorized modifications. In the event of an authentication failure, the sports wagering platform operator shall notify the appropriate corporation employees as provided in the internal controls using an automated process. The operator shall notify the corporation of the authentication failure within 24 hours. The results of all self-authentication attempts shall be recorded by the system and maintained for a period of 90 days.

K. A sports wagering platform shall have controls in place to review the accuracy and timeliness of any data feeds used to offer or settle wagers. In the event that an incident or error occurs that results in a loss of communication with data feeds used to offer or redeem wagers, such error shall be recorded in a log capturing the date and time of the error, duration of the error, the nature of the error, and a description of its impact on the system's performance. Such information shall be maintained for a period of two years.

L. The sports wagering platform operator shall provide access to wagering transaction and related data as deemed necessary by the corporation in a manner approved by the corporation.

M. A sports wagering platform shall be capable of preventing any wager in excess of \$10,000 or making a payout in excess of \$10,000 until authorized by a supervisor, unless pre-approved and in accordance with internal controls.

N. A sports wagering platform shall be capable of recording and storing the following information for each wager made:

1. description of the event;
2. wager selection;
3. type of wager;
4. amount of wager;
5. amount of potential payout or an indication that it is a pari-mutuel wager;
6. date and time of wager;
7. unique wager identifier, which shall be masked on all system menus, printed reports, and displays, except when accessed by users with supervisor or higher authority, for all unredeemed and unexpired wagers;
8. expiration date of ticket;
9. patron name, if known;
10. date, time, amount, and description of the settlement;

11. location where the wager was made;
12. location of redemption;

O. For all sports wagering accounts, a sports wagering platform shall record and maintain the following information:

1. a unique player identification;
2. the player's identity details including, but not limited to: player's legal name; date of birth; and residential address;
3. any self-restrictions;
4. any previous accounts; and
5. the date and location from which the sports wagering account was registered or accessed.

P. The operator shall provide the following information upon demand by the corporation. As appropriate, the information shall include, at a minimum, month to date and year to date:

1. total sports wagering account deposits for the requested period;
2. total sports wagering account withdrawals for the requested period;
3. total sports wagers collected from players; and
4. total winnings paid to players.

Q. A sports wagering platform shall be capable of recognizing valid tickets that contain a duplicate unique wager identifier used for redemption.

R. A sports wagering platform shall be capable of preventing the redemption of any tickets when the data related to tickets has been manually altered outside of the approved system procedures.

S. All servers necessary for the processing of sports wagers, other than backup servers, shall be physically located in Louisiana, and shall be located in a restricted area with adequate security and surveillance in accordance with internal controls and as approved by the corporation. Other servers used in the operation of the sports book may be located outside of the state as long as they are not used to process sports wagers. The corporation may approve of the use of internet or cloud-based hosting of duplicate data or data not related to transactional wagering data upon written request of the operator.

T. All sports wagering mechanisms shall be submitted to a designated gaming laboratory for testing and required certification prior to being placed at a licensed premise. A designated gaming laboratory shall certify that the sports wagering mechanism meets or exceeds the most current corporation approved version of standards for sports wagering mechanisms, or equivalent standards as approved by the corporation, and the standards established by the corporation.

U. System Integrity and Security Assessment

1. The operator of online sports wagering shall upon installation of the sports wagering platform and annually thereafter, perform a system integrity and security assessment of the sports wagering platform and systems which shall be conducted by an independent professional selected by the operator and subject to approval of the corporation. The scope shall include, at a minimum: a vulnerability assessment of digital platforms, mobile applications, internal, external, and wireless networks with the intent of identifying vulnerabilities of all devices, the

sports wagering platform, and applications transferring, storing, and/or processing personal identifying information and other sensitive information connected to or present on the networks; a penetration test of all digital platforms, mobile applications, internal, external, and wireless networks to confirm if identified vulnerability of all devices, the sports wagering platform, and applications are susceptible to compromise; a review of the firewall rules to verify the operating condition of the firewall and the effectiveness of its security configuration and rule sets performed on all the perimeter firewalls and the internal firewalls; a technical security control assessment against the provisions adopted in these rules with generally accepted professional standards and as approved by the corporation; an evaluation of information security services, cloud services, payment services (financial institutions, payment processors, etc.), location services, and any other services which may be offered directly by the operator or involve the use of third parties; and any other specific criteria or standards for the sports wagering platform integrity and security assessment as prescribed by the corporation. The assessment report shall include, at a minimum: scope of review; name and company of affiliation of who conducted the assessment; date of assessment findings; recommended corrective action, if any; and the operator's response to the findings and recommended corrective action.

2. The operator conducting sports wagering shall perform a system integrity and security assessment of the sports wagering platforms and systems used for conducting retail sports wagering, which shall be completed by an independent professional selected by the operator and subject to approval of the corporation. The operator shall submit the results of an independent system integrity and security assessment to the corporation for review, subject to the following requirements:

- a. the testing organization must be independent of the operator;
- b. results from the network security risk assessment shall be submitted to the corporation no later than 90 days after the assessment is conducted;
- c. at the discretion of the corporation, additional network security risk assessments may be required; and
- d. the operator shall periodically assess the risk to operations, assets, patrons, employees, and other individuals or entities resulting from the operation of the operator's computer systems and the processing, storage, or transmission of information and data. The assessment shall be documented and recorded in a manner that can be displayed or printed upon demand by the corporation and shall be maintained for a period of five years. The operator shall assess the collection of personnel and patron data annually to ensure that only information necessary for the operation of the business is collected and maintained. No unnecessary personal information shall be retained.

3. The operator may submit for approval a request to the corporation to leverage the results of prior assessments within the past year conducted by the same independent professional against standards such as ISO/IEC 27001, ISO/IEC 27017, ISO/IEC 27018, the NIST Cybersecurity Framework (CSF), the Payment Card Industry Data Security Standards (PCI-DSS), or equivalent. Such leveraging shall be noted in the independent professional's report. This

leveraging does not include critical components unique to the corporation which will require more current and separate assessments.

V. The sports wagering platform and systems shall provide a mechanism for the corporation to query and export, in a format approved by the corporation, all sports wagering platform data.

W. The sports wagering platform and systems shall be designed in a way to comply with all Federal requirements including, but not limited to: suspicious wagering activity; Title 31; and W-2G reporting.

X. Upon request by the corporation, an operator shall create test accounts for the corporation's use to conduct compliance inspections and testing of the sports wagering platform.

Y. The corporation may establish test accounts to be used to test the various components and operation of a sports wagering platform pursuant to the corporation's approved internal control procedures which must address procedures for identifying test accounts, issuing funds, maintaining proper records for all test accounts and conducting audits of all test activity to ensure proper adjustments to gross sports wagering revenue and any additional requirements specified by the corporation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1892 (December 2021).

§1165. Sports Wagering Platform Quality Assurance Testing Program

A. Any modifications to the operator's sports wagering platform shall comply with the corporation's Quality Assurance Testing Program. At a minimum, all software modifications shall be submitted in a functional specifications document detailing all software changes. Prior to deployment, the corporation's Quality Assurance team shall conduct testing to ensure that all modifications to the sports wagering platform perform as detailed in the functional specifications document. The corporation must approve all software modifications, including deviations from the functional specifications document discovered in testing by the corporation's Quality Assurance team prior to the software deployment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1894 (December 2021).

§1167. Information Security Management and Data Security

A. The operator shall implement, maintain, regularly review and revise, and comply with a comprehensive Information Security Management System (ISMS), the purpose of which shall be to take reasonable steps to protect the confidentiality, integrity, and availability of personal identifying information of individuals who place a wager with the operator, and shall contain administrative, technical, and physical safeguards appropriate to the size, complexity, nature, and scope of the operations and the sensitivity of the personal information owned, licensed, maintained, handled, or otherwise in the possession of the operator. Additional ISMS specifications may be adopted by the corporation.

B. The operators shall comply with all applicable state and federal requirements for data security.

C. Logging of Sports Wagering Platform Data

1. The sports wagering platform shall be designed to ensure the integrity and confidentiality of all patron communications and ensure the proper identification of the sender and receiver of all communications. If communications are performed across a public or third-party network, the system shall either encrypt the data packets or utilize a secure communications protocol to ensure the integrity and confidentiality of the transmission.

2. Sports wagering platforms shall employ a mechanism capable of maintaining a separate copy of all of the information required to be logged in this section on a separate and independent logging device capable of being administered by an employee with no incompatible function. If the sports wagering platform can be configured such that any logged data is contained in a secure transaction file, a separate logging device is not required.

3. The operators shall provide upon request, in a format required by the corporation, all online sports betting system data. Sports betting system data includes, but is not limited to, employee data and logs, geo-fence logs, player activity and betting information, and event logs related to the operator's Louisiana sports wagering operations.

4. Requirements for system specifications and sports wagering platform logging shall be detailed in internal controls.

D. The sports wagering platform shall provide a logical means for securing individual and player data and wagering data, including accounting, reporting, significant event, or other sensitive information, against alteration, tampering, or unauthorized access.

E. The operator shall describe its process for the backup and recovery of the required sports wagering platform data in its approved internal controls. Any changes to the process shall be approved by the corporation prior to the changes being implemented on the platform.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1895 (December 2021).

§1169. Defective and Malfunctioning Devices, Equipment, and Accessories

A. Operators shall document and maintain any system malfunction or deviation from the sports wagering platform and maintain the data for a minimum period of three years.

B. The sports wagering platform must have sufficient redundancy and modularity so that if any single component or part of a component fails, the functions of the internet sports betting platform and the process of auditing those functions can continue with no critical data loss. If 2 or more components are linked, the process of all internet sports betting operations between the components must not be adversely affected by restart or recovery of either component and upon restart or recovery, the components must immediately synchronize the status of all transactions, data, and configurations with one another.

C. A business continuity and disaster recovery plan must be in place to recover sports wagering operations conducted under the Act if the sports wagering platform's production environment is rendered inoperable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1895 (December 2021).

Subchapter F. Special Rules and Regulations on Payment of Prizes

§1171. General

A. The corporation is required by R.S. 47:9104 to establish and maintain rules providing for the withholding of sports wagering prizes of persons who have outstanding child support arrearages or delinquent debt as reported to the corporation. Pursuant to that mandate, these rules are intended to provide general guidelines concerning the withholding of lottery prizes of persons with outstanding child support arrearages or delinquent debt.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1895 (December 2021).

§1173. Definitions

A. The following italicized terms shall have the meaning set forth herein when used in these rules:

Arrearage—outstanding child support or delinquent debt by a debtor or otherwise collectible by the claimant agency.

Claimant Agency—the Department of Children and Family Services (DCFS) and Office of Debt Recovery.

Debtor—a person who has been reported by a claimant agency to the corporation pursuant to these rules as having an arrearage, as evidenced by the records of the claimant agency.

Winner—a person entitled to the payment of a sports wagering prize of \$600.00 or more.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1895 (December 2021).

§1175. Obtaining Information from Claimant Agency

A. The corporation shall provide to the claimant agency a computer-readable format for the compilation, storage, and maintenance of a list of debtors by the claimant agency. The list of debtors generated by the claimant agency shall contain their arrearages and such other information as is mutually determined by the corporation and the claimant agency to be necessary and compatible with the goals of R.S. 47:9104 and the efficient and effective operation of the corporation and the claimant agency. The corporation shall accept the list as the claimant agency transmits and updates it to the corporation in the prescribed format at the intervals and times as specified by the corporation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1895 (December 2021).

§1177. Confirmation of Child Support Obligations or Delinquent Debt

A. The corporation shall determine that a winner is a debtor according to the following provisions.

1. Prior to the payment of any sports wagering prize of \$600 or more, the corporation's staff shall determine whether the name of the winner and/or social security

number appears on the most current list of debtors provided to the corporation by the claimant agencies.

2. If the name of the winner appears on a claimant agency's most current list of debtors, the corporation may contact the claimant agency to confirm the winner's status as a debtor and verify the amount of his or her arrearage. The corporation shall not be obligated to request confirmation but shall act in accordance with the information it obtains thereby if it does.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1895 (December 2021).

§1179. Disbursement of Prize Money to a Debtor.

A. The corporation shall disburse sports wagering prize money to a winner who is also a debtor as follows:

1. The corporation shall subtract the debtor's arrearage and all other amounts required to be withheld from sports wagering prizes from the debtor's prize, and shall pay the remainder to the debtor. If the remainder is less than zero, the debtor shall not receive a payment.

2. At regular intervals mutually determined by the corporation and the claimant agency, the corporation shall transfer all arrearages withheld by the corporation to the claimant agency.

3. Transfer of the debtor's arrearages to the claimant agency shall discharge the corporation from any liability to the debtor for payment of any prize money.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1896 (December 2021).

§1181. Reliance on Claimant Agency Information.

A. The corporation may enter into an agreement with the claimant agency entitling the corporation to rely on information it receives from the claimant agency and requiring the claimant agency to defend claims against the corporation for erroneous withholding of prize money in cases in which the corporation acts in accordance with information provided by the claimant agency. Otherwise, the corporation shall not be liable to any person for withholding a sports wagering prize based upon information provided to it by the claimant agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1896 (December 2021).

§1183. No Third Party Rights Created Hereby.

A. These rules are not intended to create contractual rights on behalf of any person or impose contractual obligations on the corporation, but are merely intended to provide a procedure for the corporation's staff to follow in assisting the appropriate state agency in the process of withholding the sports wagering prizes of persons with outstanding arrearages. No third party rights against the corporation arise by virtue of these rules. These rules are subject to modification or change at any time at the sole discretion of the corporation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:9001 et seq.

HISTORICAL NOTE: Promulgated by the Louisiana Lottery Corporation LR 47:1896 (December 2021).

Rose J. Hudson
President and CEO

2112#024

RULE

**Department of Transportation and Development
Professional Engineering and Land Surveying Board**

Principles and Practice of Land Surveying Examination,
Engineering Co-Op Programs and
Continuing Professional Development
(LAC 46:LXI.1309, 1507 and 3105)

Under the authority of the Louisiana professional engineering and land surveying licensure law, R.S. 37:681 et seq., and in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., the Louisiana Professional Engineering and Land Surveying Board has amended its rules contained in LAC 46:LXI.1309, 1507 and 3105.

This is a revision of existing rules under which LAPELS operates. The revision (a) permits land surveyor interns to take the principles and practice of land surveying examination prior to meeting the applicable experience requirement for licensure, (b) clarifies the requirements for applicants to receive engineering experience credit for the performance of engineering co-op program work and (c) clarifies the continuing professional development requirements for professional engineers who design, review or approve plans for buildings and/or building systems. This Rule is hereby adopted on the day of promulgation.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

**Part LXI. Professional Engineers and Land Surveyors
Chapter 13. Examinations**

**§1309. Approval to Take the Examinations in the
Principles and Practice of Land Surveying and
in the Louisiana Laws of Land Surveying**

A. Except as otherwise provided in Subsection B, only an individual who meets all of the other requirements for licensure as a professional land surveyor may be permitted to take the examinations in the principles and practice of land surveying and in the Louisiana laws of land surveying.

B. An individual who has already been duly certified as a land surveyor intern by the board may be permitted to take the examination in the principles and practice of land surveying, even though such individual has not yet met the experience requirement for licensure as a professional land surveyor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:113 (May 1979), amended LR 7:647 (December 1981), amended by the Department

of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1030 (July 2001), LR 30:1715 (August 2004), repromulgated LR 44:619 (March 2018), LR 47:895 (July 2021), LR 47:1896 (December 2021).

Chapter 15. Experience

§1507. Engineering Experience Subsequent to Degree

A. ...

B. Up to one year of engineering experience may be obtained prior to graduation, if obtained through a college or university-sponsored co-op program as part of an accredited engineering curriculum approved by the board, and only after completion of the first half of the curriculum. The co-op program work must appear on the applicant's college or university transcript for it to be considered. The amount of credit given for co-op program work will be based on the amount of co-op program work performed, will be limited by the applicant's academic course load and will only include co-op program work performed during an academic term. The co-op program work must be performed under the supervision of a professional engineer holding a valid license to engage in the practice of engineering issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, or, if not, an explanation shall be made showing why the work should be considered acceptable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:112 (May 1979), amended LR 7:647 (December 1981), LR 11:362 (April 1985), LR 27:1031 (July 2001), LR 30:1716 (August 2004), LR 44:620 (March 2018), LR 47:1896 (December 2021).

Chapter 31. Continuing Professional Development (CPD)

§3105. Requirements

A. Every professional engineer, including those listed in two or more disciplines, is required to earn 15 PDHs per calendar year in engineering-related acceptable activities. Professional engineers may not earn more than 8 PDHs within a single calendar day.

1. ...

2. At least four of the PDHs per calendar year shall be earned in *Life Safety Code*, building codes and/or Americans with Disabilities Act Accessibility Guidelines by every professional engineer who designs buildings and/or building systems or reviews and/or approves plans for buildings and/or building systems in Louisiana during such calendar year.

B. - B2. ...

C. Each dual licensee is required to earn 15 PDHs per calendar year; however, at least one-third of the PDHs for each calendar year shall be earned separately for each profession.

1. - 2. ...

3. At least four of the PDHs per calendar year shall be earned in *Life Safety Code*, building codes and/or Americans with Disabilities Act Accessibility Guidelines by every professional engineer who designs buildings and/or building systems or reviews and/or approves plans for buildings and/or building systems in Louisiana during such calendar year.

D. - E. ...

F. As used in this Section, the phrase *designs buildings and/or building systems* shall mean the design of and/or specifications for any component of any building and/or building system including but not limited to architectural engineering design, site work, foundations, structural, electrical, mechanical, fire protection system, communications and associated appurtenances.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2152 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1047 (July 2001), LR 30:1730 (August 2004), LR 37:2420 (August 2011), LR 42:1104 (July 2016), LR 44:629 (March 2018), LR 47:495 (April 2021), LR 47:1897 (December 2021).

Donna D. Sentell
Executive Director

2112#006

RULE

Department of Treasury Municipal Police Employees' Retirement System

Disability Retirement (LAC 58:XVIII.Chapter 13)

The Municipal Police Employees' Retirement System has adopted LAC 58:XVIII.Chapter 13 as authorized by R.S. 11:2225(A)(1). This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

This Rule codifies the requirements for a member's eligibility to receive a disability retirement benefit. Most of the terms and conditions are existing policy of MPERS. However, the Rule also contains a change recently adopted by the board and provides that disability benefits for certain individuals that fail to submit an earnings statement may be temporarily discontinued or revoked. This Rule is hereby adopted on the day of promulgation.

Title 58

RETIREMENT

Part XVIII. Municipal Police Employees' Retirement System

Chapter 13. Disability Retirement

§1301. Qualifications for Disability Retirement

A. On behalf of the board of trustees, the executive director is authorized and directed to designate, under R.S. 11:219, outside physicians in any area of medical specialty and from any area of the state either to review case histories or to conduct regular or appeal examinations of disability retirement applicants and beneficiaries.

B. No disability benefits will be considered certified by the board of trustees until the board-designated physician provides sufficient information for the executive director to determine whether the applicant is eligible for disability benefits and the percentage of average final compensation due to the applicant. If the member qualifies for any exemption from the provisions of R.S. 11:221(A) through (C), findings of fact supporting the qualification for the

exemption shall be included in the certification by the board-designated physician. For purposes of R.S. 11:2223(B), *performance of his official duties* shall have the same meaning as injury sustained in the line of duty for survivor's benefits purposes.

C. When evaluating a mental disorder, the board-designated physician shall physically examine the patient, and the physician's diagnosis shall conform to the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5), American Psychiatric Association (2013) or any subsequent revision thereof.

D. To be eligible for disability benefits under R.S. 11:2223(E)(2) for total loss of use of limb, a board-designated physician must certify that no effective function remains other than that which would be equally served by an amputation. The board-designated physician must also certify the date of the injury that caused the loss of the total use of the limb.

E. If an applicant fails to appear for a medical examination and the board-designated physician charges a cancellation fee, the applicant shall pay the cancellation fee. If the applicant fails to pay the cancellation fee, said fee, plus interest at the actuarial assumed rate of return calculated from the date of payment by the system to the board-designated physician, shall be deducted from any benefit amount determined to be due to the applicant.

F. If the board-designated physician's final certification decision is submitted when there are more than thirty days until the next board meeting, the executive director may, in his sole discretion, approve the disability retirement or file a written appeal on behalf of the board of trustees with the applicant. The executive director shall apply this procedure in a manner consistent with his fiduciary duty and shall report any approvals or appeals to the board of trustees at the next board meeting.

G. Every disability beneficiary shall complete an annual attending physician statement (AAPS) by May 1 for the first five years following the disability retirement and once in every three years thereafter until the earlier of the date the disability attains age 62 or reaches the equivalent age of regular retirement (which depends on age and actual years of service). After reviewing the AAPS, the executive director may require a disability beneficiary to undergo a medical examination by a board-designated physician. Payments to any disability beneficiary who has not yet attained the equivalent age of regular retirement who refuses to submit to a required medical examination by a medical board physician designated by the board of trustees, shall be discontinued until the beneficiary complies. Failure to comply within one year of the request shall result in revocation of benefits by the board of trustees via written notification sent to the disability beneficiary by the executive director.

H. Beginning on May 1, 2021, the benefits of every disability beneficiary who has not attained age sixty-two or reached the equivalent age of regular retirement who has not been certified by a board-designated physician as exempt under R.S. 11:221(A)(2), 222, or 223 who fails to submit the earnings statement required under R.S. 11:221(C) by May first, shall beginning on June 1, be discontinued, without retroactive reimbursement, until the statement is filed. If the earnings statement is not received by the end of the calendar

year, the executive director shall notify the retiree that all his rights in and to his disability pension have been revoked by the board of trustees pursuant to R.S. 11:221(C)(1).

I. Retroactive payments of suspended benefits under R.S. 11:220 and 11:221 must be requested in writing. The disability beneficiary must explain why any paperwork required was not submitted by the due date. All retroactive payments must be approved by the board of trustees. No retroactive payments shall be made to disability beneficiaries whose benefits were revoked.

J. Any disability beneficiary subject to R.S. 11:221(D)(1) who receives a financial award solely as a result of his disability shall be required to provide proof of the gross financial award, along with all legal and court costs associated with the settlement. The system staff shall request the actuary to convert the lump sum financial award, net of any related legal fees and court costs, into a whole life annuity equivalent based upon board-approved interest, mortality, and unisex assumptions. The recipient's disability benefit shall be offset by an amount equal to the difference between the inflation-adjusted final average compensation used to determine the disability benefit and the sum of the maximum monthly benefit, whole life annuity equivalent, and other outside earnings under R.S. 11:221. Disability applicants shall disclose any financial awards or pending claims for financial award on the application for disability retirement or within three days of filing a claim. Disability beneficiaries shall submit information regarding financial awards on the notarized annual earnings statement. Disability beneficiaries' benefits shall be reviewed annually for offset until the earlier of the beneficiaries' date of death or date of conversion to a regular retirement benefit. The monthly benefit of any disability beneficiary who is overpaid due to failure to report outside benefits or awards subject to R.S. 11:221(D) shall cease until fully recouped by the system, including interest at the actuarial assumed rate of return and actuarial fees paid by the system in the calculation or collection of amounts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:2225(A)(1).

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 47:1897 (December 2021).

Benjamin A. Huxen II
Executive Director/General Counsel

2112#035

RULE

Department of Treasury Municipal Police Employees' Retirement System

Reinstated Employees (LAC 58:XVIII.1101)

The Municipal Police Employees' Retirement System propose to adopt LAC 58:XVIII.Chapter 11 as authorized by R.S. 11:2225(A)(1). This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The system has adopted a new Chapter 11 pertaining to the purchase of service by a reinstated employee as it relates to civil service law. The Rule is codifying and adds

additional provisions as a result of Act 3 of the 2020 Regular Session. This Rule is hereby adopted on the day of promulgation.

Title 58

RETIREMENT

Part XVIII. Municipal Police Employees'

Retirement System

Chapter 11. Reinstated Employees

§1101. Purchases of Service by Reinstated Employees

A.1. When a member whose employment was terminated applies to the civil service board or a court of law for reinstatement, the member shall notify the system within three days of such application.

2. If the member retired and participated in the Deferred Retirement Option Plan prior to termination, the member shall not withdraw any funds from the member's DROP before a final legal determination has been made regarding eligibility for reinstatement.

B. When a member is reinstated to a position by the civil service or a court of law, the member is entitled to receive retirement service credit for the period of time prior to reinstatement provided payment in accordance with Subsection C is made to the system within 90 days of the date the system notifies the employer of the amount due for the reinstatement period.

C.1. If reinstated, the member shall pay an amount equal to the current employee's contributions based on the earned compensation for the reinstatement period. The employer shall pay an amount equal to the actuarial cost of a purchase of the service credit for which contributions were not timely paid, as calculated by the system's actuary pursuant to R.S. 11:158(C), less the amount owed by the employee. The employer shall also reimburse the system for any legal and actuarial fees paid by the system in the calculation or collection of amounts.

2. The member shall repay any retirement benefits received prior to reinstatement, plus interest at the actuarial assumed rate of return, calculated from the date each payment was made by the system.

D. A reinstated employee who refunded his contributions during the time for which he was reinstated shall pay an amount equal to the actuarial cost of a purchase of the service credit for which contributions were not timely paid, as calculated by the system's actuary pursuant to R.S. 11:158(C), to the system within 90 days of the date the system notifies the employee of the amount due. The employee shall also reimburse the system any legal and actuarial fees paid by the system in the calculation or collection of amounts. If the member does not pay the amounts required by this Subsection within 90 days of the date the system notifies the employee of the amount due, no service credit will be granted, and the reinstatement period shall not be included in the benefit calculation unless the member subsequently purchases the service credit in accordance with R.S. 11:158(C).

E. The employer shall provide the system with a report of earnings on a monthly basis for the period for the reinstatement period.

F. The employer may submit any amounts due to the system on the employee's behalf.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:2225(A)(1).

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 47:1899 (December 2021).

Benjamin A. Huxen II

Executive Director/General Counsel

2112#033

RULE

Department of Treasury

Municipal Police Employees' Retirement System

Renunciation of Benefit

(LAC 58:XVIII.901)

The Municipal Police Employees' Retirement System has adopted LAC 58:XVIII Chapter 9 as authorized by R.S. 11:2225(A)(1). This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The system has adopted a new Chapter 9 which seeks to define the term "injury sustained in the line of duty" and uses the definition to determine eligibility for a death or disability benefit in connection with a members' death or disability from COVID-19 or another contagious illness. The Rule is a new addition for the Municipal Police Employees' Retirement System. This Rule is hereby adopted on the day of promulgation.

Title 58

RETIREMENT

Part XVIII. Municipal Police Employees' Retirement System

Chapter 9. Survivor Benefits

§901. Definitions

A. For the purposes of R.S. 11:2220(B), *injury sustained in the line of duty* shall mean an injury or illness determined to arise out of any activity performed in the course and scope of the member's official duties.

A. To establish eligibility for death or disability benefits in connection with a member's death or disability due to COVID-19 or any other contagious disease that is spread in a similar manner by a virus, evidence must be presented to show that it is more likely than not that the illness resulted from the member's exposure to the virus that caused the disease, while performing an official duty. The board of trustees must find that the evidence shows a member with COVID-19 or any other contagious disease that is spread in a similar manner by a virus contracted it in the line of duty when:

1. the member was engaged in an official duty and circumstances indicate that it was medically possible that the member was exposed to the virus while so engaged; and

2. the member contracted the illness within a time-frame where it was medically possible to contract the illness from that exposure and the illness is listed as a cause of death on the member's death certificate. The board of trustees shall determine whether an illness resulted from the member's exposure while performing an official duty when there has not been a determination by a board-certified physician. Additionally, if a member makes a claim under the Louisiana Workers' Compensation Act, it must have been determined that it is a compensable claim.

B. The procedure for determining whether a member's death occurred in the line of duty shall be as follows: If a survivor indicates on the appropriate form that the death resulted from an injury sustained in the line of duty, the system staff shall obtain documentation from the member's employer regarding the cause of the member's death. The executive director shall classify the death as resulting from an injury sustained the line of duty if documentation from the member's employer and the survivor and the member's death certificate all demonstrate that the member's death was caused by an injury sustained in the line of duty. In all other cases, the staff shall report its findings to the board of trustees at the first board of trustees meeting that occurs following 30 days of receipt of documentation. Any motion to approve survivor benefits of a member killed in the line of duty shall contain findings of fact and a conclusion of eligibility. The executive director and the board of trustees shall apply these procedures in a manner consistent with their fiduciary duty.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:2225(A)(1).

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 47:1899 (December 2021).

Benjamin A. Huxen II
Executive Director/General Counsel

2112#036

RULE

Department of the Treasury Municipal Police Employees' Retirement System

Trustee Elections (LAC 58:XVIII Chapter 15)

The Municipal Police Employees' Retirement System propose to adopt LAC 58:XVIII Chapter 15 as authorized by R.S. 11:2225(A)(1). This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The system has adopted a new Chapter 15 pertaining to elections of Trustees to serve on the Municipal Police Employees' Retirement System (MPERS) Board of Trustees. This Rule codifies the rules governing the elections that were previously approved by the board and are current policy and practice at MPERS. This Rule is hereby adopted on the day of promulgation.

Title 58

RETIREMENT

Part XVIII. Municipal Police Employees' Retirement System

Chapter 15. Trustee Elections

§1501. Schedule

A. The executive director, in consultation with the board chair, shall adopt a schedule for the election process to be conducted as the need arises.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:2225(A)(1).

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 47:1900 (December 2021).

§1502. Nominations

A.1. A nomination postcard containing information on how to request a nomination packet shall be sent to the member's postal or email address as recorded in the office of the system as of the end of the month preceding the mail out. Members will need to contact the firm conducting the election to request a nomination packet.

2. Upon request, a nomination packet containing a petition for candidacy, an election schedule, and the rules governing elections shall be sent to each member of the system who will be eligible to vote for a candidate in a vacant position.

3. A candidate for a vacant retiree position on the board of trustees must be a regular retiree who retired, as of the date nominations close, from a police department of a participating municipality with the district for which he is a candidate and must be domiciled within the district for which he is a candidate. Once elected, he must remain domiciled within that district in order to continue serving in that position.

4. Once received by the firm conducting the election, the board of trustees shall only accept the name of the candidate nominated by petition of at least ten members of the system (other than the member being nominated) who are active or retired, as applicable, from municipalities within the district representative of the trustee position to be filled and place such candidate on the ballot, provided said candidates meets the requirements for trustee. The printed name of those persons signing the nominating petition must be legible for purposes of verification. Unverifiable signatories shall not count toward the required total. Members signing the petition shall also supply the final four digits of their Social Security number. The person being nominated is solely responsible for verifying that all persons signing as nominators are actually members of the system. Given that not all Louisiana municipal police officers are members of this system, potential nominees are strongly encouraged to do all of the following:

a. call the system office to verify membership of each nominator;

b. submit signatures of more than ten nominators; and

c. email, fax, or mail their completed nomination packet and resume to the firm conducting the election at least two weeks prior to the deadline.

5. The nominee may attach a resume' giving their qualifications and background, which will be furnished to the voting members along with the ballot. This resume' is to be mailed along with the petition for candidacy to the firm conducting the election. The resume' shall be limited to one 8 1/2 by 11 sheet of paper, which may be printed on both sides. If the resume is not submitted to the firm conducting the election by the deadline or if any information is included on the member's resume' other than qualifications and background, as determined by the board of trustees, the resume' will not be furnished to the voting members.

6. All nomination petitions shall be received by the firm conducting the election on a scheduled date as determined prior to such election as shown in the election schedule.

7. Within a reasonable amount of time after the firm conducting the election receives the completed nomination petition, the firm shall notify the potential nominee via telephone and email that his petition was received and forwarded to the system.

8. The firm conducting the election shall forward the submitted petitions and resumes to the system staff as they are received. As soon as possible, the system staff shall ensure that the petitions are valid. If they are not valid, then the system staff shall notify the potential nominees of the deficiencies. Regardless, to be accepted, a valid nomination petition must be received by the firm conducting the election on a scheduled date as determined prior to such election as shown in the election schedule.

B. Nominees shall be first be certified by the board of trustees as eligible candidates. If specifically provided for in the election schedule or if the meeting at which the nominees are to be certified is cancelled, then the board chair shall certify eligible nominees.

C. If, after the conclusion of the nomination process, the number of candidates does exceed or is more than the number of open positions for which election is being held, the names of the certified nominees shall be placed on a ballot in alphabetical order. If an incumbent is seeking reelection, their name shall appear first on the ballot.

D. If, after the conclusion of the nomination process, the number of candidates does not exceed or is fewer than the number of open positions for which election is being held the qualified shall be elected and presented to the board or board chair, as applicable, for certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:2225(A)(1).

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 47:1900 (December 2021).

§1503. Voting in General

A. An election postcard shall be mailed to each eligible member's postal or email address as recorded in the office of the system as of the end of the month preceding the mail out. The system will accept changes of address as corrected and will keep member files updated accordingly. If a member does not receive a postcard, another one may be sent out to him if requested in writing signed by him. If applicable, a change of address form must be completed. The postcard will contain instructions to request a paper ballot packet or to access the online voting from any internet capable device.

B. The system will accept changes of address as corrected and will keep member files updated accordingly. If a member does not receive a postcard, another one may be sent out to him if requested. If applicable, a change of address form must be completed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:2225(A)(1).

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 47:1901 (December 2021).

§1504. Online Voting

A. The voting website will consist of:

1. secure login page;
2. ballot page that includes the eligible candidates, as certified by the Board of Trustees, placed in alphabetical order. If an incumbent is seeking reelection, their name shall appear first on the ballot page;

3. links to bio/resume' for each candidate that submitted one;

4. vote confirmation page;

5. thank-you page; and

6. a logout button that redirects members to a URL of the organizations choosing.

B. Online Voting will be made available to members on the same day the election postcard is mailed to members, if postal ballots are used, and will remain open until the scheduled date as determined prior to such election as shown in the election schedule.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:2225(A)(1).

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 47:1901 (December 2021).

§1505. Mail Voting

A. If the board of trustees elects to use postal voting, a postage prepaid envelope with the post office box of the firm conducting the election shall be shown as the addressee shall be provided to the member for the purpose of returning the ballot to the firm conducting the election. Only those ballots returned in the pre-addressed envelope will be counted. All ballots shall be received by the firm conducting the election on a scheduled date as determined prior to such election as shown in the election schedule.

B. An instruction sheet shall accompany the ballot packet which shall instruct the member to:

1. place a mark in front of the name of the candidate he wishes to vote for;

2. place the ballot in the postage prepaid mailing envelope and seal it; and

3. mail it to arrive at the Post Office Box of the firm conducting the election on or before the date specified in the instruction sheet.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:2225(A)(1).

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 47:1901 (December 2021).

§1506. Election Results

A. Valid returned ballots will be opened and counted/tabulated at the office of the firm conducting the election. All candidates or their representatives may be present and observe the opening and tabulation of the ballots; however, no candidate or their representative may interfere with the opening and tabulation of the ballots. Notification must be provided to the firm conducting the election prior to the election mail date, of any authorized person interested in observing the opening and tabulation. The results will be available immediately after the tabulation of the ballots. After the board chair has accepted the certified ballot count and the executive director has published the official results on the system's website, the executive director shall notify the successful candidate of their election.

B. Ties affecting elected positions shall be decided by a coin toss held by the executive director in the presence of the candidates affected.

C. Appeals or grievances arising out of the election process shall be filed within 10 business days of the certification of the election results and will be heard by the Board of Trustees at the first board meeting held after

publication of the election results on the board's website. Any further appeals or grievances will be resolved by the courts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:2225(A)(1).

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 47:1901 (December 2021).

Benjamin A. Huxen II
Executive Director/General Counsel

2112#034

RULE

Department of Treasury Municipal Police Employees' Retirement System

Withdrawals and Interest (LAC 58:XVIII.303)

The Municipal Police Employees' Retirement System has adopted LAC 58:XVIII.303 as authorized by R.S. 11:2225(A)(1). This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Rule clarifies and codifies existing practice pertaining to withdrawals and interest earnings for Deferred Retirement Option Plan (DROP) accounts. Specifically, the Rule provides that if a member requests a withdrawal from their DROP account and leaves less than \$1,000 in the account, then the account will be closed and the remaining balance will be disbursed to the member. It also sets forth rules pertaining to the direct disbursement of DROP account interest earnings to the member in certain situations. This Rule is hereby adopted on the day of promulgation.

Title 58

RETIREMENT

Part XVIII. Municipal Police Employees' Retirement System

Chapter 3. Deferred Retirement Option Plan (DROP)

§303. Withdrawals and Interest

A. Requested withdrawals from Deferred Retirement Option Program accounts that would leave a balance in that account of \$1,000 or less shall be processed as a request for disbursement of the entire balance. All such withdrawal requests shall result in the closing of the account. The system may, at its option, conduct audits to identify DROP accounts with a balance of \$1,000 or less and may disburse the entire amount to the person in whose name the account exists or to their beneficiary after giving notice of at least 30 days prior to disbursement.

B. If an individual who elected to earn interest at a rate of one-half of one percent below the percentage rate of return of the system's investment portfolio as certified by the actuary in his yearly valuation report transfers or rolls over all funds in his account to another provider during the year, then the total amount of interest credited shall be disbursed to that individual.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:2225(A)(1).

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Municipal Police Employees' Retirement System, LR 47:1902 (December 2021).

Benjamin A. Huxen II
Executive Director/General Counsel

2112#037

RULE

Department of Treasury Board of Trustees of the Teachers' Retirement System

Optional Retirement Plan (ORP) (LAC 58:III.Chapter 15)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 11:826 that the Board of Trustees of the Teachers' Retirement System of Louisiana (TRSL) has amended LAC 58:III Chapter 15 relative to the Optional Retirement Plan (ORP) in order to ensure continued compliance with applicable federal law. This Rule is hereby adopted on the day of promulgation.

Title 58

RETIREMENT

Part III. Teachers' Retirement System of Louisiana Chapter 15. Optional Retirement Plan (ORP)

§1501. Definitions

- A. ...
B. Whenever used in the plan, each of the following terms has the meaning stated below.

* * *

Spouse—the person to whom a participant is married if the marriage is recognized by the state or other United States territory where the marriage is entered into, regardless of domicile. A domestic partner shall not be treated as a spouse.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:921-929.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Teachers' Retirement System of Louisiana, LR 40:2272 (November 2014), amended LR 47:1902 (December 2021).

§1513. Distributions

- A. - B.3. ...
C. Minimum Distribution
1. For purposes of this Section, the following definitions shall apply.

Designated Beneficiary—any individual who is designated as the beneficiary under the plan and is the designated beneficiary under IRC §401(a)(9) and treasury regulations section 1.401(a)(9)-1, Q&A-4.

Eligible Designated Beneficiary—a designated beneficiary who, as of the date of the death of the participant, is:

- i. the surviving spouse of the participant;
- ii. a child of the participant who has not reached the age of majority within the meaning of Code Section 401(a)(9)(F);
- iii. disabled within the meaning of Code Section 72(m)(7);

iv. chronically ill within the meaning of Code Section 7702B(c)(2) (except that the requirements of subparagraph (A)(i) thereof shall only be treated as met if there is a certification that, as of such date, the period of inability described in such subparagraph with respect to the individual is an indefinite one which is reasonably expected to be lengthy in nature); or

v. any other designated beneficiary who is not more than 10 years younger than the participant. Notwithstanding the preceding, a child described in Clause ii above shall cease to be an eligible designated beneficiary as of the date he or she reaches the age of majority within the meaning of Code Section 401(a)(9)(F).

Required Beginning Date—the April 1 of the calendar year following the later of:

i. the calendar year in which the participant attains age 72 (or age 70 1/2 if the participant was born before July 1, 1949); or

ii. the calendar year in which the participant retires.

(a). The participant, alternate payee, or beneficiary may elect on the applicable form whether to recalculate life expectancy (or any element of it) to the fullest extent permitted by IRC §401(a)(9)(D). If the participant, alternate payee, or beneficiary does not timely make this election, the participant, alternate payee, or beneficiary is deemed to have elected the default method specified by the applicable investment option(s), or to the extent that no method is so specified, that no recalculation shall apply with respect to any individual's life expectancy.

2. ...

3. The participant's entire interest will be distributed, or begin to be distributed, to the participant no later than the participant's required beginning date. If the participant dies before distributions begin, the participant's entire interest will be distributed, or begin to be distributed, no later than as follows.

a. If the participant's surviving spouse is the participant's sole designated beneficiary, then distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the participant died, or by December 31 of the calendar year in which the participant would have attained age 72 (or age 70 1/2 if the participant was born before July 1, 1949), if later.

3.b. - 7....

8. Upon the death of a participant after December 31, 2021, the following distribution provisions shall take effect; provided, however, that such provisions shall be subject to any regulations or other guidance issued under the Setting Every Community Up for Retirement Enhancement (SECURE) Act.

a. If the participant dies before the distribution of his or her entire interest (regardless of whether any distributions had begun before the participant's death) and the participant has a designated beneficiary:

i. the entire interest shall be distributed to the designated beneficiary by December 31 of the calendar year containing the tenth anniversary of the participant's death;

ii. notwithstanding Clause a.i, if the designated beneficiary is an eligible designated beneficiary, then the participant's entire interest shall be distributed beginning no

later than December 31 of the calendar year immediately following the calendar year in which the participant died, over the life of the eligible designated beneficiary or over a period not exceeding the life expectancy of the eligible designated beneficiary. If the eligible designated beneficiary is the surviving spouse, payment is not required until the later of December 31 of the calendar year immediately following the calendar year in which the participant died or December 31 of the calendar year in which the participant would have attained age 72 or age 70 1/2 if the participant was born before July 1, 1949.

iii. Upon the death of an eligible designated beneficiary before distribution of the participant's entire interest, the remainder of the entire interest shall be distributed to the beneficiary of the eligible designated beneficiary within 10 years of the eligible designated beneficiary's death.

iv. For an eligible designated beneficiary who is a minor child of the member, upon the attainment of the age of majority within the meaning of Code Section 401(a)(9)(F), the child shall cease to be an eligible designated beneficiary, and the remainder of the participant's entire interest shall be distributed to the child as a designated beneficiary within 10 years of the date that he or she attains the age of majority.

b. If the participant dies before distribution of his or her entire interest begins and the participant has no designated beneficiary, the participant's entire interest under the plan shall be distributed by December 31 of the calendar year containing the fifth anniversary of the participant's death. If the participant dies after distribution of his or her entire interest begins and the participant has no designated beneficiary, any remaining portion of the entire interest shall continue to be distributed at least as rapidly as under the method of distribution in effect at the time of the participant's death.

c. Any distribution required under the incidental death benefit requirements of Code Section 401(a) shall be treated as distributions required under Paragraph 8 of this Subsection.

D. - E.I.f. ...

F. Required Minimum Distribution Waiver of 2020

1. Notwithstanding any other provisions of this section, for 2020, the minimum distribution requirements will be satisfied as provided in this section, as determined by the provider responsible for the participant's or beneficiary's required minimum distribution.

2. A participant or beneficiary who would have been required to receive required minimum distributions in 2020 (or paid in 2021 for the 2020 calendar year for a participant with a required beginning date of April 2, 2021) but for the enactment of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, IRC 401(a)(9)(I) (2020 RMDs), and who would have satisfied that requirement by receiving distributions that are either equal to the 2020 RMDs or one or more payments in a series of substantially equal distributions (that include the 2020 RMDs) made at least annually and expected to last for the life (or life expectancy) of the participant, the joint lives (or joint life expectancy) of the participant and the participant's designated beneficiary, or for a period of at least 10 years (extended 2020 RMDs) will not receive those distributions for 2020 unless the participant or beneficiary chooses to receive such

distributions. Participants and beneficiaries described in the preceding sentence will be given the opportunity to elect to receive the distributions described in the preceding sentence. However, those participants and beneficiaries who receive required minimum distributions through the automatic payment system will continue to receive 2020 RMDs unless he or she elects not to receive the 2020 RMDs.

3. A participant or beneficiary who would have been required to receive a 2020 RMD, and who would have satisfied that requirement by receiving distributions that are equal to the 2020 RMDs or extended 2020 RMDs, will receive this distribution unless the participant or beneficiary chooses not to receive such distributions. Participants and beneficiaries described in the preceding sentence will be given the opportunity to elect to stop receiving the distribution described in the preceding sentence.

4. For purposes of the direct rollover provisions of the Plan, 2020 RMDs and extended 2020 RMDs shall also be treated as eligible rollover distributions in 2020.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:921-929.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Teachers' Retirement System of Louisiana, LR 40:2275 (November 2014), amended LR 47:1902 (December 2021).

§1515. Rollover Distribution

A. For purposes of this Section, the following definitions shall apply.

* * *

Eligible Retirement Plan—any program defined in IRC §401(a)(31) and 402(c)(8)(B), that accepts the distributee's eligible rollover distribution, and any of the following:

a. - g. ...

h. effective December 18, 2015, a simple IRA as described under IRC §408(p), provided that the rollover contribution is made after the two-year period described in IRC §72(t)(6).

* * *

B. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:921-929.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Teachers' Retirement System of Louisiana, LR 40:2277 (November 2014), amended LR 47:1904 (December 2021).

Katherine Whitney
Director

2112#025

RULE

Department of Treasury Board of Trustees of the Teachers' Retirement System

Voluntary Deductions from Retiree Benefits Payroll (LAC 58:III.Chapter 11)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 11:826 that the Board of Trustees of the Teachers' Retirement System of Louisiana (TRSL) has amended LAC 58:III Chapter 11. This rule is hereby adopted on the day of promulgation.

Title 58 RETIREMENT

Part III. Teachers' Retirement System of Louisiana Chapter 11. Voluntary Deductions from Retiree Benefits Payroll

§1101. General

A. TRSL shall maintain a Retiree Payroll Deduction Program to provide for the voluntary deduction from the benefit payments of any retiree, beneficiary, or survivor, for the following purposes:

1. supplemental life, health, dental, cancer, or other supplemental insurance premiums to be sent to a domestic or foreign insurance vendor, collectively referred to as *companies* for purposes of this Chapter;

2. payments to be sent to banks and credit unions, collectively referred to as *credit unions* for purposes of this Chapter;

3. membership dues for any professional organization whose staff is included in the definition of "teacher" in La. R.S. 11:701, or for membership dues of any retiree organization receiving payment through voluntary deductions on the effective date of this rule, collectively referred to as "professional organizations" for purposes of this Chapter.

B. This Chapter shall not apply to the withholding of contributions for accident and health and life insurance coverage for participants in the Office of Group Benefits or for participants in group insurance plans offered through city or parish school boards or other reporting agencies not participating in Office of Group Benefits programs.

C. Any TRSL retiree, beneficiary, or survivor is eligible to participate in the Retiree Payroll Deduction Program. However, a retiree, beneficiary, or survivor shall not authorize total deductions which would cause the net amount of the benefit to fall below \$5.00. TRSL will not deduct monthly premium amounts for any retiree, beneficiary, or survivor who owes monies to TRSL or has his/her benefit suspended.

D. A retiree, beneficiary or survivor may discontinue any voluntary payroll deduction from his/her monthly benefit check by providing written notification to the company, credit union or professional organization.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:826.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Teachers' Retirement System of Louisiana, LR 22:1243 (December 1996), repromulgated LR 24:503 (March 1998), amended LR 47:1904 (December 2021).

§1103. Application Process

A. Application for participation in the Retiree Payroll Deduction Program must be to TRSL on a form prescribed by TRSL which shall be certified and signed by two officers of the company, credit union or professional organization. The board of trustees retains the discretion to accept or deny any application for voluntary deductions by any company, credit union or professional organization.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:826.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Teachers' Retirement System of Louisiana, LR 22:1243 (December 1996), repromulgated LR 24:503 (March 1998), amended LR 47:1904 (December 2021).

§1105. Company, Credit Union and Professional Organization Requirements

A. Companies must meet the payroll deduction requirements for general insurance deduction vendors as set forth in state law and must be regulated by the Department of Insurance.

B. Credit unions must be regulated by the Office of Financial Institutions.

C. Companies, credit unions and professional organizations must have a minimum of 50 participating TRSL retirees, beneficiaries or survivors to commence participation in the Retiree Payroll Deduction Program.

D. Companies, credit unions and professional organizations shall be responsible for obtaining and maintaining appropriate deduction authorization from individual retirees, beneficiaries and survivors. Copies shall be made available to TRSL upon request.

E. Companies, credit unions and professional organizations are responsible for contract/loan terms between companies, credit unions and professional organizations and retirees. TRSL assumes no responsibility for the contract or terms of agreement.

F. Companies and credit unions are responsible for submitting authorized deductions to TRSL in accordance with the following.

1. Authorized deductions shall be submitted to TRSL by the twelfth day of the month preceding the month for which the deduction will be made using the format and specifications established by TRSL.

2. If the twelfth day of the month falls on a weekend, the deductions shall be due on the immediately preceding Friday.

3. Files received after the twelfth day of the month will not be processed.

4. All deductions for a single company or credit union shall be submitted on one file.

5. A retiree, beneficiary or survivor shall be allowed only one monthly deduction for a single company or credit union effective at any one time, however, this deduction may cover more than one product for a single company or credit union.

G. Each professional organization under this chapter who has membership dues remitted to them will enter into an agreement with TRSL which shall include provisions regarding the deduction timing, the manner in which information and membership dues are transmitted, and reimbursement for any fees or costs incurred by TRSL.

H. Companies, credit unions and professional organizations shall notify TRSL immediately upon learning of the death of a retiree, beneficiary or survivor. In the event that TRSL has remitted funds to the companies, credit unions and professional organizations after the death of a retiree, beneficiary or survivor and these funds were not due the retiree, beneficiary or survivor, companies, credit unions and professional organizations shall refund said monies to TRSL after notification.

I. Upon learning of the death of a retiree, beneficiary or survivor, even if not notified by the companies, credit unions

and professional organizations, TRSL shall be refunded any monies transmitted, but not due, after notification. The companies, credit unions and professional organizations will accept the certification of TRSL as to date of death of retiree, beneficiary or survivor as sufficient evidence of date of death in regard to any funds owed to TRSL.

J. The company, credit union, or professional organization shall be responsible for refunding the amounts deducted in error to the individual retiree, beneficiary, or survivor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:826.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Teachers' Retirement System of Louisiana, LR 22:1243 (December 1996), repromulgated LR 24:503 (March 1998), amended LR 47:1905 (December 2021).

§1107. Disclaimer

A. The company, credit union or professional organization is strictly prohibited from stating that any product offered has been endorsed or approved by TRSL and any such statement shall be grounds for immediate termination of the voluntary deduction program with said company, credit union or professional organization.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:826.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Teachers' Retirement System of Louisiana, LR 22:1243 (December 1996), repromulgated LR 24:504 (March 1998), amended LR 47:1905 (December 2021).

§1109. Transmittal of Withheld Amounts

A. Amounts deducted pursuant to this Chapter will normally be transmitted to the company/credit union by wire transfer by the tenth of each month of a deduction, unless technical issues beyond the control of TRSL cause a delay. If the tenth falls on a weekend, the immediately following working day after the tenth will be the date of transmittal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:826.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Teachers' Retirement System of Louisiana, LR 22:1243 (December 1996), repromulgated LR 24:504 (March 1998), amended LR 47:1905 (December 2021).

§1111. Termination of Payroll Deduction

A. The board of trustees may terminate the voluntary payroll deduction program by providing the company, credit union or professional organization with at least 30 days written notice.

B. Immediately upon notice from TRSL, payroll deductions for individual companies, credit unions or professional organizations company/credit unions may be terminated for unethical or unlawful conduct or practices.

AUTHORITY NOTE: Promulgated in accordance with R.S. 11:826.

HISTORICAL NOTE: Promulgated by the Department of the Treasury, Board of Trustees of the Teachers' Retirement System of Louisiana, LR 22:1243 (December 1996), repromulgated LR 24:504 (March 1998), amended LR 47:1905 (December 2021).

Katherine Whitney
Director

2112#064

Notices of Intent

NOTICE OF INTENT

Department of Agriculture and Forestry Office of Animal Health and Food Safety

Produce Safety
(LAC 7:V.1201-1231)

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 3:1461 et seq., notice is hereby given that the Department of Agriculture and Forestry (“Department”), through the Office of Animal Health and Food Safety, intends to promulgate LAC 7:V.1201-1231, as its Produce Safety Rules and Regulations. The proposed rules are being made in accordance with R.S. 3:921 et seq., which designates the department as the state agency responsible for cooperating with the U.S. Department of Health and Human Services regarding provisions of the FDA Food Safety Modernization Act to develop a program to ensure a safety of agricultural produce in Louisiana. The proposed rules set forth definitions applicable to the program; training requirements and qualifications for personnel on covered produce farms; health and hygiene standards on covered produce farms; requirements for biological soil amendments; restrictions on domesticated and wild animals on covered produce farms; standards for equipment, tools, buildings and sanitation on covered produce farms; requirements for registration, recordkeeping, and filing of annual reports; the issuance of stop orders when applicable; investigation of suspected violations of R.S. 3:921 et seq., or this Chapter, as well as adjudicatory hearings and penalties for violations of the same.

Title 7

AGRICULTURE AND ANIMALS

Part V. Advertising, Marketing and Processing

Chapter 12. Produce Safety

§1201. Purpose; General Requirements

A. Covered produce farms shall take appropriate measures to minimize the risk of serious adverse health consequences or death from the use of, or exposure to, covered produce, including those measures reasonably necessary to prevent the introduction of known or reasonably foreseeable hazards into covered produce, and to provide reasonable assurance that the produce is not adulterated under Section 402 of the Federal Food, Drug, and Cosmetic Act on account of such hazards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922 and 923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1203. Definitions

A. The definitions set forth in R.S. 3:921 are applicable to this Chapter, except where specifically defined herein.

B. The following words and terms are defined for the purposes of this Chapter.

Adequate—that which is needed to accomplish the intended purpose consistent with good public health practice.

Adequately Reduce Microorganisms of Public Health Significance—reduce the presence of such microorganisms to an extent sufficient to prevent illness.

Agricultural Tea—a water extract of biological materials (such as stabilized compost, manure, non-fecal animal byproducts, peat moss, pre-consumer vegetative waste, table waste, or yard trimmings), excluding any form of human waste, produced to transfer microbial biomass, fine particulate organic matter, and soluble chemical components into an aqueous phase. Agricultural teas are held for longer than one hour before application. Agricultural teas are soil amendments for the purposes of this rule.

Agricultural Tea Additive—a nutrient source (such as molasses, yeast extract, or algal powder) added to agricultural tea to increase microbial biomass.

Agricultural Water—water used in covered activities on covered produce where water is intended to, or is likely to, contact covered produce or food contact surfaces, including water used in growing activities (including irrigation water applied using direct water application methods, water used for preparing crop sprays, and water used for growing sprouts) and in harvesting, packing, and holding activities (including water used for washing or cooling harvested produce and water used for preventing dehydration of covered produce).

Animal Excreta—solid or liquid animal waste.

Application Interval—the time interval between application of an agricultural input (such as a biological soil amendment of animal origin) to a growing area and harvest of covered produce from the growing area where the agricultural input was applied.

Biological Soil Amendment—any soil amendment containing biological materials such as stabilized compost, manure, non-fecal animal byproducts, peat moss, pre-consumer vegetative waste, sewage sludge biosolids, table waste, agricultural tea, or yard trimmings, alone or in combination.

Biological Soil Amendment of Animal Origin—a biological soil amendment which consists, in whole or in part, of materials of animal origin, such as manure or non-fecal animal byproducts including animal mortalities, or table waste, alone or in combination. The term “biological soil amendment of animal origin” does not include any form of human waste.

Commissioner—the Commissioner of Agriculture and Forestry.

Composting—a process to produce stabilized compost in which organic material is decomposed by the actions of microorganisms under thermophilic conditions for a

designated period of time at a designated temperature, followed by a curing stage under cooler conditions.

Covered Activity—growing, harvesting, packing, or holding covered produce on a farm. Covered activity includes the manufacturing or processing of covered produce on a farm, but only to the extent that such activities are performed on raw agricultural commodities and such activities are within the meaning of “farm” as defined in this Chapter. Providing, acting consistently with, and documenting actions taken in compliance with written assurances as described in 21 CFR §112.2(b) are also covered activities. This definition does not apply to activities of a facility that are subject to 21 CFR 110.

Covered Produce—produce that is subject to the requirements of this Chapter in accordance with 21 CFR §§112.1 and 112.2. The term “covered produce” refers to the harvestable or harvested part of the crop.

Covered Produce Farm—any farm engaged in the growing, harvesting, packing, or holding of produce for human consumption which is subject to the requirements of the FDA Food Safety Modernization Act, 21 CFR §112.4, but shall not include farms that have twenty-five thousand dollars or less of gross income from sales of produce in a year.

Curing—the final stage of composting, which is conducted after much of the readily metabolized biological material has been decomposed, at cooler temperatures than those in the thermophilic phase of composting, to further reduce pathogens, promote further decomposition of cellulose and lignin, and stabilize composition. Curing may or may not involve insulation, depending on environmental conditions.

Department—the Louisiana Department of Agriculture and Forestry.

Food—food as defined in section 201(f) of the Federal Food, Drug, and Cosmetic Act, 21 USC 321 et seq., and includes seeds and beans used to grow sprouts.

Food Contact Surfaces—those surfaces that contact human food and those surfaces from which drainage or other transfer onto the food or onto surfaces that contact the food ordinarily occur during the normal course of operations. “Food contact surfaces” includes food contact surfaces of equipment and tools used during the harvest, packing, and holding of food and food products.

Fruit—the edible reproductive body of a seed, plant, or tree nut. “Fruit” means the harvestable or harvested part of a plant developed from a flower.

Harvesting—activities that are traditionally performed on farms for the purpose of removing raw agricultural commodities from the place they were grown or raised and preparing them for use as food. Harvesting is limited to activities performed on raw agricultural commodities, or on processed foods created by drying/dehydrating a raw agricultural commodity without additional manufacturing or processing, on a farm. “Harvesting” does not include activities that transform a raw agricultural commodity into a processed food as defined in Section 201(gg) of the Federal Food, Drug, and Cosmetic Act, 21 USC §321 et seq. The process of harvesting includes, but is not limited to the following: cutting (or otherwise separating) the edible portion of the raw agricultural commodity from the crop

plant and removing or trimming part of the raw agricultural commodity; cooling; field coring; filtering; gathering; hulling; removing stems and husks from; shelling; sifting; threshing; trimming of outer leaves of; and washing raw agricultural commodities grown on a farm.

Hazard—any biological agent that has the potential to cause illness or injury in the absence of its control.

Holding—the storage of food and activities performed incidental to the storage of a food. “Holding” also includes activities performed as a practical necessity for the distribution of food, but does not include activities that transform a raw agricultural commodity into a processed food as defined in Section 201(gg) of the Federal Food, Drug, and Cosmetic Act. Holding facilities could include warehouses, cold storage facilities, storage silos, grain elevators, and liquid storage tanks.

Known or Reasonably Foreseeable Hazard—a biological hazard that is known to be, or has the potential to be, associated with the farm or the food.

Large Business—For the purpose of this Chapter, a farm is a large business if it is subject to any of the requirements of this Chapter and, on a rolling basis, the average annual monetary value of produce you sold during the previous 3-year period exceeds \$500,000; and the farm is not eligible for a qualified exemption.

Manufacturing/Processing—making food from one or more ingredients, or synthesizing, preparing, treating, modifying or manipulating food, including food crops or ingredients. Manufacturing/processing activities include, but are not limited to the following: baking, boiling, bottling, canning, cooking, cooling, cutting, distilling, drying/dehydrating raw agricultural commodities to create a distinct commodity, evaporating, eviscerating, extracting juice, formulating, freezing, grinding, homogenizing, labeling, milling, mixing, packaging (including modified atmosphere packaging), pasteurizing, peeling, rendering, treating to manipulate ripening, trimming, washing, or waxing. For farms and farm mixed-type facilities, manufacturing/processing does not include activities that are part of harvesting, packing, or holding.

Manure—animal excreta, alone or in combination with litter for use as a soil amendment.

Microorganisms—yeasts, molds, bacteria, viruses, protozoa, and microscopic parasites including species having public health significance. The term “undesirable microorganisms” includes those microorganisms that are of public health significance, that subject food to decomposition, that indicate that food is contaminated with filth, or that otherwise may cause food to be adulterated.

Mixed-Type Facility—an establishment that engages in both activities that are exempt from registration under Section 415 of the Federal Food, Drug, and Cosmetic Act and activities that require the establishment to be registered.

Monitor—to conduct a planned sequence of observations or measurements to assess whether a process, point, or procedure is under control and, when required, to produce an accurate record of the observation or measurement.

Non-Fecal Animal Byproduct—solid waste (other than manure) that is animal in origin including, but not limited to, meat, fat, dairy products, eggs, carcasses, blood meal, bone

meal, fish meal, shellfish waste, fish emulsions, and offal, and is generated by commercial, institutional, or agricultural operations.

Packing—placing food into a container, other than packaging, the food and o includes activities performed incidental to packing a food such as sorting, culling, grading, and weighing or conveying incidental to packing or re-packing, but does not include activities that transform a raw agricultural commodity, as defined in Section 201(r) of the Federal Food, Drug, and Cosmetic Act, into a processed food as defined in Section 201(gg) of the Federal Food, Drug, and Cosmetic Act.

Pest—any objectionable animals or insects, including, but not limited to, birds, rodents, flies, and larvae.

Pre-Consumer Vegetative Waste—solid waste that is purely vegetative in origin, not considered yard trash, and derived from commercial, institutional, or agricultural operations without coming in contact with animal products, byproducts or manure, or with an end user (consumer). “Pre-consumer vegetative waste” includes material generated by farms, packing houses, canning operations, wholesale distribution centers and grocery stores; products that have been removed from their packaging (such as out-of-date juice, vegetables, condiments, and bread); and associated packaging that is vegetative in origin (such as paper or corn-starch based products). “Pre-consumer vegetative waste” does not include table waste, packaging that has come in contact with materials (such as meat) that are not vegetative in origin, or any waste generated by restaurants.

Primary Production Farm—an operation under one management in one general (but not necessarily contiguous) physical location devoted to the growing of crops, the harvesting of crops, the raising of animals including seafood, or any combination of these activities. The term “farm” includes operations that, in addition to the aforementioned activities, also:

- a. pack or hold raw agricultural commodities;
- b. pack or hold processed food, provided that all processed food used in such activities is either consumed on that farm or another farm under the same management, or is processed food identified in paragraph (i)(C)(2)(i) of this definition; and
- c. manufacture/process food, provided that:
 - i. all food used in such activities is consumed on that farm or another farm under the same management; or
 - ii. any manufacturing/processing of food that is not consumed on that farm or another farm under the same management consists only of:
 - (a). drying/dehydrating raw agricultural commodities to create a distinct commodity, and packaging and labeling such commodities, without requiring additional manufacturing/processing;
 - (b). treatment to manipulate the ripening of raw agricultural commodities, and packaging and labeling treated raw agricultural commodities, without requiring additional manufacturing/processing; and
 - (c). packaging and labeling raw agricultural commodities, when these activities do not involve additional manufacturing/processing.

Produce—any fruit or vegetable, which may include mixes of intact fruits and vegetables. “Produce” also includes, but not is limited to, mushrooms, sprouts, peanuts,

tree nuts, and herbs. Produce does not include food grains meaning the small, hard fruits or seeds of arable crops, or the crops bearing these fruits or seeds, that are primarily grown and processed for use as meal, flour, baked goods, cereals and oils rather than for direct consumption as small, hard fruits or seeds.

Qualified End-User—a consumer of food (where the term consumer does not include a business); or a restaurant or retail food establishment, as defined in 21 CFR §1.227, that is located:

- a. in the same state or the same Indian reservation as the farm that produced the food; or
- b. not more than 275 miles from such farm.

Raw Agricultural Commodity (RAC)—“raw agricultural commodity” as defined in Section 201(r) of the Federal Food, Drug, and Cosmetic Act.

Sanitize—to adequately treat cleaned surfaces by a process that is effective in destroying vegetative cells of microorganisms of public health significance, and in substantially reducing numbers of other undesirable microorganisms, but without adversely affecting the product or its safety for the consumer.

Secondary Activities Farm—an operation, which is not located on a primary production farm, devoted to harvesting, packing, and/or holding of raw agricultural commodities, provided that the primary production farm(s) that grows, harvests, and/or raises the majority of the raw agricultural commodities harvested, packed, and/or held by the secondary activities farm owns, or jointly owns, a majority interest in the secondary activities farm. A “secondary activities farm” may also conduct those additional activities allowed on a primary production farm as set forth in 21 CFR §1.227.

Sewage Sludge Biosolids—the solid or semi-solid residue generated during the treatment of domestic sewage in a treatment works within the meaning of the definition of “sewage sludge” set forth in 40 CFR 503.9.

Small Business—for the purpose of this Chapter, a farm is a small business if it is subject to any of the requirements of this Chapter and, on a rolling basis, the average annual monetary value of produce sold during the previous 3-year period is no more than \$500,000, and the farm is not a “very small business” as defined in this Section.

Soil Amendment—any chemical, biological, or physical material intentionally added to the soil to improve the chemical or physical condition of soil in relation to plant growth or to improve the capacity of the soil to hold water. The term “soil amendment” also includes growth media that serve as the entire substrate during the growth of covered produce.

Stabilized Compost—a stabilized (*i.e.*, finished) biological soil amendment produced through a controlled composting process.

Static Composting—a process to produce stabilized compost in which air is introduced into biological material, in a pile or row, that may or may not be covered with insulating material, or in an enclosed vessel by a mechanism that does not include turning.

Table Waste—any post-consumer food waste, irrespective of whether the source material is animal or vegetative in origin, derived from individuals, institutions,

restaurants, retail operations, or other sources where the food has been served to a consumer.

Turned Composting—a process to produce stabilized compost in which air is introduced into biological material, in a pile, row, or enclosed vessel, by turning on a regular basis. Turning is the process of mechanically mixing biological material that is undergoing a composting process with the specific intent of moving the outer, cooler sections of the material being composted to the inner, hotter sections.

Vegetable—the harvestable or harvested part of any plant or fungus whose fruit, fleshy fruiting bodies, seeds, roots, tubers, bulbs, stems, leaves, or flower parts are used as food and includes mushrooms, sprouts, and herbs.

Very Small Business—any farm that is subject to any of the requirements of this Chapter and, on a rolling basis, the average annual monetary value of produce sold during the previous 3-year period is no more than \$250,000.

Visitor—any person, other than personnel, who enters a covered farm with permission.

Water Distribution System—a system to carry water from its primary source to its point of use. A “water distribution system” may include pipes, sprinklers, irrigation canals, pumps, valves, storage tanks, reservoirs, meters, and fittings.

Yard Trimmings—purely vegetative matter resulting from landscaping maintenance or land clearing operations, including materials such as tree and shrub trimmings, grass clippings, palm fronds, trees, tree stumps, untreated lumber, untreated wooden pallets, and associated rocks and soils.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:921, 922, and 923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1205. Personnel Qualification and Training

A. All of the following requirements apply regarding qualifications and training for personnel that come into contact with covered produce or food contact surfaces.

1. All personnel, including temporary, part time, seasonal, and contracted personnel, who handle covered produce or food contact surfaces, or who are engaged in the supervision thereof, shall receive adequate training, as appropriate to the person’s duties, at the time of hire, and at least once annually.

2. All personnel, including temporary, part time, seasonal, and contracted personnel, who handle covered produce or food contact surfaces, or who are engaged in the supervision thereof, shall have a combination of education, training, and experience necessary to perform the person’s assigned duties in a manner that ensures compliance with this Chapter.

3. Training shall be conducted in a manner that is easily understood by the personnel being trained; and

4. Training shall be repeated as necessary and appropriate in light of observations or information indicating that personnel are not meeting standards established by 21 CFR §112.21-167.

B. At a minimum, all personnel who handle covered produce during covered activities or supervise the conduct of such activities shall receive training that includes all of the following:

1. principles of food hygiene and food safety;
2. the importance of health and personal hygiene for all personnel and visitors, including recognizing symptoms of a health condition that is reasonably likely to result in contamination of covered produce or food contact surfaces with microorganisms of public health significance; and
3. the standards established by 21 CFR §112.21-167 that are applicable to the employee’s job responsibilities.

C. Persons who conduct harvest activities for covered produce shall also receive training which includes all of the following:

1. recognizing covered produce that shall not be harvested, including covered produce that may be contaminated with known or reasonably foreseeable hazards;
2. inspecting harvest containers and equipment to ensure that they are clean, functioning properly, and maintained so as not to become a source of contamination of covered produce with known or reasonably foreseeable hazards; and
3. correcting problems with harvest containers or equipment, or reporting such problems to the supervisor or other responsible party, as appropriate to the person’s job responsibilities.

D. At least one supervisor or responsible party for each covered produce farm shall have successfully completed food safety training at least equivalent to that received under the standardized curriculum recognized as adequate by the United State Food and Drug Administration.

E. The owner, operator, or agent-in-charge of each covered produce farm shall assign or identify personnel to supervise or otherwise be responsible for operations to ensure compliance with the requirements of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922, and 923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1207. Health and Hygiene

A. Covered produce farms shall take measures to prevent contamination of covered produce and food contact surfaces with microorganisms of public health significance from any person with a communicable health condition. Communicable illnesses are those that present a public health risk in the context of normal work duties, such as infection, open lesion, vomiting, or diarrhea.

B. The measures taken to satisfy the requirements of Subsection A of this Section shall include all of the following:

1. excluding any person from working in any operations that may result in contamination of covered produce or food contact surfaces with microorganisms of public health significance when the person, by medical examination, the person’s acknowledgement, or observation, is shown to have, or appears to have, an applicable health condition, until the person’s health condition no longer presents a risk to public health; and

2. instructing personnel to notify their supervisor(s) or a responsible party if they have, or if there is a reasonable possibility that they have an applicable health condition.

C. Personnel who work in an operation in which covered produce or food contact surfaces are at risk of contamination

with known or reasonably foreseeable hazards shall use hygienic practices while on duty to the extent necessary to protect against such contamination.

D. The hygienic practices that personnel use to satisfy the requirements of paragraph (C) of this Section when handling covered produce or food contact surfaces during a covered activity shall include all of the following:

1. maintaining adequate personal cleanliness to protect against contamination of covered produce and food contact surfaces;

2. avoiding contact with animals other than working animals, and taking appropriate steps to minimize the likelihood of contamination of covered produce when in direct contact with working animals;

3. washing hands thoroughly, including scrubbing with soap (or other effective surfactant), and running water that satisfies the requirements of §21 CFR 112.44(a), for water used to wash hands, and drying hands thoroughly using single-service towels, sanitary towel service, electric hand dryers, or other adequate hand drying devices;

a. before starting work;

b. before putting on gloves;

c. after using the toilet;

d. upon return to the work station after any break or other absence from the work station;

e. as soon as practical after touching animals (including livestock and working animals), or any waste of animal origin; and

f. at any other time when the hands may have become contaminated in a manner that is reasonably likely to lead to contamination of covered produce with known or reasonably foreseeable hazards;

4. if using gloves to handle covered produce or food contact surfaces, maintaining gloves in an intact and sanitary condition and replacing such gloves when no longer able to do so;

5. removing or covering hand jewelry that cannot be adequately cleaned and sanitized during periods in which covered produce is manipulated by hand; and

6. not eating, chewing gum, or using tobacco products in an area used for a covered activity; however, drinking beverages may be permitted in designated areas.

E. Visitors shall be made aware of policies and procedures to protect covered produce and food contact surfaces from contamination by people, and all steps reasonably necessary to ensure that visitors comply with such policies and procedures shall be taken.

F. Toilet and hand-washing facilities shall be made accessible to visitors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922 and 923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1209. Agricultural Water

A. All agricultural water shall be safe and of adequate sanitary quality for its intended use in compliance with 21 CFR §112(e).

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922 and 923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1211. Biological Soil Amendments of Animal Origin and Human Waste

A. A biological soil amendment of animal origin is treated if it has been processed to completion to adequately reduce microorganisms of public health significance in accordance with the requirements of 21 CFR §112.54, or, in the case of an agricultural tea, the biological materials of animal origin used to make the tea have been so processed, the water used to make the tea is not untreated surface water, and the water used to make the tea has no detectable generic *Escherichia coli* (*E. coli*) in 100 milliliters (mL) of water.

B. A biological soil amendment of animal origin is untreated if it:

1. has not been processed to completion in accordance with the requirements of 21 CFR §112.54, or in the case of an agricultural tea, the biological materials of animal origin used to make the tea have not been so processed, or the water used to make the tea is untreated surface water, or the water used to make the tea has detectable generic *E. coli* in 100 mL of water;

2. has become contaminated after treatment;

3. has been recombined with an untreated biological soil amendment of animal origin;

4. is or contains a component that is untreated waste that you know or have reason to believe is contaminated with a hazard or has been associated with foodborne illness; or

5. is an agricultural tea made with biological materials of animal origin that contains an agricultural tea additive.

C. Any biological soil amendment of animal origin shall be handled, conveyed, and stored in a manner and location such that it does not become a potential source of contamination to covered produce, food contact surfaces, areas used for a covered activity, water sources, water distribution systems, and other soil amendments. Agricultural teas that are biological soil amendments of animal origin may be used in water distribution systems provided that all other requirements of this rule are met.

D. Any treated biological soil amendment of animal origin shall be handled, conveyed, and stored in a manner and location that minimizes the risk of it becoming contaminated by an untreated or in-process biological soil amendment of animal origin.

E. Any biological soil amendment of animal origin that is known or reasonably believed to have become contaminated shall be handled, conveyed, and stored as if it was untreated.

F. Human waste shall not be used for growing covered produce, except sewage sludge biosolids used in accordance with the requirements of 40 CFR §503(D), or equivalent regulatory requirements.

G. Each of the following treatment processes are acceptable for a biological soil amendment of animal origin applied in the growing of covered produce, provided that the resulting biological soil amendments are applied in accordance with the applicable requirements of 21 CFR §112.56:

1. a scientifically valid controlled physical process, chemical process, biological process, or a combination of scientifically valid controlled physical, chemical and/or biological processes that has been validated to satisfy the

microbial standard in 21 CFR §112.55(a) for *Listeria monocytogenes* (*L. monocytogenes*), *Salmonella* species, and *E. coli* O157:H7; or

2. a scientifically valid controlled physical, chemical, or biological process, or a combination of scientifically valid controlled physical, chemical, and/or biological processes, that has been validated to satisfy the microbial standard in 21 CFR §112.55.(b) for *Salmonella* species and fecal coliforms. Scientifically valid controlled biological (e.g., composting) processes that meet the microbial standard in 21 CFR §112.55(b) include:

a. static composting that maintains aerobic conditions at a minimum of 131°F (55°C) for 3 consecutive days and is followed by adequate curing; and

b. turned composting that maintains aerobic conditions at a minimum of 131°F (55°C) for 15 days, which do not have to be consecutive, with a minimum of five turnings, and is followed by adequate curing.

H. The following microbial standards apply to the treatment processes in 21 CFR §112.54, as set forth therein:

1. For *L. monocytogenes*, *Salmonella* species, and *E. coli* O157:H7, the relevant standards in the table in this paragraph; or

For the microorganism -	The microbial standard is -
a. <i>L. monocytogenes</i>	Not detected using a method that can detect one colony forming unit (CFU) per 5 gram (or milliliter, if liquid is being sampled) analytical portion.
b. <i>Salmonella</i> species	Not detected using a method that can detect three most probable numbers (MPN) per 4 grams (or milliliter, if liquid is being sampled) of total solids.
c. <i>E. coli</i> O157:H7	Not detected using a method that can detect 0.3 MPN per 1 gram (or milliliter, if liquid is being sampled) analytical portion.

2. *Salmonella* species are not detected using a method that can detect three MPN *Salmonella* species per 4 grams of total solids (dry weight basis); and less than 1,000 MPN fecal coliforms per gram of total solids (dry weight basis).

3. Biological soil amendments of animal origin specified in the first column of the table below shall be applied in accordance with the application requirements specified in the second column of the table in this paragraph and the minimum application intervals specified in the third column of the table in this paragraph.

If the biological soil amendment of animal origin is -	Then the biological soil amendment of animal origin shall be applied -	And then the minimum application interval is -
a. Untreated	In a manner that does not contact covered produce during application and minimizes the potential for contact with covered produce after application.	[Reserved]
b. Untreated	In a manner that does not contact covered produce during or after application.	0 days

If the biological soil amendment of animal origin is -	Then the biological soil amendment of animal origin shall be applied -	And then the minimum application interval is -
c. Treated by a scientifically valid controlled physical, chemical, or biological process, or a combination of scientifically valid controlled physical, chemical, or biological processes, in accordance with the requirements of 21 CFR §112.54(b) to meet the microbial standards in 21 CFR §112.55(b)	In a manner that minimizes the potential for contact with covered produce during and after application.	0 days
d. Treated by a scientifically valid controlled physical, chemical, or biological process, or combination of scientifically valid controlled physical, chemical, or biological processes, in accordance with the requirements of 21 CFR §112.54(a) to meet the microbial standard in 21 CFR §112.55(a)	In any manner (i.e., no restrictions)	0 days

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922 and 923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1213. Domesticated and Wild Animals, Relative to Covered Produce

A. The requirements of this Section apply when a covered activity takes place in an outdoor area or a partially-enclosed building and when, under the circumstances, there is a reasonable probability that animals will contaminate covered produce.

B. The requirements of this Section do not apply:

1. when a covered activity takes place in a fully-enclosed building; or

2. to fish used in aquaculture operations.

C. If there is reasonable probability that grazing animals, working animals, or animal intrusion will contaminate covered produce, then:

1. the relevant areas used for a covered activity shall be assessed for evidence of potential contamination of covered produce as needed during the growing season; and

2. if significant evidence of potential contamination is found, such as observation of animals, animal excreta or crop destruction, the covered produce shall be evaluated to determine whether it can be harvested in accordance with the requirements of 21 CFR §112.112, and reasonably necessary measures shall be taken during growing to assist later during harvest when covered produce that is reasonably likely to be contaminated with a known or reasonably foreseeable hazard shall be identified and not harvested.

D. Nothing in this regulation authorizes the “taking” of threatened or endangered species, as that term is defined by the Endangered Species Act (16 U.S.C. 1531-1544) (i.e., to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture,

or collect, or to attempt to engage in any such conduct). This regulation does not require covered farms to take measures to exclude animals from outdoor growing areas, or to destroy animal habitat or otherwise clear farm borders around outdoor growing areas or drainages.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922, and R.S. 9:923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1215. Growing, Harvesting, Packing, and Holding Activities

A. If a covered produce farm grows, harvests, packs, or holds produce that is not covered in this part (i.e., excluded produce in accordance with 21 CFR §112.2) and also conducts such activities on covered produce, and the excluded produce is not grown, harvested, packed or held in accordance with this Chapter, measures shall be taken during these covered activities, as applicable, to:

1. keep covered produce separate from excluded produce, except when covered produce and excluded produce are placed in the same container for distribution; and

2. adequately clean and sanitize, as necessary, any food contact surfaces that contact excluded produce before using such food contact surfaces for covered activities on covered produce.

B. All reasonably necessary measures shall be taken to identify, not harvest, covered produce that is reasonably likely to be contaminated with a known or reasonably foreseeable hazard, including steps to identify and not harvest covered produce that is visibly contaminated with animal excreta. At a minimum, identifying and not harvesting covered produce that is reasonably likely to be contaminated with, or that is visibly contaminated with, animal excreta requires a visual assessment of the growing area and all covered produce to be harvested, regardless of the harvest method used.

C. Harvested covered produce shall be handled during covered activities in a manner that protects against contamination with known or reasonably foreseeable hazards.

D. Dropped covered produce shall not be distributed. Dropped covered produce is covered produce that drops to the ground before harvest. Dropped covered produce does not include root crops that grow underground, crops that grow on the ground, or produce that is intentionally dropped to the ground as part of harvesting.

E. Covered produce shall be packaged in a manner that prevents the formation of *Clostridium botulinum* toxin if such toxin is a known or reasonably foreseeable hazard.

F. Food-packing material that is adequate for its intended use shall be used, which includes being:

1. cleanable or designed for single use; and
2. unlikely to support the growth or transfer of bacteria.

G. If food-packing material is reused, adequate steps shall be taken to ensure that food contact surfaces are clean.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:921, R.S. 3:922, and R.S. 9:923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1217. Equipment, Tools, Buildings, and Sanitation

A. Equipment and tools subject to the requirements of this Chapter are those that are intended or likely to contact covered produce, and those instruments or controls used to measure, regulate, or record conditions to control or prevent the growth of microorganisms of public health significance. Equipment and tools used for covered produce include, but are not limited to:

1. knives;
2. implements;
3. mechanical harvesters;
4. waxing machinery;
5. cooling equipment (including hydrocoolers);
6. grading belts;
7. sizing equipment;
8. palletizing equipment;
9. equipment used to store or convey harvested covered produce;
10. containers;
11. bins;
12. food-packing material;
13. dump tanks;
14. flumes;
15. vehicles; or
16. other equipment used for transport that are intended to, or likely to, contact covered produce.

B. Buildings subject to the requirements of this Chapter include:

1. any fully- or partially-enclosed building used for covered activities, including minimal structures that have a roof but do not have any walls; and
2. storage sheds, buildings, or other structures used to store food contact surfaces, such as harvest containers and food-packing materials.

C. Equipment and tools subject to this Chapter shall:

1. be of adequate design, construction, and workmanship to enable them to be adequately cleaned and properly maintained;
2. be installed and maintained to facilitate cleaning of the equipment and all adjacent spaces;
3. be stored and maintained to protect covered produce from being contaminated with known or reasonably foreseeable hazards, and to prevent the equipment and tools from attracting and harboring pests;
4. have seams on food contact surfaces that are either smoothly bonded, or maintained to minimize accumulation of dirt, filth, food particles, and organic materials and thus minimize the opportunity for harborage or growth of microorganisms; and
5. be inspected, maintained, cleaned, and, when necessary and appropriate, all food contact surfaces of equipment and tools used in covered activities shall be maintained, cleaned, and sanitized as frequently as reasonably necessary to protect against contamination of covered produce.

D. If equipment such as pallets, forklifts, tractors, and vehicles are used as intended or likely to contact covered produce, they shall be used in a manner that minimizes the potential for contamination of covered produce or food contact surfaces with known or reasonably foreseeable hazards.

F. Instruments or controls used to measure, regulate, or record temperatures, hydrogen-ion concentration (pH), sanitizer efficacy or other conditions, in order to control or prevent the growth of microorganisms of public health significance, shall be:

1. accurate and precise as necessary and appropriate in keeping with their purpose;
2. adequately maintained; and
3. adequate in number for their designated uses.

E. Equipment that is subject to this Section used to transport covered produce shall be:

1. adequately cleaned before use in transporting covered produce; and
2. adequate for use in transporting covered produce.

F. All of the following requirements apply regarding buildings.

1. Buildings shall be suitable in size, construction, and design to facilitate maintenance and sanitary operations for covered activities to reduce the potential for contamination of covered produce or food contact surfaces with known or reasonably foreseeable hazards. Buildings shall:

- a. provide sufficient space for placement of equipment and storage of materials;
- b. permit proper precautions to be taken to reduce the potential for contamination of covered produce, food contact surfaces, or packing materials with known or reasonably foreseeable hazards. The potential for contamination shall be reduced by effective design including the separation of operations in which contamination is likely to occur, by one or more of the following means: location, time, partition, enclosed systems, or other effective means; and

2. Adequate drainage shall be provided in all areas where normal operations release or discharge water or other liquid waste on the ground or floor of the building.

G. Measures to prevent contamination of covered produce and food contact surfaces in buildings shall be implemented, as appropriate, considering the potential for such contamination.

H. Reasonable precautions shall be taken to prevent contamination of covered produce, food contact surfaces, and food-packing materials in fully-enclosed buildings with known or reasonably foreseeable hazards from domesticated animals by:

1. excluding domesticated animals from fully-enclosed buildings where covered produce, food contact surfaces, or food-packing material is exposed; or
2. separating domesticated animals in a fully-enclosed building from an area where a covered activity is conducted on covered produce by location, time, or partition.

I. Guard or guide dogs may be allowed in some areas of a fully enclosed building if the presence of the dogs is unlikely to result in contamination of produce, food contact surfaces, or food-packing materials.

J. Reasonably necessary measures shall be taken to protect covered produce, food contact surfaces, and food-packing materials from contamination by pests in buildings, including routine monitoring for pests as necessary and appropriate.

K. For fully-enclosed buildings, measures shall be taken to exclude pests from buildings.

L. For partially-enclosed buildings, measures shall be taken to prevent pests from becoming established in such buildings, such as by use of screens or by monitoring for the presence of pests and removing them when present.

M. All of the following requirements apply to toilet facilities:

1. personnel shall be provided with adequate, readily accessible toilet facilities, including toilet facilities readily accessible to growing areas during harvesting activities;

2. toilet facilities shall be designed, located, and maintained to:

- a. prevent contamination of covered produce, food contact surfaces, areas used for a covered activity, water sources, and water distribution systems with human waste;
- b. be directly accessible for servicing, be serviced and cleaned at a frequency sufficient to ensure suitability of use, and be kept supplied with toilet paper; and
- c. provide for the sanitary disposal of waste and toilet paper;

3. during growing activities that take place in a fully-enclosed building, and during harvesting, packing, or holding activities, a hand-washing station shall be provided in sufficiently close proximity to toilet facilities to make it practical for persons who use the toilet facility to wash their hands.

N. All of the following requirements apply to hand-washing facilities.

1. Personnel shall be provided with adequate, readily accessible hand-washing facilities during growing activities that take place in a fully-enclosed building, and during covered harvest, packing, or holding activities.

2. Hand-washing facilities shall be furnished with:
- a. soap or other effective surfactant,
 - b. running water that satisfies the requirements of 21 CFR §112.44(a) for water used to wash hands, and
 - c. adequate drying devices, such as single service towels, sanitary towel service, or electric hand dryers.

3. Appropriate disposal of waste associated with a hand-washing facility shall be provided. Appropriate measures shall be taken to prevent waste water from a hand-washing facility from contaminating covered produce, food contact surfaces, areas used for a covered activity, agricultural water sources, and agricultural water distribution systems with known or reasonably foreseeable hazards.

4. Antiseptic hand rubs shall not be used as a substitute for soap (or other effective surfactant) and water.

O. All of the following requirements shall apply for the control and disposal of sewage:

1. Sewage shall be disposed into an adequate sewage or septic system or through other adequate means.

2. Sewage and septic systems shall be maintained in a manner that prevents contamination of covered produce, food contact surfaces, areas used for a covered activity, agricultural water sources, and agricultural water distribution systems with known or reasonably foreseeable hazards; and

3. Leakages or spills of human waste shall be disposed in a manner that prevents contamination of covered

produce, and prevents or minimizes contamination of food contact surfaces, areas used for a covered activity, agricultural water sources, or agricultural water distribution systems.

P. All of the following requirements apply to the control and disposal of trash, litter, and waste in areas used for covered activities:

1. Trash, litter, and waste shall be conveyed, stored, and disposed to:

a. minimize the potential for trash, litter, or waste to attract or harbor pests; and

b. protect against contamination of covered produce, food contact surfaces, areas used for a covered activity, agricultural water sources, and agricultural water distribution systems with known or reasonably foreseeable hazards.

2. Systems for waste treatment and disposal shall be adequately operated so that they do not constitute a potential source of contamination in areas used for a covered activity.

Q. The plumbing shall be of an adequate size and design and be adequately installed and maintained to:

1. distribute water under pressure as needed, in sufficient quantities, in all areas where used for covered activities, for sanitary operations, or for hand-washing and toilet facilities;

2. properly convey sewage and liquid disposable waste;

3. avoid being a source of contamination to covered produce, food contact surfaces, areas used for a covered activity, or agricultural water sources; and

4. not allow backflow from, or cross connection between, piping systems that discharge waste water or sewage and piping systems that carry water used for a covered activity, for sanitary operations, or for use in hand-washing facilities.

R. If domesticated animals are present, their excreta and litter shall be adequately controlled and a system for control thereof shall be maintained in order to prevent contamination of covered produce, food contact areas used for a covered activity, agricultural water sources, or agricultural water distribution systems with animal waste.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922 and 923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1219. Sprouts

Reserved.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922 and 923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1221. Registration of Farms

A. Every covered produce farm, as defined within this Chapter, whose annual gross produce sales is \$25,000 or more over a period of three consecutive years shall:

1. register with the department in accordance with this Chapter on an annual basis no later than July 1 of each year; and

2. update the registration with the department within 90 day of any changes in activity on the covered produce farm.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922, 923 and 924.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1223. Records

A. Except as otherwise specified herein, all records required under this Chapter shall:

1. include, as applicable:

a. the name and location of the covered produce farm;

b. actual values and observations obtained during monitoring;

c. an adequate description, such as the commodity name, or the specific variety or brand name of a commodity, and, when available, any lot number or other identifier, of covered produce applicable to the record; and

d. the date and time of the activity documented;

2. be created at the time an activity is performed or observed;

3. be accurate, legible, and indelible; and

4. be dated, and signed or initialed by the person who performed the activity documented.

B. Records required under this Chapter shall be reviewed, dated, and signed, within a reasonable time after the records are made, by a supervisor or responsible party.

C. Offsite storage of records is permitted if such records can be retrieved and provided onsite within 24 hours of request for official review.

D. Electronic records are considered to be onsite at a covered produce farm if they are accessible from an onsite location at that farm.

E. Existing records (e.g., records that are kept to comply with other federal, state, or local regulations, or for any other reason) do not need to be duplicated if they contain all of the required information and satisfy the requirements of this Chapter. Existing records may be supplemented as necessary to include all of the required information and satisfy the requirements of this Chapter.

F. The information required by this Chapter does not need to be kept in one set of records. If existing records contain some of the required information, any new information required by this Chapter may be kept either separately or combined with the existing records.

G. Records required by this Chapter shall be kept for at least two years past the date the record was created.

H. Records that a farm relies on during the three-year period preceding the applicable calendar year to satisfy the criteria for a qualified exemption, in accordance with 21 CFR §112.5 and §112.7, shall be retained as long as necessary to support the farm's status during the applicable calendar year.

I. Records that relate to the general adequacy of the equipment or processes or records that relate to analyses, sampling, or action plans being used by a farm, including the results of scientific studies, tests, and evaluations, shall be retained at the farm for at least two years after the use of such equipment or processes, or records related to analyses, sampling, or action plans, is discontinued.

J. Records shall be kept as:

1. original records;

2. true copies, such as photocopies, pictures, scanned copies, microfilm, microfiche, or other accurate reproductions of the original records; or

3. electronic records.

K. All records required under this Chapter shall be readily available and accessible during the retention period for inspection and copying by the department upon oral or written request, except that records kept offsite shall be maintained so that they are obtainable within 24 hours and shall be made available and accessible to the department for inspection and copying.

L. If electronic techniques are used to keep records, or to keep true copies of records, or if reduction techniques are used, such as microfilm to keep true copies of records, the records shall be provided to the department in a format in which they are accessible and legible.

M. If a covered produce farm is closed for a prolonged period, the records may be transferred to some other reasonably accessible location, but shall be returned to that farm within 24 hours for official review upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922, 923, and 924.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1225. Reports

A. Every covered produce farm, as defined within this Chapter shall timely file an annual report with the department, by no later than June 1 every year.

B. The department will send annual report forms to covered produce farms by U.S. Mail or email, to be completed and returned to the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922 and 923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1227. Stop Orders

A. The department or its authorized representative(s) shall have the right to enter any covered produce farm to inspect that facility and any records pertaining to the growing, harvesting, packing, or holding of covered produce.

B. The department or its authorized representative(s) may, while enforcing the provisions of this Chapter, issue and enforce a written, printed or stamped stop order to prevent covered produce from being sold, shipped or removed from the premises where they are found if:

1. the department's authorized representative has been refused the right to enter the premises where the covered produce has been grown, harvested, packed, or held; or

2. the covered produce farm is in violation of this Chapter;

C. Upon issuance of a stop order, the department may:

1. order that the covered produce may not be sold, shipped, or removed from the premises at the time the stop order is issued.

D. The stop order may be released by the department when:

1. proof of compliance with this Chapter is furnished to the department if the stop order was issued because of a violation of this Section; or

2. a department-authorized representative has been allowed to enter the premises where the covered produce is grown, harvested, packed, or held and inspect the covered produce or inspect records if the stop order was issued based on refusal to allow entry or inspection; or

3. the department determines that circumstances warrant the release of the stop order, upon such terms and conditions that the department deems necessary or proper.

E. Any person aggrieved by the issuance of a stop order by the department may request an administrative adjudicatory hearing to contest the validity of the stop order by making a written request, within five calendar days, to the department for such a hearing. Within five business days after the department receives the written request an administrative adjudicatory hearing shall be held by the department in accordance with the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922 and 923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1229. Investigation

A. When the department has reason to believe that a violation of R.S. 3:921 et seq., or this Chapter has occurred, the department may conduct an investigation to gather information regarding any possible violation.

B. The department may initiate an investigation either in response to a complaint or on its own.

C. The department or its authorized representative(s) shall have the right to enter any covered produce farm to investigate any alleged or suspected violations of R.S. 3:921 et seq. or the provisions of this Chapter.

D. Covered farms have a duty to cooperate with any investigation conducted by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922 and 923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1231. Violations; Penalties

A. Each violation of these rules and regulations, any stop order or other orders issued by the Commissioner in the enforcement of these rules and regulations and every day of a continuing violation shall be considered a separate and distinct violation subject to charges and penalties under these rules and regulations.

B. Notwithstanding the criminal violations set forth in R.S. 3:925, whoever violates R.S. 3:921-928, or the regulations promulgated herein, shall be fined not less than \$25 nor more than \$100.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922 and 923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

§1233. Adjudicatory Hearings

A. If, after an investigation has been conducted, the department has reason to believe that a covered produce farm has violated any provision of R.S. 3:921-928 or this Chapter, the department may conduct an adjudicatory hearing in accordance with the Administrative Procedure Act

(R.S. 49:950 et seq.) in order to determine whether a violation has occurred and whether to impose civil penalties.

B. All hearings conducted pursuant to this Section shall be heard by a three-person panel appointed by the commissioner. The commissioner may appoint a hearing officer to conduct the hearing.

C. At the conclusion of the administrative hearing, the hearing panel may recommend that a penalty of not more than \$100 per violation be imposed. The hearing panel's recommendation shall be submitted to the commissioner for his determination.

D. The commissioner's determination in adjudicatory matters shall be final and may be appealable in accordance with the Administrative Procedure Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:922 and 923.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, LR 48:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
4. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rules via U.S. Mail or hand delivery. Written submissions must be directed to Allison Dumas, Agriculture Specialist Program Manager—FSMA Produce Safety, Department of Agriculture and Forestry, 5825 Florida Blvd., Baton Rouge, LA 70806 and must be received no later than 4 p.m. on January 10, 2022. All written comments must be signed and dated.

Mike Strain, DVM
Commissioner

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Produce Safety**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rules will not result in any increased costs or revenues to the Louisiana Department of Agriculture and Forestry ("LDAF"), other than the cost of promulgation that is normally included in the department's annual operating budget. The proposed rules, which formally set forth guidelines for the Produce Safety Program, a program within LDAF, are being made in accordance with La. R.S. 3:921 et seq., which designates the department as the state agency responsible for cooperating with the U.S. Department of Health and Human Services regarding provisions of the FDA Food Safety Modernization Act to develop a program to ensure the safety of agricultural produce in Louisiana. The Produce Safety Program was established by statute in 2017 and has been operating and funded by federal grants since that time.

The proposed rules will not result in any implementation costs or savings to local governmental units as this measure codifies existing practices.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rules will have no effect on revenue collections of state or local governmental units as the Produce Safety Program would not yield any additional revenue to LDAF or other state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rules will not result in economic benefits to businesses who participate in the program.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rules are not expected to have any effect on competition or employment.

Dane Morgan
Assistant Commissioner
2111#058

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Agriculture and Forestry Office of Animal Health and Food Safety Livestock Brand Commission

Livestock Brands and Marks (LAC 7:XXI.401-425)

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., and pursuant to the authority set forth in R.S. 3:736 et seq., notice is hereby given that the Department of Agriculture and Forestry (“Department”), through the Office of Animal Health, intends to promulgate LAC 7:XXI.401-425 as the Livestock Brand Commission Rules and Regulations. The proposed amendments are being made in accordance with R.S. 3:736, which authorizes the commission to promulgate rules governing brands and marks. The proposed rules set forth requirements for the branding and marking of livestock, for the recordation of brands and marks, the application process and fee schedule for the recordation of brands, and for investigation of violations of the brand law and brand rules, as well as the enforcement for such violations.

Title 7

AGRICULTURE AND ANIMALS

Part XXI. Animals and Animal Health

Chapter 4. Livestock Brands and Marks

§401. Purpose; Definitions

A. This Chapter is adopted pursuant to R.S. 3:731 et seq., and shall govern the department’s Livestock Brand program.

B. For purposes of this Chapter, the following terms shall have the meaning hereafter ascribed to them, unless the context clearly indicates otherwise:

Brand—an identification mark hot- or cold-branded into or onto the hide of a live animal.

Brand Book—the Official Brand Book of the State of Louisiana.

Commission—the Livestock Brand Commission, within the Department of Agriculture and Forestry.

Commissioner—the Commissioner of Agriculture and Forestry.

Department—the Louisiana Department of Agriculture and Forestry.

Mark—a distinct marking or device, including but not limited to a tattoo or electronic device, placed on or in a live animal sufficient to distinguish the animal readily if it becomes intermixed with other animals.

Person—an individual, firm, partnership, corporation, or other association.

Recordation Cycle—the five-year cycle set forth in R.S. 3:737, for the recordation of brands or marks which expired on the last day of December 31, 1984, and every fifth year thereafter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:736.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Livestock Brand Commission, LR 48:

§403. Recordation of Brand and Marks, Generally

A. Nothing in R.S. 3:372 et seq. or this Chapter shall require the mandatory branding or marking of livestock.

B. However, any brands or marks that are used in the branding or marking of livestock within the state of Louisiana shall be recorded with the department.

C. It is a violation of R.S. 3:372 et seq., and this Chapter to affix a brand or mark that is not recorded with the department onto any animal.

D. Recordation of brands or marks in other states are not automatically reciprocal in Louisiana. Persons wishing to use brands or marks recorded in other states shall apply to the department and be approved in accordance with the Livestock Brand Law and this Chapter to record that brand or mark to be able to use that brand or mark within Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:736.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Livestock Brand Commission, LR 48:

§405. Types of Animals

A. The following types of animals may be branded or marked in accordance with these rules:

1. cattle;
2. horses; and
3. sheep.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:736.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Livestock Brand Commission, LR 48:

§407. Style, Design, and Size of Brands and Marks

A. Brands may be affixed by either hot- or cold-branding into or onto the hide of an animal.

B. Brands should be four to six inches in height for cattle and two to four inches in height for horses.

C. A design should be simple enough that it can be easily applied to an animal and can be easily read on the animal after application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:736.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Livestock Brand Commission, LR 48:

§409. Location of Brands and Marks

A. Brand applications shall indicate which side of an animal the brand is to be used, either left, right, or both left and right.

B. Once recorded, a brand may be applied only to the side(s) of the animal indicated in the recordation records for that brand.

C. Once recorded, a brand may be applied to any place on the side(s) of the animal indicated in the recordation records for that brand.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:736.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Livestock Brand Commission, LR 48:

§411. Lifetime Livestock Brand

A. Brands and marks may be recorded for the lifetime of the brand or mark owner and must meet all criteria for recordation as stated herein.

B. Lifetime recordation is valid for the duration of the brand or mark owner's life, unless otherwise transferred by the owner during his lifetime.

C. Upon the death of the owner, the brand or mark must be transferred to an heir(s) or legatee(s) by no later than the expiration date of the current brand recordation cycle, otherwise the brand will be considered abandoned and made available to other applicants.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:736.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Livestock Brand Commission, LR 48:

§413. Recordation Fees

A. The fee schedule for brand and mark recordation is as follows.

1. The fee for recording a brand or mark shall be \$15.

2. The fee for renewal of a brand or mark recordation shall be \$10.

3. The fee for transfer of a recorded brand or mark shall be \$10.

4. The fee for additional certified copies of a brand or mark recordation certificate shall be \$6.50.

5. The fee for the lifetime recordation of a brand or mark shall be \$75.

6. There is no fee for a name change or change of address for a brand or mark recordation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:736.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Livestock Brand Commission, LR 48:

§415. Application Process

A. Prior to applying for recordation of a brand or mark, an applicant shall contact the department to determine if the desired brand or mark is available for recordation.

B. Department staff will inspect current department records to determine if the requested brand or mark is available and will advise the applicant accordingly.

C. If the desired brand or mark is available, the applicant shall submit a completed application on the form provided by the department. The application shall include the following:

1. the style, design, and size of the brand or mark;

2. a sketch of the design, drawn to the exact size and scale to be used, on the sketch form provided by the department;

3. the side of the animal(s) to which the desired brand or mark will be affixed (either left, right, or both left and right); and

4. the application fee for the type of registration desired.

D. On the brand application, applicants may include alternative brand or mark designs to be used if the primary choice is not available.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:736.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health, Livestock Brand Commission, LR 48:

§417. Recordation of Brand Registration Process

A. Upon receipt of a fully completed application form and fee, the department shall review the desired brand or mark to ensure the following:

1. that the brand or mark is compliant with all requirements set forth in law and in this Chapter;

2. that the brand or mark is not already recorded; and

3. that the brand or mark is available.

B. If all the above requirements are met, then the department shall record the brand or mark to the applicant in the Official Brand Book of the state of Louisiana.

C. Unless otherwise provided in this Chapter, such recordation shall be valid until the expiration date of the current brand recordation cycle, at which time the recordation must be timely renewed, otherwise the recordation will be considered abandoned and the brand or mark shall become available for recordation by other applicants.

D. Upon recordation of a brand or mark to an owner, the department shall issue a certified a copy of the recordation certificate to the owner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:736.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Livestock Brand Commission, LR 48:

§419. Transfer of Brand Registration; Name Change

A. Brands or marks may be transferred from the current registered owner(s) to another person by sale, donation, assignment, or other act of transfer of movable property.

B. A completed request for transfer shall be submitted to the department and shall include the notarized signatures of all current owners, as stated on the current brand certificate.

C. If the registered owner of a brand is deceased, the brand may be transferred to the registered owner's heir(s) or legatee(s) consistent with the deceased owner's will and/or succession. In addition to the completed, notarized request for transfer form and appropriate fee, the following documents shall be submitted:

1. a copy of the deceased registered brand owner's death certificate;

2. a judgment of possession in the succession proceedings of the deceased registered brand or mark owner;

3. a copy of the deceased brand's owner last will and testament, and

4. any other documentation requested by the department.

D. If the registered brand or mark owner's name has legally changed, the brand or mark recordation may be changed to reflect the owner's current legal name. In addition to the completed, notarized request for transfer form and appropriate fee, the following documents shall be submitted:

1. a copy of the owner's state-issued identification, showing the owner's current legal name; and

2. a copy of the legal documentation that officially changed the owner's legal name, which may include, but is not limited, to the following:

a. marriage license;

b. judgment of divorce;

c. judgment of adoption;

d. legal name change; or

e. any other legal documentation that evidences a legal name change.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:736.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Livestock Brand Commission, LR 48:

§421. Violations

A. The following shall constitute misuse of a brand or mark:

1. using brand(s) or mark(s) that are not recorded with the department;
2. using brand(s) or mark(s) that are recorded and registered to another person;
3. intentionally or knowingly using brand(s) or mark(s) on the animal(s) of another person;
4. intentionally or knowingly obliterating, altering, modifying, defacing, or otherwise changing the brand(s) or mark(s) on the animal(s) of another person; or
5. any other violation of R.S. 3:731 et seq., or this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:736.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Livestock Brand Commission, LR 48:

§423. Investigation

A. When there is a reason to believe that a violation of any provision of R.S. 3:731 et seq. or this Chapter has occurred, the department may conduct an investigation to gather information regarding any possible violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:736.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Livestock Brand Commission, LR 48:

§425. Adjudicatory Hearing

A. If, after an investigation has been conducted, the department believes that a recorded brand or mark has been misused, or that the provisions of this Chapter or R.S. 3:731 et seq., have been violated, the commission shall conduct an adjudicatory hearing in accordance with the Administrative Procedure Act in order to determine whether to impose civil penalties or take other action pursuant to R.S. 3:731 et seq.

B. The department shall notify the person(s) believed to have committed violation(s) of the alleged violation(s) as well as an opportunity to respond thereto, by certified mail, prior to any scheduled hearing date.

C. No penalty may be assessed prior to the holding of an adjudicatory hearing before the commission. Such adjudicatory hearing shall be conducted in accordance with the requirements of the Administrative Procedure Act; any person alleged to have violated any provision of R.S. 3:1461 et seq. or this Chapter shall be accorded all rights and privileges under said Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:736.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Animal Health and Food Safety, Livestock Brand Commission, LR 48:

Family Impact Statement

The proposed Rule should not have any known or foreseeable impact on family formation, stability, and

autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding the education and supervision of their children;
3. the functioning of the family;
4. family earnings and family budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rules via U.S. Mail or hand delivery. Written submissions must be directed to Kevin Wofford, Assistant Commissioner for Animal Health and Food Safety, Department of Agriculture & Forestry, 5825 Florida Blvd., Baton Rouge, LA 70806 and must be received no later than 4 p.m. on January 10, 2022. All written comments must be signed and dated.

Mike Strain, DVM
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Livestock Brands and Marks

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

NOTICE OF INTENT

Board of Elementary and Secondary Education

BESE/8(g) Operations
(LAC 28:I.103, 301, 307, 309,
311, 501, 503, 1101, and 1105)

Editor's Note: This Notice of Intent is being reprinted because of an error upon submission. The original Notice of Intent can be viewed in its entirety on pages 1670-1674 of the November 20, 2021 Louisiana Register.

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 17:6(A)(10), the Board of Elementary and Secondary Education proposes to amend the Louisiana Administrative Code, Title 28, Part I, BESE/8(g) Operations (BESE Code). The proposed revisions align state policy with Act 468 of the 2021 Louisiana Legislature.

The proposed rules will not result in any increased costs to the Department of Agriculture and Forestry ("Department" or LDAF), other than the cost of promulgation that is normally included in the department's annual operating budget. The proposed rules set forth eligibility and application requirements for the recordation of livestock brands and marks, as well as investigation and enforcement provisions for violations of the livestock brand rules and laws. The livestock brand program has been operating for years under state law. The proposed rules will not result in any implementation costs or savings to local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change is anticipated to result in increased annual collections from the recordation fees for the new lifetime livestock brand. However, due to the novelty of a new lifetime brand coupled with the five-year renewal cycle for brands, the increase in revenue collections is not expected to be uniform from year to year.

There are approximately 5,300 brands currently registered with the department. LDAF anticipates approximately 60% of those brands taking advantage of this new \$75 lifetime registration rule the first year, with 15% more registering for a lifetime brand in each of the following two years. Additionally, LDAF receives approximately 150 to 200 requests for new brand registrations each year. The current cost of a new brand is \$15, but LDAF anticipates the vast majority (if not all) of the new registrants choosing the lifetime brand option, which represents a \$60 difference (\$75-\$15). Using these assumptions, LDAF estimates the following revenue increases:

- Year 1: \$238,500 3,180 lifetime brand registrations (5,300 total brands X 60%)
9,000 150 new lifetime brand registrations (150 X \$60)
\$247,500 total revenue
Year 2: \$59,625 795 lifetime brand registrations (5,300 total brands X 15%)
9,000 150 new lifetime brand registrations (150 X \$60)
\$68,625 total revenue
Year 3: \$59,625 795 lifetime brand registrations (5,300 total brands X 15%)
9,000 150 new lifetime brand registrations (150 X \$60)
\$68,625 total revenue

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change would result in economic benefits to persons who choose to take advantage of the lifetime livestock brand recordation at a one-time fee of \$75, insofar as they would no longer be required to renew brand or marks every five years at a renewal fee of \$15. While branding livestock is not mandatory, the recordation of any and all livestock brands and marks used within the State of Louisiana is mandatory. The new lifetime livestock brand recordation is optional and not required, as brand owners may elect to continue to renew their brands every five years.

All other provisions in the proposed rule change would not result in any new costs or benefits to affected persons, small businesses, or non-governmental groups as those provisions merely codify the existing procedures in the livestock brand program.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to effect competition or employment.

Dane Morgan
Assistant Commissioner
2112#057

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

Title 28
EDUCATION
Part I. BESE/8(g) Operations
Subpart 1. Board of Elementary and Secondary Education

Chapter 1. General Provisions

§103. Definitions

Constitution—the constitution of the state of Louisiana
Ex Officio—denoting or relating to the persons who are members by virtue of some other position that is held.

House—the Louisiana House of Representatives.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:409 (March 2008), amended LR 38:3149 (December 2012), LR 48:

Chapter 3. Composition and General Authority

§301. Creation

A. The Board of Elementary and Secondary Education is created as a body corporate. It shall supervise and control the public elementary and secondary schools under its jurisdiction and shall have budgetary responsibility of all funds appropriated or allocated by the state for those schools, all as provided by law. The board shall have other powers, duties, and responsibilities as provided by the Louisiana Constitution or by law, but shall have no control over the business affairs of a city, parish, or other local public school board or the selection or removal of its officers and employees; however, in accordance with law, the board shall have the power to supervise, manage, and operate or provide for the supervision, management, and operation of a public elementary or secondary school which has been determined to be failing, including the power to receive, control, and expend state funds appropriated and allocated pursuant to Louisiana Constitution, Article VIII, §13, any local contribution required by Article VIII, §13, and any other local revenue available to a school board with responsibility for a school determined to be failing in amounts that are calculated based on the number of students in attendance in such a school, all in the manner provided by and in accordance with law.

AUTHORITY NOTE: Promulgated in accordance with Article VIII, Section 3.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:409 (March 2008), LR 48:

§307. General Powers and Duties

A. The board exercises its supervision and control over the public elementary and secondary schools under its jurisdiction, and exercises its budgetary responsibility for all funds appropriated or allocated by the state for public elementary, and secondary schools placed under its jurisdiction, through general powers and duties that shall include, but not be limited to, the following:

1. - 3. ...

4. approve budgets of the LDE, including the recovery school district, and all entities under the jurisdiction of the board as provided herein;

5. prescribe and adopt free school books and other materials of instruction for the children of this state at the elementary and secondary levels and all other schools and programs under its jurisdiction for which the legislature provides funds, in accordance with law;

6. adopt or approve courses of study and rules, by-laws, and regulations for the discipline of students and for the governance of the public elementary and secondary schools and other public schools and programs under its jurisdiction, which shall not be inconsistent with law and which shall be enforced by the city, parish, or other local public school boards and the city, parish, or other local public school superintendents;

7. prescribe the qualifications and provide for the certification of teachers in accordance with applicable law, which qualifications and requirements shall be such as to insure that certification shall be a reliable indicator of the minimum current ability and proficiency of the teacher to educate at the grade level and in the subject(s) to which the teacher is assigned;

8. adopt minimum standards for the approval of each public elementary and secondary school in the state under its jurisdiction;

9. except as otherwise provided by law, approve private schools in accordance with the provisions of R.S. 17:11 and other applicable laws;

10. issue diplomas for successful completion of programs of study;

11. exercise approval authority over the administration of the recovery school district by the LDE pursuant to law;

12. authorize the operation of type 2, type 4, and type 5 charter schools and provide oversight through the LDE of type 2, type 4, and type 5 charter schools;

a. review each proposed charter in a timely manner and determine whether each proposed charter complies with the law and rules and whether the proposal is valid, complete, financially well-structured, educationally sound, and whether it offers potential for fulfilling the purposes of the charter school law;

b. enter into any proposed charter that complies with the charter school law and policy upon a determination that the charter is a valid, complete, financially well-structured, and educationally sound proposal that offers potential for fulfilling the purposes of the charter school law;

c. determine the policy and provide direction to the LDE for providing the oversight of the operation of charter schools chartered with the board;

13. adopt, amend, or repeal rules, regulations, and policies necessary or proper for the conduct of the business of the board.

AUTHORITY NOTE: Promulgated in accordance with La. Const. art. VIII, §8 and R.S. 17:6(A), 17:7(2)(a), 17:7(3), 17:7(4), 17:7(5), 17:7(6)(a)(i), 17:7(7), 17:7(8), 17:4.1, 17:43, 17:348, 17:6(A)(10), 17:6(A)(11), 17:10.5, 17:1990 and 17:3981.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:410 (March 2008), amended LR 38:3150 (December 2012), LR 39:3262 (December 2013), LR 44:1995 (November 2018), LR 48:

§309. State Superintendent

A. - D.3....

4. The state superintendent may delegate, subject to the approval of the board, the appointing authority conferred upon him/her by law as to the recovery school district to the recovery school district supervising executive. The state superintendent may delegate administrative authority conferred upon him/her by law as to the recovery school district to the recovery school district supervising executive, subject to any restrictions provided by law, rule, or policy.

E. - E.6.c. ...

d. The state superintendent shall employ/appoint and fix the salaries and duties of employees of the LDE, including the recovery school district, subject to applicable Civil Service laws, rules, and regulations, and other applicable laws, rules, regulations, and policies.

e. The selection of appointees to all unclassified positions shall be based on professional, technical, and/or clerical qualifications appropriate to each position.

f. No person shall, on the basis of race, color, religion, sex, age, national origin, handicap, veteran status, or any other non-merit factor, be discriminated against in any employment practice.

g. In addition to the above, the state superintendent shall exercise his/her responsibilities for personnel matters in accordance with the constitution and laws of the state.

7. - 9. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:21(C), 17:6(B), 17:21(B), 17:21(D), 17:21(A), 17:1990, 17:24(A), 17:24(B), 17:24(C), 17:24(D), 17:22(2)(f), 36:645, 17:22(6), 17:88(B), 17:88(D), 17:92, 17:10.6(A)(2), 17:3983, 17:43, 17:1945, 36:642(C)(1), and 36:648.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:410 (March 2008), amended LR 37:886 (March 2011), LR 38:3150 (December 2012), LR 39:3262 (December 2013), LR 44:1995 (November 2018), LR 48:

§311. The Special School District

A. Functions of the Special School District

1. The special school district is a local education agency that includes Louisiana Schools for the Deaf (LSD) and Louisiana School for Visually Impaired (LSVI) and the special school programs, an education service agency. The special school district is available to all eligible students regardless of their place of residence within the state.

a. LSD and LSVI are state-operated schools providing educational programs and services for residential and/or day students. LSD and LSVI are established to provide a free appropriate public education for children with low incidence disabilities who meet the admission criteria (i.e., deaf, blind, orthopedically impaired) for each such special school and who are enrolled in such special school.

b. The special school programs, an education service agency, provide educational services to students enrolled in state-approved programs in non-traditional settings such as those provided by the Department of Health's Office for Citizens with Developmental Disabilities and the Office of Behavioral Health, the Office of Juvenile Justice, and the Department of Public Safety and Corrections.

B. Administration

1. The special school district shall be under the administration and supervision of the special school district Board of Directors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:4.1, R.S. 17:6(B), 17:43, 17:1945, 36:642(C)(1), and 36:648.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:412 (March 2008), amended LR 38:3151 (December 2012), LR 39:3262 (December 2013), LR 44:1995 (November 2018), LR 48:

Chapter 5. Organization

§501. Committees

A. - B.1.b.iii. ...

c. The BESE student representative is an ex officio non-voting member of the AGII Committee. The student representative serves a one-year term (April through March annually) and is a high school student selected by the Louisiana Association of Student Councils (LASC).

2. - 2.a.i.(c). ...

ii. financial management and performance;

(a). budgets:

(i). BESE;

(ii). LDE;

(iii). RSD;

2.(b). - 3.a.ii.(a). ...

b. The Louisiana Teacher of the Year (TOY) is a non-voting ex officio member of the EE Committee. The TOY serves a one-year term and is an educator selected annually by a state selection committee composed of community and educational leaders via process established by the LDE.

B.4. - B.4.b.i. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:415 (March 2008), amended LR 35:223 (February 2009), LR 35:1874 (September 2009), LR 36:2851 (December 2010), LR 37:2139 (July 2011), LR 38:3152 (December 2012), repromulgated LR 39:308 (February 2013), amended LR 39:3263 (December 2013), LR 45:1443 (October 2019). LR 48:

§503. Advisory Councils

A. - C.3.b.i. ...

ii. the president of the Louisiana Association of School Superintendents (LASS), who shall serve as chair of the council;

C.3.c. - G.8. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), 17:6(A)(15), 17:11, 17:24.4, and 42:19.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:416 (March 2008), amended LR 35:1874 (September 2009), LR 36:2851 (December 2010), LR 37:2140 (July 2011), LR 38:772 (March 2012), LR

38:3152 (December 2012), LR 39:3263 (December 2013), LR 42:563 (April 2016), LR 44:744 (April 2018), LR 44:1995 (November 2018), LR 45:1444 (October 2019), LR 48:

Chapter 11. Finance and Property

§1101. Projects and Facilities

A. Capital Projects

1. All requests for new capital construction or renovation projects submitted by board entities, including the recovery school district, shall comply with all applicable state laws, all applicable regulations issued by the Division of Administration, and all BESE policy.

2. All requests for any given fiscal year shall be prioritized by the LDE, and the LDE shall present the priority listing of projects to the board. The board shall approve all capital construction or renovation projects and the priority of the requests prior to submission to the executive and legislative branches of government or prior to implementation of a project, as applicable.

B. - B.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:424 (March 2008), amended LR 38:3154 (December 2012), LR 39:3266 (December 2013), LR 48:

§1105. Budgets

A. - A.2. ...

B. Budget Submission. The LDE, including the recovery school district, and entities under the jurisdiction of the board shall submit their budgets to the board in a timely manner for approval prior to submission to the Division of Administration and legislative offices.

C. Budget Forms. The LDE, including the recovery school district, and entities under the jurisdiction of the board shall submit their budgets on the forms prescribed by the Division of Administration.

D. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:425 (March 2008), amended LR 38:3155 (December 2012), LR 39:3266 (December 2013), LR 48:

Family Impact Statement

In accordance with section 953 and 974 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on rules proposed for adoption, repeal, or amendment. All Family Impact Statements will be kept on file in the state board office which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.

2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.

3. Will the proposed Rule affect the functioning of the family? No.

4. Will the proposed Rule affect family earnings and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? No.

6. Is the family or a local government able to perform the function as contained in the proposed Rule? Yes.

Poverty Impact Statement

In accordance with section 973 of title 49 of the *Louisiana Revised Statutes*, there is hereby submitted a Poverty Impact Statement on rules proposed for adoption, amendment, or repeal. All Poverty Impact Statements will be in writing and kept on file in the state agency which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records. For the purposes of this section, the word "poverty" means living at or below 100 percent of the federal poverty line.

1. Will the proposed Rule affect the household income, assets, and financial authority? No.

2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? Yes.

3. Will the proposed Rule affect employment and workforce development? No.

4. Will the proposed Rule affect taxes and tax credits? No.

5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No.

Small Business Analysis

The impact of the proposed Rule on small businesses as defined in R.S. 49:965.6, the Regulatory Flexibility Act, has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental, and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;

2. the cost to the providers to provide the same level of service; or

3. the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, December 10, 2021, to Shan N. Davis, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Shan Davis, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the

BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: BESE/8(g) Operations

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed revisions will have an indeterminable impact for the Special School District (SSD) associated with performing administrative functions in lieu of the Department of Education (LDE). Per Act 468 of the 2021 Regular Legislative Session, the proposed revisions would establish the Special School District (SSD) as an independent agency governed by a newly created board of directors.

Under previous law, the LDE provided human resources and legal services for the SSD, and payment for services was rendered through an interagency transfer (IAT). This fund transfer partially funded the salaries and related benefits of two positions, as well as operating expenses. As a result of Act 468, the LDE retained those staff members and the SSD retained the IAT funds. The LDE will be able to absorb the costs for these positions without replacement of the lost IAT revenues. SSD costs will depend on the extent to which the agency is able to fund anticipated workload increases within its existing operating budget. Costs will increase to the extent the SSD requires additional staff and resources beyond the estimated \$84,000 it previously transferred to the LDE for administrative services. The SSD plans to use only existing appropriations and positions in absorbing administrative functions from the LDE. To the extent that no additional appropriations are needed, the proposed revisions will not have a fiscal impact.

The proposed revisions also remove the supervising executive of the Recovery School District (RSD) from the composition of the Superintendents' Advisory Council (SAC) and update language to reflect the current presence of a student representative and the Teacher of the Year as ex officio non-voting members on certain Board of Elementary and Secondary Education (BESE) committees. These changes will not have an impact on state government expenditures.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed policy revisions will result in the LDE experiencing a decrease in IAT revenues from the SSD by an indeterminable amount. In FY 20, for example, the LDE received \$84,200 to conduct administrative functions on behalf of the SSD; however, amounts varied by fiscal year based on services provided. LDE reports it will not require additional funding to replace these lost revenues.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed revisions will not result in costs and/or benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed revisions will not have an effect on competition and employment.

Beth Scioneaux
Deputy Superintendent
2112#038

Alan M. Boxberger
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 111—The Louisiana School, District, and State Accountability System—Interests and Opportunities Index (LAC 28:XI.801)

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 17:6(A)(10), the Board of Elementary and Secondary Education proposes to amend LAC 28:XI, Accountability/Testing, Subpart 1, Bulletin 111—The Louisiana School, District, and State Accountability System. The aforementioned revisions provide a menu approach for the Interests and Opportunities index calculation. The 2021-2022 school year will serve as a learning year in which school districts adjust to the use of domains and indicators for the interests and opportunities index calculation.

**Title 28
EDUCATION**

Part XI. Accountability/Testing

Subpart 1. Bulletin 111—The Louisiana School, District, and State Accountability System

Chapter 8. Interests and Opportunities Index Calculations

§801. Interests and Opportunities Index Components

A. ...

B. For the 2019-2020 baseline school year, 2020-2021 school year, and 2021-2022 school year, the interests and opportunities index for K-8 schools will be based in equal parts on survey completion and course enrollment.

* * *

C. ...

D. Beginning with the 2022-2023 school year (2023 SPS), K-8 schools and high schools will select from a list of approved domains and associated indicators that will serve as the basis for the interests and opportunities index calculation.

1. *Domains* are defined as a broad grouping of offerings related to student interests. Beginning with the 2022-2023 school year (2023 SPS), the following domains shall be applicable to the interests and opportunities index calculation:

- a. the arts;
- b. extracurricular activities;
- c. STEM (science, technology, engineering, and math); and
- d. world languages.

2. *Indicators* are defined as specific measures that capture the extent to which a school is advancing student interests and opportunities. For purposes of the interests and opportunities index, K-8 schools and high schools shall

select four total indicators. These indicators shall be associated with at least two different domains.

3. The 2021-2022 school year (2022 SPS) will be a designated learning year as local education agencies adjust to the interests and opportunities index criteria outlined in this Subsection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:1450 (October 2019), amended LR 46:1372 (October 2020), LR 48:

Family Impact Statement

In accordance with section 953 and 974 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on rules proposed for adoption, repeal, or amendment. All Family Impact Statements will be kept on file in the state board office which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.

2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.

3. Will the proposed Rule affect the functioning of the family? No.

4. Will the proposed Rule affect family earnings and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? No.

6. Is the family or a local government able to perform the function as contained in the proposed Rule? Yes.

Poverty Impact Statement

In accordance with section 973 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Poverty Impact Statement on rules proposed for adoption, amendment, or repeal. All Poverty Impact Statements will be in writing and kept on file in the state agency which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records. For the purposes of this section, the word “poverty” means living at or below 100 percent of the federal poverty line.

1. Will the proposed Rule affect the household income, assets, and financial authority? No.

2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? Yes.

3. Will the proposed Rule affect employment and workforce development? No.

4. Will the proposed Rule affect taxes and tax credits? No.

5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No.

Small Business Statement

The impact of the proposed Rule on small businesses as defined in R.S. 49:965.6, the Regulatory Flexibility Act, has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental, and economic welfare factors has considered and, where possible, utilized regulatory methods in the

drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;
2. the cost to the providers to provide the same level of service; or
3. the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, January 10, 2022, to Shan N. Davis, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Shan Davis, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Shan N. Davis
Executive Director

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Bulletin 111—The Louisiana School,
District, and State Accountability System
Interests and Opportunities Index**

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
The proposed revisions will have no impact for the 2021-22 school year which shall serve to establish a baseline for future reporting. There may be future impacts to the extent that the interests and opportunities indicator incentivizes schools to expand course offerings in order to improve their School Performance Scores (SPS). Schools may incur costs to offer a greater variety of courses and extracurricular activities; however, because this index is only worth 5% of the overall SPS, and because schools will be able to select from a wide variety of indicators on which to be scored, any increase in costs is unlikely to be significant. There may be an increased workload for school administrators to annually complete the new interests and opportunities index surveys, as well as for the Department of Education (LDE) staff to finalize the domains and indicators utilized in the index; however, this increased workload is not expected to be significant.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The proposed revisions will not have an effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
The proposed revisions will not result in costs and/or benefits to directly affected small businesses or non-governmental groups.

- Students in LA may realize benefits if annual completion and usage of the Interests and Opportunities Index results in an expansion of course offerings targeted at training underserved career skills that more closely match a student’s interests or aptitudes.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
The proposed revisions will not have an effect on competition and employment.

Beth Scioneaux Deputy Superintendent 2110#038	Alan M. Boxberger Deputy Fiscal Officer Legislative Fiscal Office
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NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 130—Evaluation and Assessment of Personnel
(LAC 28:CXLVII.105, 301, and 323)

Editor's Note: This Notice of Intent is being reprinted because of an error upon submission. The original Notice of Intent can be viewed in its entirety on pages 1674-1676 of the November 20, 2021 *Louisiana Register*.

In accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the Board of Elementary and Secondary Education has approved for advertisement amendments to *Bulletin 130 – Evaluation and Assessment of Personnel*. The proposed revisions would require, for the 2021-2022 academic year, the 50 percent of the evaluation that is based on a qualitative measure of teacher and administrator performance include one announced observation for teachers and administrators. However, any teacher or administrator who earns an observation rating of Ineffective or Effective: Emerging shall be observed a second time. Further, in August 2021, BESE approved, as a Notice of Intent, revisions to Bulletin 130 in response to Act 275 of the 2021 Regular Legislative Session. Revisions update terminology to refer to “school guidance counselors” as “school counselors.” The same update is being made to §323. Job Descriptions.

**Title 28
EDUCATION**

**Part CXLVII. Bulletin 130—Regulations for the
Evaluation and Assessment of School Personnel
Chapter 1. Overview
§105. Framework for LEA Personnel Evaluation
Programs
[Formerly §109]**

- A. - B.2. ...
3. Observation/Data Collection Process. The evaluator or evaluators of each teacher and administrator shall conduct observations of teacher and administrator practice sufficient to gain a complete picture of performance and impart individualized feedback each year.
 - a. for the 2020-2021 and 2021-2022 academic years only, this shall include one announced observation for teachers and administrators.
 - b. ...
 - c. following the 2021-2022 academic year, this shall include a minimum of two observations per academic year and may include more observations, particularly for

teachers or administrators that are not meeting expectations. At least one of these observations shall be announced and shall include a pre- and post-observation conference. One of the observations may be waived for teachers who have earned a rating of highly effective according to the value-added model in the previous year. Following all observations, evaluators shall provide evaluatees with feedback, including areas for commendation as well as areas for improvement. Additional evidence, such as data from periodic visits to the school and/or classroom as well as written materials or artifacts, may be used to inform evaluation.

B.4. - B.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2251 (October 2010), amended LR 38:1215 (May 2012), LR 38:2359 (September 2012), LR 39:1273 (May 2013), LR 47:354 (March 2021), LR 48:

Chapter 3. Personnel Evaluation

§301. Overview of Personnel Evaluation

A. - A.1. ..

2. For the 2020-2021 and 2021-2022 academic years only, the 50 percent of the evaluation that is based on a qualitative measure of teacher and administrator performance shall include one announced observation for teachers and administrators.

a. ...

b. following the 2021-2022 academic year, the 50 percent of the evaluation that is based on a qualitative measure of teacher and administrator performance shall include a minimum of two observations or site visits. This portion of the evaluation may include additional evaluative evidence, such as walk-through observation data and evaluation of written work products.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:391.10, R.S. 17:3881-3886, and R.S. 17:3901-3904, R.S. 17:3997, and R.S. 17:10.1.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:1215 (May 2012), amended LR 38:2359 (September 2012), LR 39:1273 (May 2013), LR 41:1266 (July 2015), LR 43:2480 (December 2017), LR 47:354 (March 2021), LR 48:

§323. Job Descriptions

[Formerly §339]

A. The local personnel evaluation plan shall contain a copy of the job descriptions currently in use in the LEA. The LEA shall establish a competency-based job description for every category of teacher and administrator pursuant to its evaluation plan. The chart that follows identifies a minimum listing of the categories and titles of personnel for which job descriptions must be developed.

Personnel Category	Position or Title
	certification but does require a minimal education attainment of a bachelor's degree from an accredited institution of higher learning 9. Any employee whose position requires certification, but whose title is not given in this list 10. Any employee who holds a major management position, but who is not required to have a college degree or certification
Instructional Personnel	1. Teachers of Regular and Sp. Ed. students 2. Special Projects Teachers 3. Instructional Coaches and/or Master Teachers
Support Services	1. School Counselors 2. Librarians 3. Therapists
	1. Any employee whose position does not require certification but does require a minimal educational attainment of a bachelor's degree from an accredited institution of higher learning 2. Any employee whose position requires certification, but whose title is not given in this list 3. Any employee who holds a major management position, but who is not required to have a college degree or certification

B. - C.8. ...

NOTE: Job descriptions must be reviewed annually. Current signatures must be on file at the central office in the single official file to document the annual review and/or receipt of job descriptions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:391.10, R.S. 17:3871-3873, R.S. 17:3881-3884, and R.S. 1309-3904.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 36:2252 (October 2010), amended LR 38:1219 (May 2012), LR 38:2361 (September 2012), LR 48:

Family Impact Statement

In accordance with section 953 and 974 of title 49 of the *Louisiana Revised Statutes*, there is hereby submitted a Family Impact Statement on rules proposed for adoption, repeal, or amendment. All Family Impact Statements will be kept on file in the state board office which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.

2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.

3. Will the proposed Rule affect the functioning of the family? No.

4. Will the proposed Rule affect family earnings and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? No.

6. Is the family or a local government able to perform the function as contained in the proposed Rule? Yes.

Poverty Impact Statement

In accordance with section 973 of title 49 of the *Louisiana Revised Statutes*, there is hereby submitted a Poverty Impact Statement on rules proposed for adoption, amendment, or repeal. All Poverty Impact Statements will be in writing and kept on file in the state agency which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records. For the

Personnel Category	Position or Title
Administration	1. Superintendent 2. Assistant Superintendent 3. Director 4. Supervisor 5. Coordinator 6. Principal 7. Assistant Principal 8. Any employee whose position does not require

purposes of this section, the word “poverty” means living at or below 100 percent of the federal poverty line.

1. Will the proposed Rule affect the household income, assets, and financial authority? No.

2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? Yes.

3. Will the proposed Rule affect employment and workforce development? No.

4. Will the proposed Rule affect taxes and tax credits? No.

5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No.

Small Business Analysis

The impact of the proposed Rule on small businesses as defined in R.S. 49:965.6, the Regulatory Flexibility Act, has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental, and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;

2. the cost to the providers to provide the same level of service; or

3. the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, December 10, 2021, to Shan N. Davis, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Shan Davis, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: **Bulletin 130—Evaluation and Assessment of Personnel**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed revisions could impact expenditures of local school districts to the extent teachers or administrators initially rated as Ineffective experience improved performance ratings through their second observation as a result of additional

support; however, this is not anticipated to be material. Based on the 2018-19 Compass Teacher Results, an estimated 505 (1%) teachers were rated Ineffective. State law prohibits teachers or administrators rated Ineffective from receiving a higher salary in the year following the evaluation. If any teachers or administrators initially rated Ineffective are able to improve their rating to Effective: Emerging, they would become eligible for salary increases or supplements in the 2022-2023 academic year.

The proposed revisions would require, for the 2021-2022 academic year, the 50 percent of the evaluation that is based on a qualitative measure of teacher and administrator performance include one announced observation for teachers and administrators. However, any teacher or administrator who earns an observation rating of Ineffective or Effective: Emerging shall be observed a second time. Further, in August 2021, BESE approved, as a Notice of Intent, revisions to Bulletin 130 in response to Act 275 of the 2021 Regular Legislative Session. Revisions update terminology to refer to “school guidance counselors” as “school counselors.”

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed revisions will not have an effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Teachers and administrators initially rated as Ineffective may benefit from additional support from school administrators that are not required to conduct a second evaluation for certain personnel during the 2021-22 academic year. To the extent this results in improved performance evaluations, teachers and administrators could potentially receive a salary increase in the 2022-23 academic year.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed revisions will not have an effect on competition and employment.

Beth Scioneaux
Deputy Superintendent
2112#039

Alan M. Boxberger
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

Board of Elementary and Secondary Education

Bulletin 746—Louisiana Standards for State Certification of School Personnel (LAC 28:CXXXI.Chapters 1-25)

Editor's Note: This Notice of Intent is being reprinted because of an error upon submission. The original Notice of Intent can be viewed in its entirety on pages 1676-1742 of the November 20, 2021 *Louisiana Register*.

In accordance with the provisions of R.S. 17:6(A)(10) and the Administrative Procedure Act (APA), R.S. 49:953(B)(1) et seq., the Board of Elementary and Secondary Education has LAC 28:CXXXI in Bulletin 746—*Louisiana Standards for State Certification of School Personnel*. The proposed revisions: adopt new high school and middle school Math Praxis exams; remove the requirement that teaching experience be in an educator area of certification as a condition of advancing a teaching certificate; require teacher preparation providers to submit all practitioner license (PL) applications; allow the issuance of Temporary Authority to Teach (TAT) certifications to applicants who fail to meet minimum grade point average requirements, contingent upon

the applicant's satisfactory completion of a personal interview by the employing school system; allow a "family childcare" child development associate (CDA) credential for purposes of earning an ancillary Early Childhood Certificate; allow uncertified nonpublic school educators to serve as mentor teachers; align Child Nutrition Coordinator requirements with Federal regulations; align CTIE certificate structure issuance and renewal with standard teaching certification; reduce the number of years of teaching experience for Educational Leader Certificate Level 3 (EDL3) and Out-of-State Superintendent (OSS) from 5 years to 3 years; and provide for technical edits.

**Title 28
EDUCATION**

Part CXXXI. Bulletin 746—Louisiana Standards for State Certification of School Personnel

Chapter 1. Introduction

§101. Purpose

A. Certification is a licensing process whereby qualified professionals become legally authorized to teach or to perform designated duties in K-12 schools and early learning centers under the jurisdiction of the Board of Elementary and Secondary Education (BESE). The certification process provides a systematic and nondiscriminatory procedure for the credentialing of teachers and other school personnel.

B. Certification policies and statutes are designed to identify and support high quality teachers in all Louisiana classrooms; promote higher standards in the teaching profession; and provide for growth and development of the teaching profession. The Louisiana Department of Education (LDE) implements and maintains teacher certification procedures as mandated by legislation and BESE policy.

C. Certification policies are adopted and implemented in a manner, and with a timeline, that allows for a smooth transition from old to new requirements. Any certification change approved by BESE will include specified implementation dates. In particular, changes in Praxis exams will allow for a 12-month transition period from the date of adoption by BESE. Additionally:

1. if the passing score for a specific PRAXIS exam increases, there will be a 12-month period from the date of adoption by BESE to the effective date;

2. if the passing score for a specific PRAXIS exam decreases, scores achieved up to 12 months prior to the effective date adopted by BESE will be accepted.

D. When revised certification policy requirements necessitate a program change at the college level, a notice shall be given to institutions of higher education that have teacher preparation programs so that catalogs can be revised and incoming freshman can be notified of the changes.

E. This bulletin will serve as a reference for current state policy regarding initial certification and to certification endorsement options for individuals seeking to become teachers, practicing teachers, personnel from both school districts and institutions of higher education, and persons requiring certification assistance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1782 (October 2006), amended LR 43:1290 (July 2017), LR 46:17 (January 2020), LR 48:

**Chapter 3. Initial Teacher Certification
Subchapter A. Teacher Certification Areas and Required Competencies**

§301. Overview

A. *Louisiana Revised Statute* 17:7 provides for the duties, functions, and responsibilities of the Board of Elementary and Secondary Education (BESE). Specifically, 17:7(6)(a)(i) states that BESE shall prescribe qualifications and provide for certification of teachers in accordance with applicable law, and that such qualifications and requirements shall ensure that certification shall be a reliable indicator of minimum current ability and proficiency of the teacher to educate at the grade level and in the subject(s) to which the teacher is assigned.

B. The Louisiana competencies for initial teacher certification define what a teacher candidate must know and be able to do in order to be eligible for certification upon completion of a BESE-approved teacher preparation program. The competencies represent the knowledge and skills needed for teacher candidates to successfully transition to teaching, as determined by content experts, elementary and secondary educators, and postsecondary education leaders. The competencies establish what teacher candidates should be taught; preparation providers and school system partners should determine how the competencies should be developed through quality practice experiences that include, at a minimum, a year-long residency as defined in Bulletin 996.

C. When a candidate has successfully completed a state-approved program that develops and assesses mastery of the competencies and has met state testing and grade point average certification requirements, the program provider recommends the candidate for certification.

1. The LDE will accept no final grade below a "C" in coursework within the approved undergraduate program, with the exception of the general education requirements. All coursework used for certification purposes must be for regular credit and not of a remedial or developmental nature.

D. Certification Areas and Required Competencies

Certification Areas	Required Competencies
Birth to Kindergarten	Subchapter C. General Teacher Subchapter E. English Language Arts Subchapter F. Mathematics Teacher Subchapter G. Early Childhood Teacher
Early Childhood PK-3	Subchapter C. General Teacher Subchapter E. English Language Arts Subchapter F. Mathematics Teacher Subchapter G. Early Childhood Teacher
Grades 1-5	Subchapter C. General Competencies Subchapter E. English Language Arts Teacher Subchapter F. Mathematics Teacher
Grades 4-8 Certification Areas	Required Competencies
English/Language Arts	Subchapter C. General Teacher Subchapter E. English Language Arts
Mathematics	Subchapter C. General Competencies Subchapter E. Disciplinary Literacy Subchapter F. Mathematics Teacher
Science	Subchapter C. General Teacher Subchapter E. Disciplinary Literacy Subchapter H. Science Education
Social Studies	Subchapter C. General Teacher Subchapter E. Disciplinary Literacy Subchapter H. Social Studies Education

Grades 6-12 Certification Areas	Required Competencies
Agriculture	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Agriculture Education
Biology	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Science Education
Business	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Business Education
Chemistry	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Science Education
Chinese	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Foreign Languages Education
English/Language Arts	Subchapter C, General Teacher Subchapter E, English Language Arts Teacher
Family and Consumer Sciences	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Family and Consumer Sciences Education
French	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Foreign Languages Education
General Science	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H,
German	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Foreign Languages Education
Mathematics	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter F, Mathematics Teacher
Physics	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H,
Social Studies	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H,
Spanish	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Foreign Languages Education
Speech	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy
Technology Education	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Technology Education
Computer Science	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Computer Science Education
Earth Science	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Science Education
Environmental Science	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Education
Journalism	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Journalism Education
Latin	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Foreign Languages Education
Marketing	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Business and Marketing Education
All-Level K-12 Certification Areas	Required Competencies
Grades K-12 Art	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Art Education

Grades K-12 Dance	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Dance Education
Grades K-12 Foreign Languages	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Foreign Languages Education
Grades K-12 Music	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Music Education
Grades K-12 Health and Physical Education	Subchapter C, General Teacher Subchapter E, Disciplinary Literacy Subchapter H, Health and Physical Education
Special Education Certification Areas	Required Competencies
Early Interventionist Birth to Five Years	Subchapter H
Deaf or Hard of Hearing K-12	Subchapter D, Special Education Teacher Subchapter H
Mild to Moderate Disabilities 1-5, 4-8, 6-12	Subchapter D, Special Education Teacher
Significant Disabilities 1-12	Subchapter D, Special Education Teacher Subchapter H
Visual Impairments/Blind K-12	Subchapter D, Special Education Teacher Subchapter H

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1783 (October 2006), amended LR 43:1291 (July 2017), LR 46:1374 (October 2020), LR 48:

Subchapter B. Testing Required for Certification Areas §303. Certification Exams and Scores

A. A teacher applicant for certification must successfully complete the appropriate written or computer-delivered assessment identified in this Section prior to issuance of a Louisiana educator certification.

1. Core Academic Skills for Educators. Teacher applicants in all content areas must pass all three Praxis core academic skills tests for educators.

a. An ACT composite score of 22 or an SAT combined score of 1100 or higher (new SAT) or 1030 or higher (pre-March 2016 SAT) may be used in lieu of PRAXIS 1 PPST exams or core academic skills for educators in reading, writing and math by prospective teachers in Louisiana.

b. Applicants possessing a non-education graduate degree from an institution accredited in accordance with 34 CFR 602 will be exempted from the core skills exam.

Pre-Professional Skills Test "Paper or Computer Administrations"	Test #	Score	Effective Date
PPST:R-Pre-Professional Skills Test: Reading	0710/5710	176	Effective 7/1/10 to 12/31/13
PPST:W-Pre-Professional Skills Test: Writing	0720/5720	175	
PST:M-Pre-Professional Skills Test: Mathematics	0730/5730	175	

Core Academic Skills for Educators	Test #	Score	Effective Date
Reading	5712	156	Effective 1/1/14 to 12/31/20
Writing	5722	162	
Mathematics	5732	150	

Core Academic Skills for Educators	Test #	Score	Effective Date
Reading	5713	156	Current-
Writing	5723	162	
Mathematics	5733	150	

¹NOTE: To differentiate the computer delivered tests, Educational Testing Service has placed the number “5” or “6” preceding the current test code. The department will accept computer delivered passing test scores for licensure

2. Principles of Learning and Teaching (PLT) Exams

Principles of Learning and Teaching: Early Childhood	0621 or 5621	157	Effective 1/1/12
Principles of Learning and Teaching: K-6	0622 or 5622	160	
Principles of Learning and Teaching: 5-9	0623 or 5623	160	
Principles of Learning and Teaching: 7-12	0624 or 5624	157	

B. Content and Pedagogy Requirements

Certification Area	Name of Praxis Test	Content Exam Score	Pedagogy: Principles of Learning and Teaching		
			PLT K-6 (#0622 or 5622)	PLT 5-9 (#0623 or 5623)	PLT 7-12 (#0624 or 5624)
Birth to Kindergarten	Early Childhood Content Knowledge (5022/5025 after September 2015)	160 (for 5022)	PLT: Early Childhood 0621 or 5621 (Score 157)		
	Early Childhood Education (5025) OR Education of Young Children (5024) OR PreK Education (5531)	156 (for 5025) 160 155			
Early Childhood PK-3	Elementary Content Knowledge (0014 or 5014) prior to 9/1/15	150	PLT: Early Childhood 0621 or 5621 (Score 157)		
Early Childhood PK-3	Effective 9/1/15 to 8/31/17 Elementary Education: Content Knowledge (5018) OR Elementary Education: Multiple Subjects (5001) • Reading/Language Arts(5002) • Mathematics (5003) • Social Studies (5004) • Science (5005)	163 157 157 155 159	PLT: Early Childhood 0621 or 5621 (Score 157)		
	Mandatory 9/1/17 Elementary Education: Multiple Subjects (5001) • Reading/Language Arts(5002) • Mathematics (5003) • Social Studies (5004) • Science (5005)	157 157 155 159			
Grades 1-5	Elementary Content Knowledge (0014 or 5014) prior to 9/1/15	150	160	---	---
Grades 1-5	Effective 9/1/15 to 8/31/17 Elementary Education: Content Knowledge (5018) OR Elementary Education: Multiple Subjects (5001) • Reading/Language Arts(5002) • Mathematics (5003) • Social Studies (5004) • Science (5005)	163 157 157 155 159 157 157 155	160		
	Mandatory 9/1/17 Elementary Education: Multiple Subjects (5001) • Reading/Language Arts(5002) • Mathematics (5003) • Social Studies (5004) • Science (5005)	155 159			
Grades 4-8 Mathematics	Middle School Mathematics (0069) Prior to 1/1/14	148	---	160	---
	Middle School Mathematics (5169) Effective 1/1/14	165			
	Effective 1/1/14-8/31/2022	157			
	Middle School Mathematics (5164) Effective 9/1/2021				
Grades 4-8 Science	Middle School Science (0439) Prior to 6/8/14	150	---	160	---
	Middle School Science (5440) Effective 6/8/14 to 3/31/2022	150			
	Middle School Science (5442) Effective 4/1/2021	152			
Grades 4-8 Social Studies	Middle School Social Studies (0089 or 5089)	149	---	160	---
Grades 4-8 English/ Language Arts	Middle School English/Language Arts (0049 or 5049) Prior to 1/1/14	160	---	160	---
	Middle School English (5047) Effective 1/1/14	164			

C. Certification Areas
 1. Grades 6-12 Certification

Grades 6-12 Certification Areas					
Certification Area	Name of PRAXIS Test	Score			PLT 7-12
Agriculture	Agriculture (0700) Prior to 6/8/14	510	---	---	157
	Agriculture (5701) Effective 6/8/14	147			
Algebra I	Algebra I (5162) Effective 8/14/18	157			
	Middle School Mathematics (5169) Effective 1/1/14-8/31/2022	165			
	Middle School Mathematics (5164) Effective 9/1/2021	157			
American Sign Language	American Sign Language Proficiency Interview (ASLPI-0634)	3+170	World Languages Pedagogy 0841 (Score 158)		
Biology	Biology: Content Knowledge (0235 or 5235)	150	---	---	157
Business	Business Education: Content Knowledge (0101 or 5101)	154	---	---	157
Chemistry	Chemistry: Content Knowledge (0245 or 5245)	151			157
Chinese	Chinese (Mandarin): World Language (5665)	164	PLT7-12 (Score 157) until 6/30/13; After 6/30/13 World Languages Pedagogy 0841 (Score 158)		
English	English Language, Literature, and Composition: Content Knowledge (0041 or 5041) Pedagogy (0043) Prior to 1/1/14 English Language Arts: Content and Analysis (5039) Effective 1/1/14	160 130 168	---	---	157
Family and Consumer Sciences	Family and Consumer Sciences (0121 or 5121) Prior to 6/8/14 Family and Consumer Sciences (5122) Effective 6/8/14	141 153	---	---	157
French	French: World Language (5174)	157	PLT7-12 (Score 157) until 6/30/13; After 6/30/13 World Languages Pedagogy 0841 (Score 158)		
General Science	General Science: Content Knowledge (0435 or 5435)	156	---	---	157
German	German: World Language (5183)	157	PLT7-12 (Score 157) until 6/30/13; After 6/30/13 World Languages Pedagogy 0841 (Score 158)		
Mathematics	Mathematics: Content Knowledge (0061 or 5061) Effective 6/1/10-12/31/13 Mathematics: Content Knowledge (5161) Effective 1/1/14-8/31/2022 Mathematics: Content Knowledge (5165) Effective 9/1/2021	135 160 159	---	---	157
Physics	Physics: Content Knowledge (0265 or 5265)	141			157
Social Studies	Social Studies: Content and Interpretation (0086 or 5086)	*153	---	---	157
Spanish	Spanish: World Language (5195)	157	PLT7-12 (Score 157) until 6/30/13; After 6/30/13 World languages Pedagogy 0841 (Score 158)		
Speech	Speech Communications (0221 or 5221)	146	---	---	157
Technology Education	Technology Education (0051 or 5051)	159	---	---	157
Computer Science Earth Science Environmental Science Journalism Latin Marketing	At this time, a content area exam is not required for certification in Louisiana.	---	---	---	157

* The passing score for tests taken prior to January 1, 2020 is 160.

2. All-Level K-12 Certification

All-Level K-12 Certification Areas							
Subject Area	Praxis Test	Score	PLT K-6		PLT 5-9		PLT 7-12
Grades K-12 Art	Art: Content Knowledge (0134 or 5134)	159	160	or	160	or	157
Grades K-12 Dance	None Available**	---	160		160	or	157
Grades K-12 Foreign Languages	Chinese (Mandarin): World Language (5665)	164	PLT K-6 (Score 160) or PLT 5-9 (Score 160) or PL7-12 (Score 157) until 6/30/13; After 6/30/13 World Languages Pedagogy 0841 (Score 158)				
	French: World Language (5174)	157					
	German: World Language (5183)	157					
	Spanish: World Language (5195)	157					
	American Sign Language Proficiency Interview (ASLPI - 0634)	3+ 170					
Grades K-12 Music	Music: Content Knowledge (0113 or 5113)	151	160	or	160	or	157
Grades K-12 Health and Physical Education	Physical Education: Content Knowledge (0091 or 5091), Prior to 6/8/14	146	160		160	or	157
	Health and Physical Education (5857), Effective 6/8/14	160					

**At this time, a content area exam is not required for certification in Louisiana

D. Special Education Areas

Area	Content Exam	Score	Pedagogy Requirement	Score
All Special Education Area(s)				
Early Interventionist	Prior to 9/1/15: Elementary Content Knowledge prior to 9/1/15 (0014 or 5014) Effective 9/1/15 to 8/31/17 Elementary Education: Content Knowledge (5018) OR Elementary Education: Multiple Subjects (5001) <ul style="list-style-type: none"> • Reading/Language Arts (5002) • Mathematics (5003) • Social Studies (5004) • Science (5005) Mandatory 9/1/17 Elementary Education: Multiple Subjects (5001) <ul style="list-style-type: none"> • Reading/Language Arts (5002) • Mathematics (5003) • Social Studies (5004) • Science (5005) 	150 163 157 157 155 159 157 157 155 159	Effective 1/1/12: Special Education: Core Knowledge and Applications (0354 or 5354) and Principles of Learning and Teaching: Early Childhood (0621 or 5621) Effective 1/1/14: Special Education: Early Childhood (0691) AND Principles of Learning and Teaching: Early Childhood (0621 or 5621)	145 157 159 157
Deaf and Hard of Hearing	Prior to 9/1/15: Elementary Content Knowledge (0014 or 5014) Effective 9/1/15 to 8/31/17: Elementary Education: Content Knowledge (5018) OR Elementary Education: Multiple Subjects (5001) <ul style="list-style-type: none"> • Reading/Language Arts(5002) • Mathematics (5003) • Social Studies (5004) • Science (5005) Mandatory 9/1/17: Elementary Education: Multiple Subjects (5001) <ul style="list-style-type: none"> • Reading/Language Arts(5002) • Mathematics (5003) • Social Studies (5004) • Science (5005) 	150 163 157 157 155 159 157 157 155 159	Effective 11/1/11: Special Education: Core Knowledge and Applications (0354 or 5354) AND Education of Deaf and Hard of Hearing Students (0271) Effective 1/1/14: Special Education: Core Knowledge and Applications (0354 or 5354) AND Special Education: Education of Deaf and Hard of Hearing Students (0272 or 5272)	145 160 145 160
Mild to Moderate Disabilities	ALL Candidates must pass a content area exam appropriate to certification level 1-5, 4-8, 6-12 such as elementary, or core subject-specific exams for middle or secondary grades.		Special Education: Core Knowledge and Mild to Moderate Applications (0543 or 5543) AND PLT specific to grade level (K-6, 5-9, or 7-12)	153

Area	Content Exam	Score	Pedagogy Requirement	Score
Significant Disabilities	Elementary Content Knowledge prior to 9/1/15 (0014 or 5014) Effective 9/1/15 to 8/31/17 Elementary Education: Content Knowledge (5018) OR Elementary Education: Multiple Subjects (5001) <ul style="list-style-type: none"> • Reading/Language Arts(5002) • Mathematics (5003) • Social Studies (5004) • Science (5005) Mandatory 9/1/17 Elementary Education: Multiple Subjects (5001) <ul style="list-style-type: none"> • Reading/Language Arts(5002) • Mathematics (5003) • Social Studies (5004) • Science (5005) 	150 163 157 157 155 159 157 157 155 159	Special Education: Core Knowledge and Severe to Profound Applications (0545 or 5545)	153
Visual Impairments/ Blind	Elementary Content Knowledge prior to 9/1/15 (0014 or 5014) Effective 9/1/15 to 8/31/17 Elementary Education: Content Knowledge (5018) OR Elementary Education: Multiple Subjects (5001) <ul style="list-style-type: none"> • Reading/Language Arts(5002) • Mathematics (5003) • Social Studies (5004) • Science (5005) Mandatory 9/1/17 Elementary Education: Multiple Subjects (5001) <ul style="list-style-type: none"> • Reading/Language Arts(5002) • Mathematics (5003) • Social Studies (5004) • Science (5005) 	150 163 157 157 155 159 157 157 155 159	Special Education: Core Content Knowledge and Applications (0354 or 5354) Effective 11/1/11 Special Education: Core Content Knowledge and Applications (0354 or 5354) and Special Education: Teaching Students with Visual Impairments (0282) Effective 1/1/14	145 145 163

E. Administrative and Instructional Support Areas

Certification Area	Name of Test	Area Test Score
Educational Leader—Level 1	School Leaders Licensure Assessment (1011 or 6011)	166 (Effective until 7/31/20)
	School Leaders Licensure Assessment (6990)	151 (Effective 9/1/19)
	Louisiana Leadership Assessment Series	“Demonstrated” (for at least 9 assessments within the series) Effective April 1, 2020
Educational Leader—Level 3	School Superintendent Assessment (6021)	160 (Effective until 7/31/20)
	School Superintendent Assessment (6991)	162 Current-
School Counselor K-12	Professional School Counselor (0421 or 5421)	156
School Librarian	Library Media Specialist (0311 or 5311)	136

F. Reading Exams

Name of Test	Area Test Score
Teaching Reading Exam (0204 or 5204) Effective 9/1/2011 – 7/31/2020	157
Teaching Reading Exam (0206 or 5206) Effective 9/1/2019	156

1. Praxis scores, for certification purposes, must be received by the LDE via one of the following ways:

- a. the electronic ETS Praxis score report forwarded directly from ETS; or
- b. the original Praxis score report issued by ETS submitted with the certification application.

G. Mentor Teacher and Content Leader. The mentor teacher certificate and the content leader certificate may be earned by passing the applicable Louisiana assessment series.

Certification Area	Name of Test	Area Test Score
Mentor Teacher	Louisiana Mentor Teacher Assessment Series—Elementary	2 coaching- related components
	Louisiana Mentor Teacher Assessment Series—Secondary ELA	2 coaching- related components
	Louisiana Mentor Teacher Assessment Series—Secondary Math	2 coaching- related components
	Louisiana Mentor Teacher Assessment Series—Universal	2 coaching- related components
Content Leader	Louisiana Content Leader Assessment Series	4
	Intervention Content Leader Assessment Series	3

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1833 (October 2006), amended LR 36:485 and 488 (March 2010), LR 36:2265 (October 2010), LR 37:551 (February 2011), repromulgated LR 37:556 (February 2011), amended LR 37:3210 (November 2011), LR 39:1461 (June 2013), LR 40:277 (February 2014), LR 40:1680 (September 2014), LR 41:645 (April 2015), LR 41:916 (May 2015), LR 42:233 (February 2016), LR 43:1292 (July 2017), LR 44:264 (February 2018), LR 44:1999 (November 2018), LR 45:228, 230 (February 2019), repromulgated LR 45:403 (March 2019), amended LR 45:1458 (October 2019), LR 46:325 (March 2020), LR 46:557 (April 2020), LR 46:1374 (October 2020), LR 47:453 (April 2021), repromulgated LR 47:574 (May 2021), amended LR 48:

§305. Minimum Requirements for Approved Regular Education Programs for Birth to Kindergarten

A. For certification as a teacher of birth to kindergarten children in the state of Louisiana, the focus is on birth to kindergarten education.

1. General Education—39 semester credit hours. Requirements provide the birth to kindergarten teacher with basic essential knowledge and skills.

English	12 semester hours
Mathematics	6 semester hours
Sciences	9 semester hours
Social studies	9 semester hours
Arts	3 semester hours

2. Focus Area—Birth to Kindergarten—30 semester credit hours. Requirements provide the prospective birth to kindergarten teacher with a strong foundation pertaining to the growth and development of young children. All courses are to be aligned to state and national standards for birth to kindergarten.

Birth to kindergarten content knowledge and instruction identified by the State as being required for an Early Childhood/Ancillary Certificate	9 semester credit hours
Infant/Toddler and Preschool/Kindergarten Development	6 semester credit hours
Infant/Toddler and Preschool/Kindergarten Methodology	6 semester credit hours
Language and Literacy Development	3 semester credit hours
Family Systems and Practicum	6 semester credit hours

3. Knowledge of the Learner and Learning Environment—9 semester credit hours. Requirements provide the prospective birth to kindergarten teacher with a fundamental understanding of the birth to kindergarten learner and the teaching and learning process. Coursework should address the needs of the regular and the exceptional child, as follows:

- a. educational psychology;
- b. assessment of young children;
- c. behavior management;
- d. diverse/multicultural education.

4. Methodology and Teaching—15 semester hours. Requirements provide the prospective birth to kindergarten teacher with fundamental pedagogical skills.

Teaching methodology	6 semester hours
Advanced Language Development and Literacy	6 semester hours
Professional Teaching Residency and Seminar I and Professional Teaching Residency and Seminar II	24 semester hours
Flexible hours for the university's use	6 semester hours
Total required hours in the program	120 semester hours

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:17:6(A)(10), (11), and (15), R.S. 17:7(6), and R.S. 17:407.81.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:916 (May 2015), amended LR 48:

Subchapter C. General Teacher Competencies §307. Introduction

A. The following teacher preparation competencies apply to all content areas and grade levels for which a teacher candidate may be certified to teach.

B. The competencies identify essential knowledge and skills that align with current expectations for practicing teachers, including but not limited to what a teacher candidate must know and be able to do in order to:

1. communicate and collaborate with students, colleagues, families, and community members to support students' learning and development; and
2. design and deliver effective instruction to all students, including students with exceptionalities and students in need of academic and non-academic intervention in a regular education setting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1296 (July 2017), amended LR 48:

§309. General Competencies

A. The teacher candidate demonstrates, at an effective level, the Louisiana components of effective teaching as defined in Bulletin 130 and the compass teacher rubric or local personnel evaluation, as applicable.

B. The teacher candidate demonstrates mastery of the content knowledge and skills and content pedagogy needed to teach the current academic standards as defined in BESE policy.

C. The teacher candidate uses evidence to continually evaluate practice, particularly the effects of choices and actions on students and adapts practice to meet the needs of each student.

1. The teacher candidate observes and reflects on student responses to instruction to identify areas of need and make adjustments to practice.

2. The teacher candidate gathers, synthesizes, and analyzes a variety of data from a variety of sources to adapt instructional practices and other professional behaviors to better meet student needs.

3. The teacher candidate uses structured input and feedback from a variety of sources such as colleagues, mentor teachers, school leaders, and preparation faculty to adjust instructional practice and professional behaviors to better meet student needs.

D. The teacher candidate elicits and uses information about students and experiences from families and communities to support student development and learning and adjust instruction and the learning environment.

E. The teacher candidate applies knowledge of state and federal laws related to student rights and teacher responsibilities for appropriate education for students with and without exceptionalities, parents, teachers, and other professionals in making instructional decisions and communicating with colleagues and families such as laws and policies governing student privacy, special education, and limited English proficient education, including but not limited to Bulletin 1508, Bulletin 1530, Bulletin 1706, and Bulletin 1903.

F. The teacher candidate differentiates instruction, behavior management techniques, and the learning environment in response to individual student differences in cognitive, socio-emotional, language, and physical development.

G. The teacher candidate develops and applies instructional supports and plans for an individualized education plan (IEP) or individualized accommodation plan (IAP) to allow a student with exceptionalities developmentally appropriate access to age- or grade-level instruction, individually and in collaboration with colleagues.

H. The teacher candidate applies knowledge of various types of assessments and the purposes, strengths, and limitations to select, adapt, and modify assessments to accommodate the abilities and needs of students with exceptionalities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1296 (July 2017).

Subchapter D. Special Education Teacher Competencies

§311. Introduction

A. The competencies identify the fundamental knowledge and skills that should be developed and assessed in teacher candidates who are pursuing certification that includes eligibility to teach special education in Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1297 (July 2017), amended LR 48:

§313. Learning Environments

A. The teacher candidate uses positive motivational and instructional interventions to teach students with exceptionalities how to adapt to different environments.

B. The teacher candidate sets expectations for personal and social behavior of students with exceptionalities in various settings such as the classroom, library, cafeteria, gymnasium, and/or job site and incorporates the expectations into effective instructional routines, lesson plans, IEP goals, and objectives.

1. The teacher candidate provides positive visual, physical, and/or motivational support to individual students for integration into various settings.

C. The teacher candidate designs and adapts learning environments for diverse student populations that facilitate active participation in individual and group activities.

D. The teacher candidate modifies the learning environment, including the physical arrangement, student grouping, instructional intensity, pacing, and embedded assistive technology supports, to proactively manage student behaviors and unique learning needs.

1. The teacher candidate uses a variety of non-aversive techniques to control targeted behavior and maintain attention of students with exceptionalities.

2. The teacher candidate uses assessment data to select appropriate environmental accommodations and modifications to address deficits in student behaviors and learning needs.

E. The teacher candidate intervenes safely and appropriately when students with exceptionalities are in crisis.

F. The teacher candidate designs and implements positive interventions to develop and strengthen on task/desirable behaviors.

G. The teacher candidate plans and implements individualized reinforcement systems and environmental modifications at levels equal to the intensity of student behavior and function.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1297 (July 2017), amended LR 48:

§315. Curriculum

A. The teacher candidate makes the general curricula accessible to students with exceptionalities by implementing instruction that is inclusive of appropriate accommodations and modifications to the general curricula as outlined in an IEP.

B. The teacher candidate develops and implements comprehensive, longitudinal individualized programs, and IEPs in collaboration with team members, the individual, and family.

1. The teacher candidate addresses the needs of students with exceptionalities that extend beyond the general education curriculum within IEPs and through instruction across various educational settings and contexts.

C. The teacher candidate uses augmentative and alternative communication systems and a variety of assistive technologies to support instructional assessment, planning, and delivery for students with exceptionalities.

1. The teacher candidate selects, designs, and uses high- and low-technology materials and resources required to educate individuals whose exceptionalities interfere with communication.

D. The teacher candidate integrates affective, social, and life skills with academic curricula, creating the opportunity for students to practice the skills in the context of authentic daily routines.

1. The teacher candidate designs, implements, and evaluates instructional programs that enhance social participation across environments.

E. The teacher candidate applies knowledge of career, vocational, and transition programs for students with exceptionalities to design and implement instructional programs that address independent living and career education for individuals.

1. The teacher candidate uses a variety of community- and school-based resources and strategies to successfully transition students with exceptionalities into and out of school and post-school environments.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1297 (July 2017), amended LR 48:

§317. Assessment

A. The teacher candidate monitors progress of students with exceptionalities towards attainment of IEP goals and objectives.

1. The teacher candidate uses knowledge of measurement principles and practices to interpret assessment results and guide educational decisions for students with exceptionalities.

2. The teacher candidate uses multiple types of assessment information in making instructional, eligibility, program, and placement decisions for students with exceptionalities, including students from culturally and linguistically diverse backgrounds.

3. The teacher candidate uses appropriate technology to conduct assessments in keeping with assessment protocols and in alignment with student needs.

B. The teacher candidate identifies and uses assessment data to identify the need for interventions and services for individuals who are in need of additional academic and/or non-academic support, including early identification of young individuals who may be at risk for exceptionalities.

1. The teacher candidate uses data derived from functional assessments to develop intervention plans aligned to the specific needs of individual students.

C. The teacher candidate selects, adapts, and modifies assessments or assessment strategies to accommodate abilities and needs of students with exceptionalities.

1. The teacher candidate implements procedures for assessing and reporting both appropriate and problematic social behaviors of students with exceptionalities.

2. The teacher candidate identifies reliable methods of response from students who lack typical communication and performance abilities, using supports as needed to accommodate individual student needs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1297 (July 2017), amended LR 48:

§319. Instructional Planning

A. The teacher candidate plans and implements age- and ability-appropriate instruction for students with exceptionalities that supports progress in the general curricula.

1. The teacher candidate incorporates goals and strategies from multiple IEPs in lesson plans.

2. The teacher candidate uses and adapts instructional strategies according to characteristics and needs of students with exceptionalities.

3. The teacher candidate selects and adapts instructional materials according to characteristics and needs of students with exceptionalities.

B. The teacher candidate selects and uses a variety of assistive technologies within instructional routines to promote access to the general curriculum for students with exceptionalities.

C. The teacher candidate modifies the pace of instruction and provides organizational cues to meet the instructional needs of students with exceptionalities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1298 (July 2017), amended LR 48:

Subchapter E. English Language Arts and Literacy Teacher Competencies

§321. Introduction

A. The English language arts and literacy teacher preparation competencies identify essential knowledge and skills for teacher candidates seeking certification in birth to kindergarten, pre-kindergarten-third grade, elementary grades 1-5, elementary grades 1-5 integrated to merged, English language arts grades 4-8, English language arts grades 4-8 integrated to merged, English language arts 6-12, and English language arts grades 6-12 integrated to merged.

B. Content knowledge competencies identify foundational knowledge of the English language and language development, reading, composition, and oral language skills.

C. Content pedagogy competencies identify teaching knowledge and skills that are specific to English Language arts instruction that develop the student ability to:

1. understand and use vocabulary and language, including early literacy, such as print awareness, phonological skill, word recognition, and incidental reading foundational skills to facilitate understanding and comprehension of the written word;

2. understand topics, themes, and ideas to determine text meaning;

3. build understanding about texts using evidence through discussion; and

4. demonstrate understanding of the language, craft, topics, themes, and ideas of complex grade-level texts through writing using evidence and appropriate grade-level conventions, spelling, and structure.

D. Disciplinary literacy competencies identify what a teacher candidate must know and be able to do to teach reading and literacy effectively in the context of certification areas other than English language arts in areas such as the middle grades and secondary science or social studies.

1. The ELA and literacy competencies are applicable to teacher candidates who are pursuing certification for grades 4-8 or 6-12 in any content area other than English language arts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1298 (July 2017), amended LR 48:

§323. Content Knowledge Competencies

A. The teacher candidate is able to read and understand the language, craft, topics, themes, and ideas of complex texts and explain how one is able to read and understand the texts.

1. The teacher candidate reads a wide variety of complex texts appropriate for instruction of age or grade-level reading, writing, speaking and listening, and language standards. The variety of texts includes print and non-print or digital texts; media texts, including but not limited to, songs, videos, podcasts, film, and classic texts and contemporary texts. The texts include children's literature that represent a range of world literatures, historical traditions, genres, forms, and the experiences of different genders, ethnicities, and social classes.

2. The teacher candidate determines the meaning, purpose, and main ideas of complex texts and explains the development orally and in writing based on the interaction of an author's craft by using word choice, syntax, use of details and illustrations, and figurative language, elements and structure such as setting, characterization, development and organization, plot, pacing, and evidence, literary effects of symbolism and irony, and rhetorical devices.

3. The teacher candidate explains how vocabulary, diction, syntax, and sentence patterns contribute to the meaning, complexity, clarity, coherency, fluency, and quality of a text.

4. The teacher candidate selects words in complex texts which most contribute to the meaning, are common among complex texts, are part of word families, or have multiple meanings.

5. The teacher candidate makes connections among texts, including determining and explaining how each text challenges, validates, or refines the language, topics, themes, and/or ideas of other texts and how modern texts or texts in different mediums adapt, enhance, or misrepresent a source text.

6. The teacher candidate assesses the credibility and usability of texts by analyzing texts with differing viewpoints to determine areas of conflict or possible bias, evaluating whether the reasoning is sound and the evidence is relevant and sufficient, and determining the advantages and disadvantages of different texts and mediums for presenting a particular topic or idea.

7. The teacher candidate recognizes the influence of English language and literary history on English language arts content.

B. The teacher candidate demonstrates proficiency with written and spoken language when writing about the topics, themes, and/or ideas of complex texts.

1. The teacher candidate creates a range of formal and informal, process and on-demand oral, written, and visual compositions to include analytic, argumentative, explanatory, and narrative text about the language, craft, topics, themes, and/or ideas of complex texts, taking into consideration the interrelationships among form, audience, context, and purpose.

2. The teacher candidate uses complex texts to locate models of writing such as word choice, syntax, sentence

variety and fluency, text structure, and style and uses the models to imitate the language, structure, and style into personal writing.

3. The teacher candidate knows and appropriately uses the conventions of English language grammar, usage, and mechanics in relation to various rhetorical situations and to various style guides for composition.

4. The teacher candidate recognizes and explains the historical context of modern English language, including recognizing root words, determining word etymologies, and analyzing changes in syntax.

5. The teacher candidate explains the concept of dialect, recognize the effect and impact on the meaning and development of written and spoken language, and knows how to apply the concept in context when appropriate.

6. The teacher candidate explains the importance of language structure, syntactic awareness, and discourse awareness in developing reading and writing fluency.

C. The teacher candidate demonstrates understanding of the stages of language, reading, and writing development.

1. The teacher candidate explains the progression, connection, and relationships among the major components of early literacy development, including the typical and atypical development of skills in the areas of language, phonological skill, morphology, orthography, semantics, syntax, and discourse; reading, print awareness, decoding, fluency, and comprehension; and spelling and writing development including pre-literate, early emergent, emergent, transitional, and conventional.

2. The teacher candidate defines, explains, produces, and classifies the basic phonetic structure and orthographic rules and patterns of the English language, including but not limited to phonemes, graphemes, diagraphs, blends, r-control vowels, hard and soft consonants, and explains the relation to the progression of reading and writing development.

3. The teacher candidate explains the principles of teaching word identification and spelling and gives examples illustrating each principle.

4. The teacher candidate explains the role of fluency in typical reading development including word recognition, oral reading, silent reading, and comprehension, and as a characteristic of certain reading disorders.

5. The teacher candidate identifies, defines, and explains the relationship between environmental, cultural, and social factors that contribute to literacy development and the difference between delays and characteristics of some reading disorders, as determined by academic standards.

6. The teacher candidate explains and demonstrates through oral reading the print concepts young students must develop regarding text orientation, directionality, connection of print to meaning, return sweep, page sequencing, and punctuation.

7. The teacher candidate explains the stages of the development of phonological awareness skills and gives examples illustrating each stage of rhyme, syllable, onset-rime, phoneme segmentation, blending, and substitution.

8. The teacher candidate demonstrates appropriate enunciation in oral demonstrations, especially speech sounds when conducting phonemic awareness lessons.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1298 (July 2017), amended LR 48:

§325. English Language Arts Content Pedagogy Competencies

A. The teacher candidate applies knowledge of the relationships among speaking and listening, language, reading, and writing to use writing and speaking and listening experiences in conjunction with language and reading instruction to enhance student reading and writing development.

1. The teacher candidate for B-K, PK-3, and 1-5 uses knowledge of the progression of phonological awareness skills to select or design and implement sequenced lessons and units that scaffold student development of phonological awareness and enhance reading and writing development through the use of a variety of intentional, explicit, and systematic instructional practices embedded in a range of continuous texts.

2. The teacher candidate for grades 1-5, 4-8, and 6-12 uses knowledge of the progression of language, reading, and writing skills to select or design and implement lesson sequences that scaffold and enhance early adolescent and adolescent student reading and writing development through the use of a variety of intentional, explicit, and systematic instructional practices embedded in a range of continuous texts for small-group instruction or intervention in addition to whole-class instruction with grade-level standards.

3. The teacher candidate uses knowledge of the relationship between phonemes and graphemes to plan writing experiences in conjunction with phonological instruction to enhance student reading and writing development.

4. The teacher candidate selects and uses various strategies to develop student reading fluency, including guiding student awareness of syntax and discourse.

5. The teacher candidate selects or designs and implements lessons and unit sequences which provide opportunities for all students to read a wide range and volume of texts for various purposes of understanding, pleasure, and research, and make connections among texts based on the language, craft, topics, themes, and/or ideas.

6. When appropriate and based on age- or grade-level standards, the teacher candidate supports student selection of texts and assessment of the credibility and usability of texts for different purposes.

7. The teacher candidate schedules and coordinates instructional time to make content connections with science, social studies, and the arts to ensure students build a wide vocabulary and knowledge of the world.

B. The teacher candidate selects or designs and implements instruction that provides opportunities for students at various stages of language, reading, and writing development to accurately and fluently read, understand, and express understanding of a range of complex grade-level texts, as determined by age- or grade-level standards.

1. The teacher candidate selects a volume of appropriately complex texts about similar topics, themes, and/or ideas that present opportunities for instruction and assessment of age- or grade-level standards.

2. The teacher candidate selects and uses multiple academic standards for instruction with selected complex

texts about similar topics, themes, or ideas to identify sections for rereading through interactive read aloud, read along, pair or group reading, and/or independent reading, and creates and sequences questions and tasks.

3. The teacher candidate anticipates student misconceptions or challenges and identifies a variety of grade-level appropriate instructional strategies to scaffold instruction and provide all students with opportunities to read, understand, and express understanding through conversations and writing using grade-level appropriate language, conventions, spelling, and structure.

C. The teacher candidate selects or designs and implements instructional materials that develops student ability to meet the age- or grade-level standards for reading, writing, speaking and listening, and language by composing a range of oral, written, and visual texts using formal and informal, process and on-demand, and different genres for a variety of purposes and audiences).

1. The teacher candidate selects and uses multiple academic standards for instruction with selected complex texts about similar topics, themes, and ideas to select or design composition tasks that explain, analyze, challenge, or extend the language, craft, topics, themes, and ideas of the texts.

2. The teacher candidate locates models of writing in complex texts to illustrate word choice, syntax, sentence variety, fluency, text structure, and style and selects or designs and implements instruction that develops student ability to use the models to advance language, structure, and style in personal writing.

3. The teacher candidate facilitates classroom discussions based on the age- or grade-level standards for speaking and listening that allow students to refine thinking about the language, craft, topics, themes, and/or ideas in complex texts in preparation for writing, when appropriate, as indicated by academic standards.

4. The teacher candidate develops, based on academic standards, student ability to create an organizing idea or thesis statement, effectively organize and develop a written, oral, or visual response, and, when appropriate, develop a topic or support an opinion or claim about the language, craft, topics, themes, and/or ideas in complex texts using relevant evidence.

5. The teacher candidate provides opportunities incorporating technology for students to plan, draft, revise, edit, and publish written, oral, visual, and digital texts, individually and collaboratively through shared and small-group writing and peer editing to communicate knowledge, ideas, understandings, insights, and experiences.

6. The teacher candidate anticipates how students may use non-standard language orally and in writing and selects or designs and implements instruction based on age- or grade-level standards to develop student ability to use language conventions of grammar, usage, and mechanics accurately and strategically in writing for different audiences and purposes.

7. The teacher candidate selects or designs and implements tasks for all students, as indicated by academic standards for reading, writing, speaking and listening, and language that require research of a topic, theme, or idea presented in complex texts and communication of findings orally and in writing.

D. The teacher candidate applies knowledge of language, reading, and writing development to select or design and use a range of ongoing classroom assessments including diagnostic, formal and informal, formative and summative, oral, and written which measure students' ability to read, understand, and demonstrate understanding of a range of grade-level complex texts to inform and adjust planning and instruction.

1. The teacher candidate selects or designs a range of ongoing assessments including formal and informal, formative and summative, oral, and written to measure student ability to use knowledge of language, print concepts, phonological awareness, phonics, and word recognition to accurately and fluently read, understand, and express understanding of a range of continuous texts.

2. The teacher candidate applies knowledge of reading, writing, and language development to identify trends in student reading foundational skills, writing, and language development and identify students who are in need of additional support with decoding, fluency, vocabulary development, speaking and listening, writing, and grammar.

3. The teacher candidate assesses specific reading behaviors often associated with fluency problems such as lack of automaticity, substitution, omissions, repetitions, inappropriate reading rates, and inaccuracy and recognizes atypical developmental patterns, and collaborates with colleagues and specialists to plan and implement appropriate instructional support(s) that address individual needs without replacing regular classroom instruction.

4. The teacher candidate assesses student written expression skills of handwriting for elements of legibility, such as letter formation, size and proportion, and spacing, and keyboarding for proper technique and style, such as adequate rate and accuracy, appropriate spacing, and proficiency with word processing programs, identifies elements that need improvement, and designs instructional supports that support student mastery.

5. The teacher candidate uses assessment trends to make adjustments to instructional plans through re-teaching, targeted mini-lessons, individualized or small-group remediation, or extension and identifies differentiated instructional supports that provide all students with opportunities to read, understand, and express understanding of complex texts, as determined by age- or grade-level standards.

6. The teacher candidate uses assessment trends to form flexible groups of students and select or design and implement small-group instruction to improve student ability to read independently a range of continuous texts and write in response using age- or grade-level appropriate conventions, spelling, language, and structure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1299 (July 2017), amended LR 48:

§327. Disciplinary Literacy Competencies

A. The teacher candidate applies knowledge of the theoretical and evidence-based foundations of reading and writing processes and specific disciplinary literacy expectations as described in academic standards to select or

design and implement an integrated and comprehensive curriculum that develops students' understanding of content.

1. The teacher candidate explains the research and theory of disciplinary literacy and demonstrates discipline-specific reading and writing skills.

2. The teacher candidate explains how disciplinary literacy skills are necessary for learning content and expressing understanding of content through writing and speaking based on the academic standards for certification content area.

3. The teacher candidate selects or designs and implements discipline-specific curriculum and instructional materials which incorporate technology to support instructional goals and objectives for the disciplinary literacy demands of the certification content area and differentiates the materials for the range of literacy needs of adolescent readers.

4. The teacher candidate selects, assesses the accuracy and credibility of, and uses a range and volume of print, digital, visual, and oral discipline-specific texts including primary and secondary sources in social studies or current research, informational journals, experimental data, and results in science as instructional tools.

B. The teacher candidate applies knowledge of disciplinary literacy to select and use appropriate and varied instructional approaches to build all student ability to understand and express understanding of discipline specific content through reading, writing, speaking, and language.

1. The teacher candidate provides opportunities for students to learn and use vocabulary and language specific to the certification content area, practice discipline-specific reading and writing strategies, and gain and express understanding of content by exploring key questions through grade-level print, digital, visual, and oral discipline specific texts.

C. The teacher candidate applies knowledge of disciplinary literacy to select or design and use a range of ongoing classroom assessments for diagnostic, formal and informal, formative and summative, oral and written use which measure student mastery of grade-level standards in order to inform and adjust planning and instruction.

1. The teacher candidate assesses student ability to understand and use discipline-specific vocabulary and language, gain knowledge and understanding of content through grade-level, discipline-specific texts, and express knowledge and understanding through speaking and writing.

2. The teacher candidate uses trends in assessment results to plan lessons, make adjustments to instruction, and provide remediation and enrichment opportunities for students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1301 (July 2017), amended LR 48:

Subchapter F. Mathematics Teacher Competencies

§329. Introduction

A. The mathematics teacher preparation competencies identify essential knowledge and skills for teacher candidates seeking certification in birth to kindergarten, pre-kindergarten-third grade, elementary grades 1-5, elementary

grades 1-5 integrated to merged, mathematics grades 4-8, mathematics grades 4-8 integrated to merged, mathematics 6-12, and mathematics 6-12 integrated to merged.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1301 (July 2017), amended LR 48:

§331. Content Knowledge Competencies

A. Utilizing the academic standards for mathematics for the certification grade band and adjacent grade bands, the teacher candidate, at minimum, demonstrates the following competencies to plan for instruction, teach, and assess student learning:

1. provides exact, explicit definitions of mathematical ideas and concepts using appropriate mathematical language;
2. provides precise, accurate, useful descriptions of algorithms and procedures, including descriptions of the accuracy of alternative procedures or algorithms;
3. exhibits an integrated, functional grasp of mathematical concepts and procedures;
4. explains concepts and executes procedures flexibly, accurately, efficiently, and appropriately;
5. models the mathematical dispositions and habits of mind described in the practice standards, including precision of language, logical thought, reflection, explanation, and justification;
6. recognizes and uses the connections between the topics identified in the relevant standards and problems arising in real-world applications; and
7. portrays mathematics as sensible, useful, and worthwhile.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1301 (July 2017), amended LR 48:

§333. Content Pedagogy Competencies

A. The teacher candidate applies knowledge of mathematical topics and relationships within and across mathematical domains to identify key mathematical ideas and select or design mathematically sound lesson sequences and units of study that develop student conceptual understanding, procedural skill and fluency, and ability to solve real-world and mathematical problems.

1. The teacher candidate appropriately sequences content for instruction within a lesson or unit of study and plans appropriate scaffolding to provide opportunities for students to access and master grade-level standards.
2. The teacher candidate anticipates student misconceptions which may arise during a lesson or unit of study, identifies key points in the lesson or unit to check for misconceptions, and identifies appropriate instructional strategies to respond to misconceptions, including but not limited to questioning, whole group discussion, problem sets, instructional tools, and representations that make the mathematics of the lesson explicit.
3. The teacher candidate selects or designs standards-based tasks that use varied strategies, including but not limited to real-life applications, manipulatives, models, and

diagrams/pictures that present opportunities for instruction and assessment.

4. The teacher candidate selects or designs practice sets that include scaffolding and differentiation of mathematical content to provide opportunities for students to develop and demonstrate mastery.

5. The teacher candidate identifies appropriate student groupings, such as pairs or small groups, to develop student conceptual understanding, skill, and fluency with mathematical content as well as independent mathematical thinking.

B. The teacher candidate applies understanding of student mathematical language development to provide regular opportunities during instruction for students to explain understanding both in writing and orally through classroom conversations.

1. The teacher candidate explains the connection between informal language to precise mathematical language to develop student ability to use precise mathematical language in explanations and discussions.

C. The teacher candidate applies understanding of the intersection of mathematical content and mathematical practices to provide regular, repeated opportunities for students to exhibit the math practices while engaging with the mathematical content of the lesson, including but not limited to the following:

1. using appropriate prompting and questioning that allows students to refine mathematical thinking and build upon understanding of the mathematical content of the lesson;
2. posing challenging problems that offer opportunities for productive struggle and for encouraging reasoning, problem solving, and perseverance in solving problems through initial difficulty;
3. facilitating student conversations in which students are encouraged to discuss each other's thinking in order to clarify or improve mathematical understanding;
4. providing opportunities for students to choose and use appropriate tools when solving a problem; and
5. prompting students to explain and justify work and providing feedback that guides students to produce revised explanations and justifications.

D. The teacher candidate applies knowledge of mathematical topics and relationships within and across mathematical domains to select or design and use a range of ongoing classroom assessments, including but not limited to diagnostic, formal and informal, formative and summative, oral and written, which determine student mastery of grade-level standards in order to inform and adjust planning and instruction.

1. The teacher candidate identifies errors, gaps, and inconsistencies in student knowledge, skills, and mathematical reasoning to remediate or scaffold student learning during lesson implementation, using, but not limited to, the following strategies:
 - a. oral and written explanations of the elements and structures of mathematics and the meaning of procedures, analogies, and real life experiences;
 - b. manipulatives, models, and pictures or diagrams; and
 - c. problem sets.

2. The teacher candidate uses trends in assessment results to plan lesson structure and sequence, instructional strategies, remediation, and enrichment opportunities for students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1302 (July 2017), amended LR 48:

Subchapter G. Early Childhood Teacher Competencies

§335. Introduction

A. The early childhood teacher preparation competencies identify essential knowledge and skills for teacher candidates seeking early childhood ancillary certification and certification in birth to kindergarten.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1302 (July 2017), amended LR 48:

§337. Early Childhood Pedagogy Competencies

A. The teacher candidate designs instructional learning outcomes written in terms of what children will learn rather than do and includes indicators from applicable Louisiana birth to five early learning development standards (ELDS) domains, and are appropriate for diverse learners such as special education and ESL students.

B. The teacher candidate provides emotional and behavioral support to children as indicated by the following:

1. creating a positive environment that supports emotional connections between children and adults and between children and peers;
2. exhibiting an awareness and sensitivity to the emotional and learning needs of children;
3. allowing opportunities for exploration while providing comfort, reassurance, and encouragement; and
4. placing emphasis on the perspectives, interests, motivations, and points of view of the children.

C. The teacher candidate manages classroom organization to support child development as indicated by the following:

1. setting clear, age-appropriate expectations for child behavior;
2. supporting positive behavior by using effective methods, including but not limited to highlighting positive behaviors and redirecting misbehaviors;
3. promoting the ability of children to self-regulate behavior, including but not limited to using a proactive approach and planning to minimize disruptions;
4. managing instructional and learning time and routines so children have maximum opportunities to be engaged in learning activities;
5. maximizing the interest and engagement by being actively involved in the learning process; and
6. using a variety of materials and modalities to gain the interest and participation in activities.

D. The teacher candidate provides engaged instructional support for learning as indicated by the following:

1. using interactions and discussions to promote higher-order thinking skills and cognition;

2. focusing on promoting understanding rather than on rote instruction or memorization;

3. providing feedback that expands learning and understanding;

4. scaffolding learning to provide supportive guidance so that children can to achieve competencies and skills independently;

5. providing opportunities for conversations for the purpose of promoting opportunities for language use;

6. utilizing open-ended questioning techniques to allow children to put language together to communicate more ideas in increasingly complex ways;

7. modeling language use and forms through repeating and extending child responses and through self and parallel talk; and

8. using a variety of words and language forms that are new and unique to extend understanding of these parts of language.

E. The teacher candidate uses assessment to guide planning and understand child levels of growth and development as indicated by the following:

1. conducting observation-based assessments in a systematic, ongoing manner throughout daily routines and activities;
2. gathering and using assessment data for the purpose of planning instruction, activities, and experiences that further promote child development and learning;
3. reflecting on child assessment data and connections to teacher action to make changes to continuously improve practice; and
4. making decisions based on the progress of child development with reliability.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1302 (July 2017), amended LR 48:

Subchapter H. Other Certification Area Competencies

§339. Introduction

A. The knowledge and skills needed for teacher candidates pursuing certification in the following certification areas are defined in the following standards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1303 (July 2017), amended LR 48:

§341. Other Special Education Areas

A. Early Interventionist Birth-Five Years: Council for Exceptional Children (CEC) Initial Special Education Early Childhood Specialty Set.

B. Deaf or Hard of Hearing K-12: CEC Initial Special Education Deaf and Hard of Hearing Specialty Set.

C. Visual Impairments/Blind K-12: CEC Initial Special Education Blind and Visually Impaired Specialty Set.

D. Academically Gifted: National Association for Gifted Children (NAGC) Teacher Preparation Standards for Gifted.

E. Significant Disabilities 1-12: CEC Initial Special Education Individualized Independence Curriculum Specialty Set.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1303 (July 2017), amended LR 46:1375 (October 2020), amended LR 48:

§343. Middle Grades 4-8 Education

A. Science Education: National Science Teachers Association (NSTA) Standards for Science Teacher Preparation.

B. Social Studies Education: National Council for the Social Studies (NCSS) Standards for the Initial Preparation of Social Studies Teachers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1303 (July 2017), amended LR 48:

§345. Secondary Grades 6-12 Education

A. Agriculture Education: American Association for Agriculture (AAAE) National Standards for Teacher Education in Agriculture.

B. Business and Marketing Education: National Association for Business Teacher Education Association (NABTE) Business Teacher Education Standards.

C. Computer Science Education: International Society for Technology in Education (ISTE) Standards for Computer Science Educators.

D. Family and Consumer Sciences Education: American Association of Family and Consumer Sciences (AAFCS) Standards..

E. Foreign Languages Education: American Council on the Teaching of Foreign Languages (ACTFL) Program Standards for the Preparation of Foreign Language Teachers

F. Journalism Education: Association (JEA) Standards for Journalism Educators.

G. Science Education: National Science Teachers Association (NSTA) Standards for Science Teacher Preparation.

H. Social Studies Education: National Council for the Social Studies (NCSS) Standards for the Initial Preparation of Social Studies Teachers.

I. Technology Education: International Society for Technology in Education (ISTE) Standards and International Technology and Engineering Educators Association (ITEEA) Standards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1303 (July 2017), amended LR 48:

§347. All Levels K-12 Education

A. Art Education: National Association of Schools of Art and Design (NASAD) Standards for Art Teacher Preparation.

B. Dance Education: National Association of Schools of Dance (NASD) Standards for Dance Teacher Preparation.

C. English as a Second Language Education: Teachers of English to Speakers of Other Languages (TESOL) Standards for Teacher Education Programs.

D. Foreign Languages Education: American Council on the Teaching of Foreign Languages (ACTFL) Program Standards for the Preparation of Foreign Language Teachers.

E. Health and Physical Education: Society of Health and Physical Educators (SHAPE) America Initial Health Education Teacher Education Standards and Initial Physical Education Teacher Education Standards.

F. Music Education: National Association of Schools of Music (NASM) Standards for Music Teacher Preparation.

G. Theater Education: National Association of Schools of Theatre (NAST) Standards for Theater Teacher Preparation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1304 (July 2017), amended LR 48:

Chapter 5. Teaching Credentials, Licenses and Certifications

Subchapter A. Standard Teaching Certificates

§501. Overview

A. An individual must have an official teaching credential, license, or certificate to provide instructional or other designated services in the Louisiana K-12 schools and early learning centers. Louisiana issues three categories of teaching licenses: Standard, Nonstandard, and Ancillary. The first three Subchapters of this Chapter are devoted to these categories. A fourth Subchapter presents a policy for Special Considerations for Teachers Called to Active Military Duty.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1797 (October 2006), amended LR 48:

§503. Introduction

A. There are seven types of standard teaching certificates issued by the state of Louisiana:

1. professional Level 1, 2, and 3 certificates;
2. type C, B, and A certificates;
3. out-of-state certificate;
4. world language certificates (WLC);
5. practitioner 1, 2, and 3 licenses;
6. extended endorsement license (EEL); and
7. standard certificates for teachers in non-public schools.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1797 (October 2006), amended LR 37:558 (February 2011), LR 38:1951 (August 2012), LR 46:01375 (October 2020), LR 48:

§505. General Provisions

A. Non-Practicing Status or Operational Role Status for Standard Teaching Certificates

1. The LDE may grant:

- a. non-practicing status to any teacher who applies after ceasing employment as a teacher or leader in a local education agency;

b. operational role status to any teacher who is serving in a role that cannot be evaluated per student growth measures.

2. Non-practicing status will take effect on the last day of employment in the local education agency evaluated role, as verified by the employing LEA.

a. If an educator was never employed in a Louisiana school system, the program provider may make the request.

3. Operational role status will take effect on the first day of employment in a role that cannot be evaluated per student growth measures, as verified by the employing LEA.

4. Operational role teachers returning to a role that can be evaluated per student growth measures must be evaluated with student growth measures upon return to that role.

5. Non-practicing teachers returning to practice and operational role teachers returning to a role that can be evaluated per student growth measures may apply through a local education agency for an extension of the certificate for the number of years remaining in the renewal period of the certificate.

6. Final effectiveness ratings earned while in active status will be retained during non-practicing status and operational role status and applied to any subsequent renewal or extension.

7. The first date an educator can enter into non-practicing or operational role is August 1, 2012.

B. Medical Excuse and Exceptions. Exceptions to policy will be considered in the case of serious medical condition or unavailability of required coursework or exams. When serious medical problems of the teacher or immediate family exist, a doctor statement is required with a letter of assurance from the teacher that the unmet policy requirements will be completed within one year of granting the exception. The final authority for approval and policy flexibility is at the discretion of the LDE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 46:325 (March 2020), amended LR 48:

§507. Professional Level Certificates

A. Level 1 is the entry-level professional certificate, valid for three years. The level 2 and level 3 certificates are valid for five years.

1. Eligibility Requirements for Level 1 Professional Certificate

a. Louisiana graduate:

i. successfully complete a state-approved traditional or alternate teacher preparation program:

(a). for alternate preparation completers, the applicant must receive mentoring by a school-based mentor teacher in accordance with §553 of this Chapter;

ii. have a minimum 2.50 undergraduate grade point average (GPA) on a 4.00 scale;

(a). an applicant who does not meet the GPA requirement may be certified if by meeting the following requirements in an alternate teacher preparation program:

(i). satisfactorily complete a personal interview by the program admissions officer;

(ii). if the program awards credit hours, the applicant shall achieve a minimum grade point average

(GPA) of 3.00 in alternate teacher preparation program courses by the end of the first 12 credit hours and successfully complete the program;

(iii). if the program does not award credit hours, the applicant shall demonstrate mastery of competencies as required by the program administrator and by the school system in which the applicant completes required clinical practice; and

(iv). satisfactorily complete all program requirements as set forth by BESE, including any requirements for clinical practice, at graduation;

iii. present appropriate scores on the core exams; the principles of learning and teaching (PLT) or other pedagogy exam(s) required for the area(s) of certification as specified in §303 of this Part; and the specialty area (content) exam in the certification area in which the teacher preparation program was completed or in which the initial certificate was;

(a). See §303 of this Part for exam substitutions; and

iv. be recommended by a state-approved university or private program provider for certification.

b. Out-of-state graduate:

i. possess a minimum of a baccalaureate degree from a college or university accredited in accordance with 34 CFR 602;

(a). credentials may be submitted to a credentialing agency that follows the standards of the American Association of Collegiate Registrars and Admissions Officers (AACRAO) for evaluation with the original course-by-course evaluation including a statement verifying the comparability of the baccalaureate degree in the field of education;

ii. hold a standard out-of-state teaching certificate, or if no certificate was issued, a letter from the state education agency (SEA) or teacher preparation program provider in the state of origin verifying eligibility in that state for a certificate in the certification area(s);

iii. pass all parts of Praxis exam(s) required for Louisiana certification:

(a). present appropriate scores on the core exams, the principles of learning and teaching (PLT) or other pedagogy exam required for the area(s) of certification, and the specialty area (content) exam in the certification area in which the teacher preparation program was completed or in which the initial certificate was issued;

(b). if applicant has obtained National Board Certification (NBC) in corresponding areas for which certification is being sought as well as certification/licensure in the state of origin, the examination required for NBC will be accepted to fulfill the testing requirements for certification;

(i). See §303 of this Part for exam substitutions.

iv. has completed student teaching, an internship, or year(s) of teaching experience as required by the teacher preparation program provider; and

v. has not been out of teaching in the five years immediately preceding first employment or application for a Louisiana certificate. A candidate who has not taught in five years may be issued a one-year non-renewable (OS1)

certificate during completion of six semester hours required for the issuance of a three-year non-renewable (OS) certificate.

vi. A candidate who is certified in another state can qualify for exclusion from the BESE adopted exam(s) required for Louisiana certification under the following criteria:

(a). meet all requirements for Louisiana certification except the Praxis exam requirements; have at least three years of successful teaching experience in another state, as verified by the out-of-state employing authority or SEA; and teach on an out-of-state certificate for one year in a Louisiana-approved public or an approved nonpublic school system;

(b). the employing authority must verify that the teacher has completed one year of successful teaching experience in a Louisiana approved public or an approved nonpublic school and is recommended for further employment;

(c). the employing authority must request that the teacher be granted a valid Louisiana teaching certificate.

c. Foreign Applicant (OS) Certificate eligibility requirements:

i. possess a minimum of a baccalaureate degree verified by an institution in the United States accredited in accordance with 34 CFR 602, or if the institution is located in Louisiana, the dean of the College of Education must recommend the applicant for certification based upon Louisiana requirements and submit the original course-by-course evaluation including a statement verifying the comparability of the baccalaureate degree in the field of education, or if the institution is located in another state/country, the guidelines prescribed for out-of-state applicants must be followed; or

ii. credentials may be submitted to a credentialing agency that follows the standards of the American Association of Collegiate Registrars and Admissions Officers (AACRAO) for evaluation, and the original course-by-course evaluation must include a statement verifying the comparability of the baccalaureate degree in the field of education.

d. Foreign Applicant—Level 1 Certificate eligibility requirements:

i. possess a minimum of a baccalaureate degree verified by an institution in the United States accredited in accordance with 34 CFR 602, or if the institution is located in Louisiana, the dean of the college of education must recommend the applicant for certification based upon Louisiana requirements with the original course-by-course evaluation including a statement verifying the comparability of the baccalaureate degree in the field of education, or if the institution is located in another state/country, the guidelines prescribed for out-of-state applicants must be followed; or

ii. credentials may be submitted by an agency that follows the standard of the American Association of Collegiate Registrars and Admissions Officers (AACRAO) for evaluation, and the original course-by-course evaluation for certification must include a statement verifying the comparability of the baccalaureate degree in the field of education; and

iii. present appropriate scores on the core exams for the principles of learning and teaching (PLT) or other pedagogy exam required for the area(s) of certification and the specialty area (content) exam(s) in the certification area(s) in which the teacher preparation program was completed or in which the initial certificate was issued.

(a). See §303 of this Part for exam substitutions.

B. Level 2 Professional Certificate eligibility requirements:

1. hold or meet eligibility requirements for a level 1 certificate;

2. successfully meet the standards of effectiveness for three years pursuant to state law and LAC 28:CXLVII (Bulletin 130):

a. all out-of-state experience must be verified as successful by the out-of-state employing authority or SEA; and

3. accrue three years of experience in an approved educational setting.

4. If the level 2 certificate is the initial certificate, a state-approved teacher preparation program provider must submit the request.

5. If the level 1 certificated teacher qualifies for advancement to a level 2 certificate, the request for the higher certificate must be submitted directly to the LDE by the employing authority.

C. Level 3 Professional Certificate eligibility requirements:

1. hold or meet eligibility requirements for a level 2 certificate;

2. earn a graduate degree from a college or university accredited in accordance with 34 CFR 602; and

3. have five years of experience in an approved educational setting.

a. All out-of-state experience must be verified as successful by the out-of-state employing authority or SEA.

4. If the level 3 certificate is initial certificate, a state-approved teacher preparation program provider must submit the request.

5. If the level 2 certificated teacher qualifies for advancement to a level 3 certificate, the request for the higher certificate must be submitted directly to the LDE by the employing authority.

D. Renewal/Extension Guidelines for Level 1, Level 2, and Level 3 Certificates

1. Level 1 certificate:

a. valid for three years initially and may be extended thereafter for a period of one year at the request of a Louisiana employing authority with extensions of Level 1 certificates being limited to two such extensions.

2. Level 2 and level 3 certificates:

a. valid for five years initially and may be renewed thereafter for a period of five years at the request of a Louisiana employing authority, with renewal of level 2 and level 3 certificates, contingent upon candidates successfully meeting the standards of effectiveness for at least three years during the five-year initial or renewal period pursuant to state law and Bulletin 130.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§509. Type C Certificates

A. Effective July 1, 2002, type C certificates are no longer issued for initial certification. The type C certificate is valid for three years. Teachers who hold type B and type A lifetime certificates will continue to hold these certificates. Effective July 1, 2012, type B and type A lifetime certificates will no longer be issued to teachers holding type C certificates applying for advanced certificates. Teachers holding a type C certificate who wish to apply for more advanced certification credentials will be granted a level 2 certificate, upon meeting the standards of effectiveness for at least three years, pursuant to Bulletin 130 and R.S. 17:3902.

B. Type C Certificate Renewal Guidelines. The type C certificate may be renewed for an additional one-year period upon the request of the Louisiana employing authority, subject to the approval of the LDE. Type C certificates are limited to two such extensions.

C. Type B Certificate—a lifetime certificate for continuous service, provided the holder does not allow any period of five or more consecutive years of disuse to accrue where not a regularly employed teacher for at least one semester, or 90 consecutive days, and/or the certificate is not revoked by the Board of Elementary and Secondary Education (BESE).

D. Type A Certificate—a lifetime certificate for continuous service, provided the holder does not allow any period of five or more consecutive years of disuse to accrue where not a regularly employed teacher for at least one semester, or 90 consecutive days, and/or the certificate is not revoked by the BESE.

1. Eligibility requirements:

- a. hold a type B or B* certificate;
- b. successfully complete the local evaluation plan mandated by state law and Bulletin 130;
- c. earn a graduate degree from an institution of higher education accredited in accordance with 34 CFR 602; and
- d. have five years of experience in an approved educational setting.

i. All out-of-state experience must be verified as successful by the out-of-state employing authority or SEA.

2. The request for the higher certificate must be submitted directly to the LDE by the employing authority.

E. Process for Reinstating Lapsed Types B and A Certificates

1. A certificate will lapse for disuse if the holder allows a period of five consecutive calendar years to pass where not a regularly employed teacher for at least one semester, or 90 consecutive days.

2. To reinstate a lapsed certificate, the holder must present evidence of earning six semester hours of credit in state-approved courses during the five-year period immediately preceding the request for reinstatement.

3. If the holder did not earn six semester hours or equivalent, the lapsed certificate may be reactivated upon request of the Louisiana employing authority at the level that was attained prior to disuse for a period of one year, during which time the holder must complete reinstatement requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1798 (October 2006), amended LR 37:559 (February 2011), LR 38:3136 (December 2012, LR 43:1306 (July 2017), LR 45:1459 (October 2019), LR 46:1376 (October 2020), LR 48:

§511. Out-of-State (OS) Certificate

A. An out-of-state (OS) certificate, valid for a three-year period, is not renewable, and is issued to a teacher who has completed an out-of-state teacher preparation program and either holds or is eligible for a certificate in the state in which the program was completed. The teacher is not initially eligible for a level 1, 2, or 3 Louisiana certificate but meets Louisiana certification requirements with the exception of the Praxis/National Teacher Exam requirements. OS certification provides a transition period that permits the holder to be employed in Louisiana K-12 schools while completing Louisiana Praxis/NTE requirements or meeting Praxis exclusion eligibility requirements. For continued employment as a teacher in a Louisiana school system after the three-year period has elapsed, the OS certificate holder must fulfill guidelines for a level 1 or higher-level certificate.

B. OS Eligibility requirements:

1. earn a minimum of a baccalaureate degree from a college or university accredited in accordance with 34 CFR 602;
2. complete a teacher preparation program in another state;
3. hold a standard out-of-state teaching certificate, or if no certificate was issued, a letter from the state department of education or college of education dean verifying eligibility in that state for a certificate in the certification area(s);
4. complete student teaching or internship in a certification area, or in lieu of student teaching or internship have three years of successful teaching experience in a certification area;
5. if applicant earned a degree five or more years prior to the date of application, the educator must have been a regularly employed teacher for at least one semester, or 90 consecutive days, within the five year period immediately preceding first employment in Louisiana or application for a Louisiana certificate, or if lacking this experience, must earn six semester hours of credit in state-approved courses during the five year period immediately preceding application, and a candidate who has not taught in five years may be issued a one-year non-renewable (OS1) certificate while completing six semester hours required for the issuance of a three-year non-renewable (OS) certificate; and
6. beginning January 1, 2017, the LDE will issue a letter of eligibility for an OS certificate to requesting teachers at the request of the Louisiana employing authority.

C. Advancing from OS to Professional Level 1, 2, or 3 Certificate

1. Pass all parts of exam(s) required for Louisiana certification identified in §303:
 - a. present appropriate scores on the core exams; the principles of learning and teaching (PLT) or other pedagogy

exam required for the area(s) of certification, and the specialty area (content) exam in the certification area in which the teacher preparation program was completed or in which the initial certificate was issued:

i. (iii). See §303 of this Part for exam substitutions; and

b. if applicant has obtained national board certification (NBC) in corresponding areas for which certification is being sought as well as certification/licensure in the state of origin, the examination required for NBC will be accepted to fulfill the testing requirements for certification;

c. a candidate who is certified in another state can qualify for exclusion from the exam(s) required for Louisiana certification under the following criteria:

i. meet all requirements for Louisiana certification except the Praxis exam requirements with at least three years of successful teaching experience in another state, prior to issuance of the OS, as verified by the out-of-state employing authority or SEA, and teach on an OS certificate for one year in a Louisiana approved public or an approved nonpublic school system;

ii. the Louisiana employing authority verifies that completion of one year of successful teaching experience in a Louisiana approved public or an approved nonpublic school and has been recommended for further employment; and

iii. the employing authority requests issuance of a valid Louisiana teaching certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1799 (October 2006), amended LR 33:433 (March 2007), LR 34:1611 (August 2008), LR 35:222 (February 2009), LR 35:894 (May 2009), LR 37:559 (February 2011), LR 37:882 (March 2011), LR 40:280 (February 2014), LR 43:1306 (July 2017), LR 45:1459 (October 2019), LR 46:1376 (October 2020), LR 48:

§513. World Language Certificate (WLC) PK-12

A. WLC certificate is valid for six years and may be issued to a foreign associate teacher who participates in the LDE Foreign Associate Teacher Program, and who teaches world language and/or immersion in grades PK-12.

B. WLC certificate allows the holder to receive the same benefits as a regularly certified teacher.

C. Eligibility guidelines:

1. minimum of baccalaureate degree in education or equivalent preparation in education from a foreign country with the status of the degree determined by the LDE, or if LDE staff cannot make a degree equivalent determination, the candidate credentials must be evaluated by a credentialing agency that follows the standards of the American Association of Collegiate Registrars and Admissions Officers (AACRAO), with the original course-by-course evaluation for certification submitted directly from the evaluating agency on “safe script” paper including a course-by-course evaluation;

2. a teaching certificate in the foreign country for the certification area and/or grade level that the candidate will teach in Louisiana;

3. evidence of two years of successful teaching experience in the country of origin with all out-of-state

experience verified as successful by the out-of-state employing authority or SEA; and

4. a native speaker of the language being taught.

D. Renewal Guidelines. Valid for six years initially and may be renewed thereafter for a period of six years at the request of a Louisiana employing authority. For renewal of a WLC certificate, candidates must successfully meet the standards of effectiveness for at least three years during the six-year initial or renewal period pursuant to state law and Bulletin 130.

E. Professional Certificate. A professional level 1 certificate may be issued after successful completion of the PRAXIS core academic skills for educators, PRAXIS II content area examination(s), and PRAXIS principles of learning and teaching: K-6, 5-9, or 7-12. The test of English as a foreign language may be used in lieu of the PRAXIS core academic skills for educators. For renewal and reinstatement guidelines of a level 1 certificate, see in this Chapter.

F. A foreign language teacher in a certified foreign language immersion program who cannot be certified or issued a license to teach through the board's Foreign Associate Teacher Program may be allowed to teach without passing the required examination, provided the teacher has at least a baccalaureate degree and complies with state laws regarding a criminal background check.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1800 (October 2006), amended LR 33:1618 (August 2007), LR 34:233 (February 2008), LR 35:642 (April 2009), LR 36:486 (March 2010), LR 38:1952 (August 2012), LR 40:280 (February 2014), LR 43:1307 (July 2017), LR 44:745 (April 2018), LR 44:2133 (December 2018), LR 45:1459 (October 2019), LR 48:

§515. Practitioner Licenses

A. Issuance and Renewals

1. Practitioner licenses (PL) 1 and 2 may be issued for one school year, renewed annually, and held a maximum of three years while the holder completes an alternate program. Upon completion of the three years of employment on a PL certificate, the holder must fulfill guidelines for a level 1 or higher-level certificate for continued employment in a Louisiana school system.

2. The practitioner license 3 may be issued for one school year, renewed annually, and held a maximum of four years while the holder completes an alternate program. Upon completion of the four years of employment on a PL certificate, the holder must fulfill guidelines for a level 1 or higher-level certificate for continued employment in a Louisiana school system.

3. Practitioner Licenses 1-3. Beginning with the 2020-2021 academic year, in order to obtain the first renewal only of a practitioner license 1, 2, or 3 certificate, practitioner candidates participating in a residency as a teacher of record, must receive mentorship by a school-based mentor teacher who may collaborate with other personnel providing mentoring support, in accordance with LAC 28:XLV (Bulletin 996).

a. The school-based mentor teacher must be credentialed in accordance with §553 or §1369 of this Chapter.

b. The mentorship must be at least 15 percent, or 5 hours per week, of the instructional time of the school.

c. The mentorship must include intensive support, including:

- i. co-teaching;
- ii. collaborative planning; and
- iii. observation and feedback sessions.

4. Eligibility requirements:

a. minimum of a non-education baccalaureate degree from a college or university accredited in accordance with 34 CFR 602;

b. 2.50 or higher undergraduate grade point average (GPA) on a 4.00 scale to enter a non-university provider program; or a 2.20 or higher undergraduate GPA on a 4.00 scale to enter a college or university program; or be granted conditional admittance into an alternate teacher preparation program following a satisfactory personal interview by the program admission officer; and

c. passing scores on core academic skills for educators and current Praxis content area exam(s), or if no examination has been adopted for Louisiana in the certification area, candidates must present a minimum of 30 semester hours of coursework specific to the content area for admission to the program. See §303 of this part for exam substitutions.

d. Special education mild/moderate certification candidates must qualify for admission to alternate programs by passing a Praxis specialty area exam, and secondary education candidates (grades 6-12) must pass a Praxis core subject area exam, or if there is no content Praxis exam adopted by the State in the specific secondary core subject area, candidates must demonstrate content mastery by presenting 30 semester credit hours in the core subject area.

5. The approved teacher preparation program provider shall submit the request for the initial practitioner license as well as renewals directly to the LDE.

6. Renewal Requirements. The candidate must remain enrolled in the practitioner teacher, certification-only, or master's degree alternate certification program and fulfill a minimum of six semester hours of coursework or equivalent contact hours per year for PL1, or nine semester hours or equivalent contact hours per year for PL2/3 to the extent that required semester hours remain in the program to be completed, teaching assignments, and prescribed activities identified by the program provider.

a. Beginning with the 2020-2021 academic year, the first renewal only of a PL 1, 2, or 3 will be conducted in accordance with §515.A of this Chapter.

7. For certification purposes, non-university providers and colleges or universities will submit signed statements to the LDE indicating that the student completing the practitioner teacher, certification-only, or master's degree program alternative certification path meets the following requirements:

a. passed all licensure exams required for certification pursuant to §503; and

b. completed all program requirements including the residency with a 2.50 or higher GPA for candidates in a university program;

c. if an applicant who does not meet the requirement of Subparagraph b of this Paragraph, certification may be issued if the following requirements in an alternate teacher preparation program are met:

i. satisfactory completion a personal interview by the program admissions officer;

ii. if the program awards credit hours, the applicant shall achieve a minimum GPA of 3.00 in alternate teacher preparation program courses by the end of the first 12 credit hours and successfully complete the program;

iii. if the program does not award credit hours, the applicant shall demonstrate mastery of competencies as required by the program administrator and by the school system in which the applicant completes required clinical practice; and

iv. satisfactory completion of all program requirements as set forth by BESE, including any requirements for clinical practice, at graduation;

d. demonstrate proficiency in reading and literacy competencies through successfully completing the required number of credit or contact hours in reading and literacy as specified in LAC 28:XLV (Bulletin 996) or passing a reading competency assessment noting that the reading competency assessment for early childhood PK-3, elementary 1-5, and special education candidates is the Praxis teaching reading exam, and middle grades 4-8 and secondary grades 6-12 will be required to take the required reading course credit hours or equivalent contact hours until an appropriate reading competency assessment is developed and adopted; and

e. complete prescriptive plans as determined by the preparation provider.

8. The teacher is restricted to the specific grade level and content area as designated on the practitioner license as outlined in Bulletin 996.

B. Practitioner License 1 is issued to a candidate who is admitted to and enrolled in a state-approved practitioner teacher program. Program requirements must be completed within the three-year maximum that the license can be held.

C. Practitioner License 2 is issued to a candidate who is admitted to and enrolled in a state-approved certification-only alternate certification program. Program requirements must be completed within the three-year maximum that the license can be held.

D. Practitioner License 3 is issued to a candidate who is admitted to and enrolled in a state-approved master's degree alternate certification program. Program requirements must be completed within the four-year maximum that the license can be held.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1800 (October 2006), amended LR 35:221 (February 2009), LR 38:1952 (August 2012), LR 40:280 (February 2014), LR 43:1307 (July 2017), LR 45:1748 (December 2019), LR 46:326 (March 2020), LR 46:1376 (October 2020), LR 48:

§517. Extended Endorsement License (EEL)

A. Extended Endorsement License (EEL) is issued for one school year, renewable annually, and may be held a maximum of three years while the holder pursues certification in the content area of the license.

B. Eligibility Requirements:

1. the individual holds a valid Louisiana teaching certificate of one of the following types: Level 1, Level 2, Level 3, Type A, Type B, Type C, OS;

2. the individual has passed the current content area exam(s) appropriate for the content area in which the Extended Endorsement License is being requested; and

3. the individual provides a detailed prescription that identifies any additional coursework or exams needed to complete the area/level certification endorsement and signed by the superintendent and the human resources director of the employing local education agency.

C. Renewal Requirements. Teacher must successfully complete a minimum of nine credit hours of coursework per year, applicable toward certification in the content area of the license.

1. If fewer than nine hours are required to complete the certification, then all of the remaining hours must be taken.

2. If no credit hours remain to be taken, then the individual must provide evidence that the required exams were taken at a minimum of once per year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:1339 (July 2007), amended LR 48:

§519. Standard Certificates for Teachers in Nonpublic Schools

A. A standard certificate with an asterisk (*) following the certificate type is issued to a teacher in a nonpublic school. If the teacher enters a public school system in Louisiana, the educator will be required to meet the standards of effectiveness pursuant to state law and in accordance with LAC 28:CXLVII (Bulletin 130) for issuance of a level 2 or level 3 teaching certificate.

B. Level 2* (2-asterisk) Certificate—valid for five years.

1. Eligibility requirements:

a. a Louisiana level 1 certificate;

b. successfully taught for three years;

c. complete a teacher evaluation program for three years at a nonpublic school, with the principal as evaluator and the teacher performance rated as satisfactory in the areas of planning, management, instruction, and professional development.

2. The request for the level 2* certificate must be submitted directly to the LDE by the Louisiana employing authority.

C. Level 3* (3-asterisk) Certificate—valid for five years.

1. Eligibility requirements:

a. hold or be eligible to hold a Louisiana level 1, 2 or 2* certificate;

b. successfully taught for five years;

c. graduate degree from college or university accredited in accordance with 34 CFR 602; and

d. complete a teacher evaluation program for three years at a nonpublic school, with the principal as evaluator

and the teacher performance rated as satisfactory in the areas of planning, management, instruction, and professional development.

2. The request for the level 3* certificate must be submitted directly to the LDE by the Louisiana employing authority.

3. Renewal Guidelines for Level 2* and Level 3* Certificates

a. A teacher must earn effective ratings per local personnel evaluations for at least three years during the five-year initial or renewal period.

b. The Louisiana employing authority must request renewal of a level 2* or level 3* certificate.

D. Type B* (B-asterisk) Certificate—a lifetime nonpublic school certificate for continuous service, provided the holder does not allow any period of 5 or more consecutive years of disuse to accrue where not a regularly employed teacher for at least 1 semester, or 90 consecutive days, and/or certificate is not BESE.

1. Eligibility requirements:

a. a Louisiana type B certificate;

b. successfully taught for three years; and

c. complete a teacher evaluation program for three years at a nonpublic school, with the principal as evaluator and the teacher performance rated as satisfactory in the areas of planning, management, instruction, and professional development.

2. The request for the type B* certificate must be submitted directly to the LDE by the Louisiana employing authority.

3. The type B* certificate is valid for life of continuous service in a nonpublic school setting, and if the teacher enters a Louisiana public/charter school the requirement shall be to complete the local evaluation plan mandated by state law and Bulletin 130 regulations.

E. Type A* (A-asterisk) Certificate is valid for life for continuous service in a nonpublic school setting, provided the holder does not allow any period of 5 or more consecutive years of disuse to accrue where not a regularly employed teacher for at least 1 semester, or 90 consecutive days, and/or the certificate is not revoked by the BESE.

1. Eligibility requirements:

a. a Louisiana type B, or type B* certificate;

b. successfully taught for five years;

c. graduate degree from a college or university accredited in accordance with 34 CFR 602; and

d. complete a teacher evaluation program for three years at a nonpublic school, with the principal as evaluator and the teacher performance rated as satisfactory in the areas of planning, management, instruction, and professional development.

2. The request for the type A* certificate must be submitted directly to the LDE by the Louisiana employing authority.

3. The type A* certificate is valid for life of continuous service in a nonpublic school setting, and if the teacher enters a Louisiana public school the requirement shall be to successfully complete the local evaluation plan mandated by state law and Bulletin 130.

F. Reinstating Lapsed Types B* or A* Certificate

1. If the holder of a type B*, or type A* certificate allows a period of five consecutive calendar years to pass in

which the educator is not a regularly employed teacher for at least one semester, or 90 consecutive days, the certificate will lapse for disuse.

2. To reinstate a lapsed certificate, the holder must present evidence that the educator earned six semester hours of credit in state-approved courses during the five-year period immediately preceding the request for reinstatement.

3. If the holder did not earn six semester hours or equivalent, the lapsed certificate may be reactivated upon request of the Louisiana employing authority at the level that was attained prior to disuse for a period of one year, during which time the holder must complete reinstatement requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1801 (October 2006), amended LR 36:752 (April 2010), LR 37:559 (February 2011), LR 38:1952 (August 2012), LR 43:1309 (July 2017), LR 46:1377 (October 2020), LR 48:

§521. Certification of Personnel in Nonpublic School Systems Meeting Nonpublic Standards

A. As outlined in Bulletin 741 (Nonpublic)—Louisiana Handbook for Nonpublic School Administrators, the standards listed below are the requirements to meet nonpublic certification standards.

B. Principals

1. A nonpublic school principal, assistant principal, or headmaster must hold a graduate degree in any area from an accredited institution or have principalship on the Louisiana teaching certificate. The principal is to be a full-time, on-site employee and may be a teacher as well as the educational administrator of the school.

2. Assistant principals who do not meet minimum qualifications may be retained in a school provided if employed in that school during the 1992-93 school year as an assistant principal.

3. A list of the exempted assistant principals is to be maintained on file in the LDE. Upon retirement or replacement, the assistant principal must be replaced with properly qualified personnel under the nonpublic school standards. The exempted individuals may not be transferred or employed by another school unless the requirements stated in the above standard are met.

C. Instructional Staff. Each member of the instructional staff teaching secular subjects, grade levels pre-kindergarten through 12, shall meet one of the following three options:

1. hold a valid Louisiana teaching certificate for the courses teaching;

2. qualify to teach in nonpublic schools by meeting all of the following criteria:

a. have a baccalaureate degree from an institution accredited in accordance with 34 CFR 602;

b. have a college major or the equivalent in the area of the teaching assignment, and for teachers in self-contained classrooms in grades 1 through 8, the major shall be in elementary education; and

c. earn 12 semester hours of Knowledge of the Learner and the Learning Environment, with a beginning teacher having a three-year period in which to meet the 12-semester hour requirement that provides the prospective

teacher with a fundamental understanding of the learner and the teaching and learning process through coursework addressing the needs of the regular and the exceptional child, such as:

- i. child/adolescent development/psychology;
- ii. educational psychology;
- iii. the learner with special needs;
- iv. classroom organization and management; and
- v. multicultural education.

3. Teachers who do not meet the requirements of Paragraphs 1 or 2 of this Section may obtain a Nonpublic Temporary Teaching Authorization (T) issued by the LDE or a diocesan superintendent for schools within the diocesan system, which is valid for one year, with renewal based upon the teacher completing six semester hours needed to complete the requirements of Paragraphs 1 or 2 of this Section.

a. Teachers of grades 1 through 8 without an elementary education major shall also work towards a practitioner's license through an alternative program as outlined in this part and Bulletin 996.

D. A teacher may teach in areas other than the major field for a period of time that is less than one-half of the school day provided at least 12 semester hours were earned in each such area, with an exception made for teachers in trade and industrial education classes who hold a degree from an institution accredited in accordance with 34 CFR602 and have earned 12 semester hours of professional education courses.

1. A graduate of a foreign university or college, regardless of the college major, may teach a foreign language if that language is his/her native tongue, and the teacher must earn 12 semester hours of professional education courses within a three year period.

E. Teachers of the pre-kindergarten class shall be certified or qualified in either elementary, kindergarten, or pre-kindergarten or have earned 12 hours in child growth and development. The 12 hours in child growth and development may be earned through the College of Education or the Department/School of Family and Consumer Sciences.

F. Teachers of a kindergarten class shall be certified or qualified in either elementary or kindergarten or have earned 12 hours in child growth and development. The 12 hours in child growth and development may be earned through the College of Education or the Department/School of Family and Consumer Sciences.

G. Staff members teaching religion at the high school level (9-12) for Carnegie units must have a minimum of a bachelor's degree. Staff members teaching religion that do not meet minimum qualifications may be retained in a school provided they were employed during the 1995-96 school year as teachers of religion.

H. Professional and/or technical personnel such as C.P.A.s, doctors, college or university professors, lab technicians, and attorneys may teach less than one-half of a school day in the area of expertise.

I. Credentials for graduates of foreign universities or colleges must be submitted to the American Association of Collegiate Registrars and Admissions Officers (AACRAO) or any agency approved by BESE, for evaluation according to the LDE procedures. After reviewing the evaluation, the

local administrator shall determine if the applicant is qualified to teach according to the requirements of this Section, and a copy of the evaluation shall be kept on file in the principal's office.

1. Applicants with foreign credentials seeking state certification should follow procedures as outlined by the LDE.

J. Teachers in nonpublic schools seeking state certification shall follow the LDE procedure for submission.

1. Secondary and elementary personnel may teach grade levels preK-12 in the qualified areas.

K. A teacher may be considered qualified without having the 12 hours of Knowledge of the Learner and the Learning Environment courses contingent upon the following:

1. the teacher has documented experience at one of the following levels:

a. ten years teaching experience at the collegiate level as an assistant professor, associate professor, or full professor; or

b. ten years teaching experience in an approved elementary, middle, or secondary school; and

2. the teacher has the content knowledge qualifications required in §521 of this Part; or

3. the teacher has a graduate degree in the teaching area; and

4. the teacher has taught for a probationary period of at least one year with a satisfactory evaluation at the employing school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§523. Local Education Agency Appeal

A. If a teacher evaluation demonstrates that the standards for effectiveness, as determined by BESE, have been met, using value-added data or other components of the evaluation, for three years during the initial certification or renewal process, a certificate shall be issued or renewed unless the LDE or BESE receives evidence from the LEA that justifies discontinuation.

B. Similarly, if a teacher evaluation demonstrates that the standards for effectiveness, as determined by BESE, have not been met, using either value-added data or other components of the evaluation, for three years during the initial certification or renewal process, the LDE shall not issue or renew a certificate unless evidence of effectiveness is received from the LEA that justifies the issuance of a certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and R.S. 17:3886.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2129 (October 2015), amended LR 48:

Subchapter B. Nonstandard Teaching Credentials

§525. Introduction

A. There are five types of nonstandard teaching credentials issued in Louisiana: temporary authority to teach (TAT); out-of-field authorization to teach (OFAT); temporary employment permit (TEP); nonpublic temporary certificate (T); and resident teacher certificate (R). Nonstandard credentials are of a temporary nature but may be renewed under specified guidelines.

B. Medical Excuse and Exceptions. Exceptions to policy will be considered in the case of serious medical condition or unavailability of required coursework or exams. When serious medical problems of the teacher or immediate family exist, a doctor statement is required with a letter of assurance from the teacher that the unmet policy requirements will be completed within one year of the exception being granted. The final authority for approval and policy flexibility is at the discretion of the LDE in accordance with BESE policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1803 (October 2006), LR 43:1311 (July 2017), LR 48:

§527. Temporary Authority to Teach (TAT)

A. Temporary authority to teach (TAT) is issued for one calendar year, while the holder pursues alternate certification program admission requirements or certification requirements. A TAT cannot be issued to teachers who previously held a temporary employment permit (TEP) or a standard teaching certificate.

B. Eligibility Requirements

1. The applicant must teach in a demonstrated area of need as evidenced by LEA-level workforce needs.

2. The applicant must have a baccalaureate or higher degree from an institution accredited in accordance with 34 CFR 602.

3. The applicant must possess passing scores on the core academic skills for educators in reading and writing examinations or appropriate scores on the ACT or SAT.

a. See §303 for exam substitutions.

4. The applicant must have at least a 2.20 undergraduate GPA. An applicant who does not meet the GPA requirement may be certified upon satisfactory completion of a personal interview by the employing school system.

C. The employing school system must submit the application and provide an affidavit signed by the local superintendent, or the designee, verifying that good faith efforts for recruiting certified personnel have been made, including posting all positions for which TATs are issued and that there is no regularly certified, competent, and suitable person available for the position.

D. Renewal Requirements

1. TATs are valid for one year initially and may be renewed twice thereafter provided:

a. the applicant provides evidence that the required exam(s) for admission into a teacher preparation program has been taken at least twice since the issuance of the TAT;

b. the applicant provides evidence of meeting the standards of effectiveness pursuant to Bulletin 130;

c. the employing school system submits the application on behalf of the applicant and provides an affidavit signed by the local superintendent, or the designee, verifying that good faith efforts for recruiting certified personnel have been made, including posting all positions for which TATs are issued; and

d. there is no regularly certified, competent, and suitable person available for the position.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1803 (October 2006), amended LR 36:2547 (November 2010), LR 40:280 (February 2014), LR 44:2000 (November 2018), LR 45:1750 (December 2019), LR 48:

§529. Out-of-Field Authorization to Teach (OFAT)

A. Out-of-Field Authorization to Teach (OFAT) is issued for one three-year period while the holder pursues endorsement or add-on certification requirements. The OFAT is limited to two certification areas and is transferable to other employing school systems for the remaining validity period. If the teacher is actively pursuing certification in the field and the LDE has designated the area as an area that requires extensive hours for completion, up to two additional years of renewal may be granted. Issuance of subsequent OFAT requests may be considered once the previous OFAT certification area(s) have been added to the holder's standard teaching certificate.

B. Eligibility requirements:

1. issued to an applicant who holds a valid Louisiana out-of-state certificate;
2. temporary employment permit; or
3. a type C, type B or B* type A or A*, level 1, level 2 or 2*, or level 3 or 3* or OS teaching certificate but is teaching outside of the certified area(s).

C. OFAT Stipulations

1. LEAs must submit the application and provide an affidavit signed by the local superintendent, or the designee, verifying that good faith efforts for recruiting certified personnel have been made, including consulting the Teach Louisiana website, and that there is no regularly certified, competent, and suitable person available for the position, and that the applicant is the best-qualified person for the position.

2. If the teacher is actively pursuing certification in the field and the LDE designates the area as an area that requires extensive hours for completion, up to two additional years of renewal may be granted. Designated areas are as follows:

- a. applicants pursuing certification in academically gifted, significant disabilities, early interventionist, deaf or hard of hearing, and visual impairments/blind may be granted two additional years of renewal; and
- b. applicants pursuing certification in mild/moderate may be granted one additional year of renewal.

D. COVID-19 OFAT Extensions. Educators for whom the 2019-2020 school year was the final year of OFAT validity period and who were unable to successfully meet endorsement or add-on certification requirements due to the COVID-19 pandemic, shall be granted a one-year OFAT extension for the 2020-2021 school year. This OFAT extension is only available to educators employed in 2019-2020 as reported by school systems in the Profile for Educational Personnel (PEP).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1804 (October 2006), amended LR 33:2355 (November 2007), LR 35:1487 (August 2009), LR 43:1311 (July 2017), LR 46:1377 (October 2020), LR 48:

§531. Temporary Employment Permit (TEP)

A. Temporary Employment Permit (TEP) is issued for one school year, renewable annually, and may be held a maximum of three years while the holder pursues satisfaction of state Praxis requirements. Upon completion of the three years of employment on a TEP, for continued employment in a Louisiana school system, the holder must fulfill guidelines for a level 1 or higher-level certificate.

B. Eligibility Guidelines 1. TEP is issued to an applicant who meets all certification requirements with the exception of passing all portions of the NTE commons examination completed prior to February 20, 1985, but who scores within 10 percent of the composite score required for passage of all exams.

1. The Louisiana employing authority must submit the application to the LDE.

2. The Louisiana employing authority must submit a signed affidavit to the LDE stipulating that there is no other applicant meeting all certification requirements who is available for employment for a specific teaching position.

3. Issuance of aTEP shall not waive the requirement that the person must successfully complete the exam.

C. Eligibility Guidelines 2. TEP is issued to an individual who meets all certification requirements with the exception of passing one of the components of the NTE/Praxis examination(s) completed after February 20, 1985, but who has an aggregate score equal to or above the total required on all NTE/Praxis exams for the area of certification. The individual must submit the application and all required documents to the LDE.

D. Renewal Requirements. A TEP can be renewed twice, and only if evidence is presented that the required exam has been retaken twice within one year from the date the permit was last issued.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1804 (October 2006), amended LR 43:1311 (July 2017), LR 48:

§533. Nonpublic Temporary Certificate (T)

A. Nonpublic Temporary Certificate (T) is valid for one year; and is renewable.

B. Eligibility Guidelines. The T certificate is granted to teachers practicing in a nonpublic school setting that requires temporary credentialing to meet nonpublic school standards. When nonpublic standards are met in accordance with Bulletin 741 (Nonpublic) - Louisiana Handbook for Nonpublic School Administrators, the teacher serves in the nonpublic setting without a teaching certificate but has met the nonpublic standards.

C. Renewal Guidelines. The holder must earn six semester hours of professional coursework annually.

D. Availability of Required Courses. Documentation that necessary coursework was not available must be provided in the form of letters of verification from all universities in the accessible geographic area stating that the necessary coursework was not offered.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1805 (October 2006), amended LR 48:

§535. Resident Teacher Certificate (R)

A. Beginning July 1, 2018, the resident teacher certificate (R) shall be required for individuals completing a one-year residency required for certification in Louisiana pursuant to Bulletin 996.

B. Resident teacher certificates are valid for one school year, are renewable, and may be held a maximum of three years while the holder pursues certification through a BESE-approved teacher preparation program.

C. Eligibility guidelines:

1. enrollment in a BESE-approved traditional, master's degree, or certification-only teacher preparation program;

2. placement in a classroom in a public or approved nonpublic school with a teacher of record who holds a valid level 1, 2, 3, type A, or type B teaching certificate in the area for which the candidate is pursuing certification pursuant to Bulletin 746;

a. resident teachers placed in charter schools must be placed with a teacher of record who has demonstrated effectiveness pursuant to state law and Bulletin 130; and

3. passing scores on required core academic skills exams for initial issuance, including exam substitutions outlined §303 of this Part.

D. Renewal guidelines: passing scores on required content knowledge exams for renewal.

E. The request for the Resident Teacher license as well as renewal requests must be submitted directly to the LDE by the preparation provider.

F. The LDE will begin issuing resident teacher certificates to candidates completing residencies in BESE-approved programs with one-year residencies beginning July 1, 2017.

G. There shall be no fee charged for the resident teacher certificate issuance.

H. Holders of the resident teacher certificate may serve as a substitute teacher in the residency school system for up to ten days each semester. Such service shall not impede residency performance or ability to successfully complete the preparation program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 43:1312 (July 2017), amended LR 1377 (October 2020), LR 48:

Subchapter C. Ancillary Teaching Certificates

§537. Introduction

A. Types of Ancillary Certificates

1. Ancillary certificates are issued by the LDE for individuals who provide teaching, support, administrative, or supervisory services to children in pre-kindergarten through twelfth grade schools and early learning centers serving children from birth to five years old.

a. See Chapter 7 of this Part regarding ancillary certificates issued for individuals who provide support services in pre-kindergarten through twelfth grade schools and early learning centers serving children from birth to five years old.

b. See Chapter 15 of this Part regarding ancillary certificates issued for individuals who provide administrative and supervisory services in pre-kindergarten through twelfth grade schools.

2. Types of ancillary teaching certificates are as follows:

a. ancillary artist or talented;

b. early childhood ancillary;

c. nonpublic Montessori teacher;

d. family and consumer sciences (occupational programs);

e. Junior Reserve Officers Training Corps (JROTC) instructor;

f. math for professionals;

g. mentor teacher ancillary; and

h. content leader ancillary.

3. Non-Practicing status or operational role status for ancillary teaching certificates may be granted in accordance with §505 of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1805 (October 2006), amended LR 41:917 (May 2015), LR 45:230 (February 2019), LR 46:1378 (October 2020), LR 48:

§539. Artist or Talented Certificate

A. An ancillary artist or talented certificate is issued to an applicant who has earned an advanced degree in an artistic or talented field, or who has produced evidence of creative accomplishments over an extended period of time. An ancillary artist or ancillary talented certificate allows the holder to provide artistic and/or creative services in a regular classroom to children at any age level.

B. Artists Certificate (Art, Creative Writing, Drama, Dance, Music, Theatre, Visual Arts)

1. Certification is granted only in the specific artist area of art, creative writing, drama, dance, music, theatre, or visual arts requested.

2. Eligibility requirements:

a. a written request from the Louisiana employing authority indicating that the person will be employed;

b. substantive evidence of artistic and/or creative accomplishment over an extended period of time, submitted in the form of newspaper articles, brochures, catalogs, playbills, programs, magazines, published music, letters from accomplished peers, etc., noting that photographs, slides and actual artwork are only acceptable when document(s) verifying the artist authenticity of the work is included.

3. Renewal Guidelines. The initial validity period is for five years, with renewal thereafter for a period of five years at the request of an LEA with verification of successfully meeting the standards of effectiveness for at least three years during the initial certification or renewal period pursuant to Bulletin 130 and R.S. 17:3902.

4. The person holding such certification is not eligible for tenure.

C. Talented Certificate (Music, Theatre, or Visual Arts)

1. The certificate allows the certificate holder to provide talented services.

2. Certification is granted only in the specific talented area requested (visual art, music, or theatre).

3. Eligibility requirements:

a. graduate degree in Art, Music, Theatre Liberal Arts, or Theatre Education or substantive evidence of artistic and/or creative accomplishment over an extended period of time, submitted in the form of newspaper articles, brochures, catalogs, playbills, programs, magazines, published music, letters from accomplished peers, etc., noting that photographs, slides, and actual artwork are not acceptable;

b. written request from the LEA indicating that the individual will be employed as a talented teacher; and

c. the individual must have a minimum of one year of successful experience working with students in the specific arts area and at the level for which employed.

i. All out-of-state experience must be verified as successful by the out-of-state employing authority or SEA.

4. Renewal Guidelines. The initial period of validity is for five years initially and may be renewed thereafter for a period of five years at the request of the employing LEA. For renewal of the ancillary certificate, candidates must successfully meet the standards of effectiveness for at least three years during the initial certification or renewal period pursuant to Bulletin 130 and R.S. 17:3902.

5. Persons holding a talented certificate are not eligible for tenure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1805 (October 2006), amended LR 38:762 (March 2012), LR 38:3136 (December 2012), LR 45:1459 (October 2019), LR 48:

§541. Early Childhood Ancillary Certificate

A. The early childhood ancillary certificate authorizes an individual to teach in a publicly-funded early learning center serving children ages birth to five as defined in R.S. 17:407.33, unless program requirements mandate a professional-level certificate. After June 30, 2019, an individual shall have, at a minimum, an early childhood ancillary certificate to serve as a lead teacher in a publicly-funded early learning center.

B. Early Childhood Ancillary Certificates

1. Eligibility Requirements. An early childhood ancillary certificate shall be issued to an applicant who submits evidence of one of the following to the LDE:

a. a baccalaureate degree or higher from a college or university accredited in accordance with 34 CFR 602;

b. a current child development associate (CDA) credential, either infant/toddler, preschool or family childcare, awarded by the Council for Professional Recognition and a high school diploma or equivalent:

i. after July 1, 2018, all 120 clock hours of coursework for the CDA must be earned from a BESE-approved early childhood ancillary certificate program provider for initial issuance:

(a). an individual who has completed 36 or more clock hours of coursework for the CDA by July 1, 2018, may complete the remaining coursework for the CDA from any CDA provider;

(b). an individual who has not completed 36 or more clock hours of coursework for the CDA by July 1, 2018, must earn all 120 hours of coursework for the CDA

from a BESE-approved early childhood ancillary certificate program provider;

(c). after July 1, 2018, individuals may submit a request to the LDE to waive the requirement that all 120 hours of coursework for the CDA be obtained from a BESE-approved early childhood ancillary certificate program if the individual is able to demonstrate unavailability of enrollment options within a reasonable geographic proximity;

ii. after July 1, 2018, applicants who obtained a CDA or completed coursework from a provider that is not BESE-approved while residing in another state shall submit additional documentation of program components for approval;

iii. coursework counting toward the early childhood ancillary certificate shall include at least 10 training hours in each of the following subject areas:

(a). planning and implementing a safe and healthy learning environment;

(b). advancing physical and intellectual development;

(c). supporting social and emotional development;

(d). building productive relationships with families;

(e). managing an effective program operation;

(f). maintaining a commitment to professionalism;

(g). observing and recording child behavior; and

(h). understanding principles of child development and learning;

c. an associate degree in an early childhood related field from a college or university accredited in accordance with 34 CFR 602;

d. a technical diploma or certificate of technical studies in an early childhood related field from an accredited technical or community college:

i. after July 1, 2018, all coursework for technical diplomas and certificates of technical studies must be earned from a BESE-approved provider;

ii. after July 1, 2018, individuals may submit a request to the LDE to waive the requirement that coursework be obtained from a BESE-approved early childhood ancillary certificate program if the individual is able to demonstrate unavailability of enrollment options within a reasonable geographic proximity; and

e. a career diploma that has been approved by the Louisiana Pathways Career Development System, and in which coursework began prior to July 1, 2018.

2. Renewal Requirements:

a. For individuals meeting eligibility requirements with a CDA, the early childhood ancillary certificate shall be valid for a three-year period. The ancillary certificate may be renewed by the LDE at the request of the applicant employer with submission of either documentation of a renewed CDA credential, awarded by the Council for Professional Recognition, or documentation of:

i. either a 3 credit-hour course or 45 clock hours of approved training or professional development in early childhood care and education; and

ii. a minimum of 80 hours of work experience with young children or families with young children within the last three years.

b. For individuals meeting eligibility requirements with a baccalaureate degree or higher, associate degree, technical diploma, certificate of technical studies, or career diploma, the early childhood ancillary certificate shall be valid for a three-year period. The certificate may be renewed by the LDE at the request of the applicant's employer with submission of documentation of:

- i. either a 3 credit-hour course, 45 clock hours of training in early childhood care and education or a CDA credential earned from a BESE-approved early childhood ancillary certificate program and awarded by the council for Professional Recognition; and
- ii. a minimum of 80 hours of work experience with young children or families with young children within the last three years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:17:6(A)(10), (11), and (15), R.S. 17:7(6), and R.S. 17:407.81.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:917 (May 2015), amended LR 43:2135 (November 2017), LR 46:1378 (October 2020), LR 48:

§543. Nonpublic Montessori Teacher Certificate

A. Louisiana Montessori teachers will be certified and issued Louisiana Montessori teaching certificates by the LDE.

B. Eligibility Requirements:

1. For a Type C Montessori Certificate—the teacher must have completed training from an approved provider listed in §1363 of this Part.

2. For a type B Montessori certificate:

a. at least one year of successful teaching experience in a Montessori school:

b. all out-of-state experience must be verified as successful by the out-of-state employing authority or SEA; and

c. complete training from an approved provider listed in §1363 of this Part.

3. For type A, junior class A, and junior Montessori certificates:

a. a bachelor's degree from a college or university accredited in accordance with 34 CFR 602;

b. at least one year of successful teaching experience in a Montessori school:

c. all out-of-state experience must be verified as successful by the out-of-state employing authority or SEA; and

d. complete training from an approved provider listed in §1363 of this Part.

C. This certificate is valid for five years initially and may be renewed thereafter for a period of five years at the request of a LEA. For renewal of the ancillary certificate, candidates must earn effective ratings per local personnel evaluations for at least three years during the five-year initial or renewal period in accordance with LAC 28:CXLVII (Bulletin 130) and R.S. 17:3902.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1805 (October 2006), amended LR 38:3136 (December 2012), LR 45:1459 (October 2019), LR 46:1378 (October 2020), LR 48:

§545. Family and Consumer Sciences Occupational Programs

A. An ancillary certificate issued in family and consumer sciences occupational programs authorizes an individual to teach in the areas of childcare, clothing service, food service, housing and interior design, and institutional home management.

B. Provisional Certification eligibility requirements:

1. bachelor's degree in a family and consumer sciences specialty area;

2. 12 semester hours in professional education courses, to include organization and administration of family and consumer sciences occupational programs; and

3. minimum of 2,000 hours of successful work experience in the area of occupational certification.

C. Provisional Certification renewal requirements. Valid for three years initially and may be renewed thereafter for a period of five years at the request of an LEA. For renewal of the ancillary certificate, candidates must successfully meet the standards of effectiveness for at least three years during initial or renewal period in accordance with LAC 28:CXLVII (Bulletin 130) and R.S. 17:3902

D. Qualified Certification eligibility requirements:

1. complete requirements for provisional certification;

2. earn three years of teaching experience in family and consumer sciences occupational programs; and

3. all out-of-state experience must be verified as successful by the out-of-state employing authority or SEA.

2. Qualified Certification Renewal Requirements. Valid for five years initially and may be renewed thereafter for a period of five years at the request of an LEA. For renewal of the certificate, candidates must successfully meet the standards of effectiveness for at least three years during initial or renewal period pursuant to Bulletin 130 and R.S.17:3902.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1806 (October 2006), amended LR 38:3137 (December 2012), LR 45:1459 (October 2019), LR 46:1378 (October 2020), LR 48:

§547. Junior Reserve Officers Training Corps Instructor (ROTC)

A. An ancillary certificate issued in ROTC authorizes an individual to teach Junior ROTC.

B. Eligibility requirements:

1. be retired from active duty in the retired grades of E-6-E-9, WO-1-CWO-5, 03-06; and

2. official recommendation by appropriate branch of the military service with certification by the appropriate department of defense.

C. Renewal requirements. Valid for five years initially and may be renewed thereafter for a period of five years at the request of an LEA. For renewal of the certificate, candidates must successfully meet the standards of effectiveness for at least three years during initial or renewal period in accordance with Bulletin 130 and R.S.17:3902.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:432 (March 2008), amended LR 34:1610 (August 2008), LR 38:3137 (December 2012), LR 48:

§549. Math for Professionals Certificate

A. An ancillary math for professionals certificate is issued to an applicant who has an undergraduate degree from a university accredited in accordance with 34 CFR 602 and/or evidence of a math and/or science work-related background.

B. Math for professionals certificate allows an individual to teach one or more mathematics courses.

C. Eligibility requirements:

1. meets at least one of the following:

- a. earned 30 credit hours of mathematics;
- b. earned a graduate degree in mathematics, engineering, or science content area; or
- c. successful passing of the Praxis Secondary Mathematics: Content Knowledge test.

2. recommendation and support of current employing school system. Written request is required from the Louisiana employing authority indicating that the person will be employed in the area upon issuance of certification;

3. complete a district developed classroom readiness/training program, based on state guidelines.

D. Renewal requirements. Valid for three years initially and may be renewed thereafter for a period of five years at the request of an LEA. For renewal of the certificate, a candidate must successfully meet the standards of effectiveness for at least three years during the initial or renewal period in accordance with LAC 28:CXLVII (Bulletin 130) and R.S. 17:3902.

E. The holder of such certification is not eligible for tenure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:220 (February 2009), amended LR 39:1463 (June 2013), LR 40:281 (February 2014), LR 44:2000 (November 2018), LR 45:228 (February 2019), LR 46:1378 (October 2020), LR 48:

§551. Dyslexia Ancillary Certificate (Optional)

A. Dyslexia Practitioner. The optional dyslexia practitioner ancillary certificate is issued to an individual to teach students with dyslexia.

1. Eligibility requirements:

- a. hold a valid Louisiana teaching certificate; and
- b. demonstrate completion of a multisensory-structured language training program accredited by a nationally-recognized accrediting organization, as posted on the LDE website, which shall include 45 hours of coursework and 60 hours of clinical work that is observed and monitored by a qualified professional; and
- c. pass a multisensory-structured language education-related competency examination that is administered by a nationally-recognized professional organization that issues national certification.

2. Renewal Requirements. The certificate is valid for a period of five years and may be renewed thereafter at the request of the Louisiana employing authority.

a. Candidates shall successfully meet the standards of effectiveness for at least three years during the five-year renewal period in accordance with Bulletin 130 and R.S. 17:3902.

b. Candidates shall verify that the certificate issued by a nationally-recognized professional organization is in good standing at the time of the renewal request.

B. Dyslexia Therapist. The optional dyslexia therapist ancillary certificate is issued to an individual to teach students with dyslexia.

1. Eligibility requirements:

- a. hold a valid Louisiana teaching certificate;
- b. demonstrate completion of a multisensory-structured language training program accredited by a nationally-recognized accrediting organization, as posted to the LDE website, which shall include 200 hours of coursework and 700 hours of clinical work that is observed and monitored by a qualified professional; and
- c. pass a multisensory-structured language education-related competency examination that is administered by a nationally-recognized professional organization, as posted on the LDE website, that issues national certification.

2. Renewal Requirements. The certificate is valid for a period of five years and may be renewed thereafter at the request of the Louisiana employing authority.

a. Candidates shall successfully meet the standards of effectiveness for at least three years during the five-year renewal period in accordance with Bulletin 130 and R.S. 17:3902.

b. Candidates shall verify that the certificate issued by a nationally-recognized professional organization is in good standing at the time of the renewal request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 44:2001 (November 2018), amended LR 48:

§553. Mentor Teacher (MT) Ancillary Certificate

A. Beginning September 1, 2020, the mentor teacher ancillary certificate will be required for individuals who serve as a mentor of undergraduate or post-baccalaureate teacher residents.

B. Provisional MT Certification. Individuals serving as mentors who have not successfully completed a BESE-approved mentor training program or mentor assessments will be issued a nonrenewable provisional mentor teacher ancillary certificate, valid for one calendar year from the date of issuance while the holder completes a BESE-approved mentor training program or mentor assessments.

C. Provisional certification eligibility requirements:

1. hold, or be eligible to hold, a valid type C, level 1 or higher Louisiana teaching certificate; or
2. if teaching in a charter school without a valid type C, level 1 or higher certificate, have at least two years of successful teaching in accordance with LAC 28:CXLVII (Bulletin 130) and R.S. 17:3902; or
3. if teaching in a nonpublic school without a valid type C, level 1, or higher certificate earn at least two years of effective ratings per local personnel evaluations; and

4. all out-of-state experience must be verified as successful by the out-of-state employing authority or SEA; and

5. enroll in a BESE-approved mentor training program.

D. MT Ancillary Certification. Individuals who have completed a BESE-approved mentor teacher training program and earn a passing score on the Louisiana mentor teacher assessment series will be issued a mentor teacher ancillary certificate. For teachers holding a valid type C, Level 1 or higher Louisiana teaching certificate, see §1369 of this Part. The LDE will begin issuing mentor teacher ancillary certificates no later than July 1, 2019.

E. MT Ancillary certification eligibility requirements:

1. if teaching in a charter school without a valid type C, level 1 or higher certificate, have at least two years of successful teaching in accordance with LAC 28:CXLVII (Bulletin 130) and R.S. 17:3902; or

2. if teaching in a nonpublic school without a valid type C, level 1, or higher certificate earn at least two years of effective ratings per local personnel evaluations; and

3. all out-of-state experience must be verified as successful by the out-of-state employing authority or SEA;

4. successfully complete a BESE-approved mentor teacher training program; and

5. earn a passing score on the Louisiana mentor teacher assessment series.

6. Individuals who successfully complete LDE mentor teacher training from November 1, 2017 through July 31, 2020, are eligible for the mentor teacher ancillary certificate after passing the Louisiana mentor teacher assessment series.

7. Individuals who hold National Board certification are eligible for mentor teacher ancillary certification after passing the coaching-related components of the Louisiana mentor teacher assessment series.

8. Individuals who currently hold or are eligible to hold National Institute for Excellence in Training (NIET) Teacher Evaluator Training Certification may apply for the ancillary certificate, which makes the individual eligible to serve as a mentor of undergraduate or post-baccalaureate teacher residents.

9. Certified CLASS ® observers may apply for the ancillary certificate and upon issuance are eligible to serve as mentors of undergraduate or post-baccalaureate residents.

F. MT Ancillary Certificate Renewal Guidelines. Mentor teacher ancillary certificates are valid for five years and may be renewed at the request of the employing authority.

1. Teachers in charter schools who do not hold a level 1, 2, or 3 certificate must successfully meet the standards of effectiveness for at least three years during the five-year renewal period in accordance with LAC 28:CXLVII (Bulletin 130) and R.S. 17:3902.

2. Teachers in nonpublic schools who do not hold a level 1, 2, or 3 certificate must earn effective ratings per local personnel evaluations for at least three years during the five-year renewal period in order to renew the mentor teacher ancillary certificate.

G. For the 2020-2021 and 2021-2022 school years, the requirement that all undergraduate residents and post-baccalaureate candidates be placed with mentor teachers holding the ancillary mentor teacher certificate, the ancillary provisional mentor teacher certificate, or the Supervisor of

Student Teaching certificate, is waived with the following contingencies.

1. Mentor teacher waivers will be granted on a case-by-case basis through the application process established by the LDE and at no fee to the applicant, school system, or teacher preparation provider;

2. The waiver will be issued by the LDE for educators highly recommended by the mentor's principal and who possess one or more of the following qualifications:

a. two years of highly effective Compass ratings;

b. National Board Certification;

c. statewide or national distinction for excellence in teaching;

d. experience as a TAP mentor, master teacher, executive master teacher or certified TP evaluator;

e. content leader experiences, as evidenced by participation in content leader training or redelivery of professional development; or

f. master's or doctorate in education and exemplary experience hosting student teachers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:230 (February 2019), amended LR 45:1460 (October 2019), LR 46:1379 (October 2020), LR 48:

§555. Content Leader (CL) Ancillary Certificate (Optional)

A. The content leader ancillary certificate is an optional certificate that districts may require. The LDE will begin issuing content leader ancillary certificates to candidates no later than July 1, 2019.

B. CL Ancillary Certificate eligibility requirements:

1. if teaching in a charter school without a valid type C, level 1 or higher certificate, have at least two years of successful teaching in accordance with LAC 28:CXLVII (Bulletin 130) and R.S. 17:3902; or

2. if teaching in a nonpublic school without a valid type C, level 1, or higher certificate, earn at least two years of effective ratings per local personnel evaluations; and

3. all out-of-state experience must be verified as successful by the out-of-state employing authority or SEA;

4. successfully complete a BESE-approved content leader training program; and

5. have a passing score on the Louisiana content leader assessment series (see §303 of this Part).

C. Individuals who have successfully completed LDE content leader training from November 1, 2017 through July 31, 2020, in accordance with Paragraph 1 of this Subsection, are eligible for content leader ancillary certification.

D. Renewal Guidelines. The content leader ancillary certificate is valid for a period of five years and may be renewed at the request of the employing authority.

1. Teachers in charter schools who do not hold a level 1, 2, or 3 certificate must successfully meet the standards of effectiveness for at least three years during the five-year renewal period in accordance with LAC 28:CXLVII (Bulletin 130) and R.S. 17:3902.

2. Teachers in nonpublic schools who do not hold a level 1, 2, or 3 certificate must earn effective ratings per local personnel evaluations for at least three years during the five-year renewal period in order to renew the mentor teacher ancillary certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:231 (February 2019), amended LR 45:1460 (October 2019), LR 48:

Subchapter D. Special Considerations for Teachers Called to Active Military Duty

§557. Introduction

A. A teacher employed on a Louisiana certificate of any type who is called to active military duty will not be penalized for the time spent in active service. The educator must present copies of official documents indicating beginning and ending dates of active military duty when applying for renewal or extension of the certificate.

B. For the period of military service:

1. non-practicing status may be requested by the educator for the time in active service; and

2. additional time commensurate with the amount of time spent in active duty will be added to the validity period on the temporary or regular certificate, for the school year(s) or portion thereof spent in active military service.

C. Upon completion of the validity period, the renewal guidelines for temporary and/or regular certificates are effective.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1806 (October 2006), amended LR 48:

Chapter 7. Ancillary School Service Certificates

§701. Introduction

A. An individual must have an official license or certificate from the state to provide services to children in a Louisiana school setting. An ancillary certificate allows a qualified person who is not a certified teacher to provide such services. The holder of an ancillary certificate is authorized to perform only those services that are specifically stated on the certificate in Louisiana school systems.

B. Non-Practicing Status for all Ancillary Teaching Certificates or Operational Role Status for Ancillary Teaching Certificates may be issued by the LDE in accordance with §505.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1807 (October 2006), amended LR 34:432 (March 2008), LR 48:

Subchapter A. General Ancillary School Certificates

§703. Child Nutrition Program Supervisor

A. For certificates issued July 1, 2020 and beyond, minimum eligibility requirements:

1. LEAs with a student enrollment of 2,499 or less:

a. at least 8 hours of food safety training is required either not more than five years prior to the date of employment or completed within 30 calendar days of the date of employment; and

i. a bachelor's degree, or equivalent educational experience, with an academic major or concentration in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field; or

ii. a bachelor's degree, or equivalent educational experience, with any academic major or area of concentration, and either a state-recognized certificate for school nutrition directors or at least one year of relevant food service experience; or

iii. an associate's degree, or equivalent educational experience, with an academic major or concentration in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field, and at least one year of relevant school nutrition program experience; or

iv. a high school diploma or state-issued high school equivalency credential and three years of relevant food service experience;

2. LEAs with a student enrollment of 2,500 - 9,999:

a. at least 8 hours of food safety training is required either not more than five years prior to the date of employment or completed within 30 calendar days of the date of employment; and

i. a bachelor's degree, or equivalent educational experience, with an academic major or concentration in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field; or

ii. a bachelor's degree, or equivalent educational experience, with any academic major or area of concentration, and a state-recognized certificate for school nutrition directors; or

iii. a bachelor's degree in any academic major and at least two years of relevant school nutrition program experience; or

iv. an associate's degree, or equivalent educational experience, with an academic major or concentration in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field, and at least two years of relevant school nutrition program experience;

3. for Child Nutrition Program supervisors in LEAs with a student enrollment of 10,000 or more:

a. at least 8 hours of food safety training is required either not more than five years prior to the date of employment or completed within 30 calendar days of the date of employment and:

i. a bachelor's degree, or equivalent educational experience, with academic major or concentration in food and nutrition, food service management, dietetics, family and consumer sciences, nutrition education, culinary arts, business, or a related field; or

ii. a bachelor's degree, or equivalent educational experience, with any academic major or area of concentration, and a state-recognized certificate for school nutrition directors; or

iii. a bachelor's degree in any major and at least five years of experience in management of school nutrition programs.

B. Renewal Guidelines. Valid for one year and renewable each year thereafter upon presentation of completion of twelve hours of annual continuing education/training. The annual training must include, but is not limited to, administrative practices including training in school meal application, certification and verification, and meal counting and claiming procedures, as applicable, and

any other specific topics, as needed, to address program integrity or other critical issues. Continuing education/training required under this paragraph is in addition to the food safety training required in the first year of employment under §703 of this Part.

C. Reinstatement of a Lapsed Certificate. If a certificate holder allows a period of one calendar year to elapse where not employed as a child nutrition program supervisor, the applicant must verify evidence of having met the hiring standards under §703 of this Part.

D. Provisional Certificate. A provisional certificate may be issued to an individual employed as an acting child nutrition program supervisor.

1. Eligibility Requirements. For provisional certificates issued September 1, 2021 and beyond, the minimum requirements include:

- i. high school diploma (or equivalent);
- ii. 2 years of relevant school nutrition programs experience; and
- iii. at least 8 hours of food safety training either not more than five years prior to the date of employment or completed within 30 calendar days of the date of employment.

2. Renewal Guidelines. Valid for one year initially and renewable each year thereafter upon presentation of 12 hours of annual food service continuing education/training. A provisional certificate may be issued for a maximum of five years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1807 (October 2006), amended LR 33:280 (February 2007), LR 34:432 (March 2008), LR 46:1379 (October 2020), LR 48:

§705. Counselor K-12 (Counselor in a School Setting)

A. Eligibility Requirements Prior to June, 30, 2017. For candidates who completed all courses and degree requirements by June 30, 2017, the endorsement add-on requirements include:

1. graduate degree in school counseling from an institution accredited in accordance with 34 CFR 602 or a graduate degree with the equivalent hours and courses required for a graduate degree in school counseling; and

2. graduate training that includes 24 semester hours of professional courses distributed so that at least one course will be taken in each of the following basic areas:

- a. Principles and Administration of School Counseling Programs;
- b. career and lifestyle development;
- c. individual appraisal;
- d. counseling theory and practice;
- e. group processes;
- f. human growth and development;
- g. social and cultural foundations in counseling; and
- h. supervised practicum in a school setting.

B. Eligibility requirements after June 30, 2017:

1. completion of a standards-based graduate degree program in counseling from a college or university accredited in accordance with 34 CFR 602 and approved by the Council for Accreditation of Counseling and Related Educational Program (CACREP), and candidates completing

counseling programs not in the specialty area of school counseling must complete six credit hours of school counseling courses from a CACREP-accredited program;

2. practicum/internship requirements:

a. complete a practicum in counseling from a CACREP-accredited program to include 100 contact hours; and

b. complete an internship in counseling from a CACREP-accredited program to include 600 contact hours in a school setting; and

3. pass the PRAXIS examination in school guidance and counseling (0421 or 5421).

C. Renewal Requirements. Certification is issued for a period of five years. For purposes of maintaining a valid counseling certificate, any school counselor receiving initial or renewal certification after July 1, 2013, must successfully meet the standards of effectiveness for at least three years during the five-year validity period in accordance with Bulletin 130 and R.S. 17:3902.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1807 (October 2006), amended LR 38:1400 (June, 2012), LR 39:1463 (June 2013), LR 45:1055 (August 2019), LR 48:

§707. Educational Interpreter

A. An Educational Interpreter certificate is issued to individuals who provide sign language interpreting services by facilitating communication within an instructional environment via an enhanced visual and/or tactile mode between and among deaf/hard of hearing and hearing individuals in situations in which those individuals are unable to communicate with one another using a speech and hearing mode.

B. This certificate is issued to individuals who have at least a standard high school diploma, HiSET, or a General Equivalency Diploma (GED) and who meet the guidelines outlined in this document. There are two basic types of certification for Educational Interpreters: Provisional and Qualified.

C. Provisional Educational Interpreter Certificate eligibility requirements:

1. complete an accredited interpreter preparation program with a minimum of a certificate of completion;

2. hold certification as a sign language interpreter/transliterater by a national or state organization or certifying body;

3. achieve an advanced level or higher, as measured by the sign language proficiency interview (SLPI) or sign communication proficiency interview (SCPI); or

4. pass the pre-hiring screening of the educational interpreter performance assessment (EIPA).

D. Provisional Educational Interpreter Certificate renewal requirements:

1. valid for one year, may be renewed annually at the request of the Louisiana employing authority, and can be held for a maximum of three years; and

2. renewable upon completion of 10 contact hours of professional development annually with course credit leading to a Qualified Certificate applied towards the 10 hours and accrued beginning with the issuance of the Provisional Educational Interpreter Certificate.

E. Qualified Educational Interpreter Certificate eligibility requirements:

1. pass the Educational Interpreter Assessment, Written Test; and

2. achieve a level of 3.0 on one of the standardized videotape versions of the Educational Interpreter Performance Assessment: American Sign Language (ASL), Manually Coded English (MCE), or Pidgin Signed English (PSE) at the Elementary and/or Secondary level.

F. Qualified Educational Interpreter Certificate renewal requirements:

1. Valid for five years and may be renewed at the request of the Louisiana employing authority upon completion of six semester hours of credit or equivalent continuing professional development of 90 Contact hours.

2. The six hours of credit or 90 equivalent clock hours shall be directly and substantively related to one or more of the permits or certificates held by the applicant or related to the applicant's professional competency.

3. These hours shall be accrued beginning with the date of certification issuance.

G. An individual who does not meet the qualified certificate requirements may apply for a provisional certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1808 (October 2006), amended LR 33:1616 (August 2007), LR 48:

§709. Educational Transliterators

A. An educational transliterator certificate is issued to individuals who provide cued language transliteration services by facilitating communication within an instructional environment via an enhanced visual and/or tactile mode between and among deaf/hard of hearing and hearing individuals in situations in which those individuals are unable to communicate with one another using a speech and hearing mode.

B. This certificate is issued to individuals who have at least a standard high school diploma, HiSET, or a General Equivalency Diploma (GED) and who meet the guidelines outlined in this document. There are two basic types of certification for educational transliterators: provisional and qualified.

C. Provisional Educational Transliterators Certificate eligibility requirements:

1. hold certification as a cued speech transliterator from a national or state recognized organization or certifying body; or

2. pass the cued American English competency screening.

D. Renewal requirements:

1. valid for one year and may be renewed annually at the request of the Louisiana employing authority for a maximum of three years; and

2. renewable upon completion of ten contact hours of professional development annually with course credit leading to a Qualified Educational Transliterators Certificate and may be applied toward the 10 hours and accrued beginning with the issuance of the Provisional Educational Transliterators Certificate.

E. Qualified Educational Transliterators Certificate eligibility requirements:

1. pass the Cued Language Transliterators State level Performance Assessment; or attain a level of 3.5 on the Educational Interpreter Performance Assessment-Cued Speech (EIPA-CS); and

2. pass the Cued Language Transliterators State Level Written Assessment.

F. Qualified Educational Transliterators Certificate renewal requirements:

1. May be renewed every five years at the request of the Louisiana employing authority upon completion of six semester hours of credit or equivalent continuing professional development (90 Contact hours).

2. The six hours of credit or 90 equivalent clock hours shall be directly and substantively related to one or more of the permits or certificates held by the applicant or related to the applicant's professional competency.

3. These hours shall be accrued beginning the date of issuance of the Qualified Educational Transliterators Certificate.

G. An individual who does not meet Qualified Educational Transliterators Certificate requirements may apply for a provisional certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:1617 (August 2007), amended LR 48:

§711. School Librarian

A. School Librarian eligibility requirements:

1. master's degree in library science from an institution accredited in accordance with 34 CFR 602; and

2. passing score on Praxis Library Media Specialist examination.

B. Renewal requirements:

1. candidates must successfully meet the standards of effectiveness for at least three years during the five-year period of validity pursuant to Bulletin 130 and R.S. 17:3902;

2. the Louisiana employing authority must request renewal of an ancillary school librarian certificate; and

3. valid for five years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1808 (October 2006), repromulgated LR 33:1617 (August 2007), amended LR 36:489 (March 2010), LR 39:1463 (June 2013), LR 46:1380 (October 2020), LR 48:

§713. Orientation and Mobility

A. Orientation and Mobility. Valid as long as holder maintains a current national certification in orientation and mobility.

1. Eligibility requirements:

a. baccalaureate or graduate degree in orientation and mobility; or

b. completion of an individual plan of study in orientation and mobility at a college or university accredited in accordance with 34 CFR 602; and

c. current certification issued by the Academy for Certification of Vision Rehabilitation and Educational Professionals (COMS); or

d. current certification issued by the National Blindness Professional Certification Board (NOMC).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:894 (May 2009), amended LR 46:1380 (October 2020), LR 48:

§715. School Nurse

A. Type C School Nurse—valid for three years.

1. Eligibility requirements:

a. current Louisiana licensure as a registered professional nurse; and

b. minimum of two years of experience as a registered nurse.

2. Renewal Guidelines. May be renewed once for a three year period, upon presentation of a copy of current Louisiana licensure as a registered professional nurse and upon request of Louisiana employing authority.

B. Type B School Nurse—valid for five years.

1. Eligibility requirements:

a. current Louisiana licensure as a registered professional nurse; and

b. three years of experience as a type C school nurse.

2. Renewal Guidelines. May be renewed for a five-year period, upon presentation of a copy of current Louisiana licensure as a registered professional nurse and upon request of Louisiana employing authority.

C. Type A School Nurse—valid for five years.

1. Eligibility requirements:

a. current Louisiana licensure as a registered professional nurse;

b. baccalaureate degree in nursing or a health-related field from a college or university accredited in accordance with 34 CFR 602; and

c. five years of experience as a certified type B school nurse.

2. Renewal Guidelines. May be renewed for a five-year period, except for those with a current certificate that is valid for life of continuous service. Upon presentation of a copy of current Louisiana licensure as a registered professional nurse and upon request of Louisiana employing authority.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), (15); R.S. 17:7(6); R.S. 17:10; R.S. 17:22(6); R.S. 17:391.1-391.10; and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1808 (October 2006), amended LR 36:1998 (September 2010), LR 37:883 (March 2011), LR 38:44 (January 2012), LR 38:2366 (September 2012), LR 46:1380 (October 2020), LR 48:

§717. Social Worker

A. Social Worker—issued to individuals with graduate degrees in social work or social welfare.

B. Provisional School Social Worker—valid for three years.

1. Eligibility requirements:

a. a licensed master social worker (LMSW) issued under R.S. 37:2701 et seq.;

b. an individual must work under the supervision of a licensed clinical social worker (LCSW) for a minimum of one hour per week if providing clinical social work services and complete a minimum of 20 continuing professional development/education units (CEUs) each year of the validity of this certificate. Of the 20 CEUs, 10 hours must be related to the provision of school social work services and/or services to children. These CEUs will remain on file at the employing LEA.

2. Renewal Guidelines—nonrenewable.

C. Qualified School Social Worker:

1. Eligibility requirements:

a. licensed clinical social worker (LCSW), in accordance with R.S. 37:2701 et seq.; or

b. certificate as a licensed master social worker (LMSW), in accordance with R.S. 37:201 et seq.; receive a minimum of one hour per week of supervision by a LCSW, if providing clinical social work services, and have work experience in one or more of the following social work practice settings within the past five years:

i. school setting;

ii. mental health setting;

iii. correction setting;

iv. family/child/community service agency;

v. medical social services in which social services were delivered to families and children;

vi. private clinical practice in which social work services were delivered to adults, children, and families; or

vii. have graduate social worker field experience in the above social work practice settings plus two years of work experience, as verified by the Louisiana State Board of Certified Social Work Examiners.

2. This certificate is valid provided the holder maintains current Louisiana licensure as a social worker and completes a minimum of 20 continuing professional development/education units (CEUs) in the years of the validity of this certificate. Of the 20 CEUs, 10 hours must be related to the provision of school social work services and/or services to children. The CEUs will remain on file at the employing LEA. A social worker who changes employing school systems must provide a copy of a current Louisiana license to serve as a social worker.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1809 (October 2006), amended LR 38:45 (January 2012), LR 48:

§719. Mental Health Professional Counselor

A. Provisional Mental Health Professional Counselor Certificate—valid for two years.

1. Eligibility requirements:

a. hold current Louisiana licensure as a provisional licensed professional counselor in Louisiana (PLPC), in accordance with R.S. 37:1101 et seq.; or

b. work under active supervision of a board-approved licensed professional counselor supervisor (BA LPC-S) (i.e., 1 hour of supervision per 20 client contact hours) and accrue 1,900 direct client contact hours, 1,000 indirect hours, and 100 clinical supervision hours under the board-approved licensed professional counselor supervisor (BA LPC-S); and

c. hold a current Louisiana licensure as a licensed marriage and family therapist (MFT) in accordance with R.S. 37:1101 et seq.; or

d. hold a current Louisiana licensure as a Licensed clinical social worker (LCSW), in accordance with R.S. 37:2701 et seq.; or

e. hold a current Louisiana certification as a certified school psychologist, in accordance with R.S. 17:7.1(D); or current Louisiana licensure as a psychologist, in accordance with R.S. 37:2351 et seq.; and

f. have two years of mental health counseling experience or school psychological services or school social work services within the last five years working directly with children, as verified by a previous or current employer; and

g. have a written request from the Louisiana employing school system indicating that the person will be employed upon issuance of certification.

2. Non-renewable.

B. Qualified Mental Health Professional Counselor

1. Eligibility requirements:

a. hold current Louisiana licensure as a licensed professional counselor in Louisiana (LPC) or as a provisional-licensed professional counselor (PLPC) in accordance with R.S. 37:1101 et seq.; or

b. hold a current Louisiana licensure as a licensed marriage and family therapist (LMFT) in accordance with R.S. 37:1101 et seq.; or

c. hold a current Louisiana licensure as a licensed clinical social worker (LCSW), in accordance with R.S. 37:2701 et seq.; or

d. hold a current Louisiana certification as a certified school psychologist, in accordance with R.S. 17:7.1(D); or current Louisiana licensure as a psychologist, in accordance with R.S. 37:2351 et seq.; and

e. have two years of experience as a provisional mental health professional counselor and the written request of the employing LEA.

2. Renewal Guidelines

a. This certificate is valid provided the holder maintains current Louisiana licensure as a LPC, LMFT, LCSW, or psychologist, or holds a current Louisiana certification as a certified school psychologist. A worker who changes employing school systems must provide a copy of a current Louisiana license or certificate to serve as a mental health professional counselor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:881 (March 2011), amended LR 44:2001 (November 2018), LR 48:

§721. Special Education Examiners

A. State statute requires that each school district have assessment teams for the purpose of identifying and evaluating the individual needs of each child with exceptionalities. These teams may include any number of the specialists outlined in this Section. Persons serving on multidisciplinary teams who have competent authority numbers may continue to serve in this capacity.

B. Audiologist

1. Provisional certificate—valid for three years.

a. Eligibility requirements:

i. graduate degree in audiology or equivalent, as specified in R.S. 37:2651 et seq.;

ii. must work under supervision of a licensed audiologist.

b. Non-renewable.

2. Qualified Licensed Audiologist—valid for life with continuous service.

a. Eligibility requirements:

i. graduate degree in audiology or equivalent, as specified in R.S. 37:2651 et seq.;

ii. current Louisiana licensure as an Audiologist.

b. Renewal guidelines: holder must present current Louisiana credential as a licensed Audiologist.

C. Educational Diagnostician—valid for five years.

1. Eligibility requirements:

a. hold current national certification as an educational diagnostician (NCED) through the National Certification of Educational Diagnostician Board.

2. Renewal guidelines:

a. may be renewed every five years at the request of the LEA; and

b. complete 150 continuing learning units of district-approved and verified professional development over the five year validity period of the certificate; or

c. hold current national certification as an educational diagnostician (NCED) through the National Certification of Educational Diagnostician Board.

3. Reinstatement of a Lapsed Certificate. If certificate holder allows a period of five consecutive calendar years to pass in where not a regularly employed as an educational diagnostician for at least one semester, or 90 consecutive days, the certificate lapses for disuse. To reinstate a lapsed certificate, the holder must present evidence of six semester hours of credit earned in state-approved courses during the five-year period immediately preceding the request for reinstatement.

D. School Psychologist

1. Standard certificate—valid for five years.

a. Eligibility requirements:

i. completion of a school psychology training program that meets requirements of the current Standards for Training and Field Placement Programs in School Psychology established by the National Association of School Psychologists; or

ii. evidence of current and continuous certification as a Nationally Certified School Psychologist.

b. Levels

i. Level A—Applicants must meet requirements for the standard certificate and possess a doctoral degree from an institution accredited in accordance with 34 CFR 602, in school psychology or in psychology with a program of study emphasizing child development and knowledge and skills in education and assessment.

ii. Level B—Applicants must meet requirements for the standard certificate and possess a graduate or specialist degree from a school psychology training program in an institution accredited in accordance with 34 CFR 602.

c. Renewal Guidelines. The standard certificate must be renewed by the expiration date, every five years. A one-month grace period is allowed before the certificate is considered lapsed. The certificate may be renewed upon completion of the following:

i. at least one year of experience, or equivalent, as a school psychologist; and

ii. one of the following:

(a). six semester hours of additional graduate credit in any of the areas specified in the Standards for Training and Field Placement Programs in School Psychology established by the National Association of School Psychologists;

(b). an equivalent number of Continuing Professional Development/Education Units (9.0 CEU or 90 contact hours) in a variety of activities designed to maintain and expand a school psychologist's skills, and to ensure the provision of quality services;

(c). a combination of graduate credit hours and Continuing Professional Development/Education Units equivalent to six semester hours (each semester hour equals 1.5 Continuing Professional Development/Education Units), for a total of 9.0 Continuing Professional Development/Education Units; or

(d). evidence of current and continuous certification as a Nationally Certified School Psychologist since the last date of state certification or renewal.

2. Provisional certificate: valid for one year and renewable once for the completion of internship for the standard Type A or B certificate.

a. Eligibility requirements:

i. completed academic preparation in school psychology that meets requirements of current Standards for Training and Field Placement Programs in School Psychology established by the National Association of School Psychologists, except for the internship. The internship shall be completed during the time of the provisional certificate, in accordance with internship requirements in current Standards for Training and Field Placement Programs in School Psychology established by the National Association of School Psychologists; and

ii. holder of a lapsed standard Type A or B certificate who has not met requirements for certification renewal.

b. Renewal guidelines: may be renewed for one additional year when necessary to complete the internship, and upon written request of applicant and of the director of the training program or intern supervisor.

3. Lapsed school psychologist certificates may be reinstated upon verification that the following conditions have been met. Credits submitted must have been earned within the five years of the last renewal request. A provisional certificate may be awarded for a one year period, during which time the individual must meet renewal requirements for the standard certificate:

a. at least one year of experience or equivalent as a school psychologist; and

b. one of the following:

i. six semester hours of additional graduate credit in any of the areas specified in the Standards for Training and Field Placement Programs in School Psychology established by the National Association of School Psychologists;

ii. an equivalent number of continuing professional development/education units (9.0 CEU or 90 contact hours) in a variety of activities designed to maintain

and expand a school psychologist's skills, and to ensure the provision of quality services;

iii. a combination of graduate credit hours and continuing professional development/education units equivalent to six semester hours (each semester hour equals 1.5 continuing professional development/education units), for a total of 9.0 continuing professional development/education units; or

iv. evidence of current and continuous certification as a Nationally Certified School Psychologist since the last date of state certification or renewal.

E. Supervisor of School Psychological Services—eligibility guidelines:

1. hold valid Louisiana Level A or Level B School Psychologist certification under current requirements; and

2. have at least three years of supervised experience as a school psychologist, of which at least two years have been in Louisiana.

F. Speech Pathology Assistant—valid for three years and renewable.

1. The word *assistant* designates that direct supervision by a certified and licensed speech/language pathologist is required.

2. Ancillary speech/language pathology assistant certificates authorize service as a speech pathology assistant only, not as a regular classroom teacher.

3. Eligibility requirements:

a. baccalaureate degree in speech/language pathology from an institution accredited in accordance with 34 CFR 602; and

b. complete at least 100 clock hours of supervised clinical practicum.

4. Renewal guidelines:

a. may be renewed for three years by request of the LEA;

5. Reinstatement of a Lapsed Certificate. If certificate holder allows a period of five consecutive calendar years to pass in where not a regularly employed speech pathology assistant for at least one semester, or 90 consecutive days, the certificate lapses for disuse. To reinstate a lapsed certificate, the holder must present evidence of six semester hours of credit earned in state-approved courses during the five-year period immediately preceding the request for reinstatement.

G. Speech Pathologist

1. Provisional Certificate in Speech Pathology—valid for three years.

a. Eligibility requirements: graduate degree in speech pathology, or related field, from a college or university accredited in accordance with 34 CFR 602.

b. Renewal guidelines: nonrenewable.

2. Qualified certificate in speech pathology—valid for life with continuous service, provided the holder maintains a current Louisiana license to serve as a speech pathologist. Eligibility requirements are:

a. graduate degree in speech pathology, or related field, as specified under speech pathology guidelines, from a college or university accredited in accordance with 34 CFR 602; and

b. a valid Louisiana license to serve as a speech pathologist.

3. Reinstatement of a Lapsed Certificate. If certificate holder allows a period of five consecutive calendar years to pass in which he/she is not regularly employed as a school speech pathologist for at least one semester, or 90 consecutive days, he/she must present evidence of having earned six semester hours of credit in state-approved courses. The six semester credit hours must be earned during the five-year period immediately preceding reinstatement.

H. Speech Therapist/American Speech and Hearing Association (ASHA)—A person who provides speech therapy services to students with speech and/or language impairments. Valid for three years.

1. Eligibility requirements:

a. verification that applicant holds ASHA Certificate of Clinical Competence;

b. ASHA verification that individual has met requirements for Certificate of Clinical Competence with a possible exception of the clinical fellowship year; or

c. verification from the director of an ASHA-certified training program, in which the applicant has completed a graduate degree, that ASHA requirements for the Certificate of Clinical Competence have been met with the possible exception of the clinical fellowship year.

2. For those who have not completed the clinical fellowship year, this designation will be noted on the certificate.

3. Renewal guidelines:

a. LEA may request renewal of the certificate; and

b. certificate may be changed to "valid for life with continuous service" with verification of three years of service as a speech therapist.

4. Reinstatement of a Lapsed Certificate. If certificate holder allows a period of five consecutive calendar years to pass in which he/she is not regularly employed as a speech therapist in a school setting for at least one semester, or 90 consecutive days, the certificate lapses for disuse. To reinstate a lapsed certificate, the holder must present evidence of six semester hours of credit earned in state-approved courses during the five-year period immediately preceding request for reinstatement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1809 (October 2006), amended LR 38:768 (March 2012), LR 46:1380 (October 2020), LR 48:

§723. Educational Leader in Special Education Ancillary Certificate

A. The educational leader in special education ancillary certificate authorizes an individual to serve as a supervisor, director, or coordinator of special education in a school or district setting.

B. Issuance. This certificate is issued upon the request of the LEA.

C. Renewal Guidelines. Valid for a period of five years and may be renewed thereafter at the request of the LEA. Candidates must successfully meet the standards of effectiveness for at least three years during the five-year period of validity in accordance with Bulletin 130 and R.S. 17:3902. Such renewal shall constitute a renewal of the special education ancillary certificate only and shall not qualify the candidate for the educational leader certificate

level 1 (ELC 1), educational leader certificate level 2 (ELC 2), or educational leader certificate level 3 (ELC 3).

D. The candidate must:

1. hold one of the below valid Louisiana ancillary certificates:

- a. assessment teacher;
- b. educational consultant;
- c. educational diagnostician;
- d. certified school psychologist (Level B or Level

A);

- e. qualified speech pathologist;
- f. speech therapist;
- g. speech-language pathologist;
- h. speech and hearing therapist;
- i. qualified school social worker; or
- j. qualified licensed audiologist; and

2. have at least three years of experience working with students in the area of certification with all out-of-state experience verified as successful by the out-of-state employing authority or SEA;

3. complete a graduate degree program from an institution of postsecondary education accredited in accordance with 34 CFR 602;

4. provide documented evidence of leadership experiences (240 clock hours or more) at the school level; and

5. earn a passing score on the school leaders licensure assessment (SLLA) or other equivalent assessment as established by BESE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 42:1879 (November 2016), LR 43:1312 (July 2017), LR 45:1460 (October 2019), LR 46:1380 (October 2020), LR 48:

Subchapter B. School Therapists

§725. Overview

A. School Art Therapist—Valid as long as holder remains in the same school system.

1. Eligibility requirements:

a. verify successful completion of accredited art therapy degree program, and current registration or membership in the American Art Therapy Association; and

b. meet requirements of the educational program:

i. three semester hours, Introduction to Education of Exceptional Children; and

ii. three semester hours, Psychology of Exceptional Children; and

c. 50 percent of preclinical experience must have been directed toward a population aged zero through 21 years, in both institutional and school settings.

2. Renewal Guidelines. The LEA must request renewal with any change of employment to another school system.

B. Dance Therapist—valid as long as holder remains in same school system.

1. Graduate Level

a. Eligibility requirements:

i. graduate degree in dance therapy;

ii. requirements of the educational program:

(a) three semester hours, Introduction to Education of Exceptional Children; and

(b). three semester hours, Psychology of Exceptional Children;

iii. current registration or membership in the American Dance Therapy Association.

b. Renewal Guidelines: The Louisiana employing authority must request a renewal with any change of employment to another school system.

2. Bachelor's Level

a. Eligibility requirements:

i. bachelor's degree in dance therapy;

ii. requirements of the educational program:

(a). three semester hours, Introduction to Education of Exceptional Children; and

(b). three semester hours, Psychology of Exceptional Children;

iii. practicum for two semesters in both a clinical and a school setting with fifty percent of the practicum involving work with a population aged zero through 21 years; and

iv. current registration or membership the American Dance Therapy Association; and

b. Renewal Guidelines. The LEA must request renewal with any change of employment to another school system.

C. Music Therapist—valid as long as holder remains in same school system.

1. Eligibility requirements:

a. evidence of successful completion of an accredited music therapy degree program, and registration by the National Association of Music Therapy, Inc.;

b. meet the course requirements of the music therapy component of the degree program to include:

i. three semester hours, Introduction to Education of Exceptional Children;

ii. three semester hours, Psychology of Exceptional Children; and

iii. recreational music; and

iv. school music; and

c. 50 percent of pre-clinical and clinical experiences should be directed toward a population aged zero through 21 years, in both institutional and school settings.

2. Renewal Guidelines. The LEA must request renewal with any change of employment to another school system.

D. Occupational Therapy

1. Certified Licensed Occupational Therapist Assistant (COTA)—valid for five years; renewable.

a. Eligibility Requirements. A valid COTA license to practice occupational therapy in Louisiana in compliance with R.S. 37:3001-3014, as administered by the Board of Medical Examiners; and

b. must work under the supervision of a Licensed Occupational Therapist.

c. Renewal Guidelines. Applicant must present copy of current licensure, and renewal request submitted by the LEA.

2. Occupational Therapist Provisional Certification—valid for two years.

a. Eligibility Requirements. A temporary license to practice occupational therapy in Louisiana in compliance with R.S. 37:3001-3014, as administered by the Louisiana State Board of Medical Examiners.

b. Renewal Guidelines—nonrenewable.

3. Occupational Therapist Full Certificate—valid for five years; renewable.

a. Eligibility Requirements. A valid license to practice occupational therapy in Louisiana in compliance with R.S. 37:3001-3014, as administered by the Board of Medical Examiners.

b. Renewal Guidelines. Applicant must present copy of current licensure, and renewal request submitted by the LEA.

E. Physical Therapy

1. Physical Therapist Assistant (PTA)—valid for five years.

a. Eligibility Requirements. A valid PTA license to assist in the practice of physical therapy in compliance with R.S. 37:2401-2424, as administered by the Louisiana State Board of Physical Therapy Examiners.

b. A PTA must work under the supervision of a licensed physical therapist.

c. Renewal Guidelines. Applicant must present a copy of current licensure, and renewal request submitted by the LEA.

2. Physical Therapist Provisional Certification—valid for two years.

a. Eligibility Requirements. A temporary license to practice physical therapy in compliance with R.S. 37:2401-2424, as administered by the Louisiana State Board of Physical Therapy Examiners.

b. Renewal Guidelines—nonrenewable.

3. Physical Therapist Full Certificate—valid for five years.

a. Eligibility Requirements: a valid Louisiana license to practice physical therapy in compliance with R.S. 37:2401-2424, as administered by the Louisiana State Board of Physical Therapy Examiners.

b. Renewal Guidelines: Applicant must present a copy of current licensure, and renewal request submitted by the LEA.

F. Certified Behavior Analyst

1. Assistant Behavior Analyst (BCaBA)

a. Eligibility requirements:

i. bachelor's degree from a college or university accredited in accordance with 34 CFR 602;

ii. current assistant level certification issued by the Behavior Analyst Certification Board (BACB) or other nationally credentialing bodies as approved by the BACB;

iii. the word assistant designates that direct supervision by a BCBA is required; and

iv. a written request from the Louisiana employing authority indicating that the person will be employed upon certification issuance.

b. Renewal Guidelines. This certificate is valid provided the holder maintains current level certification issued by the Behavior Analyst Certification Board (BACB) or other nationally credentialing bodies as approved by the BACB. A worker who changes employing school systems must provide a copy of current certification issued by BACB to serve as a behavior analyst.

2. Behavior Analyst (BCBA)

a. Eligibility requirements:

i. graduate degree from a college or university accredited in accordance with 34 CFR 602;

ii. current behavior analyst certification issued by the Behavior Analyst Certification Board (BACB) or other nationally credentialing bodies as approved by the BACB; and

iii. a written request from the LEA indicating that the person will be employed upon certification issuance.

b. **Renewal Guidelines.** This certificate is valid provided the holder maintains current level certification issued by the Behavior Analyst Certification Board (BACB) or other nationally credentialing bodies as approved by the BACB. A worker who changes employing school systems must provide a copy of current certification issued by BACB to serve as a behavior analyst.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1811 (October 2006), amended LR 34:433 (March 2008), LR 37:884 (March 2011), LR 37:2135 (July 2011), LR 46:1380 (October 2020), LR 48:

Chapter 11. Standards for Secondary Career and Technical Trade and Industrial Education Personnel

§1101. Introduction

A. Career and technical trade and industrial education (CTTIE) certificates authorize full-time or part-time employment for instructors of courses aligned to an area of expertise. The applicant being certified under the requirements found in this Part may teach CTTIE courses as listed on the LDE Teach Louisiana website (<http://www.teachlouisiana.net>).

B. Non-Practicing Status or Operational Role Status for CTTIE Certificates shall be in accordance with §505 of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1812 (October 2006), amended LR 35:2752 (December 2009), LR 40:1329 (July 2014), LR 46:1380 (October 2020), LR 48:

§1103. Career and Technical Certificate Types Issued Prior to July 1, 2006

A. Vocational Technical Industrial Education (VTIE) Certificates—Issued prior to July 1, 2004

1. Vocational Temporary (VT)—valid for one year; renewable annually while holder completes required coursework.

2. Vocational Permanent (VP)—lifetime certificate for continuous service.

B. Career and Technical Trade and Industrial Education (CTTIE) Certificates—issued between July 1, 2004, and June 30, 2006.

1. CTTIE Temporary Certificate (CT)—valid for one year; renewable annually while holder completes required coursework.

2. CTTIE Permanent Certificate (CP)—lifetime certificate for continuous-service.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1812 (October 2006), amended LR 35:2752 (December 2009), LR 48:

§1105. Career and Technical Certificate Types

A. CTTIE-Provisional—a one-year, non-renewable certificate issued while instructor completes requirements for CTTIE-1.

B. CTTIE-1 Certificate—An entry-level industry-based teaching certificate, valid for three years initially and may be extended for a period of one year at the request of the LEA. CTTIE-1 certificates are limited to two such extensions. CTTIE teachers must successfully meet the standards of effectiveness pursuant to Bulletin 130 and R.S.17:3902 to advance to CTTIE-2.

C. CTTIE-2 Certificate. Valid for five years initially and may be renewed thereafter for a period of five years at the request of the employing LEA.

1. For renewal of the CTTIE-2 certificate, candidates must successfully meet the standards of effectiveness for at least three years during the five-year initial or renewal period pursuant to Bulletin 130 and R.S. 17:3902.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:2752 (December 2009), amended LR 38:3137 (December 2012), LR 40:1330 (July 2014), LR 48:

§1107. CTTIE Certificate-Eligibility Requirements

A. CTTIE certificates are issued to instructors who teach courses listed on the Teach Louisiana website aligned to the area of expertise.

B. CTTIE Provisional Eligibility Requirements

1. Applicants shall hold a high school diploma, or have passed an equivalency test approved by the LDE.

2. Applicants shall have a minimum of four years of full time work experience or 7,680 hours of experience aligned to the CIP (Classification of Instructional Programs) area in the selected career and technical field, of which at least one year of full time work experience or 1,920 hours of experience must have been acquired within the five calendar years immediately prior to certification:

a. technical diploma or associate degree, or out-of-state equivalent, registered apprenticeship, or LWC approved training provider aligned to work experience and CIP area will be given credit for two years or 3,840 hours of occupational experience if the training is in the field for which the applicant is applying;

b. graduates with a bachelor's degree aligned to work experience and CIP area from a college or university accredited in accordance with 34 CFR 602 will be given credit for two years or 3,840 hours of experience;

c. graduates with an advanced degree aligned to work experience and CIP area from a college or university accredited in accordance with 34 CFR 602 will be given credit for three years or 5,760 hours of occupational experience;

d. graduates with a technical degree in the selected field and a bachelor's degree aligned to work experience and CIP area from a college or university accredited in accordance with 34 CFR 602 will be given credit for three years or 5,760 hours of occupational experience;

e. graduates with a bachelor's degree aligned to work experience and CIP area from a college or university accredited in accordance with 34 CFR 602 and an industry based certification (IBC) in the selected field will be given

credit for three years or 5,760 hours of occupational experience;

f. applicants holding current approved industry-based certification, aligned to work experience and CIP area will be given credit for two years or 3,840 hours of work experience. An industry-based certification may not be combined with educational attainment to qualify for a waiver from all required work experience.

g. applicants with an earned baccalaureate degree, and who hold an industry-based certification (IBC) in the selected instructional field aligned to work experience and CIP area may also apply years of teaching experience in that field toward the required work experience.

h. applicants with prior teaching experience at a postsecondary institution, registered apprenticeship, or LWC approved training provider in the selected instructional field may apply those years of teaching at a postsecondary institution toward the required work experience. All out-of-state experience must be verified as successful by the out-of-state employing authority or SEA.

3. In addition to CTTIE certification, a current license must be held when a state or national license is required in the workplace. A state or national license will be recognized as an industry-based certification.

a. Instructors providing content aligned to an industry-based certification must carry the IBC in which instruction will occur.

b. If a certifying agency requires specialized certification to instruct content, the instructor must carry the required certification.

C. CTTIE-1 Eligibility Requirements

1. Applicants shall hold a high school diploma, or have passed an equivalency test approved by the LDE.

2. Applicants shall have a minimum of four years of full time work experience or 7,680 hours of experience aligned to the CIP area in the selected career and technical field, of which at least one year of full time work experience or 1,920 hours must have been acquired within the five calendar years immediately prior to certification:

a. technical diploma or associate degree, or out-of-state equivalent, registered apprenticeship, or LWC approved training provider aligned to work experience and CIP area will be given credit for two years or 3,840 hours of occupational experience if the training is in the field for which the applicant is applying;

b. graduates with a baccalaureate degree aligned to work experience and CIP area from a college or university accredited in accordance with 34 CFR 602 will be given credit for two years or 3,840 hours of experience;

c. graduates with an advanced degree aligned to work experience and CIP area from a college or university accredited in accordance with 34 CFR 602 will be given credit for three years or 5,760 hours of occupational experience;

d. graduates with a technical degree in the selected field and a baccalaureate degree aligned to work experience and CIP area from a college or university accredited in accordance with 34 CFR 602 will be given credit for three years or 5,760 hours of occupational experience;

e. graduates with a baccalaureate degree aligned to work experience and CIP area from a college or university accredited in accordance with 34 CFR 602 and an industry based certification (IBC) in the selected field, will be given credit for three years or 5,760 hours of occupational experience;

f. applicants holding current approved industry-based certification aligned to work experience and CIP area will be given credit for two years or 3,840 hours of work experience, but an industry-based certification may not be combined with educational attainment to qualify for a waiver from all required work experience;

g. applicants with a baccalaureate degree and who hold an industry-based certification (IBC) in the selected instructional field aligned to work experience and CIP area may also apply years of teaching experience in that field toward the required work experience;

h. applicants with prior teaching experience at a postsecondary institution, registered apprenticeship, or LWC approved training provider in the selected instructional field may apply the years of teaching at a postsecondary institution toward the required work experience with all out-of-state experience verified as successful by the out-of-state employing authority or SEA.

3. In addition to CTTIE certification, a current license must be held when a state or national license is required in the workplace. A state or national license will be recognized as an industry-based certification.

a. Instructors who will be providing content aligned to an industry-based certification must carry the IBC in which instruction will occur.

b. If a certifying agency requires specialized certification to instruct content, the instructor must carry that certification.

4. Applicants shall complete a new instructor workshop prior to issuance of CTTIE-1. The LDE shall make available a list of new instructor course providers. Applicants with at least three years of effective K-12 teaching experience as defined by Bulletin 130 or three years of post-secondary teaching experience are not subject to the New Instructor Workshop completion requirement.

C. CTTIE-2 Eligibility Requirements

1. Eligibility Requirements:

a. hold or meet eligibility requirements for a CTTIE-1;

b. successfully meet the standards of effectiveness for at least three years during the five-year renewal period pursuant to Bulletin 130 and R.S. 17:3902 with all out-of-state experience verified as successful by the out-of-state employing authority or SEA; and

c. accrue three years of teaching experience in an approved educational setting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1813 (October 2006), amended LR 35:2752 (December 2009), LR 36:2843 (December 2010), LR 38:2366 (September 2012), LR 40:1330 (July 2014), LR 45:1460 (October 2019), LR 46:1381 (October 2020), LR 48:

§1109. CTTIE Areas of Specialization

A. Nurse Aide Training and Competency Evaluation Program (NATP/NATCEP)/ Certified Nursing Assistant (CNA) Eligibility Requirements:

1. applicant shall be a professional nursing program graduate with current Louisiana licensure as a registered nurse (RN) or licensed practical nurse (LPN);

2. all instructors shall have one of the following: CTTIE, VTIE, master's degree or above, or a CNA train the trainer certificate and meet nurse aide training and competency evaluation program (NATP/NATCEP) regulations, as mandated by the Louisiana Department of Health (LDH), Health Standards Section;

3. LPNs may serve as a certified nursing assistant/NATP instructor under the direct supervision of an RN. LPNs, under the general supervision of the primary instructor, may provide classroom and skills training instruction and supervision with two years of experience in provision of long term care services.

B. Certified Nursing Assistant, Program Coordinator Eligibility Requirements. The program coordinator shall have the following experience and qualifications:

1. current Louisiana licensure as a registered nurse (RN);

2. a minimum of two years of nursing experience, of which at least one year must be in the provision of long term care facility services such as a nursing home or skilled nursing facility;

3. completion of VTIE, CTTIE, CNA train-the-trainer program or a graduate degree; and

4. meet requirements mandated by the Louisiana Department of Health (LDH), Health Standards Section;

C. Emergency Medical Technician

1. An emergency medical technician (EMT) instructor must be approved by the Bureau of EMS.

D. Sports Medicine Eligibility Requirements

1. Sports medicine instructors shall have at least a Bachelor of Science degree and have a valid current state and/or national certification as an athletic trainer and meet all CTTIE requirements.

2. Applicants pursuing a graduate degree in athletic training who are working as an athletic trainer graduate assistant at a university accredited in accordance with 34 CFR 602 may count the work experience hours toward meeting the required work hours for the CTTIE application. CTTIE application must include a letter from the director of athletics at the university with the actual number of hours worked and assigned duties.

E. Jobs for America's Graduates (JAG) Louisiana Job Specialist eligibility requirements:

1. a bachelor's degree from a state-approved college or university accredited in accordance with 34 CFR 602, plus two years of full-time work experience, or 3,840 hours of work experience within four years of date of application; or

2. a valid standard Louisiana teaching or school counselor certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1813 (October 2006), amended LR 35:2752 (December 2009), LR 36:2843 (December 2010), LR 38:2366 (September 2012), LR 40:1331 (July 2014), LR 46:1381 (October 2020), LR 48:

Chapter 13. Endorsements to Existing Certificates

§1301. Introduction

A. Endorsement areas are permanent credentials added to a teaching certificate. Upon completion of requirements for an additional area of certification, as outlined in this bulletin, the holder of a valid Louisiana teaching certificate may have the endorsement added. For endorsement purposes, the following apply.

1. A generalized reference to a Praxis exam means the current applicable exam(s) in policy, with the current established passing score(s).

2. Semester hours earned to add certification areas and/or levels to an existing certificate cannot include repeat or duplicate coursework.

3. A National Board Certified (NBC) teacher with an existing Louisiana teaching certificate is eligible for the addition or add-on endorsement to a certificate of the corresponding area for which NBC is held.

4. All coursework used for add-on certification must be for regular credit, not of a remedial or developmental nature, and no final grade below a "C" will be accepted.

5. Semester hours earned from an institution accredited in accordance with 34 CFR 602 or equivalent contact hours from a non-university private provider of teacher and/or educational leader preparation program are acceptable for endorsement purposes. One semester hour is equivalent to 15 contact hours.

6. Non-university private providers of teacher and/or educational leader preparation programs must submit proposals for approval by LDE and BESE, as outlined in Chapter 5 of Bulletin 996: Standards for Approval of Teacher and/or Educational Leader Preparation Programs.

7. All out-of-state experience must be verified as successful by the out-of-state employing authority or SEA.

B. A formal request for an additional certification or credential on a teaching license must be submitted to the LDE. An official transcript from an institution accredited in accordance with 34 CFR 602, verifying successful completion of endorsement requirements and semester hours or documentation from the non-university private provider verifying successful completion of endorsement requirements in contact hours must accompany the request. The final authority for approval of additional certification is the LDE.

C. This Chapter has been divided into three Subchapters, as follows:

1. regular education level and area endorsements;
2. special education level and area endorsements; and
3. all other endorsement areas.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1814 (October 2006),

amended LR 37:1381 (May 2011), LR 40:2242 (November 2014), LR 45:1460 (October 2019), LR 46:1382 (October 2020), LR 48:

Subchapter A. Regular Education Level and Area

Endorsements

§1303. Introduction

A. The following requirements must be completed to add an education certification level and/or a certification area to an existing valid teaching certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1815 (October 2006), amended LR 48:

§1305. Requirements to add Birth to Kindergarten

A. Individuals holding a valid early childhood certificate for PK-K, PK-3, elementary certificate for grade levels 1-4, 1-5, 1-6, or 1-8, or early interventionist certificate must achieve one of the following:

1. successfully teach on an extended endorsement license (EEL) certificate in birth to kindergarten for one year in an approved Louisiana licensed child care facility or publicly-funded early childhood program based on criteria determined by the LDE;

2. earn a passing score for Praxis—principles of learning and teaching early childhood (0621 or 5621); or

3. 12 semester hours of combined early childhood and kindergarten coursework.

B. The LEA must verify completion of one year of successful teaching experience in birth to kindergarten in an approved Louisiana licensed child care facility or publicly-funded early childhood program and recommend the applicant for further employment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, and R.S. 17:22(6).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:918 (May 2015), amended LR 48:

§1307. Requirements to add Early Childhood (Grades PK-3)

A. Individuals holding a valid elementary certificate for grade levels 1-4, 1-5, 1-6, or 1-8 must achieve one of the following:

1. successfully teach on an extended endorsement license (EEL) certificate in birth to kindergarten for one year in an approved Louisiana licensed child care facility or publicly-funded early childhood program based on criteria determined by the LDE;

2. earn a passing score for Praxis—principles of learning and teaching early childhood (0621 or 5621); or

3. earn 12 semester hours of combined early childhood and kindergarten coursework.

B. Individuals holding a valid upper elementary or middle school certificate for grade levels 4-8, 5-8, or 6-8, secondary school certificate for grade levels 6-12, 7-12, or 9-12, special education certificate other than early interventionist, or an all-level K-12 certificate in the areas of art, dance, foreign language, health, physical education, health and physical education, or music) must achieve the following:

1. for endorsements prior to 9/1/15, earn a passing score for Praxis elementary education: content knowledge (0014 or 5014);

2. for endorsements issued 9/1/15 to 8/31/17, earn a passing score for Praxis elementary education: content knowledge (5018) or Praxis elementary education: multiple subjects (5001);

3. for endorsements issued 9/1/17 and beyond, earn a passing score for Praxis elementary education: multiple subjects (5001); and

4. earn a passing score for Praxis principles of learning and teaching early childhood (0621 or 5621) or accumulate 12 credit hours of combined early childhood and kindergarten coursework; and

5. earn nine semester hours of reading coursework or a passing score for Praxis teaching reading exam (0204 or 5204).

C. Individuals holding a valid early interventionist certificate must achieve the following:

1. earn a passing score for Praxis—Elementary Education: Content Knowledge (0014 or 5014) prior to 9/1/15; effective 9/1/15 to 8/31/17 pass Elementary Education: Content Knowledge (5018) or Elementary Education: Multiple Subjects (5001); mandatory 9/1/17 pass Elementary Education: Multiple Subjects (5001);

2. earn twelve credit hours of combined early childhood and kindergarten coursework; and

3. earn 9 semester hours of reading coursework or passing score for Praxis—teaching reading exam (0204 or 5204).

D. Individuals holding a valid birth to kindergarten certificate must achieve the following:

1. earn passing score for Praxis Elementary Education: Content Knowledge (0014 or 5014) prior to 9/1/15; effective 9/1/15 to 8/31/17 pass Elementary Education: Content Knowledge (5018) or Elementary Education: Multiple Subjects (5001); mandatory 9/1/17 pass Elementary Education: Multiple Subjects (5001); and

2. earn nine semester hours of reading coursework or passing score for Praxis—Teaching Reading exam (0204 or 5204).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1815 (October 2006), amended LR 37:883 (March 2011), repromulgated LR 37:1561 (June 2011), amended LR 37:3215 (November 2011), LR 38:44 (January 2012), LR 39:1464 (June 2013), LR 41:648 (April 2015), LR 41:918 (May 2015), LR 41:1270 (July 2015), LR 44:2001 (November 2018), LR 48:

§1309. Requirements to add Elementary (Grades 1-5)

A. Individuals holding a valid early childhood certificate for PK-K or PK-3 must achieve the following:

1. earn a passing score for Praxis—Elementary Education: Content Knowledge (0014 or 5014) prior to 9/1/15; effective 9/1/15 to 8/31/17 pass Elementary Education: Content Knowledge (5018) or Elementary Education: Multiple Subjects (5001); mandatory 9/1/17 pass Elementary Education: Multiple Subjects (5001);

2. earn a passing score for Praxis—Principles of Learning and Teaching K-6 exam; and

3. earn nine semester hours of reading or passing score for Praxis—Teaching Reading exam (0204 or 5204).

B. Individuals holding a valid upper elementary or middle school certificate for grade levels 4-8, 5-8, and 6-8, secondary certificate grade levels 6-12, 7-12, or 9-12, special education certificate, or all-level K-12 certificate for art, dance, foreign language, health, physical education, health and physical education, or music) must achieve the following:

1. earn passing score for Praxis—Elementary Education: Content Knowledge (0014 or 5014) prior to 9/1/15; effective 9/1/15 to 8/31/17 pass Elementary Education: Content Knowledge (5018) or Elementary Education: Multiple Subjects (5001); mandatory 9/1/17 pass Elementary Education: Multiple Subjects (5001); or

2. accumulate:

- a. 12 semester hours of mathematics;
- b. 12 semester hours of science;
- c. 12 semester hours of English language arts; and
- d. 12 semester hours of social studies; and

3. earn a passing score for Praxis Principles of Learning and Teaching K-6 exam; and

4. earn nine semester hours of reading.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1815 (October 2006), amended LR 38:44 (January 2012), LR 39:1464 (June 2013), LR 41:648 (April 2015), LR 41:1271 (July 2015), LR 48:

§1311. Requirements to add Middle School (Grades 4-8) Specialty Area Endorsement for English, Mathematics, Science, or Social Studies

A. Individuals holding a valid early childhood certificate for PK-K or PK-3, elementary certificate for grade levels 1-4, 1-5, 1-6, or 1-8, upper elementary or middle school certificate for grade levels 4-8, 5-8, or 6-8, or special education certificate must achieve the following:

1. earn a passing score for Praxis middle school specialty area exam in the specific content area; or accumulate 30 credit hours in the specialty content area; and

2. earn a passing score for Praxis Principles of Learning and Teaching 5-9 exam; and

3. earn six semester hours of reading or passing score for Praxis Teaching Reading exam (0204 or 5204).

B. Individuals holding a valid secondary certificate for grade levels 6-12, 7-12, or 9-12, or an All-Level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, or music must achieve the following:

1. earn a passing score for Praxis middle school specialty area exam in the specific content area; or accumulate 30 credit hours in the specialty content area; and

2. earn a passing score for Praxis Principles of Learning and Teaching 5-9 exam; and

3. earn six semester hours of reading.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1815 (October 2006), amended LR 37:881 (March 2011), LR 39:1464 (June 2013), LR 48:

§1313. Requirements to add a Secondary (grades 6-12) Specialty Core Content Area (English, Math, Foreign Language, Science, and Social Studies)

A. Individuals holding a valid early childhood certificate for PK-K or PK-3, elementary certificate for grade levels 1-4, 1-5, 1-6, or 1-8, upper elementary or middle school certificate for grade levels 4-8, 5-8, or 6-8, or special education certificate must achieve the following:

1. earn a passing score for Praxis secondary specialty area exam in the content area; or 30 credit hours in the specialty content area; and

2. earn a passing Praxis score for principles of learning and teaching 7-12 exam; or

3. if adding a foreign language after 6/30/13, earn a passing Praxis score for world languages pedagogy (0841).

B. Individuals holding a valid secondary certificate for grade levels 6-12, 7-12, or 9-12, or an All-Level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, or music must achieve a passing score for Praxis secondary specialty area exam(s) required for the content area or 30 credit hours in the specialty content area.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1816 (October 2006), amended LR 36:2266 (October 2010), LR 43:1312 (July 2017), LR 48:

§1315. Requirements to Add a Secondary (grades 6-12) Specialty Content Area (Agriculture, Business, Computer Science, Family and Consumer Sciences, Journalism, Marketing, Speech, Technology Education)

A. Individuals holding a valid early childhood certificate for PK-K or PK-3, elementary certificate for grade levels 1-4, 1-5, 1-6, or 1-8, upper elementary or middle school certificate for grade levels 4-8, 5-8, or 6-8, or special education certificate must achieve the following:

1. earn a passing score for Praxis secondary specialty area exam in the content area or 21 credit hours in the specialty content area; and

2. earn a passing Praxis score for principles of learning and teaching 7-12 exam.

B. Individuals holding a valid secondary certificate for grade levels 6-12, 7-12, or 9-12, or an All-Level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, or music must achieve the following:

1. earn a passing score for the Praxis secondary specialty area exam; and

2. earn 21 credit hours in the specialty content area.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1816 (October 2006), amended LR 36:2547 (November 2010), LR 43:1313 (July 2017), LR 48:

§1317. Requirements to add an All-Level (K-12) Area (Art, Dance, Foreign Language, Health and Physical Education, and Music)

A. Individuals holding a valid early childhood certificate for PK-K or PK-3, elementary certificate for grade levels 1-4, 1-5, 1-6, or 1-8, upper elementary or middle school certificate for grade levels 4-8, 5-8, or 6-8, secondary certificate for grade levels 6-12, 7-12, or 9-12, special education certificate, or an All-Level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, or music must achieve the following:

1. earn a passing score for specialty area exam in the area of endorsement; or
2. earn 30 semester hours in the specialty area; and
3. for any foreign language add-on after 6/30/13 earn a passing Praxis score for world languages pedagogy (0841).

B. To add a second music area endorsement: an individual already certified in either instrumental music or vocal music may add the second music area as follows:

1. to add instrumental music, 12 semester hours to include brass, percussion, string, and woodwind instruments; or
2. to add vocal music, 12 semester hours to include piano and voice; or
3. the music content knowledge exam. The exam covers both instrumental and vocal music and can be used to add on either additional area.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1816 (October 2006), amended LR 36:2266 (October 2010), LR 48:

Subchapter B. Special Education Level and Area Endorsements

§1321. Requirements to add Academically Gifted

A. Individuals holding a valid early childhood certificate for PK-K or PK-3, elementary certificate for grade levels 1-4, 1-5, 1-6, or 1-8, upper elementary or middle school certificate for grade levels 4-8, 5-8, or 6-8, secondary certificate for grade levels 6-12, 7-12, or 9-12, special education certificate, or an All-Level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, or music must achieve the following:

1. graduate degree from an institution of higher education accredited in accordance with 34 CFR 602;
2. 15 graduate semester hours of prescribed coursework from the following list, either within a graduate degree program or as an add-on to an existing graduate degree:
 - a. characteristics/study of gifted individuals;
 - b. methods of teaching the gifted;
 - c. social and emotional needs of the gifted;
 - d. creative thinking and problem solving or curriculum development for the gifted;
 - e. educational technology; and
3. three semester hours in a practicum for academically gifted, an internship for college credit in academically gifted, or three years of successful teaching experience in academically gifted with all out-of-state

experience verified as successful by the out-of-state employing authority or SEA.

B. Academically gifted certification will be valid only in the teaching area(s) in which the individual is certified.

C. The secondary teacher of academically gifted students who is to award Carnegie units in the secondary subject area(s) must be certified in the subject area(s) in which Carnegie Units are awarded.

D. Elementary and secondary teachers who are also certified in academically gifted may offer approved special education elective or enrichment courses at either the elementary or secondary level.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1816 (October 2006), amended LR 45:1460 (October 2019), LR 48:

§1323. Requirements to add Early Interventionist Birth to Five Years

A. Individuals holding a valid early childhood certificate for PK-K or PK-3, elementary certificate for grade levels 1-4, 1-5, 1-6, or 1-8, upper elementary or middle school certificate for grade levels 4-8, 5-8, or 6-8, secondary certificate for grade levels 6-12, 7-12, or 9-12, special education certificate, or an All-Level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, or music must achieve the following:

1. earn a passing score for Praxis exams: Principles of Learning and Teaching; Early Childhood (#0621 or 5621) and Special Education: Early Childhood (#0691);
2. earn 18 credit hours that pertain to infants, toddlers, and preschoolers, as follows:
 - a. foundations in early childhood education and early intervention;
 - b. understanding and working with families of young children;
 - c. assessment in early intervention;
 - d. early intervention methods;
 - e. teaming, physical and medical management in early intervention;
 - f. communication and literacy in early intervention;

and

3. earn nine semester hours of reading coursework.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1817 (October 2006), amended LR 37:552 (February 2011), amended LR 37:1382 (May 2011), LR 37:3215 (November 2011), LR 40:281 (February 2014), LR 48:

§1325. Requirements to add Deaf or Hard of Hearing K-12

A. Individuals holding a valid early childhood certificate for PK-K or PK-3, elementary certificate for grade levels 1-4, 1-5, 1-6, or 1-8, upper elementary or middle school certificate for grade levels 4-8, 5-8, or 6-8, secondary certificate for grade levels 6-12, 7-12, or 9-12, special education certificate, or an All-Level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, or music must earn the following:

1. 21 semester credit hours that pertain to children who are deaf or hard of hearing:
 2. introduction to special education;
 3. physiological, psychosocial, historical, sociological, and cultural aspects of deafness;
 4. language development that includes linguistic principles and assessment strategies in language acquisitions for deaf and hard of hearing;
 5. speech and speech reading;
 6. educational audiology, auditory assistive devices and technology;
 7. instructional strategies and curriculum development for deaf and hard of hearing students; and
 8. communication methodology; and
 9. three semester hours of internship of students who are deaf or hard of hearing or three years of successful teaching experience of students who are deaf or hard of hearing with all out-of-state experience verified as successful by the out-of-state employing authority or SEA;

10. Proficiency in signed, cued, or oral communication evidenced by one or more of the following means:

- a. signed:
 - i. Intermediate on the Educational Sign Skills Evaluation: Teacher (ESSE:T);
 - ii. Advanced on the Signed Communication Proficiency Interview (SCPI); or
 - iii. Level III of the Educational Interpreter Performance Assessment;
 - b. cued—mini-proficiency, as measured on the Basic Cued Speech Proficiency Rating Test (BCSPR c1983, Beaupre); or
 - c. oral—successfully passing an additional course in Methods in Oral/Auditory Education; and
11. Passing score for Praxis exams—Special Education: Core Content Knowledge and Applications and Special Education: Education of Deaf and Hard of Hearing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1817 (October 2006), amended LR 37:552 (February 2011), LR 40:281 (February 2014), LR 45:1460 (October 2019), LR 46:1382 (October 2020), LR 48:

§1327. Requirements to add Mild/Moderate (1-5), (4-8), and (6-12)—Mandatory 7/1/2010

A. Mild/Moderate: 1-5—Individuals holding a valid early childhood certificate in PK-K or PK-3, elementary certificate in grade levels 1-4, 1-5, 1-6, or 1-8, or Early Interventionist certificate must earn the following:

1. 18 semester hours to include the following coursework:
 - a. Assessment and Evaluation of Students with Disabilities. Three semester hours in a course designed for teachers to learn to select, adapt, and use instructional interventions and behavioral strategies with students in a variety of settings to apply knowledge and skills in a 45-hour field-based experience using theoretical approaches, screening/ identification, educational placement considerations, and assessment and evaluation;
 - b. Fundamentals of Instructional Technology. Three semester hours of instructional, utility, and management software applications for school use for development of instructional materials, incorporation of commercially

available software into lesson and unit structure, addressing the use of technology as it relates to UDL (Universal Design for Learning) and how UDL can be used to meet the needs of all students with language development issues;

c. Behavior Support and Intervention. Three semester hours to address the knowledge, skills and dispositions necessary for teachers to proactively and systematically address student needs that underlie the presence of problem behaviors in schools and class rooms;

d. Collaborative Teaming. Three semester hours that focuses on developing effective partnerships with parents, family members, general educators and related service providers;

e. Instructional Practices in Special Education. Three semester hours that provides teachers with the ability to select and utilize appropriate instructional strategies, assistive technologies, and instructional materials to address the strengths and needs of diverse learners in grades 1-5; and

f. Reading and Literacy. Three semester hours regarding all aspects of state reading competencies at the elementary level, to include literacy intervention for students with disabilities;

2. Passing score for Praxis exams—Special Education: Core Knowledge and Mild to Moderate Applications.

B. Mild/Moderate: 1-5. Individuals holding a valid upper elementary or middle school certificate grade levels 4-8, 5-8, or 6-8, secondary certificate grade levels 6-12, 7-12, or 9-12, all-level special education certificate in significant disabilities, visually impaired, or deaf or hard of hearing, or an all-level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, or music must earn the following:

1. 18 semester hours to include the following coursework:

a. Assessment and Evaluation of Students with Disabilities. Three semester hours in a course is designed for teachers to learn to select, adapt, and use instructional interventions and behavioral strategies with students in a variety of settings and to apply knowledge and skills in a 45-hour field-based experience using theoretical approaches, screening and identification, educational placement considerations, and assessment and evaluation;

b. Fundamentals of Instructional Technology. Three semester hours of instructional, utility, and management software applications for school use, development of instructional materials, incorporation of commercially available software into lesson and unit structure, the use of technology for UDL (Universal Design for Learning), and how UDL can be used to meet the needs of all students with language development issues;

c. Behavior Support and Intervention. Three semester hours regarding the knowledge, skills, and dispositions necessary to proactively and systematically address student needs that underlie the presence of problem behaviors in schools and class rooms;

d. Collaborative Teaming. Three semester hours that focuses on developing effective partnerships with parents, family members, general educators, and related service providers;

e. Instructional Practices in Special Education. Three semester hours that provide teachers with the ability to

select and utilize appropriate instructional strategies, assistive technologies, and instructional materials to address the strengths and needs of diverse learners in grade levels 1-5; and

f. Reading and Literacy. Three semester hours regarding all aspects of state reading competencies at the elementary level, to include literacy intervention for students with disabilities; and

2. passing score for Praxis exams—Special Education: Core Knowledge and Mild to Moderate Applications (0543 or 5543), Principles of Learning and Teaching (PLT): K-6, and Elementary Education: Content Knowledge Exam (0014 or 5014) prior to 9/1/15; effective 9/1/15 to 8/31/17 pass Elementary Education: Content Knowledge (5018) or Elementary Education: Multiple Subjects (5001); mandatory 9/1/17 pass Elementary Education: Multiple Subjects (5001).

C. Mild/Moderate: Middle Grades 4-8 and Secondary 6-12. Individuals holding a valid early childhood certificate in PK-K or PK-3, elementary certificate in grade levels 1-4, 1-5, 1-6, or 1-8, or early interventionist certificate must earn the following:

1. 18 semester hours to include the following coursework:

a. Assessment and Evaluation of Students with Disabilities. Three semester hours in a course designed for teachers to learn to select, adapt, and use instructional interventions and behavioral strategies with students in a variety of settings, and to apply knowledge and skills in a 45-hour field-based experience using theoretical approaches, screening and identification, educational placement considerations, and assessment and evaluation;

b. Fundamentals of Instructional Technology. Three semester hours in instructional, utility, and management software applications for school use, development of instructional materials, incorporation of commercially available software into lesson and unit structure, and the use of technology regarding UDL (Universal Design for Learning) and how UDL can be used to meet the needs of all students with language development issues;

c. Self-Determination and Transition. Three semester hours in self-determination and development, implementation and evaluation of self-management instructional programs for students with an emphasis on using self-management and learning strategies to facilitate self-determination and provides an understanding of the special education transition process as specified by federal and state guidelines with the focus on the design and implementation of transition planning that meets student physical, affective, cognitive, and communicative needs across the contexts of school, community, family life, career and vocation, and recreation/leisure;

d. Behavior Support and Intervention. Three semester hours of the knowledge, skills, and dispositions necessary for teachers to proactively and systematically address student needs that underlie the presence of problem behaviors in schools and class rooms;

e. Collaborative Teaming. Three semester hours that focus on developing effective partnerships with parents, family members, general educators, and related service providers; and

f. Instructional Practices in Special Education. Three semester hours to provide teachers with the ability to select and utilize appropriate instructional strategies, assistive technologies, and instructional materials to address strengths and needs of diverse learners in grades 6-12 with concentration in areas of literacy and numeracy; and

2. Passing score for Praxis exams:

a. Mild/Moderate (4-8)

i. Special Education: Core Knowledge and Mild to Moderate Applications (0543 or 5543);

ii. Principles of Learning and Teaching (PLT): 5-9; and

iii. Middle School Content Exam(s)

b. Mild/Moderate (6-12)

i. Special Education: Core Knowledge and Mild to Moderate Applications (0543 or 5543);

ii. Principles of Learning and Teaching (PLT): 7-12; and

iii. Secondary Core Content Exam(s).

D. Mild/Moderate: Middle Grades 4-8 and Secondary 6-12. Individuals holding a valid upper elementary or middle school certificate in grade levels 4-8, 5-8, or 6-8 must earn the following:

1. 18 semester hours to include the following coursework:

a. Assessment and Evaluation of Students with Disabilities. Three semester hours in a course is designed to learn to select, adapt, and use instructional interventions and behavioral strategies with students in a variety of settings and to apply knowledge and skills in a 45-hour field-based experience using theoretical approaches, screening and identification, educational placement considerations, and assessment and evaluation;

b. Fundamentals of Instructional Technology. Three semester hours of instructional, utility, and management software applications for school use regarding development of instructional materials and incorporation of commercially available software into lesson and unit structure to address the use of technology for UDL (Universal Design for Learning) and how UDL can be used to meet the needs of all students with language development issues;

c. Self-Determination and Transition. Three semester hours regarding self-determination and development, implementation, and evaluation of self-management instructional programs for students with an emphasis on using self-management and learning strategies to facilitate self-determination that provides the teacher with an understanding of the Special Education transition process as specified by federal and state guidelines and the focus on the design and implementation of transition planning that meets student physical, affective, cognitive, and communicative needs across the contexts of school, community, family life, career and vocation, and recreation and leisure;

d. Behavior Support and Intervention. Three semester hours to address the knowledge, skills, and dispositions necessary for teachers to proactively and systematically address student needs that underlie the presence of problem behaviors in schools and class rooms;

e. Collaborative Teaming. Three semester hours to focus on developing effective partnerships with parents, family members, general educators, and related service providers; and

f. Instructional Practices in Special Education. Three semester hours to provide teachers with the ability to select and utilize appropriate instructional strategies, assistive technologies, and instructional materials to address strengths and needs of diverse learners in grades 6-12 with concentration in areas of literacy and numeracy; and

2. Passing score for Praxis exams:

a. Mild/Moderate (4-8)—Special Education: Core Knowledge and Mild to Moderate Applications (0543 or 5543); and/or

b. Mild/Moderate (6-12):

i. Special Education: Core Knowledge and Mild to Moderate Applications (0543 or 5543);

ii. Principles of Learning and Teaching (PLT): 7-12; and

iii. Secondary Core Content Exam(s).

E. Mild/Moderate: Middle Grades 4-8 and Secondary 6-12. Individuals holding a valid secondary certificate in grade levels 6-12, 7-12, or 9-12, all-level special education certificate for significant disabilities, visually impaired, or deaf or hard of hearing), or an all-level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, or music must earn the following:

1. 18 semester hours to include the following coursework:

a. Assessment and Evaluation of Students with Disabilities. Three semester hours in a course is designed to learn to select, adapt, and use instructional interventions and behavioral strategies with students in a variety of settings and to apply knowledge and skills in a 45-hour field-based experience using theoretical approaches, screening and identification, educational placement considerations, and assessment and evaluation;

b. Fundamentals of Instructional Technology. Three semester hours of instructional, utility, and management software applications for school use regarding development of instructional materials and incorporation of commercially available software into lesson and unit structure to address the use of technology for UDL (Universal Design for Learning) and how UDL can be used to meet the needs of all students with language development issues;

c. Self-Determination and Transition. Three semester hours regarding self-determination and development, implementation, and evaluation of self-management instructional programs for students with an emphasis on using self-management and learning strategies to facilitate self-determination that provides the teacher with an understanding of the Special Education transition process as specified by federal and state guidelines and the focus on the design and implementation of transition planning that meets student physical, affective, cognitive, and communicative needs across the contexts of school, community, family life, career and vocation, and recreation and leisure;

d. Behavior Support and Intervention. Three semester hours to address the knowledge, skills, and dispositions necessary for teachers to proactively and

systematically address student needs that underlie the presence of problem behaviors in schools and class rooms;

e. Collaborative Teaming. Three semester hours to focus on developing effective partnerships with parents, family members, general educators, and related service providers; and

f. Instructional Practices in Special Education. Three semester hours to provide teachers with the ability to select and utilize appropriate instructional strategies, assistive technologies, and instructional materials to address strengths and needs of diverse learners in grades 6-12 with concentration in areas of literacy and numeracy; and

2. Passing score for Praxis exams:

a. Mild/Moderate (4-8):

(i) Special Education: Core Knowledge and Mild to Moderate Applications (0543 or 5543); and

(ii.) Principles of Learning and Teaching (PLT): 5-9; and

(iii) Middle School Content Exam(s); or

b. Mild/Moderate (6-12)--Special Education: Core Knowledge and Mild to Moderate Applications (0543 or 5543) and Secondary Content Exam(s).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 35:1485 (August 2009), amended LR 37:553 (February 2011), LR 39:1464 (June 2013), LR 41:648 (April 2015), LR 41:1271 (July 2015), amended LR 46:1382 (October 2020), LR 48:

§1329. Requirements to add Significant Disabilities 1-12

A. Individuals holding a valid early childhood certificate in grade levels PK-K or PK-3, elementary certificate in grade levels 1-4, 1-5, 1-6, or 1-8, upper elementary or middle school certificate in grade levels 4-8, 5-8, 6-8, secondary certificate in grade levels 6-12, 7-12, or 9-12, special education certificate, or All-Level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, or music must earn the following:

1. 21 semester hours that pertain to children with significant disabilities, as follows:

a. assessment and evaluation;

b. curriculum development, modifications, and transition planning;

c. behavior support;

d. instructional strategies;

e. communication;

f. collaborative techniques and family partnerships; and

g. characteristics of students with significant disabilities, physical support, health and safety; and

2. Three semester hours of internship of students with significant disabilities; or three years of successful teaching experience of students with significant disabilities with all out-of-state experience verified as successful by the out-of-state employing authority or SEA; and

3. Passing score for Praxis exams—Special Education: Core Knowledge and Severe to Profound Applications (0545 or 5545).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 (A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1818 (October 2006), amended LR 37:555 (February 2011), LR 39:1465 (June 2013), LR 45:1461 (October 2019), LR: 48

§1331. Requirements to add Visual Impairments/Blind K-12

A. Individuals holding a valid early childhood certificate in grade levels PK-K or PK-3, elementary certificate in grade levels 1-4, 1-5, 1-6, or 1-8, upper elementary or middle school certificate in grade levels 4-8, 5-8, 6-8, secondary certificate in grade levels 6-12, 7-12, or 9-12, special education certificate, or All-Level K-12 certificate in art, dance, foreign language, health, physical education, health and physical education, or music must earn the following:

1. 21 semester hours that pertain to children with visual impairments:
 - a. educational implications of low vision and blindness;
 - b. orientation and mobility for the classroom teacher;
 - c. assessment and evaluation techniques, including functional vision evaluation and reading media assessment;
 - d. assistive technology for students with visual impairments;
 - e. instructional strategies and materials for students with visual impairments;
 - f. introduction to Braille, including literary and Nemeth codes; or
 - g. Braille II; and
2. three semester hours of internship of students who are visually impaired or three years of successful teaching experience of students who are visually impaired or blind with all out-of-state experience verified as successful by the out-of-state employing authority or SEA; and
3. a passing score for Praxis Special Education: Core Knowledge and Applications (#0354 or 5354) and Special Education: Teaching Students with Visual Impairments (#0282).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1818 (October 2006), amended LR 37:556 (February 2011), LR 39:1465 (June 2013), LR 40:281 (February 2014), LR 45:1461 (October 2019), LR 48:

Subchapter C. All Other Teaching Endorsement Areas

§1333. Introduction

A. Information on endorsements for administrative and supervisory areas can be found in Chapter 15 of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1818 (October 2006), LR 48:

§1335. Adapted Physical Education

- A. Adapted physical education eligibility requirements:
1. valid Louisiana teaching certificate in physical education;
 2. basic requirements—three semester hours in each of the following:
 - a. motor development and learning;
 - b. introduction to the study of exceptional children;

c. tests and measurements (physical education, or educational, or psychological); and

3. specialized coursework requirements in:

- a. introducing physical education for all children with disabilities, three semester hours;
- b. behavioral and educational impairment and physical education, two semester hours; plus practicum in behavioral and educational impairment and physical education, one semester hour for a total of three semester hours;
- c. chronic disability and physical education, two semester hour, plus practicum in chronic disability and physical education, one semester hour for a total of three semester hours; and
- d. the physical education curriculum for children with disabilities, three semester hours with prerequisite courses in 1-2 of this section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1818 (October 2006), LR 48:

§1337. Adult Education Instructor

- A. Eligibility requirements:
1. valid standard Louisiana teaching certificate; and
 2. one of the following:
 - a. five years of adult education experience prior to implementation of certification requirements; or
 - b. 9-12 semester hours, as follows:
 - i. introduction to or foundations of adult education, three semester hours;
 - ii. practicum in adult education, three semester hours or three years of successful teaching experience in adult education: with all out-of-state experience verified as successful by the out-of-state employing authority or SEA;
 - iii. reading instruction in adult education, three semester hours; and
 - iv. three semester hours from the following areas:
 - (a). materials, methods, and/or curricular development in adult education;
 - (b). adult learning and development;
 - (c). use of community resources;
 - (d). administration and supervision of adult education;
 - (e). guidance and counseling in adult education;
 - (f). competency-based adult education; and
 - (g). independent study, special problems, or issues in adult education.

B. An individual who holds certification both as an adult education instructor and as a parish/city supervisor of instruction may qualify to serve as Administrator and/or Supervisor of Adult Education.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1818 (October 2006), amended LR 36:485 (March 2010), LR 45:1461 (October 2019), LR 48:

§1339. Aerospace Education

- A. Aerospace education eligibility requirements:
1. valid Louisiana teaching certificate and one of the following:

a. six semester credit hours in approved aerospace education; or

b. valid private pilot's license or higher rating and at least three semester hours of credit in an approved aerospace education workshop.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1819 (October 2006), LR 48:

§1341. Algebra I

A. Eligibility requirements:

1. valid level 1 Louisiana teaching certificate or higher;

2. pass either the:

a. middle school principals of learning and teaching (PLT) exam; or

b. secondary PLT exam; and

3. pass the Middle School Mathematics exam; and

4. pass the Algebra I exam.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:1386 (July 2008), amended LR 39:1465 (June 2013), LR 40:281 (February 2014), LR 45:228 (February 2019), LR 45:1461 (October 2019), LR 48:

§1343. Bilingual Specialist

A. An elementary, secondary, or all-level certified foreign language teacher may be certified as a bilingual specialist upon completion of the following:

1. Bilingual Methods I, practical training in the teaching of language arts and social studies in a bilingual-bicultural setting, three semester hours; and

2. Bilingual Methods II, practical training in the teaching of math and science in a bilingual-bicultural setting, three semester hours.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1819 (October 2006), LR 48:

§1345. Child Search Coordinator

A. Eligibility requirements:

1. certification as a teacher, social worker, school counselor, school psychologist, psychologist, speech therapist, or other related special education field;

2. graduate degree;

3. six semester hours in special education; and

4. three years of experience in the certified or licensed special education area.

B. Persons functioning as Child Search Coordinators prior to September 1, 1989, who are certified/licensed special education personnel are not bound by these requirements and will be certified, provided they are recommended for continuation of employment by the parish supervisor/director of special education and approved by the superintendent of the LEA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1819 (October 2006), LR 48:

§1347. Computer Literacy

A. Eligibility requirements:

1. valid OS, Level 1 or higher teaching certificate; and

2. nine semester hours of coursework in educational technology or computer science.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1819 (October 2006), LR 48:

§1349. Counselor K-12 (Counselor in a School Setting)

A. Individuals who completed all courses and degree requirements by June 30, 2017, will have the endorsement added to certificates based upon graduate training that included 24 semester hours of professional courses distributed so that at least one course will be taken in each of the basic areas listed below:

1. Principles and Administration of School Counseling Programs;

2. Career and Lifestyle Development;

3. Individual Appraisal;

4. Counseling Theory and Practice;

5. Group Processes;

6. Human Growth and Development;

7. Social and Cultural Foundations in Counseling; and

8. Supervised Practicum in a School Setting, or three years of successful experience as a school counselor.

B. Eligibility requirements after June 30, 2017:

1. valid Louisiana teaching certificate;

2. completion of a standards-based graduate degree program in counseling from a college or university accredited in accordance with 34 CFR 602 approved by the Council for Accreditation of Counseling and Related Educational Program (CACREP) or candidates who completed counseling programs other than the specialty area of school counseling must complete six credit hours of school counseling courses from a CACREP-accredited program;

3. practicum/internship requirements:

a. complete a practicum in counseling from a CACREP-accredited program to include 100 contact hours; or

b. complete an internship in counseling from a CACREP-accredited program to include 600 contact hours in a school setting; and

4. completion of the Praxis examination in school guidance and counseling (0421 or 5421).

C. Renewal Requirements. For purposes of maintaining a valid counselor endorsement, any school counselor receiving certification after July 1, 2013, is required to successfully meet the standards of effectiveness for at least three years during the five-year renewal period in accordance with Bulletin 130 and R.S. 17:3902.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1819 (October 2006),

amended LR 33:1618 (August 2007), LR 38:1401 (June, 2012), LR 39:1465 (June 2013), LR 45:1056 (August 2019), LR 48:

§1351. Driver and Traffic Safety Education

A. Eligibility requirements:

1. valid Louisiana teaching certificate;
2. valid Louisiana driver's license;
3. driving record free of conviction of major accidents and/or repeated traffic violations; and
4. specialized education, as follows:
 - a. general safety education, three semester hours of basic safety information for home, school, traffic, community, and industrial safety, and general information on the psychology of accident prevention;
 - b. basic information course in driver education, three semester hours of investigation of problems facing drivers, such as those of pedestrians, cycles, alcohol and drugs, and traffic engineering, and study in the philosophy of driver education in our society; and
 - c. curricular innovations and instructional devices, three semester hours of in-depth study of driver education and traffic safety curricular materials and familiarization with related instructional devices.

B. Conviction of repeated traffic violations or any major crime or accident involved in or related to the operation of a motor vehicle may result in revocation of this endorsement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1820 (October 2006), amended LR 48:

§1353. Educational Diagnostician (Special Education)

A. Eligibility requirements:

1. a minimum of a graduate degree in education earned from an institution of higher education accredited in accordance with 34 CFR 602;
2. hold a valid Type B or Level 2 Louisiana teaching certificate, and meet one of the following guidelines:
 - a. hold generic special education certification, with at least one year of classroom teaching experience in a properly certified area of special education; and
 - b. hold certification in at least two special education disability areas, with at least one year of teaching experience in a properly certified area of special education, noting that academically gifted is not an accepted special education area;
3. reading credit, as follows:
 - a. elementary/middle grades majors: six semester hours in diagnosis and remediation of reading problems with three semester hours that may be undergraduate coursework; or
 - b. secondary/all-level majors: nine semester hours of reading coursework, with six of the semester hours in diagnosis and remediation of reading problems and three of the semester hours in foundations of reading with three semester hours that may be undergraduate coursework;
4. have completed a minimum of 21 semester hours of graduate credit, as follows:
 - a. applied learning theory, three semester hours;
 - b. behavioral intervention strategies, including systematic behavioral assessment which must include 25 child contact hours, three semester hours;

- c. consulting teacher strategies, three semester hours;
- d. precision assessment and diagnostic/prescriptive strategies, three semester hours;
- e. test theory, three semester hours;
- f. educational diagnosis, three semester hours; and
- g. supervised internship, to include 100 child contact clock hours in fieldwork involving the administration, scoring, and interpretation of norm-referenced and criterion-referenced individual educational tests, working with School Building Level Committees, teacher consultation, and implications for educational intervention through the development of the individualized assessment/intervention plan, three semester hours, and may be completed while employed on a provisional endorsement.

B. Provisional Educational Diagnostician. A one year provisional endorsement as an Educational Diagnostician may be issued if all requirements have been completed, with the exception of the 100-contact-hour internship. The intern employed on a provisional endorsement must work under a certified Educational Diagnostician who has a minimum of five years of field experience in that position. At the time of employment, the Louisiana employing authority must submit verification of the supervision component. Until the internship is completed and the provisional status is removed from the intern certificate, the supervising Educational Diagnostician shall sign all reports and evaluations involving the intern.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1820 (October 2006), amended LR 46:1382 (October 2020), LR 48:

§1355. Educational Technology Areas

A. Educational Technology Facilitation

1. Eligibility requirements:

- a. valid Type B or Level 2 Louisiana teaching certificate and three years of teaching experience; and
- b. complete a minimum of nine semester hours, three semester hours per course, of graduate credit in educational technology as follows:
 - (i). design and development of multimedia instructional units;
 - (ii). educational telecommunications, networks, and the internet; and
 - (iii). technology leadership in schools.

B. Educational Technology Leadership

1. Eligibility requirements:

- a. valid Type A or Level 3 Louisiana teaching certificate and five years of teaching experience;
- b. graduate degree from a institution of higher education accredited in accordance with 34 CFR 602; and
- c. minimum of 21 semester hours of graduate credit, as follows:
 - i. education technology coursework, nine semester hours:
 - (a). design and development of multimedia instructional units;
 - (b). educational telecommunications, networks, and the internet; and

- (c). technology leadership in schools;
- ii. educational technology leadership coursework, 12 semester hours:
 - (a). technology planning and administration;
 - (b). professional development for K-12 technology integration;
 - (c). educational technology research, evaluation, and assessment; and
 - (d). advanced telecommunications and distance education.

2. Persons who have met requirements in Subparagraphs B.1.a and B.1.c of this Section may be issued a non-renewable, non-extendable educational technology leadership provisional certificate that is valid for three years.

C. Online Instruction eligibility requirements:

1. Valid type B or level 2 Louisiana teaching certificate (requires three years of teaching experience) or equivalent out-of-state teaching certificate; and

2. Complete an online course or combination of online courses focused on the following topics:

- a. best practices in online course delivery;
- b. facilitation skills that foster reflective discussions in an online learning environment;
- c. effective strategies for assessing learning in the online environment;
- d. techniques for using online tools to address student learning needs;
- e. asynchronous discussion and online course-authoring tools; and
- f. ethical and legal issues related to the use of online resources; and

3. Complete an online teaching intern experience of at least one semester in length or successfully serve as an instructor/facilitator of an online course for at least six weeks in length.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1820 (October 2006), amended LR 34:2033 (October 2008), LR 38:766 (March 2012), LR 46:1382 (October 2020), LR 48:

§1357. Elementary Mathematics Specialist

A. In January 2010 the Association of Mathematics Teacher Educators (AMTE) adopted standards for elementary math specialists. These standards are included in *Standards for Elementary Math Specialists: A Reference for Teacher Credentialing and Degree Programs* and serve as the basis for the elementary mathematics specialist certification.

B. This certification will be available to individuals holding a valid early childhood certificate in PK-K or PK-3, elementary certificate in grade levels 1-4, 1-5, 1-6, or 1-8), or middle school mathematics certificate in grade levels 4-8, 5-8, or 6-8, or a secondary mathematics certificate in grade levels 6-12 or 7-12. The following must be achieved:

- 1. three years of successful teaching experience to include the teaching of mathematics with all out-of-state experience verified as successful by the out-of-state employing authority or SEA;

2. completion of 21 graduate hours of coursework reflective of the Specialized Mathematics Content for Teaching as outlined in the AMTE standards. The 21 graduate hours include:

- a. three semester hours of number and operations;
- b. three semester hours of algebra and functions;
- c. three semester hours of geometry and measurement;
- d. three semester hours of data analysis and probability;
- e. three semester hours in mathematics pedagogical content knowledge which must include learners and learning, teaching, curriculum, and assessment;
- f. three semester hours of leadership which must cover leadership knowledge and skills; and

g. a three semester hour practicum to include leadership challenges and issues which mathematics leaders encounter. Candidates complete thirty-five hours of field experience shadowing a mathematics specialist and/or completing job-like activities in addition to participating in various projects, readings, and discussions as a member of a class.

C. A teacher certified to teach in any range of grades for PreK-6 may be the math teacher of record and assign grades to students in the grade levels certified. A secondary certified math teacher is allowed to teach math in grade levels 6-12 and/or serve as a math coach in grades PK-6. The EMS endorsement can be used to verify specialized knowledge in mathematics.

D. Valid for serving as an instructional coach in mathematics in grades PK-6.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 37:2135 (July 2011), amended LR 45:1461 (October 2019), LR 48:

§1359. English as a Second Language

A. Eligibility requirements:

- 1. valid standard teaching certificate; and
- 2. successful completion of the following coursework:
 - a. Methods for Teaching English as a Second Language, three semester hours in theories and practical approaches and techniques for teaching English as a second language to elementary, secondary, and adult education students;
 - b. Introduction to Language and Culture, three semester hours in the relationship of language acquisition to social and cognitive development;
 - c. Structure of the English Language, three semester hours in the distinctive sound patterns and grammatical systems of American English; and
 - d. Curriculum Design for the Multicultural Classroom, three semester hours in adapting curricula for the multi-ethnic classroom as well as a review of existing English as a second language materials for elementary, secondary, and adult education levels.

B. English as a Second Language certification will be valid only in the teaching area(s) in which an individual is certified and in teaching English as a Second Language I, II, III, and IV elective courses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1821 (October 2006), amended LR 48:

§1361. Instructional Coaching

A. Eligibility Requirements:

1. Valid Type B, Level 2, or higher Louisiana teaching certificate; and
2. Completion of 12 graduate hours to include the following areas:
 - a. advancing teacher leadership institute, three semester hours;
 - b. promoting instructional coaching institute, three semester hours;
 - c. school improvement and research, three semester hours; and
 - d. internship, three semester hours in which university and school districts collaborate to insure meaningful and practical experiences in actual school settings during the course of the educational leadership program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 38:767 (March 2012), LR 48:

§1363. Montessori Teacher Certification

A. A credential to teach Montessori at the age levels prescribed by the training institution may be added to a standard teaching certificate for teachers who have completed training from one of the following entities:

1. American Montessori Society;
2. Association Montessori Internationale;
3. St. Nicholas Training Course of London;
4. The Montessori World Education Institute;
5. Montessori Institute of America;
6. Southwestern Montessori Training Institute;
7. International Montessori Council; or
8. any other course jointly approved by BESE and the Louisiana Montessori Association.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1821 (October 2006), amended LR 46:1383 (October 2020), LR 48:

§1365. Reading Specialist

A. This certification is valid for teaching and/or supervision of reading in grade levels 1-12.

B. Eligibility requirements:

1. valid Type B or Level 2 Louisiana teaching certificate;
2. advanced degree from an institution accredited in accordance with 34 CFR 602; and
3. included in or beyond the advanced degree of study must be 12 graduate hours of coursework in reading education, including:
 - a. three semester hours of foundations or survey of reading instruction;

- b. six semester hours of diagnosis and correction of reading difficulties, including a testing/tutorial practicum under the supervision of qualified personnel; and

- c. three semester hours of reading in the content areas.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1822 (October 2006), amended LR 46:1383 (October 2020), LR 48:

§1367. School Librarian

A. School library service eligibility requirements:

1. Valid Louisiana elementary or secondary teaching certificate;
2. 18 semester hours in library science, as follows:
 - a. elementary and/or secondary school library materials, nine semester hours;
 - b. organization, administration, and interpretation of elementary and/or secondary school library service, six semester hours; and
 - c. elementary and/or secondary school library practice, three semester hours; or three years of successful experience as a school librarian.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1822 (October 2006), amended LR 33:1618 (August 2007), LR 48:

§1369. Mentor Teacher

A. A certification to serve as a mentor of undergraduate or post-baccalaureate teacher residents may be added to a standard teaching certificate for teachers meeting the eligibility requirements.

B. Eligibility requirements:

- i. hold, or be eligible to hold, a valid type C, level 1, or higher Louisiana teaching certificate;
- ii. successfully complete a BESE-approved mentor teacher training program; and
- iii. earn a passing score on the Louisiana mentor teacher assessment series.

C. Individuals who successfully complete LDE mentor teacher training from November 1, 2017 through July 31, 2020, are eligible for the mentor teacher add-on endorsement after passing the Louisiana mentor teacher assessment series.

D. Individuals who hold National Board certification are eligible for mentor teacher add-on endorsement after passing the coaching-related components of the Louisiana mentor teacher assessment series.

E. Individuals who hold or are eligible to hold a Louisiana Administrative or Supervisory Credential as listed in Chapter 15 of this Part may apply for the Mentor Teacher add-on endorsement, and allows the eligible individual to serve as a mentor of undergraduate or post-baccalaureate teacher residents without meeting the eligibility requirements for a mentor teacher endorsement outlined in §1369 of this Part.

F. Individuals who currently hold or are eligible to hold National Institute for Excellence in Training (NIET) Teacher Evaluator Training Certification may apply for the Mentor

Teacher add-on endorsement, and allows the individual eligible to serve as a mentor of undergraduate or post-baccalaureate teacher residents without meeting the eligibility requirements for a mentor teacher endorsement outlined in §1369 of this Part.

6. Certified CLASS® observers may apply for the Mentor Teacher add-on endorsement, which allow the individual eligible to serve as a mentor of undergraduate or post-baccalaureate teacher residents without meeting the eligibility requirements for a mentor teacher endorsement outlined in §1369 of this Part.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

§1371. Content Leader

A. The content leader endorsement is an optional endorsement that districts may require.

B. Eligibility requirements for the content leader endorsement:

1. hold, or be eligible to hold, a valid type C, level 1, or higher Louisiana teaching certificate with all out-of-state experience verified as successful by the out-of-state employing authority or SEA.

2. successfully complete a BESE-approved content leader training program; and

3. earn a passing score on the Louisiana content leader assessment series in §303 of this Part).

2. Individuals who have successfully completed LDE content leader training from November 1, 2017 through July 31, 2020, in accordance with Paragraph 1 of this Subsection, are eligible for content leader ancillary certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 48:

Chapter 15. Administrative and Supervisory Credentials

§1501. Overview

A. An individual who serves as an administrator and/or supervisor in Louisiana schools is required to obtain the appropriate credential for the area of assignment. A teacher already certified in Louisiana may have an educational leader certificate issued to provide administrative or supervisory services in a Louisiana school system.

B. This Chapter is divided into three parts, as follows:

1. educational leadership certification structure;

2. administrative and supervisory endorsements that were superseded by the educational leadership certification structure; and

3. all other supervisory endorsements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1822 (October 2006), amended LR 38:3138 (December 2012), LR 48:

Subchapter A. The Educational Leadership Certificate

§1503. Introduction

A. The educational leadership certification structure provides for four levels of leader certification: teacher leader; educational leader level 1; educational leader level 2;

and educational leader level 3. The teacher leader certificate is an option for a teacher to be identified as a teacher leader and is not a state required credential for a specific administrative position. The educational leader level 1 certificate is an entry-level certificate for individuals seeking to qualify for school and/or district leadership positions such as assistant principals, principals, parish or city supervisors of instruction, supervisors of child welfare and attendance, special education supervisors, or comparable school/district leader positions. An individual advances from a level 1 to a level 2 certificate after successfully meeting standards of effectiveness for three years pursuant to Bulletin 130 and R.S. 17:3902, and completing the required years of experience. The level 3 certificate qualifies an individual for employment as a district superintendent. The LDE will issue a letter of eligibility for an EDL certificate to requesting educators not currently serving in an educational leadership role.

B. Educational leadership preparation programs and induction programs must be aligned with state and national standards in accordance with LAC 28:CXXXVII.301 in Bulletin 125.

C. Medical Excuse and Exceptions. Exceptions to policy will be considered in the case of serious medical condition or unavailability of required coursework or exams, when not in violation of law. When serious medical problems of the teacher or immediate family exist, a doctor statement is required with a letter of assurance from the teacher that the unmet policy requirements will be completed within one year of the exception being granted. The final authority for approval and policy flexibility is at the discretion of the LDE.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, 17:411, and 17:3902.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1822 (October 2006), amended LR 33:819 (May 2007), LR 38:42 (January 2012), LR 38:3138 (December 2012), LR 39:1465 (June 2013), LR 45:231 (February 2019), LR 48:

§1505. Educational Leader Certificate Level 1 (EDL 1)

A. The EDL 1 certificate is needed for school and district educational leadership positions such as assistant principal, principal, parish or city supervisor of instruction, supervisor of child welfare and attendance, special education supervisor, or comparable school/district leader positions. The EDL certificate is issued upon the request of the LEA upon employment to serve as an educational leader. An EDL 1 certificate may be obtained through either a master's degree pathway or through one of three alternate pathways.

1. Graduate Degree Pathway. To receive an entry-level EDL 1, the candidate must:

a. hold or be eligible to hold a Louisiana type B or level 2 teaching certificate or have a comparable level out-of-state teaching certificate and three years of teaching experience in the area of certification;

b. complete a competency-based graduate degree preparation program in the area of educational leadership from an institution of higher education accredited in accordance with 34 CFR 602, which may be inclusive of BESE-approved mentor teacher or content leader training;

i. If the graduate degree program was not in Educational Leadership then a letter from the dean of

education or the dean of the graduate school will be considered and must be submitted verifying that the master's degree program is aligned with the National Policy Board for Educational Administration's Professional Standards for Educational Leaders (PSEL). The final authority for approval is at the discretion of the LDE; and

c. have a passing score on the BESE approved school leaders licensure assessment, in accordance with state requirements.

2. Alternate Pathway 1. The alternate pathway 1 is for individuals who already hold a graduate degree and seek issuance of an EDL 1. The candidate must:

a. hold or be eligible to hold a Louisiana type B or level 2 teaching certificate or have a comparable level out-of-state teaching certificate and three years of teaching experience with all out-of-state experience verified as successful by the out-of-state employing authority or SEA;

b. have previously completed a graduate degree program from an institution of higher education accredited in accordance with 34 CFR 602;

c. meet competency-based requirements, as demonstrated by completion of an individualized program of educational leadership from an institution of higher education accredited in accordance with 34 CFR 602 developed based on a screening of candidate competencies upon entering into a graduate alternative certification program and service as a mentor teacher, content leader, or BESE-approved mentor teacher or content leader training may fulfill a maximum of 40 percent of an individualized program; and

d. earn a passing score on the BESE approved school leaders licensure assessment in accordance with state requirements.

3. Alternate Pathway 2. The alternate pathway 2 is for individuals who already hold a graduate degree in education and seek issuance of an EDL 1. The candidate must:

a. hold or be eligible to hold, a Louisiana type B or level 2 teaching certificate or have a comparable level out-of-state teaching certificate and three years of teaching experience with all out-of-state experience verified as successful by the out-of-state employing authority or SEA;

b. have previously completed a graduate degree program in education from an institution of higher education accredited in accordance with 34 CFR 602;

c. provide documented evidence of leadership experiences of 240 clock hours or more at the school and/or district level, including service as a mentor teacher or content leader of up to 100 clock hours; and

d. have a passing score on the BESE approved school leaders licensure assessment in accordance with state requirements.

4. Alternate Pathway 3. The alternate pathway 3 is for persons who already hold a baccalaureate degree from an institution of higher education accredited in accordance with 34 CFR 602 and are seeking to receive an EDL 1 through a competency-based educational leader practitioner (residency) program found in LAC 28:XLV (Bulletin 996, Chapter 7). The candidate must:

a. hold, or be eligible to hold, a Louisiana type B or level 2 teaching certificate or have a comparable level out-of-state teaching certificate and three years of teaching

experience with all out-of-state experience verified as successful by the out-of-state employing authority or SEA;

b. demonstrate strong knowledge of instruction through a rigorous screening process by an approved program provider;

c. complete a competency-based educational leader practitioner/residency preparation program in the area of educational leadership from a non-university provider or an institution of higher education accredited in accordance with 34 CFR 602 with service as a mentor teacher, content leader, or BESE-approved mentor teacher or content leader training allowed fulfill a maximum of 40 percent of the competency-based program; and

d. have a passing score on the BESE approved school leaders licensure assessment in accordance with state requirements.

5. EDL 1 Extensions

a. An EDL 1 is valid for three years initially and may be extended thereafter for a period of one year at the request of an LEA. EDL 1 certificates are limited to two such extensions.

b. Individuals who hold an educational leader certification and are employed in a leadership capacity at the school level must successfully meet the standards of effectiveness as a leader for at least three years during the five-year initial or renewal period in order to renew.

c. Individuals who hold an educational leader certification and are employed in a leadership capacity at the district level must earn effective ratings as a leader per local personnel evaluations for at least three years during the five-year initial or renewal period in order to renew.

6. Districts may require participation in an education leader induction administered by the LEA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1823 (October 2006), amended LR 33:819 (May 2007), LR 38:43 (January 2012), LR 38:3138 (December 2012), LR 39:1465 (June 2013), LR 43:1313 (July 2017), LR 45:231 (February 2019), LR 45:526 (April 2019), LR 45:1461 (October 2019), LR 46:1383 (October 2020), LR 48:

§1507. Educational Leader Certificate Level 2 (EDL 2)

A. To receive an EDL 2, the individual must:

1. hold or be eligible to hold a EDL 1 certificate, Louisiana provisional principal certification, or comparable level out-of-state educational leader certificate;

2. have three years of teaching experience;

3. if applicable, have all out-of-state experience verified as successful by the out-of-state employing authority or SEA;

4. participate in an education leader induction administered, if required by the LEA;

5. for individuals who are employed in a leadership capacity at the school level, meet the standards of effectiveness as an educational leader for three years pursuant to LAC 28:CXLVII (Bulletin 130) and R.S. 17:3902; and

6. for individuals who are employed in a leadership capacity at the district level, earn effective ratings per local personnel evaluations for three years.

B. Renewal Requirements. An EDL 2 is valid for five years initially and may be renewed thereafter for a period of five years at the request of an LEA. For renewal of EDL 2 certificate:

1. Individuals who hold an educational leader certification and are employed in a leadership capacity at the school level must successfully meet the standards of effectiveness as a leader for at least three years during the five-year initial or renewal period.

2. Individuals who hold an educational leader certification and are employed in a leadership capacity at the district level must earn effective ratings as a leader per local personnel evaluations for at least three years during the five-year initial or renewal period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1823 (October 2006), amended LR 33:820 (May 2007), LR 38:43 (January 2012), LR 38:3138 (December 2012), LR 39:1465 (June 2013), LR 41:2129 (October 2015), LR 45:526 (April 2019), LR 45:1461 (October 2019), LR 48:

§1509. Educational Leader Certificate Level 3 (EDL 3)

A. This certificate is required in order to serve as a school system superintendent or assistant superintendent.

1. Eligibility requirements:

a. hold or be eligible to hold an EDL 2 or one of the Louisiana administrative/supervisory certifications that preceded the educational leadership certification structure;

b. three years of teaching experience;

c. five years of successful administrative or management experience in education at the level of assistant principal or above with assistant principal experience limited to a maximum of two years of the five years of experience with all out-of-state experience verified as successful by the out-of-state employing authority or SEA; and

d. earn passing score on the BESE approved school superintendent assessment, in accordance with state requirements.

B. Renewal Requirements. An EDL 3 is valid for five years initially and may be renewed thereafter for a period of five years at the request of an LEA:

1. Individuals who hold an educational leader certification and are employed in a leadership capacity at the school level must successfully meet the standards of effectiveness as a leader for at least three years during the five-year initial or renewal period.

2. Individuals who hold an educational leader certification and are employed in a leadership capacity at the district level must earn effective ratings as a leader per local personnel evaluations for at least three years during the five-year initial or renewal period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1824 (October 2006), amended LR 38:3139 (December 2012), LR 41:2129 (October 2015), LR 45:526 (April 2019), LR 45:1462 (October 2019), LR 48:

§1511. Non-Practicing Status for Educational Leader Certificates

A. In order to retain evaluation ratings toward certification renewal, the LDE may grant non-practicing status to any educational leader who applies after ceasing employment with the LEA in accordance with §505 of this Part.

B. The first date an educational leader may enter into non-practicing is August 1, 2012.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2129 (October 2015), amended LR 45:527 (April 2019), LR 48:

§1513. Teacher Leader Endorsement (Optional)

A. As part of the educational leader certification structure a teacher may become certified as a teacher leader that allows principals the opportunity to provide leadership experiences to teachers at the school level and recruit potential educational leader candidates for school districts. Teacher leader is the certification needed by those who fill school site leadership roles such as serving as a school curriculum coordinator, chairperson or content teacher, the school improvement team chairperson, the lead teacher in developing and scheduling a special activity at the school site, or the lead teacher in the school preparation for a technical assistance visit.

B. Eligibility requirements:

1. valid type B, level 2, or higher Louisiana teaching certificate;

2. completion of a state-approved teacher leader program that requires, at minimum, the equivalent of six graduate hours, or 90 contact hours, including a combination of face-to-face and field-based professional development activities that:

a. may include the use of a cohort approach;

b. provides support from and monitoring by current outstanding administrators serving as mentors and/or facilitators;

c. includes an electronic component of online and/or compressed video to ensure participant access to key resources and to build a statewide network of qualified administrator candidates that could include the development of cohorts; and

d. requires the development and presentation of a culminating portfolio that provides evidence that knowledge gained and skills acquired are aligned with national and state leader standards.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1824 (October 2006), amended LR 35:1232 (July 2009), LR 38:3139 (December 2012), LR 48:

§1515. Local Education Agency Appeal

A. If an educational leader evaluation demonstrates that the standards of effectiveness, as determined by BESE, have been met, using value-added data or other components of the

evaluation, for three years during the initial certification or renewal process, a certificate shall be issued or renewed unless the LDE or BESE receives evidence from the LEA that justifies discontinuation.

B. Similarly, if an educational leader evaluation demonstrates that the standards of effectiveness, as determined by BESE, have not been met, using either value-added data or other components of the evaluation, for three years during the initial certification or renewal process, the LDE/BESE shall not issue or renew a certificate unless evidence of effectiveness is received from the LEA that justifies the issuance of a certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and R.S. 17:3886.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 41:2130 (October 2015), LR 48:

§1517. Educational Leader Certification Implementation Timeline

A. By the spring of 2019, the LDE will:

1. develop and recommend to BESE the adoption of a Louisiana leadership assessment series (LLAS) that serves as an alternative to the Praxis school leaders licensure assessment (SLLA) and that will be inclusive of assessment components from the Louisiana mentor teacher assessment series and the Louisiana content leader assessment series;

2. pilot and study the LLAS in the winter of 2019, to ensure suitability for use as a required assessment for the educational leader level 1 certification:

a. candidates for the educational leader, level 1 certification who earn a passing score on the LLAS during the pilot phase will be eligible for the educational leader, level 1 certificate, if the candidate has met all other requirements for the graduate degree pathway or one of three alternate pathways; and

3. review and report on the efficacy of the assessment, including, but not limited to, the passage rates and the number of educational leader, level 1 certificates issued.

B. Beginning in the spring of 2019, the LDE will begin issuing:

1. mentor teacher ancillary certificates upon successful completion of the Louisiana mentor teacher assessment series in accordance with §553 of this Part; and

2. content leader ancillary certificates upon successful completion of the Louisiana content leader assessment series in accordance with §555 of this Part.

D. Prior to September 1, 2019, the LDE will:

1. review Chapters 5 and 15 of this Part; and

2. recommend revisions to BESE as necessary and based on findings from a learning phase.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6 and R.S. 17:3886.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 45:232 (February 2019), amended LR 48:

Subchapter B. Out-of-State Administrative Certification Structure

§1519. Out-of-State Principal Level 1 (OSP1)

A. This is a three year, non-renewable Louisiana certificate issued to an individual who holds comparable out-of-state certification as a principal or educational leader, authorizes the individual to serve as a principal or assistant principal in a Louisiana public school system, and is issued

upon employment as a principal or assistant principal in a Louisiana public school system.

1. Eligibility requirements:

a. a valid out-of-state certificate as a principal or comparable educational leader certificate;

b. a minimum of two years of successful experience as a principal or assistant principal in another state, as verified by the out-of-state employing authority or SEA;

c. must have been regularly employed as an assistant principal or principal for at least one semester, or 90 consecutive days, within the five year period immediately preceding first employment in Louisiana, or the applicant must earn six semester hours of credit in state-approved courses during the five year period immediately preceding issuance of the OSP1; and

d. An applicant who has not been regularly employed for at least one semester, or 90 consecutive days, within the five year period immediately preceding first employment in Louisiana may be issued a one-year non-renewable (OSP) certificate during completion of the six semester hours required for the issuance of a three-year non-renewable (OSP 1) certificate; and

2. Districts may require participation in an education leader induction administered by the LEA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1824 (October 2006), amended LR 35:2325 (November 2009), LR 38:43 (January 2012), LR 39:1465 (June 2013), LR 45:1462 (October 2019), LR 48:

§1521. Out-of-State Principal Level 2 (OSP2)

A. An out-of-state principal level 2 (OSP2) is valid for five years initially and may be extended thereafter for a period of five years at the request of an LEA.

1. Eligibility requirements:

a. a valid OSP1 certificate;

b. completion of Louisiana PRAXIS requirements (School Leaders Licensure Assessment (1010) Prior to 12/31/09 or School Leaders Licensure Assessment (1011) Effective 1/1/10, or qualify for PRAXIS/NTE exclusion in accordance with R.S. 17:7.1(A)(7) by fulfilling the following:

i. a minimum of four years of successful experience as a principal in another state, as verified by the out-of-state employing authority or SEA;

ii. complete one year of employment as an assistant principal or principal in a Louisiana public school system while holding the three-year OSP 1 certificate; and

iii. the local superintendent or designee of the employing Louisiana public school system has recommended continued administrative employment in the following school year; and

c. participation in an education leader induction if required by the LEA.

B. Individuals who are employed in a leadership capacity at the school level successfully meeting the standards of effectiveness as an educational leader during the validity period of the OSP1 certificate must earn effective ratings per local personnel evaluations for at three years during the five-year initial or renewal period.

C. Renewal Requirements. For renewal of OSP2 certificate, candidates who are employed in a leadership

capacity at the school level must successfully meet the standards of effectiveness for at least three years during the five-year initial or renewal period in accordance with Bulletin 130 and R.S. 17:3902. Individuals who are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations for at least three years during the five-year initial or renewal period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1825 (October 2006), amended LR 35:2325 (November 2009), LR 36:882 (March 2011), LR 38:43 (January 2012), LR 38:3139 (December 2012), LR 39:1466 (June 2013), LR 45:527 (April 2019), LR 45:1462 (October 2019), LR 48:

§1523. Out-of-State Superintendent (OSS)

A. The out-of-state superintendent (OSS) certificate is valid only for the employing Louisiana public school district requesting issuance, is valid for five years from date of first appointment as a superintendent, and is renewable every five years.

1. Eligibility requirements:

a. employment by a Louisiana public school system to serve as a superintendent or an assistant superintendent;

b. a valid teaching certificate from another state with authorization to serve as a school superintendent;

c. a graduate degree from an institution of higher education accredited in accordance with 34 CFR 602;

d. five years of successful administrative or management experience in education at the level of assistant principal or above with assistant principal experience limited to a maximum of two years of experience in that position; and

e. three years of successful teaching experience with all out-of-state experience verified as successful by the out-of-state employing authority or SEA.

2. **Renewal Requirements.** For renewal of an OSS certificate, candidates who are employed in a leadership capacity at the school level must successfully meet the standards of effectiveness as a leader for at least three years during the five-year initial or renewal period pursuant to Bulletin 130 and R.S. 17:3902. Individuals who are employed in a leadership capacity at the district level must earn effective ratings per local personnel evaluations as a leader for at three years during the five-year initial or renewal period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1825 (October 2006), amended LR 38:3140 (December 2012), LR 45:527 (April 2019), LR 45:1462 (October 2019), LR 46:1383 (October 2020), LR 48:

Subchapter C. Administrative and Supervisory Endorsements

§1525. Introduction

A. Effective June 30, 2006, universities cannot admit candidates into a leadership/administration program that has not undergone the redesign and review process. Individuals who have completed all courses, testing requirements, and degree requirements under the position specific policy prior

to 12/31/08 have until 12/31/2013 to accrue the five years of experience for the administrative certifications listed below:

1. Elementary School Principal;
2. Secondary School Principal;
3. Parish or City School Superintendent;
4. Parish or City School Supervisor of Instruction;
5. Parish or City School Supervisor/Director of Special Education;
6. Special School Principal; or
7. Supervisor of Child Welfare and Attendance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1825 (October 2006), amended LR 35:1231 (July 2009), LR 48:

§1527. Elementary School Principal

A. Eligibility requirements:

1. Type A or Level 3 Louisiana teaching certificate for the elementary school;

2. graduate degree from an institution of higher education accredited in accordance with 34 CFR 602;

3. five or more years of classroom teaching at elementary school level;

4. score of 620 on the Educational Administration and Supervision Area Exam of the NTE;

5. minimum of 30 semester hours of graduate credit, as follows:

a. educational administration and instructional supervision, nine semester hours:

i. Foundations of or Introduction to Educational Administration, or Theory of Educational Administration;

ii. Elementary School Principal; and

iii. Principles of Instructional Supervision in the Elementary School;

b. professional education, 21 semester hours:

i. eighteen semester hours of three each:

(a). Educational Research;

(b). History or Philosophy of Education;

(c). Elementary School Curriculum;

(d). School Law;

(e). School Finance; and

(f). School Personnel Administration; and

ii. three semester hours of educational administration electives to be selected from the following:

(a). School-Community Relations;

(b). School Facilities; and

(c). Program Development and Evaluation in either professional education or in areas outside of professional education.

B. Individuals who meet requirements of Item A above are eligible for a provisional elementary school principal endorsement. Upon employment as a principal or assistant principal, an individual with provisional principal endorsement must enroll in the two year Principal Internship Program.

C. A regular elementary school principal endorsement will be added to the standard Type A certificate upon satisfactory completion of the two year Principal Internship Program.

D. Individuals holding provisional or regular principal endorsements at the elementary school level may serve as

principal of an elementary, middle, secondary, or combination grade-level school.

E. Elementary school assistant principals are required to meet the same standards as elementary school principals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1825 (October 2006), amended LR 46:1383 (October 2020), LR 48:

§1529. Secondary School Principal

A. Eligibility requirements:

1. valid Type A or Level 3 Louisiana teaching certificate for the secondary school;

2. graduate degree from an institution of higher education accredited in accordance with 34 CFR 602;

3. five or more years of classroom teaching at secondary school level;

4. score of 620 on the Educational Administration and Supervision Area Exam of the NTE;

5. minimum of 30 semester hours of graduate credit, as follows:

a. Educational Administration and Instructional Supervision, nine semester hours of three hours each:

i. Foundations of or Introduction to Educational Administration, or Theory of Educational Administration;

ii. Secondary School Principal; and

iii. Principles of Instructional Supervision in the Secondary School;

b. Professional Education, 21 semester hours:

i. 18 semester hours, to include three semester hours from each of the following:

(a). Educational Research;

(b). History or Philosophy of Education;

(c). Secondary School Curriculum;

(d). School Law;

(e). School Finance;

(f). School Personnel Administration;

ii. three semester hours of educational administration electives to be selected from the following courses:

(a). School-Community Relations;

(b). School Facilities; and

(c). Program Development and Evaluation (either in professional education or in areas outside of professional education).

B. Individuals who meet the requirements of Item A above are eligible for a provisional secondary school principal endorsement. Upon employment as a principal or assistant principal, an individual with provisional principal endorsement must enroll in the two year Principal Internship Program under the auspices of the Administrative Leadership Academy.

C. A regular secondary school principal endorsement will be added to the standard Type A certificate upon satisfactory completion of the two year Principal Internship Program.

D. Persons holding provisional or regular principal endorsements at the secondary school level may serve as principal of an elementary, middle, secondary, or combination grade-level school.

E. Secondary school assistant principals are required to meet the same standards as elementary school principals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1826 (October 2006), amended LR 46:1383 (October 2020), LR 48:

§1531. Parish or City School Superintendent

A. Eligibility requirements:

1. valid Type A or Level 3 Louisiana teaching certificate;

2. five years of successful school experience for a state, parish, or city as superintendent, assistant superintendent, supervisor of instruction, principal, or assistant principal in a State-approved system, or experience certified as equivalent to any of these by BESE or the LDE. Assistant principal experience is limited to a maximum of two years of experience in that position with all out-of-state experience verified as successful by the out-of-state employing authority or SEA;

3. graduate degree from an institution of higher education accredited in accordance with 34 CFR 602;

4. 48 semester hours of graduate credit:

a. 30 semester hours in educational administration and supervision of instruction, as follows:

i. 18 semester hours, to include three semester hours in each of the following areas:

(a). Foundations of (Introductory) Educational Administration; or Theory of Educational Administration;

(b). School Law;

(c). Principles of Instructional Supervision (Elementary or Secondary);

(d). School Community Relations;

(e). Secondary or Elementary School Principalship; and

(f). School Finance;

ii. 12 semester hours of electives in educational administration and instructional supervision from the following areas:

(a). School Facilities;

(b). School Personnel Administration;

(c). Group Dynamics;

(d). Office and Business Management;

(e). Clinical Supervision or Internship or Practicum in Educational Administration or Instructional Supervision; and

(f). Program Development and Evaluation (in professional education or areas outside professional education);

5. professional education, 12 semester hours to include three semester hours in each of the following:

a. Educational Research;

b. History or Philosophy of Education;

c. Elementary School Curriculum; and

d. Secondary School Curriculum; and

6. six semester hours of electives from cognate fields outside of professional education related to educational administration and supervision in business, political science, psychology, sociology, or speech.

B. Assistant superintendents who supervise any part of the instructional program are required to meet the same standards as superintendents.

C. Assistant superintendents for non-instructional areas such as finance, management, facilities planning, and

ancillary programs shall be certified as a school superintendent or meet the following requirements:

1. a minimum of five years of demonstrated successful administrative experience at a managerial level in education and/or related fields, either in the public or private sector;

2. graduate degree in educational administration, business administration, public administration, or a related area of study including, but not limited to, accounting, finance, banking, insurance, and law, from an institution of higher education accredited in accordance with 34 CFR 602;

3. responsibilities assumed by this category of administrators must be related to non-instructional programs, and experience obtained while at that level may not be used for meeting the certification requirements for superintendent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411, amended LR 45:1462 (October 2019).

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1826 (October 2006), amended LR 45:1462 (October 2019), LR 46:1383 (October 2020), LR 48:

§1533. Parish or City School Supervisor of Instruction

A. Eligibility requirements:

1. valid Type A or Level 3 Louisiana Teaching Certificate;

2. graduate degree from an institution of higher education accredited in accordance with 34 CFR 602; and

3. minimum of 33 semester hours of graduate credit, to include:

a. 15 semester hours in Educational Administration and Supervision:

i. Foundations and Theory of Educational Administration (three);

ii. Principles of Instructional Supervision (six);

iii. Elementary School Curriculum (three); and

iv. Secondary School Curriculum (three);

b. Professional Education, 15 semester hours:

i. Educational Research (three);

ii. History or Philosophy of Education (three);

iii. School Law (three); and

iv. six semester hours of electives from Instructional Evaluation, Statistics, Testing and Measurement, Learning Theory, or Program Development and Evaluation in professional education or areas outside professional education; and

c. three semester hours to be selected from Practicum in Instructional Supervision or Internship in Instructional Supervision and internship or clinical experience as an elementary or secondary school principal or instructional supervisor may be substituted for this requirement.

B. Individuals who meet requirements of Paragraphs A.1, 2, and Subparagraph 3.a may be issued a non-renewable, non-extendable supervisor of instruction provisional certificate valid for three years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1827 (October 2006), amended LR 46:1383 (October 2020), LR 48:

§1535. Parish or City School Supervisor/Director of Special Education

A. Eligibility requirements:

1. valid Type A or Level 3 Louisiana teaching certificate with certification as a special education teacher;

2. five years of successful professional experience, at least three of which must have been in special education;

3. graduate degree from an institution of higher education accredited in accordance with 34 CFR 602;

4. minimum of 33 semester hours of graduate credit:

a. six semester hours of special education administration, with three semester hours in each area of special education administration that address the following competencies:

i. administration and organization of special education; and

ii. special education compliance;

b. professional education, 24 semester hours of instructional supervision, to include three semester hours in each of the following:

i.

Foundations and Theory of Educational Administration;

ii.

Educational Research;

iii. History and Philosophy of Education;

iv. School Law;

v.

School Finance;

vi. Curriculum;

vii. Principles of Instructional Supervision; and

viii. three semester hours of electives to be selected from Instructional Evaluation, Statistics, Testing and Measurement, Learning Theory, or Program Development and Evaluation in professional education or areas outside professional education; and

c. three semester hours in either Practicum in Special Education Administration or Internship in Special Education Administration.

B. Persons who have met the requirements of Paragraphs A.1-3, three semester hours from A.4.a, and 12 semester hours from A.4.b may be issued a non-renewable, non-extendable Supervisor/Director of Special Education provisional certificate, valid for three years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1827 (October 2006), LR 46:1384 (October 2020), LR 48:

§1537. Special School Principal

A. Special school principal eligibility requirements:

1. Certification requirements for elementary or secondary school principal must be completed. The same certification standards as those required of principals apply if an individual is serving as an assistant principal;

2. graduate training in special education, including at least one course in administration/supervision of special education, and generic certification in one or more areas of exceptionalities served by that school;

3. five years of successful professional experience, at least three years of which must have been in special education; and

4. all out-of-state experience must be verified as successful by the out-of-state employing authority or SEA.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1828 (October 2006), amended LR 45:1462 (October 2019), LR 48:

§1539. Supervisor of Child Welfare and Attendance and/or Visiting Teacher

A. Eligibility requirements:

1. valid Type A or Level 3 Louisiana teaching certificate;

2. graduate degree from an institution accredited in accordance with 34 CFR 602, including 15 semester hours of professional education at the graduate level to include three semester hours in each of the following areas:

- a. principles of guidance and counseling;
- b. supervision of child welfare and attendance and/or visiting teacher work;
- c. school law;
- d. social psychology;
- e. psychology of child growth and development or human growth and development.

B. Social Workers licensed under R.S. 37:2701 et seq. may be certified as visiting teachers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1828 (October 2006), amended LR 46:1384 (October 2020), LR 48:

Subchapter D. All Other Supervisory Endorsements

§1541. Introduction

A. In addition to those areas of supervision and administration embraced within the Educational Leader Certification Structure, the following supervisory endorsements are available to candidates holding a Louisiana teaching certificate:

1. Supervisor of School Libraries;
2. Supervisor of Parish or City Materials and Media Centers; and
3. Supervisor of Student Teaching.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1828 (October 2006), LR 48:

§1543. Supervisor of School Libraries

A. Supervisor of school libraries eligibility requirements:

1. Type A or Level 3 Louisiana certificate authorizing school library service;

2. five or more years of successful experience as a school librarian with all out-of-state experience verified as successful by the out-of-state employing authority or SEA; and

3. graduate degree in library science from an institution accredited in accordance with 34 CFR 602, including 12 semester hours of graduate training in library

science and a minimum of 21 semester hours of undergraduate credit in library science.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1828 (October 2006), amended LR 45:1463 (October 2019), LR 46:1384 (October 2020), LR 48:

§1545. Supervisor of Parish or City Materials and/or Media Centers

A. Supervisor of parish or city materials and/or media centers eligibility requirements:

1. Type A or Level 3 Louisiana teaching certificate;

2. advanced degree from an institution accredited in accordance with 34 CFR 602;

3. 15 semester hours of graduate course work in non-book media:

- a. utilization of audiovisual materials (three);
- b. media design and production (three);
- c. administration of media programs (three); and
- d. six semester hours of electives from courses such as photography, educational television, programmed instruction, media research, advanced production techniques, and communication theory.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1828 (October 2006), amended LR 46:1384 (October 2020), LR 48:

§1547. Supervisor of Student Teaching

A. This is no longer a required endorsement that must appear on a certificate.

B. To qualify to perform this supervisory service, a teacher must meet one of the following eligibility criteria:

1. valid Type A or Level 3 Louisiana certificate in the field of the supervisory assignment;

2. valid Type B or Level 2 Louisiana certificate in the field of the supervisory assignment and successfully complete the three semester-hour course in the supervision of student teaching;

3. valid Type B or Level 2 Louisiana certificate in the field of the supervisory assignment and successfully complete assessor training through the Louisiana Teacher Assistance and Assessment Program; or

4. valid Type B or Level 2 Louisiana certificate and National Board Certification in the field of the supervisory assignment.

C. On September 1, 2023, the mentor teacher endorsement or ancillary certificate will replace the supervisor of student teaching certificate. The supervisor of student teaching certificate will no longer be issued effective December 31, 2020.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1829 (October 2006), amended LR 37:2136 (July 2011), LR 45:232 (February 2019), LR 46:1384 (October 2020), LR 48:

Chapter 17. Certification Appeal Process

§1701. Overview

A. The certification appeal process is available to an individual who has applied for certification and has been denied the requested certification due to the absence of certification requirements. The process provides such an individual the opportunity to have the appeal evaluated by the Teacher Certification Appeals Council (TCAC). TCAC will evaluate all appeals and submit a written report of findings for ratification by BESE. The decision of the TCAC is final.

B. Pursuant to *Louisiana Revised Statute* 17:7(6)(f), TCAC shall consist of nine members, who serve four-year terms, recommended by the state superintendent of education and approved by BESE as follows. Council membership:

1. Three council members shall be college of education faculty members, each of whom shall represent a postsecondary education institution participating in both traditional and alternative certification programs. The Louisiana Association of Colleges for Teacher Education, the Louisiana Association of Independent Colleges and Universities, and the Louisiana Association of Teacher Educators shall each submit a list of three nominees. The superintendent shall recommend one college of education faculty member from each such list.

2. Three council members shall be classroom teachers. The Associated Professional Educators of Louisiana, the Louisiana Association of Educators, and the Louisiana Federation of Teachers shall each submit a list of three nominees. The superintendent shall recommend one classroom teacher from each such list.

3. Three council members shall be certified school or system administrators. The Louisiana Association of School Executives, the Louisiana State Association of School Personnel Administrators, and the Louisiana Association of School Superintendents shall each submit a list of three nominees. The superintendent shall recommend one administrator from each such list.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1829 (October 2006), amended LR 36:487 (March 2010), LR 43:1314 (July 2017), LR 48:

§1703. Appeal Process

A. An applicant who is denied certification but seeks an appeal based upon legitimate grounds may submit a certification appeal application to the LDE. Only an individual who has been evaluated and denied certification through the LDE is eligible to file an appeal. The following restrictions apply:

1. An appeal cannot be initiated until:

- an applicant has submitted a complete certification application to the LDE;
- the application is reviewed by a certification specialist; and
- the applicant is notified the requested certification is denied;

2. an appeal application is received by the certification office within 90 days from the date that the certification request was denied;

3. Appeals will not be considered for individuals who:

- lack NTE/Praxis requirements for initial certification;
- lack a minimum grade point average of 2.50 for initial certification and who did not meet the conditional admittance and program requirements as outlined in R.S. 17:7.1(A)(3);
- lack reading requirements per R.S. 17:7.1(A)(4)(a);
- lack 50 percent or more of courses or preparation program requirements required for certification;
- lack the degree required for certification;
- lack a degree from a college or university accredited in accordance with 34 CFR 602;
- request issuance or renewal of a non-standard teaching certificate excluding the temporary authority to teach (TAT) certificate; or
- failed to meet the standards of effectiveness for three years pursuant to Bulletin 130 and R.S. 17:3902; and

4. Appeals denied due to the issuance or renewal of certificates based on the standards of effectiveness must follow the grievance procedure through the LEA as identified in Bulletin 130.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1829 (October 2006), amended LR 36:487 (March 2010), LR 38:3140 (December 2012), LR 43:1314 (July 2017), LR 44:2002 (November 2018), LR 45:1750 (December 2019), LR 46:1384 (October 2020), LR 48:

Chapter 21. State Guidelines Related to Qualifications for Paraprofessionals and Continuing Learning Units

§2101. General Provisions

A. This Chapter is divided into two sections:

- paraprofessional qualifications; and
- continuing learning units (CLUs).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2053 (October 2007), amended LR 43:1315 (July 2017), LR 48:

§2103. Paraprofessional Qualifications

A. Definition of Paraprofessional

1. For the purposes of title I, part A, a paraprofessional is an employee who provides instructional support in a program supported with title I, part A funds including paraprofessionals working in any of the following capacities:

- providing one-on-one tutoring if such tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher;
- assisting with classroom management, such as organizing instructional and other materials;
- providing instructional assistance in a computer laboratory;
- conducting parental involvement activities;
- providing support in a library or media enter;
- acting as a translator; or
- providing instructional support services under the direct supervision of a teacher [title I, section 1119(g)(2)].

2. Individuals functioning as interpreters or transliterators, who are providing communication assistance only and not instructional support, are not considered paraprofessionals under Title I if the individual possess one of the following educational interpreter certificates:

- a. ancillary provisional certificate; or
- b. qualified ancillary certificate.

3. Individuals who work in food services, cafeteria or playground supervision, personal care services, non-instructional computer assistance, and similar positions are not considered paraprofessionals under title I.

C. Requirements for Title I Paraprofessionals. All Title I paraprofessionals hired on or before January 8, 2002, and working in a program supported with title I funds must have met the following requirements by January 8, 2006. All title I paraprofessionals hired after January 8, 2002, must meet the following requirements to be hired:

1. possess a secondary school diploma or recognized equivalent including paraprofessionals who serve as translators or who conduct parental involvement activities; and

2. satisfy one of the following:

- a. pass a state approved assessment for paraprofessionals;
- b. obtain an associate (or higher) degree at a higher education institution; or
- c. complete two years of full-time study at an institution of higher education.

D. Louisiana Pathways for Paraprofessionals to Meet Federal Requirements. The U.S. Department of Education specifies that paraprofessionals should be able to demonstrate knowledge of and the ability to assist in instruction in the areas of reading, writing, and math, or in school readiness. Paraprofessionals are expected to have a working knowledge of the academic areas. Louisiana offers all paraprofessionals three ways to meet federal requirements.

1. State Test. A paraprofessional who passes the Educational Testing Service (ETS) para-pro assessment will meet state and federal requirements to be classified as a highly qualified paraprofessional. A paraprofessional who is not new to the profession, passes the ACT work keys assessment, and has successful observations will meet state and federal requirements to be classified as a highly qualified paraprofessional.

2. Two Years of Full-Time Study (48 Semester Credit Hours). State, district, and post-secondary education personnel collaborated in identifying course requirements for paraprofessionals within a state approved institution of higher education that would assist paraprofessionals when instructing students in the areas or reading, writing, math, and school readiness.

3. Associate Degree. State, district, and post-secondary education personnel collaborated in identifying course requirements for paraprofessionals within a state-approved institution of higher education that would assist paraprofessionals when instructing students in the areas of reading, writing, math, and school readiness.

E. State-Approved Institutions of Higher Education. State-approved higher education institutions may offer coursework to paraprofessionals. To be approved by the state, institutions must be accredited by a nationally

recognized accrediting entity or granted pre-accreditation status. Newly developed public institutions that are formally seeking accreditation may obtain pre-accreditation status from the state. A list of approved institutions is available from the LDE upon request.

F. Louisiana Definition: Highly Qualified Paraprofessional

1. New to the Profession. A paraprofessional must satisfy one of the following:

- a. passed the ETS para-pro assessment;
- b. has 2 years of full-time study (48 semester credit hours) from the recommended list of state-approved institutions of higher education or from an institution of higher education accredited in accordance with 34 CFR 602. A total of 15 hours of general education course requirements include English composition (3), English/reading (6), and mathematics (6). For the remaining 33 hours of coursework, acceptance of credit for a course shown on a transcript from an approved higher education institution is at school district discretion in addressing the needs of the specific job; or
- c. has associate of arts or associate of applied science degree from a state-approved institution of higher education or from an institution of higher education accredited in accordance with 34 CFR 602.

2. Not New to the Profession. A paraprofessional must satisfy one of the following:

- a. passed the ETS para-pro assessment;
- b. has 2 years of full-time study (48 semester credit hours) from the recommended list of state-approved institutions of higher education or from an institution of higher education accredited in accordance with 34 CFR 602. A total of 15 hours of general education course requirements include English composition (3), English/reading (6), and mathematics (6). For the remaining 33 hours of coursework, acceptance of credit for a course shown on a transcript from an approved higher education institution is at school district discretion in addressing the needs of the specific job;
- c. has associate of arts or associate of applied science degree from a state-approved institution of higher education or from an institution of higher education accredited in accordance with 34 CFR 602; or
- d. has successfully completed the ACT, Inc., work keys skills assessments and on-the-job observation.

G. Curriculum-based Pathways for Paraprofessionals. General education and teacher preparation coursework must address the K-12 state content standards, Louisiana components of effective Teaching, National Council for the Accreditation of Teacher Education (NCATE) standards, and Praxis expectations. In addition to the ETS para-pro assessment, the state specified three curriculum-based pathways for paraprofessionals to meet federal requirements, as follows:

1. total of 48 credit hours:
 - a. general education courses—15 semester hours:
 - i. English composition—3 hours;
 - ii. English/reading—6 hours; and
 - iii. mathematics—6 hours; and
 - b. paraprofessional courses—for the remaining 33 semester hours, acceptance of credit for a course shown on a transcript from an approved institution of higher education is at school district discretion in addressing needs of a specific job:

i. guidelines for prescriptive plan requiring additional coursework—school districts should consider at least three hours of reading and at least 12 hours from a list of available paraprofessional courses, as follows:

- (a). strategies for teaching and learning;
- (b). assessment of learning;
- (c). classroom and behavior management; and
- (d). addressing the needs of exceptional children;

and

ii. discipline-specific electives may include as many as 12 hours of developmental or remedial courses;

2. associate of applied science degree—60+ credit hours:

- a. general education courses—15 semester hours:
 - i. English composition—3 hours;
 - ii. humanities—3 hours;
 - iii. math: algebra—3 hours;
 - iv. natural sciences—3 hours; and
 - v. social and behavioral science—3 hours;
- b. teacher preparation courses—child/adolescent development—3 hours;
- c. paraprofessional courses—30 semester hours:
 - i. introduction to paraprofessional education—3;
 - ii. applied literacy development—3;
 - iii. strategies for teaching and learning—3;
 - iv. applied assessment of learning—3;
 - v. applied classroom behavior management—3;
 - vi. addressing the needs of exceptional children—3;
 - vii. application of computer technology—3;
 - viii. family, school, and community relations—3;
 - ix. health and safety in schools—3; and
 - x. paraprofessional practicum—teaching, learning, and record keeping—3;

3. associate of arts degree—60+ credit hours:

- a. general education courses—54 semester hours:
 - i. English composition—6 hours;
 - ii. humanities: English literature—6 hours;
 - iii. math: algebra, etc.—12 hours;
 - iv. natural sciences—15 hours;
 - v. social and behavioral science—12 hours;
 - vi. fine arts—3 hours; and
- b. teacher preparation courses—9 hours. Select three of the following:
 - i. child/adolescent development—3 hours;
 - ii. educational psychology—3 hours; and
 - iii. multicultural/exceptional education—3 hours:
 - (a). educational technology—3 hours; or
 - (b). children's literature—3 hours.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2056 (October 2007), amended LR 43:1315 (July 2017), LR 46:1385 (October 2020), LR 48:

§2105. Continuing Learning Units (CLUs)

A. A continuing learning unit (CLU) is a professional development activity that builds capacity for effective, research-based, content-focused teaching and learning that positively impacts student achievement. As a unit of measure, CLUs are used to quantify an educator's participation in a district or system-approved, content-

focused professional development activity aligned with the educator individual professional growth plan.

B. Educators may earn one CLU for each clock hour of active engagement in a district or system-approved high quality professional development activity. Each educator is responsible for maintaining required documentation and for reporting earned CLUs in a manner prescribed by the district or system. Earned CLUs will transfer across local education agencies (LEAs).

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2058 (October 2007), amended LR 43:1317 (July 2017), LR 48:

Chapter 23. Approved Courses to Reinstate Lapsed Certificates

§2301. Period of Validity

A. The period of validity for a Louisiana teaching certificate is subject to the provision that the certificate holder does not allow a period of five or more consecutive calendar years of disuse to accrue, and/or the certificate is not revoked by the State Board of Elementary and Secondary Education acting in accordance with law. As applicable to certificate validity, the term disuse is defined as a period of five consecutive calendar years in which a certificated individual is not a teacher of record for at least one semester, or 90 consecutive days. If such a period of disuse occurs, the certificate has lapsed. *Lapse* does not apply to certificates renewable via the standards of effectiveness pursuant to Bulletin 130 and R.S. 17:3902.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2058 (October 2007), amended LR 48:

§2303. Reinstatement of a Lapsed Certificate

A. Reinstatement of a lapsed certificate is made only on evidence that the holder has earned six semester hours of credit in approved courses from an institution of higher education accredited in accordance with 34 CFR 602. The credit must be earned within the five-year period immediately preceding request for reinstatement of the certificate. *Reinstatement* does not apply to certificates renewable via the standards of effectiveness pursuant to Bulletin 130 and R.S. 17:3902.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2058 (October 2007), amended LR 46:1385 (October 2020), LR 48:

§2305. Certificate Reinstatement Coursework

A. Chapter 23 of this Part contains a list of coursework and content approved for reinstating a lapsed certificate. The following notes are applicable to certificate reinstatement coursework across all areas of certification.

1. Teachers with multiple certification areas may complete coursework specific to any of the certification areas.

2. Coursework must be reflected on a transcript from an institution of higher education accredited in accordance with 34 CFR 602.

3. Course credit must be earned within the five year period immediately preceding request for reinstatement of the certificate.

4. Coursework cannot be a repeat of prior coursework shown on a transcript, unless the student failed or earned a letter grade of D in the course.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2058 (October 2007), amended LR 46:1385 (October 2020), LR 48:

§2307. Responsibility of the Employing Authority

A. When a city or parish employing authority considers employment of a teacher whose certificate has lapsed or expired, the responsibility to notify the LDE is that of the employing authority.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2058 (October 2007), amended LR 48:

§2309. Early Childhood (PK, K, PK-3)

A. Types of Approved Coursework to Reinstatement an Early Childhood or an Elementary Grades certificate:

1. diagnostic and prescriptive reading;
2. reading in the content area;
3. other content in reading;
4. early numeracy concepts of mathematics;
5. other content in mathematics;
6. content in English/language arts;
7. content in science;
8. content in social studies;
9. classroom and/or behavior management;
10. technology in the classroom; and
11. teaching in an inclusive setting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2058 (October 2007), amended LR 48:

§2311. Middle Grades (4-8, 5-8)

A. Types of Approved Coursework to Reinstatement a Middle Grades certificate:

1. diagnostic and prescriptive reading;
2. reading in the content area;
3. other content in reading;
4. early numeracy concepts of mathematics;
5. other content in mathematics;
6. content in English/language arts;
7. content in science;
8. content in social studies;
9. content specific to subject area of certification;
10. classroom and/or behavior management;
11. technology in the classroom; and
12. teaching in an inclusive setting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2059 (October 2007), amended LR 48:

§2313. Secondary (6-12, 7-12)

A. Types of Approved Coursework to Reinstatement a Secondary certificate:

1. diagnostic and prescriptive reading;
2. reading in the content area;
3. other content in reading;
4. content specific to subject area of certification;
5. classroom and/or behavior management;
6. technology in the classroom; and
7. teaching in an inclusive setting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2059 (October 2007), amended LR 48:

§2315. Special Education

A. Types of Approved Coursework to Reinstatement a Special Education certificate:

1. diagnostic and prescriptive reading;
2. reading in the content area;
3. other content in reading;
4. early numeracy concepts of mathematics;
5. other content in mathematics;
6. content in English/language arts;
7. content in science;
8. content in social studies;
9. content specific to subject area of certification;
10. classroom and/or behavior management;
11. technology in the classroom;
12. teaching in an inclusive setting; and
13. vocational and transition services for students.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2059 (October 2007), amended LR 48:

§2317. All Level (K-12)

A. Types of approved coursework to reinstate an all-level certificate in art, dance, foreign language, health and physical education, or music:

1. content in reading;
2. content specific to subject area of certification;
3. classroom and/or behavior management;
4. technology in the classroom; and
5. teaching in an inclusive setting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2059 (October 2007), amended LR 48:

§2319. Ancillary Certificate

A. Types of approved coursework to reinstate an ancillary certificate:

1. content specific to subject area of certification;
2. coursework included in a prescriptive degree program in which certificate holder is enrolled; and
3. classroom and/or behavior management.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 33:2059 (October 2007), amended LR 48:

Chapter 25. Definitions

§2501. Terms

Accredited (formerly *regionally accredited*)—a term used to denote the status of public recognition that a nationally recognized accrediting agency grants to an educational institution or program that meets the agency standards and requirements in accordance with 34 CFR 602. When used in this Part, *regionally accredited* shall be replaced with *accredited* in accordance with 34 CFR 602.

Alternate Teacher Preparation Program—a pathway for candidates with a minimum of a baccalaureate degree earned at an institution accredited in accordance with 34 CFR 602 which combines professional knowledge with field experiences, including a one-year supervised internship in a school setting. For admission to an alternate program, applicants must demonstrate content mastery.

Ancillary Certificate—a type of Louisiana certificate that allows a qualified person who is not a certified teacher to provide services in a school setting.

Baccalaureate—a term used to denote an undergraduate degree or program such as bachelor of arts or bachelor of science.

Certification—a licensing process whereby qualified professionals become legally authorized to teach or to perform designated duties in the schools under the jurisdiction of BESE.

Content Leader—a teacher who is responsible for delivery of professional development aligned with state academic standards who is LDE certified and has the knowledge, skills, and resources to provide high-quality, content-rich, and curriculum-specific professional development to yearlong residents, new teachers, and/or developing teachers in need of instructional support.

Content Leader Ancillary Certificate—a type of certificate that authorizes an individual to serve as a school- or district-based instructional expert who is responsible for delivery of professional development aligned with state content standards found throughout the Louisiana Administrative Code, Title 28, Education.

Continuing Learning Unit (CLU)—a professional development activity that builds capacity for effective, research-based, content-focused teaching and learning that positively impacts student achievement. As a unit of measure, the CLU is used to quantify educator participation in a system-approved content-focused professional development activity aligned with the educator individual professional growth plan.

Core Subject Areas—English, reading, language arts; mathematics; science; foreign languages; civics and government; economics; arts; history; and geography.

Endorsement—a permanent certification, license, or credential added to an existing teaching certificate.

Graduate—a term used to denote a degree, coursework, or program beyond the baccalaureate degree level such as masters of education or masters of arts in teaching.

Industry Based Certification—a certificate that provides evidence that an individual has successfully demonstrated skill competencies in a specific set of work related tasks, single occupational area, or a cluster of related occupational

areas such as certified landscape technician, ASE certification, or licensed cosmetologist.

Mentor Teacher—a teacher who supports aspiring teachers participating in undergraduate and post-baccalaureate. Mentor teachers use a cycle of coaching focused on instructional decisions to meet the needs of all students. Mentors may co-teach with yearlong residents or may support teachers without co-teaching. Mentors may also support new teachers or developing teachers in need of coaching, including teachers with an intensive assistance plan, in accordance with LAC 28:CXLVII Bulletin 130.

Mentor Teacher Ancillary Certificate—a type of certificate that authorizes an individual to serve as a mentor for undergraduate or post-baccalaureate teacher residents.

Non-Education Baccalaureate Degree—a baccalaureate degree earned through an institution of higher education accredited in accordance with 34 CFR 602 that does not result in eligibility for teacher certification in the state in which the program is approved to operate.

Non-Standard Certificate—a temporary certification, license, or credential issued to an applicant who is pursuing full credentialing as a teacher. To have this certificate re-issued for year 2 and for year 3, an applicant must meet specified renewal requirements.

Paraprofessional—an employee who provides instructional support in a program supported with Title I, Part A funds.

Post-Baccalaureate Alternate Certification Program—a program offered prior to July 1, 2002, that provided opportunities for individuals with a minimum of a baccalaureate degree to become certified public school teachers. Applicants seeking certification under this program submitted an official transcript for evaluation to a Louisiana college or university with an approved teacher education program.

Regionally Accredited—see the definition for accredited in this Section.

Regularly Employed—a term used to denote an individual who is a full-time or part-time employee of a school system, and who is not hired on a day-to-day basis.

Standard Certificate—a credential issued by the LDE to an individual who has met all requirements for full certification as a teacher.

Teacher—an employee of a city or parish school board or of a BESE special school who holds a teaching certificate and whose legal employment requires certification under the regulations of BESE.

Teacher Education Program Completer—an individual who satisfies all requirements of a traditional teacher preparation undergraduate degree program or of an approved alternate teacher preparation program.

Teaching Certificate—a license, permit, or certificate issued by the LDE to an individual who has met all state requirements for certification as a teacher.

Temporary License—a teaching authorization held for a limited period and is not a standard certificate. See *non-standard certificate* above.

Traditional Teacher Preparation Program—a bachelor of arts or bachelor of science degree program that includes general education courses, certification focus area(s), professional education courses, field experiences, and student teaching in a school setting.

Undergraduate—a term used to denote a degree, coursework, or program at the baccalaureate degree level such as a bachelor of art or bachelor of science.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), 17:7(6), 17:10, 17:22(6), 17:391.1-391.10, and 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1833 (October 2006), amended LR 37:560 (February 2011), LR 43:1314 (July 2017), LR 45:233 (February 2019), LR 46:1384 (October 2020), LR 48:

§2503. Acronyms

BESE—Board of Elementary and Secondary Education.

CLU—continuing learning unit.

CTTIE—career and technical trade and industrial education.

INTASC—Interstate New Teacher Assessment and Support Consortium.

LCET—Louisiana components of effective teaching.

LDE—Louisiana Department of Education

NASDTEC—National Association of State Directors of Teacher Education and Certification.

NCATE—National Council for Accreditation of Teacher Education.

OFAT—out-of-field authority to teach, a non-standard license.

TAT—temporary authorization to teach, a non-standard license.

TEP—temporary employment permit, a non-standard license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), (11), and (15), R.S. 17:7(6), R.S. 17:10, R.S. 17:22(6), R.S. 17:391.1-391.10, and R.S. 17:411.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 32:1833 (October 2006), amended LR 37:560 (February 2011), LR 43:1315 (July 2017), LR 48:

Family Impact Statement

In accordance with section 953 and 974 of title 49 of the Louisiana Revised Statutes, there is hereby submitted a Family Impact Statement on rules proposed for adoption, repeal, or amendment. All Family Impact Statements will be kept on file in the state board office which has adopted, amended, or repealed rules in accordance with the applicable provisions of the law relating to public records.

1. Will the proposed Rule affect the stability of the family? No.

2. Will the proposed Rule affect the authority and rights of parents regarding the education and supervision of their children? No.

3. Will the proposed Rule affect the functioning of the family? No.

4. Will the proposed Rule affect family earnings and family budget? No.

5. Will the proposed Rule affect the behavior and personal responsibility of children? No.

6. Is the family or a local government able to perform the function as contained in the proposed Rule? Yes.

Poverty Impact Statement

In accordance with section 973 of title 49 of the *Louisiana Revised Statutes*, there is hereby submitted a Poverty Impact Statement on rules proposed for adoption, amendment, or repeal. All Poverty Impact Statements will be in writing and kept on file in the state agency which has adopted, amended, or repealed rules in accordance with the applicable

provisions of the law relating to public records. For the purposes of this section, the word “poverty” means living at or below 100 percent of the federal poverty line.

1. Will the proposed Rule affect the household income, assets, and financial authority? No.

2. Will the proposed Rule affect early childhood development and preschool through postsecondary education development? Yes.

3. Will the proposed Rule affect employment and workforce development? No.

4. Will the proposed Rule affect taxes and tax credits? No.

5. Will the proposed Rule affect child and dependent care, housing, health care, nutrition, transportation, and utilities assistance? No.

Small Business Analysis

The impact of the proposed Rule on small businesses as defined in R.S. 49:965.6, the Regulatory Flexibility Act, has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental, and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the staffing level requirements or qualifications required to provide the same level of service;

2. the cost to the providers to provide the same level of service; or

3. the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments via the U.S. Mail until noon, December 10, 2021, to Shan N. Davis, Executive Director, Board of Elementary and Secondary Education, Box 94064, Capitol Station, Baton Rouge, LA 70804-9064. Written comments may also be hand delivered to Shan Davis, Executive Director, Board of Elementary and Secondary Education, Suite 5-190, 1201 North Third Street, Baton Rouge, LA 70802 and must be date stamped by the BESE office on the date received. Public comments must be dated and include the original signature of the person submitting the comments.

Shan N. Davis
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Bulletin 746--Louisiana Standards for State Certification of School Personnel

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed revisions may result in increased costs for local school systems to provide the necessary training to child nutrition program supervisors; however, such costs are

indeterminable and dependent upon district size and the number of staff requiring training. The proposed revisions revise the requirements for these supervisors to align them with federal regulations.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed revisions will result in an indeterminable impact on self-generated revenue collections for the Department of Education (LDE) associated with the collection of fees for school employee certifications.

The proposed revisions allow teachers with nonpublic teaching certifications to teach in public schools without obtaining an equivalent public school certification, provided that they meet the qualifications for the public school certification. This may result in reduced certification fee revenues.

However, the proposed revisions also make certain certificates easier to obtain. To the extent that these revisions incentivize more educators to apply for these certificates, this will increase certification fee revenues.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed revisions will benefit teachers by adopting new Praxis exams for middle school and high school. The new exams provide more time per question than the previous iterations. In addition, the proposed revisions will make it easier for teachers to advance their teaching certification, as required teaching experience can be earned in any subject area as opposed to the current rule which requires experience be in the educator's area of certification.

In addition, the proposed revisions will benefit teachers and educational leaders by allowing them to more easily obtain certain certifications. The proposed revisions will benefit nonpublic school teachers by allowing them to teach in public school without first obtaining a public school teaching certification, and by allowing them to obtain a mentor teacher ancillary certificate. Finally, the proposed revisions will benefit holders of family child care child development associate (CDA) credentials by allowing them to obtain an ancillary Early Childhood Certificate.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed revisions may increase the number of mentor teachers and Early Childhood Certificate holders, as these certifications will be more accessible to educators. The revisions may also increase the available labor pool of teachers, superintendents, and career and technical trade and industrial education (CTTIE) educators.

Beth Scioneaux
Deputy Superintendent
2112#040

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Environmental Quality
Office of the Secretary
Legal Affairs and Criminal Investigations Division**

2021 Annual Incorporation by Reference of
Certain Federal Air Quality Regulations
(LAC 33:III.505,507, 2160, 3003, 5116,
5122, 5311, and 5901)(AQ391ft)

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the

secretary gives notice that rulemaking procedures have been initiated to amend the Air regulations, LAC 33:III.505, 507, 2160, 3003, 5116, 5122, 5311, and 5901 (Log #AQ391ft).

This Rule is identical to federal regulations found in 40 CFR Part 51, Appendix M, Part 60, 61, 63, 68, 70.6(a), and 72, which are applicable in Louisiana. For more information regarding the federal requirement, contact Deidra Johnson at (225) 219-3985. No fiscal or economic impact will result from the Rule. This Rule will be promulgated in accordance with the procedures in R.S. 49:953(F)(3) and (4).

Louisiana Administrative Code (LAC), Title 33, Part III (Air) incorporates by reference (IBR) a number of federal regulations - 40 CFR Parts 60, 61, 63, 68, and 72 as well as 40 CFR 70.6(a) and 40 CFR 51, Appendix M - as they existed in the code of Federal Regulations (CFR) on July 1, 2020. Any exceptions and/or modifications to the IBR are explicitly prescribed in LAC 33:III. This Rule updates the date reference of the federal regulations incorporated to July 1, 2021.

In order for Louisiana's air quality regulations to remain equivalent to federal air quality regulations, certain regulations in the most current CFR (i.e., July 1, 2021) must be incorporated into LAC 33:III. This rulemaking is also necessary to maintain LDEQ's authority to implement, administer, and enforce standards delegated to Louisiana by the Environmental Protection Agency. The basis and rationale for this Rule are to incorporate by reference the aforementioned federal regulations as they apply to affected sources in Louisiana. This Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:953(G)(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

Title 33

ENVIRONMENTAL QUALITY

Part III. Air

Chapter 5. Permit Procedures

§505. Acid Rain Program Permitting Requirements

A. The Acid Rain Program regulations, published in the *Code of Federal Regulations* at 40 CFR part 72, July 1, 2021, are hereby incorporated by reference.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), LR 21:678 (July 1995), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2446 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2429, 2436 (October 2005), LR 32:1598 (September 2006), LR 33:2083 (October 2007), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:746 (April 2018), LR 46:893 (July 2020), LR 47:355 (March 2021). LR 48:

§507. Part 70 Operating Permits Program

A. - B.1. ...

2. No part 70 source may operate after the time that the owner or operator of such source is required to submit a permit application under Subsection C of this Section, unless an application has been submitted by the submittal deadline and such application provides information addressing all applicable sections of the application form and has been

certified as complete in accordance with LAC 33:III.517.B.1. No part 70 source may operate after the deadline provided for supplying additional information requested by the permitting authority under LAC 33:III.519, unless such additional information has been submitted within the time specified by the permitting authority. Permits issued to the part 70 source under this Section shall include the elements required by 40 CFR 70.6. The department hereby adopts and incorporates by reference the provisions of 40 CFR 70.6(a), July 1, 2021. Upon issuance of the permit, the part 70 source shall be operated in compliance with all terms and conditions of the permit. Noncompliance with any federally applicable term or condition of the permit shall constitute a violation of the Clean Air Act and shall be grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.

C. - J.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2011, 2023, 2024, and 2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 19:1420 (November 1993), LR 20:1375 (December 1994), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2447 (November 2000), LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 29:698 (May 2003), LR 30:1008 (May 2004), amended by the Office of Environmental Assessment, LR 31:1061 (May 2005), LR 31:1568 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2437 (October 2005), LR 32:808 (May 2006), LR 33:1619 (August 2007), LR 33:2083 (October 2007), LR 33:2630 (December 2007), LR 34:1391 (July 2008), LR 35:1107 (June 2009), LR 36:2272 (October 2010), LR 37:2990 (October 2011), LR 38:1229 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1276 (May 2013), LR 40:1334 (July 2014), LR 41:1274 (July 2015), LR 42:1085 (July 2016), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:746 (April 2018), LR 46:893 (July 2020), LR 47:355 (March 2021), LR 48:

Chapter 21. Control of Emission of Organic Compounds

Subchapter N. Method 43—Capture Efficiency Test Procedures

§2160. Procedures

A. Except as provided in Subsection C of this Section, the regulations at 40 CFR 51, appendix M, July 1, 2021, are hereby incorporated by reference.

B. - C.2.b.iv. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:653 (July 1991), amended LR 22:1212 (December 1996), LR 23:1680 (December 1997), LR 24:1286 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 27:1224 (August 2001), LR 29:698 (May 2003), LR 30:1009 (May 2004), amended by the Office of Environmental Assessment, LR 31:1568 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:809 (May 2006), LR 33:1620 (August 2007), LR 34:1391 (July 2008), LR 35:1107 (June 2009), LR 36:2272 (October 2010), LR 37:2990 (October 2011), LR 38:1230 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1277 (May 2013), LR 40:1334 (July 2014), LR 41:1274 (July 2015), LR 42:1085 (July 2016), amended by the Office of the

Secretary, Legal Affairs and Criminal Investigations Division, LR 44:747 (April 2018), LR 46:893 (July 2020), LR 47:356 (March 2021), LR 48:

Chapter 30. Standards of Performance for New Stationary Sources (NSPS)

Subchapter A. Incorporation by Reference

§3003. Incorporation by Reference of 40 Code of Federal Regulations (CFR) Part 60

A. Except for 40 CFR 60, subpart AAA, and as modified in this Section, standards of performance for new stationary sources, published in the *Code of Federal Regulations* at 40 CFR 60, July 1, 2021, are hereby incorporated by reference as they apply to the state of Louisiana.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 22:1212 (December 1996), amended LR 23:1681 (December 1997), LR 24:1287 (July 1998), LR 24:2238 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1239 (July 1999), LR 25:1797 (October 1999), LR 26:1607 (August 2000), LR 26:2460, 2608 (November 2000), LR 27:2229 (December 2001), LR 28:994 (May 2002), LR 28:2179 (October 2002), LR 29:316 (March 2003), LR 29:698 (May 2003), LR 30:1009 (May 2004), amended by the Office of Environmental Assessment, LR 31:1568 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2446 (October 2005), LR 32:809 (May 2006), LR 32:1596 (September 2006), LR 33:1620 (August 2007), LR 33:2092 (October 2007), LR 33:2626 (December 2007), LR 34:1391 (July 2008), LR 35:1107 (June 2009), LR 36:2273 (October 2010), LR 37:2990 (October 2011), LR 38:1230 (May 2012), amended by the Office of the Secretary, Legal Division, LR 38:2754 (November 2012), LR 39:1039 (April 2013), LR 39:1277 (May 2013), LR 40:1335 (July 2014), LR 40:2540 (December 2014), LR 41:1274 (July 2015), LR 42:1086 (July 2016), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:747 (April 2018), LR 46:894 (July 2020), LR 47:356 (March 2021), LR 48:

Chapter 51. Comprehensive Toxic Air Pollutant Emission Control Program

Subchapter B. Incorporation by Reference of 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants)

§5116. Incorporation by Reference of 40 CFR Part 61 (National Emission Standards for Hazardous Air Pollutants)

A. Except as modified in this Section and specified below, national emission standards for hazardous air pollutants, published in the *Code of Federal Regulations* at 40 CFR 61, July 1, 2021, and specifically listed in the following table, are hereby incorporated by reference as they apply to sources in the state of Louisiana.

* * *

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:61 (January 1997), amended LR 23:1658 (December 1997), LR 24:1278 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1464 (August 1999), LR 25:1797 (October 1999), LR 26:2271 (October 2000), LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:2179 (October

2002), LR 29:699 (May 2003), LR 30:1009 (May 2004), amended by the Office of Environmental Assessment, LR 31:1569 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2448 (October 2005), LR 32:809 (May 2006), LR 33:1620 (August 2007), LR 33:2094 (October 2007), LR 34:1391 (July 2008), LR 35:1108 (June 2009), LR 36:2273 (October 2010), LR 37:2990 (October 2011), LR 38:1230 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1277 (May 2013), LR 40:1335 (July 2014), LR 41:1274 (July 2015), LR 42:1086 (July 2016), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:747 (April 2018), LR 46:894 (July 2020), LR 47:356 (March 2021), LR 48:

Subchapter C. Incorporation by Reference of 40 CFR

Part 63 (National Emission Standards for Hazardous Air Pollutants for Source

Categories) as it Applies to Major Sources

§5122. Incorporation by Reference of 40 CFR Part 63

(National Emission Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Major Sources

A. Except as modified in this Section and specified below, national emission standards for hazardous air pollutants for source categories, published in the *Code of Federal Regulations* at 40 CFR 63, July 1, 2021, are hereby incorporated by reference as they apply to major sources in the state of Louisiana.

B. - C.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:61 (January 1997), amended LR 23:1659 (December 1997), LR 24:1278 (July 1998), LR 24:2240 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1464 (August 1999), LR 25:1798 (October 1999), LR 26:690 (April 2000), LR 26:2271 (October 2000), LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:2180 (October 2002), LR 29:699 (May 2003), LR 29:1474 (August 2003), LR 30:1010 (May 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2449 (October 2005), LR 31:3115 (December 2005), LR 32:810 (May 2006), LR 33:1620 (August 2007), LR 33:2095 (October 2007), LR 33:2627 (December 2007), LR 34:1392 (July 2008), LR 35:1108 (June 2009), LR 36:2273 (October 2010), LR 37:2991 (October 2011), LR 38:1231 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1278 (May 2013), LR 40:1335 (July 2014), LR 41:1275 (July 2015), LR 42:1086 (July 2016), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:748 (April 2018), LR 46:894 (July 2020), LR 47:357 (March 2021), LR 48:

Chapter 53. Area Sources of Toxic Air Pollutants

Subchapter B. Incorporation by Reference of 40 CFR

Part 63 (National Emission Standards for Hazardous Air Pollutants for Source

Categories) as it Applies to Area Sources

§5311. Incorporation by Reference of 40 CFR Part 63

(National Emission Standards for Hazardous Air Pollutants for Source Categories) as it Applies to Area Sources

A. Except as modified in this Section and specified below, national emission standards for hazardous air pollutants for source categories, published in the *Code of Federal Regulations* at 40 CFR 63, July 1, 2021, are hereby incorporated by reference as they apply to area sources in the state of Louisiana.

B. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 23:63 (January 1997), amended LR 23:1660 (December 1997), LR 24:1279 (July 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:1464 (August 1999), LR 27:2230 (December 2001), LR 28:995 (May 2002), LR 28:2180 (October 2002), LR 29:699 (May 2003), LR 30:1010 (May 2004), amended by the Office of Environmental Assessment, LR 31:1569 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2451 (October 2005), LR 32:810 (May 2006), LR 33:1620 (August 2007), LR 33:2096 (October 2007), LR 34:1392 (July 2008), LR 35:1108 (June 2009), LR 36:2274 (October 2010), LR 37:2991 (October 2011), LR 38:1231 (May 2012), amended by the Office of the Secretary, Legal Division, LR 38:2756 (November 2012), LR 39:1278 (May 2013), LR 40:1336 (July 2014), LR 41:1275 (July 2015), LR 42:1086 (July 2016), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:748 (April 2018), LR 46:894 (July 2020), LR 47:357 (March 2021), LR 48:

Chapter 59. Chemical Accident Prevention and Minimization of Consequences

Subchapter A. General Provisions

§5901. Incorporation by Reference of Federal Regulations

A. Except as provided in Subsection C of this Section, the department incorporates by reference 40 CFR 68, July 1, 2021.

B. - C.6. ...

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054 and 30:2063.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Radiation Protection, Air Quality Division, LR 20:421 (April 1994), amended LR 22:1124 (November 1996), repromulgated LR 22:1212 (December 1996), amended LR 24:652 (April 1998), LR 25:425 (March 1999), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:70 (January 2000), LR 26:2272 (October 2000), LR 28:463 (March 2002), LR 29:699 (May 2003), LR 30:1010 (May 2004), amended by the Office of Environmental Assessment, LR 30:2463 (November 2004), LR 31:1570 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 32:810 (May 2006), LR 33:1621 (August 2007), LR 34:1392 (July 2008), LR 35:1109 (June 2009), LR 36:2274 (October 2010), LR 37:2991 (October 2011), LR 38:1231 (May 2012), amended by the Office of the Secretary, Legal Division, LR 39:1278 (May 2013), LR 40:1336 (July 2014), LR 41:1275 (July 2015), LR 42:1087 (July 2016), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 44:748 (April 2018), LR 46:894 (July 2020), LR 47:357 (March 2021), LR 48:

Family Impact Statement

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

This Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This Rule has no known impact on small business as described in R.S. 49:978.1 - 978.8.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by AQ391ft. Such comments must be received no later than January 27, 2022, at 4:30 p.m., and should be sent to Deidra Johnson, Attorney Supervisor, Office of the Secretary, Legal Affairs and Criminal Investigations Division, P.O. Box 4302, Baton Rouge, LA 70821-4302 or to fax (225) 219-4068 or by e-mail to DEQ.Reg.Dev.Comments@la.gov. The comment period for this Rule ends on the same date as the public hearing. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of AQ391ft. This regulation is available on the Internet at www.deq.louisiana.gov/portal/tabid/1669/default.aspx.

Public Hearing

A public hearing will be held on January 27, 2022, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed regulations. Should individuals with a disability need an accommodation in order to participate, contact Deidra Johnson at the address given below or at (225) 219-3985. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Baratavia Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Courtney J. Burdette
General Counsel

2110#011

NOTICE OF INTENT

Office of the Governor Division of Administration Racing Commission

Wagering on Historical Horse Racing
(LAC 35:XVII.Chapter 131)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 4:148, notice is hereby given that the Racing Commission proposes to adopt LAC 35:XVII.Chapter 131. This action has been deemed necessary by the Racing Commission to prevent imminent peril to the public health, safety, and welfare by providing the initial administrative rules regulating historical horse racing in fulfillment of the Legislature's mandate to the Racing Commission "to encourage forceful and honest statewide control of horse racing for the public health, safety, and welfare by

safeguarding the people of this state against corrupt, incompetent, dishonest and unprincipled horse racing practices" and "[t]o institute and maintain a program to encourage and permit development of the business of horse racing with pari-mutuel wagering thereon on a higher plane." R.S. 4:141(A) and (A)(1).

All in fulfillment of the Legislature's mandate for the Racing Commission to "institute and maintain a regulatory program for the business of racing horses, which program assures the protection of public health, safety and welfare, vesting with the commission forceful statewide control of horse racing with full powers to prescribe rules and regulations and conditions under which all horse racing is conducted with wagering upon the result thereof with the state." R.S. 4:141(A)(3).

The proposed rules implement the initial administrative rules for conducting, application, licensing, enforcement, and regulation for wagering on historical horse racing in accordance with the provisions established in Act 437 of the 2021 Regular Session of the Louisiana Legislature, which established historical horse racing in the state of Louisiana.

Title 35

HORSE RACING

Part XVII. Historical Horse Racing

Chapter 131. Wagering on Historical Horse Racing

§13101. Pari-Mutuel System of Wagering Required for Historical Horse Racing

A. The only wagering permitted for historical horse racing shall be under the pari-mutuel system of wagering. All systems of wagering other than pari-mutuel shall be prohibited for historical horse racing. Any person participating or attempting to participate in prohibited wagering shall be ejected and excluded from association grounds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13103. Definitions

A. The following words and terms shall have the following meanings when used in this Chapter, unless the context clearly indicates otherwise:

Applicant—a duly licensed association who has submitted an application to obtain a license to offer pari-mutuel wagering on historical horse racing from the commission.

Commission—the Louisiana State Racing Commission.

Historical Horse Race—a form of horse racing that creates pari-mutuel pools from wagers placed on previously conducted horse races and is hosted at an authorized facility, including:

- a. Any horse race whether running or harness, that was previously conducted at a licensed pari-mutuel facility;
- b. Concluded with official results; and
- c. Concluded without scratches, disqualifications, or dead-heat finishes.

Historical Horse Racing—an electronic wagering system used to create and sell pari-mutuel pools from wagers placed on historic horse races, or the otherwise offer pari-mutuel wagers on such races.

Independent Testing Laboratory—a laboratory with a national reputation for honesty, independence, and

timeliness that is demonstrably competent and qualified to scientifically test and evaluate devices for compliance with this chapter and to otherwise perform the functions assigned to it by this chapter. An independent testing laboratory shall not be owned or controlled by a licensee, the state, or any manufacturer, supplier, or operator of historical horse racing terminals.

Integrity Auditor—a company that conducts periodic and regular tests on the validity of pari-mutuel wagering, deductions, and payouts for the applicable historical horse racing event, including the legitimacy of the event itself, and tests that the order of finish of the race selected in the wager is valid, match to the order of finish that occurred empirically, and that all runners that were listed as entered into the race for the purposes of the wager, legitimately ran in the race.

Key Person License—a license issued to a key person of an operator licensed by the commission.

Key Person—any of the following entities:

a. an officer, director, trustee, partner, or proprietor of a duly licensed association and/or person that has applied for or holds an operator, management company, or wagering vendor license or an affiliate or holding company that has control of a person that has applied for or holds any such license;

b. a person that holds a combined direct, indirect, or attributed debt or equity interest of more than 5 percent in a person that has applied for or holds an operator, management company, or wagering vendor license;

c. a person that holds a combined direct, indirect, or attributed equity interest of more than 5 percent in a person that has a controlling interest in a person that has applied for or holds an operator, management company, or wagering vendor license;

d. a managerial employee of a person that has applied for or holds an operator, management company, or wagering vendor license in this state, or a managerial employee of an affiliate or holding company that has control of a person that has applied for or holds an operator, management company, or wagering vendor license in this state, who performs the function of principal executive officer, principal operating officer, principal accounting officer, or an equivalent officer;

e. a managerial employee of a person that has applied for or holds an operator, management company, or wagering vendor license, or a managerial employee of an affiliate or holding company that has control of a person that has applied for or holds an operator, management company, or wagering vendor license, who will perform or performs the function of historical horse racing operations manager, or will exercise or exercises management, supervisory, or policy-making authority over the proposed or existing historical horse racing wagering operation, or supplier business operations in this state and who is not otherwise subject to occupational licensing in this state;

f. any individual or business entity so designated by the commission or executive director; and

g. an institutional investor is not a key person unless the institution has a controlling interest or fails to meet the standards for waiver of eligibility and suitability requirements for qualification and licensure under the *Rules of Racing*.

Licensee—any entity holding an owner's or operator's license under R.S. 4:149, and/or offtrack wagering facility, pursuant to R.S. 4:213 who is granted a license by the commission under this chapter to conduct pari-mutuel wagering on historical horse racing.

Logic Area—a separately locked cabinet area with its own monitored, locked door or other monitored, locked covering that houses electronic components that have the potential to significantly influence the operation of the terminal.

Management Company—an organization retained by an association to manage the conducting of historical horse racing and provide services such as accounting, general administration, maintenance, recruitment, and other operational services.

Operator—a person or entity licensed pursuant to R.S. 4:141 et seq. to operate historical horse racing terminals in a location approved by the commission.

Takeout—the amount a historical horse racing licensee is authorized to withhold from a pari-mutuel wager. Takeout is also known as a commission.

Terminal—any self-service totalizator machine or other mechanical or electronic equipment used by a patron to place a pari-mutuel wager on a historical horse race, including hardware, software, communications equipment, and electronic devices that accepts and processes the cashing of wagers, calculates the odds or payouts of the wagers, and records, displays, and stores pari-mutuel wagering information.

Wagering Facility—the area approved by the commission where historical horse racing is allowed to be operated.

Wagering Vendor—a person who is licensed by the commission to manufacture, fabricate, assemble, produce, program, refurbish, or make modifications to any critical component of a historical horse racing system, or associated program storage device for sale, lease, distribution, use or play by an operator in the State of Louisiana, or any supplier of goods or services the commission deems critical to the operation or integrity of a historical horse racing system.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13105. General Provisions

A. The commission may waive or grant a variance from the provisions of these regulations, if the commission determines that the waiver or variance is in the best interests of the public, is impractical, or overly burdensome. Any waiver or variance granted pursuant to this section constitutes an order of the commission pertaining to historical horse racing, violation of which subjects a licensee to discipline.

B. In granting any variance authorized by this section, the commission may impose certain conditions and restrictions with which the licensee must comply to accept and use the variance. Failure to meet the conditions or restrictions contained in the variance will immediately render the variance void, and the licensee may be subject to discipline in the same manner as if the variance had never been issued.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13107. Records Retention

A. All operator, management company, or wagering vendor licensees shall maintain, in a place secure from theft, loss, or destruction, adequate records of its business and accounting operations. The licensees shall make the records available to the commission or its agents, upon request, within a reasonable time prescribed by a subpoena duces tecum or by written request of the commission or its agents. The licensees shall hold the records for not less than five years. The records shall include, but not be limited to, all of the following:

1. all correspondence with, or reports to, the commission or any local, state, or federal governmental agency regarding the operation of an historical horse racing facility;
2. all correspondence concerning the acquisition, construction, maintenance, or business of a proposed or existing historical horse racing or support facility;
3. a personnel file on each employee;
4. notwithstanding Subsection A of this Section, a licensed operator shall hold copies of all promotional and advertising material, records, or complimentary distributions for at least one year, unless otherwise requested by the commission;
5. an operator licensee shall keep and maintain accurate, complete, legible, and permanent records of any books, records, or documents pertaining to, prepared in, or generated by, the historical horse racing wagering operation, as described in its internal controls, as approved by the commission; and
6. an operator shall organize, and index all required records in a manner that enables the commission to locate, inspect, review, and analyze the records with reasonable ease and efficiency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13109. Duties of the Commission

A. The commission shall enact such policies and procedures to implement the following responsibilities:

1. license and regulate operators for the operation of historical horse racing wagering systems authorized pursuant to R.S. 4:141 et seq., including adopting, promulgating, and enforcing rules and regulations governing historical horse racing wagering consistent with R.S. 4:141 et seq.;
2. regulate the operation of historical horse racing wagering in order to prevent and eliminate corrupt practices and fraudulent behavior, and thereby promote integrity, security, and honest administration in, and accurate accounting of, the operation of historical horse racing wagering operations which are subject to R.S. 4:141 et seq.;
3. establish criteria to license applicants for operator licenses and all other types of licenses for other positions and functions incident to the operation of historical horse racing wagering, including adopting, promulgating, and enforcing rules, regulations, and eligibility standards, or waiving such criteria in limited circumstances as provided for in the *Rules of Racing*, for such operator licenses, management company licenses, vendor licenses, key person licenses and other occupational licenses, positions, and

functions incident to the operation of historical horse racing wagering;

4. charge fees for applications for licenses, to include the cost of conducting background investigations, and for the issuance of operator licenses, management company licenses, vendor licenses, key person licenses and other occupational licenses and all other types of licenses to successful applicants which will be payable to the commission;

5. charge fees to operators in an amount necessary to compensate the commission for the cost of oversight and regulatory services to be provided, which will be payable to the commission;

6. grant, deny, revoke, and suspend operator licenses and all other types of licenses based upon reasonable criteria and procedures established by the commission to facilitate the integrity, productivity, and lawful conduct of historical horse racing within the State of Louisiana;

7. to investigate the suitability of applicants for operator licenses and all other types of licenses;

8. to determine the priority and eligibility of any applicant for a license and to select among competing applicants for a license, the applicant who or which best serves the interests of the residents of Louisiana;

9. to administer oaths and affirmations to the witnesses, when, in the opinion of the commission, it is necessary to enforce the provisions of R.S. 4:141 et seq. or the *Rules of Racing*;

10. to adopt technical standards governing the design, operation and control of historical horse racing equipment;

11. inspect the operation of any operator conducting historical horse racing wagering for the purpose of certifying the revenue thereof and receiving complaints from the public;

12. to approve the hours of operation for each historical horse racing facility. Change to such hours of operation may be made by the operator for extenuating circumstances with notice to the Commission stating the reasons for the change;

13. to audit or cause audit of historical horse racing wagering operations, including those that have ceased operation;

14. issue subpoenas for the attendance of witnesses or the production of any records, books, memoranda, documents, papers, videos, pictures, electronic media, or other things at or prior to any hearing as is necessary to enable the commission to effectively discharge its duties;

15. executive director oaths or affirmations as necessary to carry out R.S. 4:141 et seq.;

16. have the authority to impose, subject to judicial review, administrative fines not to exceed \$25,000 for each violation of R.S. 4:141 et seq. or any *Rules of Racing* adopted and promulgated pursuant to R.S. 4:141 et seq.;

17. to receive and investigate complaints from patrons concerning the conduct of historical horse racing;

18. to inspect, test and approve historical horse racing systems and related equipment proposed for use or placed in use in historical horse racing facilities;

19. to approve locations for the storage and servicing of historical horse racing systems and related equipment;

20. to require that a historical horse racing facility make devices and equipment available for examination and inspection;

21. establish procedures for the governance of the commission;

22. acquire necessary offices, and to employ the services of persons the commission considers necessary for the purposes of consultation or investigation, and fix the salaries of, or contract for the services of, legal, accounting, technical, operational, and other personnel and consultants;

23. to secure, by agreement, information and services as the commission considers necessary from any other unit of government;

24. maintain the excluded persons database in accordance with the provisions of the *Rules of Racing*;

25. establish and enforce minimum internal controls for the operation of historical horse racing wagering and by which each operator will develop their own internal controls;

26. establish procedures for an applicant for a staff position to disclose conflicts of interest as part of the application for employment;

27. to determine any facts or any conditions, practices, or other matters as the commission considers necessary or proper to aid in the enforcement of R.S. 4:141 et seq.; and

28. do all things necessary and proper to carry out its powers and duties under R.S. 4:141 et seq., including the adoption and promulgation of rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13111. Wagering on Historical Horse Races Authorized

A. Wagering on historical horse races is hereby authorized and may be conducted in accordance with R.S. 4:149 and 4:213.

B. Wagering on historical horse races shall only be conducted by associations licensed to operate a pari-mutuel facility, pursuant to R.S. 4:149, and/or by offtrack wagering facilities, pursuant to R.S. 4:213.

C. The commission may create classifications of licenses and establish a fee structure for license categories. Applicants for each category of license must apply on forms approved by the commission to be accompanied by the corresponding license application fee. All application fees are non-refundable.

D. An application for a license under R.S. 4:141 et seq. and this Chapter is a request by the applicant seeking a revocable privilege. A license may be granted by the commission if the applicant meets the licensing requirements of the act and these rules. The commission may require holders of a current pari-mutuel wagering facility license to complete an updated application form and undergo additional background screening prior to being authorized to conduct historical horse racing. The commission may issue new licenses to such existing license holders to include the conditions and licensing requirements contained in this Chapter.

E. An applicant for a license under R.S. 4:141 et seq. and this Chapter shall, at all times, have the burden of demonstrating to the commission, by clear and convincing evidence, that the applicant is eligible, qualified, and suitable to be granted and retain the license for which application is made under the applicable licensing standards and requirements of R.S. 4:141 et seq. and the *Rules of Racing*.

F. A license issued by the commission under R.S. 4:141 et seq. or this Chapter is a revocable privilege granted by the

commission. A person who holds a license does not acquire, and shall not be deemed to acquire, a vested property right or other right, in the license.

G. Applicants for any license issued by the commission under the provisions of this Chapter must pay all fees and assessments prescribed either by law or the *Rules of Racing* in the manner and at the time prescribed by law and/or the *Rules of Racing*. Application fees and applicable assessments for all historical horse racing wagering licenses and must be paid by the applicant at the time that an application is filed with the commission. None of the licenses listed in this Chapter may be transferred or assigned.

H. The commission may refuse to take final action on any application if all license regulation, investigation, and fingerprint fees have not been paid in full. The commission may deny the application if the applicant refuses or fails to pay all such fees. Additionally, an applicant who has refused or failed to pay the required costs will not be eligible to file any other application with the commission until all such fees are paid in full. Neither the license fee or regulation fees nor any other fee is refundable.

I. Materials, or portions of materials, submitted under R.S. 4:141 et seq. or these rules may be identified as confidential by a licensee, an applicant for a license, or any other person. If the materials are exempt from disclosure by statute, the materials shall not be disclosed by the commission, except to other jurisdictions or law enforcement agencies as provided in R.S. 4:141 et seq.

J. An applicant or licensee shall accept any risk of adverse publicity, public notice, notoriety, embarrassment, criticism, financial loss, or other unfavorable or harmful consequences that may occur in connection with, or as a result of, the application and licensing process or the public disclosure of information submitted to the commission with a license application or at the commission's request under R.S. 4:141 et seq. and the *Rules of Racing*.

K. Licensees have a continuing obligation to demonstrate suitability to hold a license by complying with R.S. 4:141 et seq., the *Rules of Racing*, and all federal, state, and local laws relating to the suitability of the licensee. The commission may reopen the investigation of a licensee at any time. The licensee shall be assessed fees, if any, to cover the additional costs of the investigation.

L. An applicant or licensee may claim any privilege afforded by the Constitution or laws of the United States or of the State of Louisiana in refusing to answer questions or provide information requested by the commission. However, a claim of privilege with respect to any testimony or evidence pertaining to the eligibility, qualifications, or suitability of an applicant or licensee to be granted or hold a license under R.S. 4:141 et seq. and the *Rules of Racing* may constitute cause for denial, suspension, revocation or restriction of the license.

M. An applicant and licensee shall have a continuing duty to do all of the following:

1. promptly notify the commission in writing within 10 business days of a material change in the information submitted in the license application submitted by the applicant or licensee or a change in circumstance, that may render the applicant or licensee ineligible, unqualified, or

unsuitable to hold the license under the licensing standards and requirements of the act and these rules; and

2. provide any information requested by the commission relating to licensing or regulation, cooperate with the commission in investigations, hearings, and enforcement and disciplinary actions within the period of time requested by the commission, and comply with all conditions, restrictions, requirements, orders, and rulings of the commission in accordance with R.S. 4:141 et seq. and the *Rules of Racing*.

N. The following persons are required to hold an occupational license:

1. a person employed by an association or management company and whose duties are directly related to the conduct of historical horse racing;

2. all security personnel;

3. employees whose duties are performed off the wagering facility and whose duties include the handling of money or performing accounting and auditing functions that involve money obtained as a result of historical horse racing;

a. An occupational license level one is the highest level of occupational license. An occupational licensee may perform any activity included within the occupational licensee's level of occupational license or any lower level of occupational license.

b. An employee of an association or management company who does not hold an occupational license shall not perform any duties relating to the conduct of historical horse racing at any time.

c. A person under 18 years of age shall not hold an occupational license of any level. Applicants for occupational license level one must be at least 21 years of age.

d. An application for an occupational license shall not be processed by the commission unless the applicant has an agreement or a statement of intent hire with an association or management company licensee or applicant, documenting that the applicant will be employed upon receiving the appropriate occupational license.

e. Employees of an authorized gaming operator who perform the following functions, regardless of title, shall obtain an occupational license level one:

- i. audit director;
- ii. chief regulatory compliance officer;
- iii. information technology director and managers;
- iv. security director;
- v. surveillance director;
- vi. chief financial officer or controller, or both;
- vii. historical racing operations director;
- viii. general manager;
- ix. assistant general manager; or
- x. any other employee of an authorized gaming operator whom the commission deems necessary, to ensure compliance with R.S. 4:141 et seq. and the *Rules of Racing*, to hold an occupational license level one.

f. A person holding a level one license employed by an association or management company may not be employed concurrently by a wagering vendor, except that a person holding a level one license may be employed by a licensed management company that is also licensed as a wagering vendor.

4. employees of an association who perform the following functions, regardless of title, shall obtain an occupational license level two:

a. security personnel and surveillance personnel;

b. any employee of an association whose duties are performed are directly related to the conducting of historical horse racing;

c. any employee of an association whose duties include accounting and auditing functions and whose duties relate to money obtained as a result of historical horse racing; and

d. any other employee of an association whom the commission deems necessary, to ensure compliance with R.S. 4:141 et seq. and the *Rules of Racing*, to hold an occupational license level two;

5. the term of all occupational license levels is three years and requires an initial license application fee to be determined by the commission and an annual license fee.

O. Applicants for a historical horse racing wagering license, an occupational license, and applicants for renewals of such licenses shall comply with the following procedures:

1. Every application for a license category authorized by the commission must be submitted on forms supplied or approved by the commission and must contain such information and documents as required for such license category.

2. The applicant must file with the application all required supplemental forms.

3. Upon request of the commission, the applicant must further supplement any information provided in the application. The applicant must provide all requested documents, records, supporting data, and other information within the time period specified in the request. If the applicant fails to provide the requested information within the required time period as set forth in the request or the *Rules of Racing*, the commission may deny the application unless good cause is shown.

4. All information required to be included in an application must be true and complete as of the date of commission action sought by the applicant. If there is any change in the information contained in the application, the applicant must file a written amendment within 30 days of the change of information in accordance with the *Rules of Racing*.

5. The application and any amendments must be sworn to or affirmed by the applicant. If any document is signed by an attorney for the applicant, the signature must certify that the attorney has read the document and that, to the best of the attorney's knowledge, information and belief, based on diligent inquiry, the contents of the documents supplied are true.

6. The applicant must cooperate fully with the commission with respect to the background investigation of the applicant, including, upon request, making available any and all of its books and records for inspection. The commission will examine the background, personal history, financial associations, character, record, and reputation of the applicant to the extent the commission determines.

7. The commission will automatically deny the application of any applicant that refuses to submit to a background investigation as required pursuant to R.S. 4:141 et seq. and the *Rules of Racing*.

8. Neither the state, the commission, any agency with which the commission contracts to conduct background investigations, nor the employees of any of the foregoing, may be held liable for any inaccurate information obtained through such an investigation.

P. In addition to specific conditions imposed in any license issued by the commission under these rules, any license issued by the commission for the operation of historical horse racing wagering is subject to the following conditions.

1. With respect to a historical horse racing wagering operator's license, the licensed operator will at all times make its wagering facility available for inspection by the commission or their authorized representatives with or without prior announcement. Additionally, the licensed operator understands that a commission agent is authorized to be present anywhere within the wagering facility each day any time during operation of historical horse racing wagering, and whenever else deemed appropriate by the director of enforcement.

2. The operator licensee consents to the examination of all accounts, bank accounts, and records of, or under the control of the operator licensee, or any entity in which the operator licensee has a direct or indirect controlling interest. Upon request of the commission or its authorized representative, the operator licensee must authorize all third parties in possession or control of the requested documents to allow the commission or commission agents to examine such documents.

3. The operator licensee will observe and enforce all rules, regulations, decisions, and orders issued by the commission. The operator's license is granted on the condition that the operator licensee, management, and its employees will obey all decisions and orders of the commission. Each operator licensee will have a continuing duty to report to the commission enforcement division any violation of the *Rules of Racing* or applicable laws of the State of Louisiana by the operator licensee, management, and its employees. Failure to report violations will result in disciplinary action against the operator licensee. The licensee is required to notify the commission in writing within 30 days of the violation.

Q. The commission may refuse to issue an operator licensee or deny any operator licensee application on any grounds deemed reasonable by the commission. Without limiting the foregoing, the commission may deny the application on any of the following grounds:

1. evidence of an applicant submitting an untrue or misleading statement of material fact, or willful omission of any material fact, in any application, statement, or notice filed with the commission, made in connection with any investigation, including the background investigation, or otherwise made to the commission or its staff;

2. conviction of any felony in any jurisdiction by key persons of the applicant or by the applicant which may affect the applicant's ability to properly perform his or her duties or reflect unfavorably on the integrity of a historical horse racing wagering facility;

3. conviction of any gambling offense in any jurisdiction by key persons or by the applicant;

4. entry of any civil or administrative judgment against the applicant or its key persons that is based, in

whole or in part, on conduct that allegedly constituted a felony crime in the state or other jurisdiction in which the conduct occurred that may affect the applicant's ability to properly perform his or her duties or reflect unfavorably on the integrity of a historical horse racing wagering facility, or involved a gambling violation(s);

5. association by the applicant, applicant's spouse or members of applicant's immediate household with persons or businesses of known criminal background or persons of disreputable character that may adversely affect the general credibility, security, integrity, honesty, fairness or reputation of the historical horse racing wagering industry;

6. any aspect of the applicant's or any key person's past conduct, character, or behavior that the commission determines would adversely affect the credibility, security, integrity, honesty, fairness or reputation of the proposed historical horse racing wagering activity;

7. failure of the applicant or its key persons to demonstrate adequate business ability and experience to establish, operate, and maintain the business for the type of activity for which application is made;

8. failure to demonstrate adequate financing for the operation proposed in the application;

9. failure to satisfy any requirement for application or to timely respond to any request by the commission for additional information;

10. permanent suspension, revocation, denial or other limiting action on any license related to historical horse racing wagering issued by any jurisdiction; and

11. approval of the application would otherwise be contrary to Louisiana law or public policy.

R. The commission, in the same manner and in accordance with the Louisiana Administrative Procedures Act, will provide the applicant with written notice of the denial, and the applicant shall have the opportunity to appeal the commission decision in conformity with R.S. 4:214(J).

S. The commission may issue a provisional license to any applicant who provides the required fingerprint cards, photographs, completed application, and intent to employ statement. Provisional licenses may be valid for a period established by the commission but shall not be more than 90 days and is subject to the license conditions enumerated in the commission's authorization of the provisional license.

1. The commission may extend the duration of provisional licenses in 30-day increments if the licensing process has not been completed.

T. Wagering on historical horse races shall only be permitted in the designated area on the licensed premises of the pari-mutuel facility and/or offtrack wagering facility. Wagering on historical horse races shall not be offered in any other location.

U. Reserved

V. An applicant for a license to offer pari-mutuel wagering on historical horse racing shall submit a plan of operation that includes:

1. the number of terminals to be operated at the facility, broken down by terminal provider, make, and model;

2. a detailed description of the proposed area designated for the sale of pari-mutuel pool, and the placement of terminals within the area, including a drawn-to-scale architectural rendering that describes:

- a. the size, construction, and capacity of the area;
- b. the number and location of each terminal; and
- c. the location of surveillance and other security equipment.

3. a description of the type of data processing, communication, totalizer and transmission equipment to be utilized;

4. a networking diagram detailing the manner in which the machines will be networked with the wagering servers and back office systems;

5. an IT security plan detailing the logical security measures for the wagering system;

6. the type, number and denominations of pari-mutuel wagers to be offered;

7. the terminal provider, make, and model of each terminal, including a copy of all literature supplied by the manufacturer of the terminal;

8. the maintenance and repair procedures that will ensure the integrity of the terminals;

9. detailed information on the wager types, including breakage, to be offered by the applicant, including information demonstrating compliance with the requirements of this Chapter;

10. wager specification documentation, which shall include the rules for the mathematical models, methodology of calculating payouts of the pools, configuration of pools, how money is allocated to or from the pools (including seed pool(s) as applicable, and pool payout methodology. As used herein, a seed pool refers to a pool of money that is used to ensure that all patrons are paid the minimum payout on winning wagers.

W. Before offering wagering on historical horse races, an association shall first obtain the commission's written approval of all wagers offered as set forth in LAC 35:XIII.10703, LAC 35:XIII.10901, LAC 35:XIII.11105, LAC 35:XIII.11201, LAC 35:XIII.11507, LAC 35:XIII.11607, LAC 35:XIII.11701, and LAC 35:XIII.11801 or other accepted pari-mutuel wager type as approved by the commission.

X. A license for conducting pari-mutuel wagering on historical horse racing shall run concurrent with the association's license to conduct horse racing and/or operate offtrack wagering facilities. A licensee may not transfer its license, or assign responsibility for compliance with the conditions of its license, to any party, including, without limitation, a transfer of effective control of the licensee, without commission approval.

Y. Failure to comply with requirements in R.S. 4:149, and/or offtrack wagering facility requirements pursuant to R.S. 4:213 and the *Rules of Racing* may result in suspension or revocation of the license for conducting pari-mutuel wagering at the discretion of the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13113. Operational Requirements for the Conduct of Historical Horse Racing

A. An association may conduct wagering on historical horse races of any horse breed regardless of the type of breed that primarily races in live meets conducted by the association. An association may conduct wagering on historical horse races on any days and hours approved by the

commission, and shall not be limited to times during which the association is conducting a live horse race meeting.

B. A mutuel wager on historical horse races may be placed only from a physical facility of a licensee.

C. A mutuel wager on historical horse racing may not be placed using a mobile device unless the system communicating with the mobile device to place the wager is fully controlled and operated by the licensed facility at which the wager is placed. For the purposes of this Section, "fully controlled and operated" means the licensed facility develops, owns, leases, acquires a license for, or otherwise contracts for services to operate and control a mobile historical horse racing wagering system.

D. No licensee may accept a mutuel wager on historical horse racing if the wager is placed via a mobile phone or other personal electronic device, unless the network infrastructure and all pari-mutuel wagering software complies with the relevant technical requirements within these rules.

E. Nothing in this Section independently authorizes wagering or facilitation of wagering on historical horse racing outside of the licensed pari-mutuel wagering operation.

F. Any historical horse racing solution that relies on wireless networked communications, including all mobile historical horse racing systems, shall annually conduct a system integrity and security risk assessment performed by an independent information technology security professional approved by the commission. The system integrity and security risk assessment shall be conducted no later than 90 days after commencing operations and annually thereafter. The scope of the pari-mutuel wagering system integrity and security assessment is subject to the approval of the commission and must include:

1. a vulnerability assessment of digital platforms, mobile applications, internal, external, and wireless networks with the intent of identifying vulnerabilities of all devices, the historical horse racing system, and applications transferring, storing, and/or processing personal identifying information or other sensitive information connected to or present on the networks;

2. a penetration test of all digital platforms, mobile applications, and internal, external, and wireless networks to confirm devices, the historical horse racing wagering systems, and applications are not susceptible to compromise;

3. a review of the firewall rules to verify the operating condition of the firewall and the effectiveness of its security configuration and rule sets that must be performed on all perimeter and internal firewalls;

4. a technical security control assessment against the commission's technical requirements for security and with generally accepted professional standards;

5. an evaluation of information security services, cloud services, payment services, financial institutions, payment processors, location services, and any other services that may be offered directly by the licensee or involve the use of third parties; and

6. at the discretion of the executive director, any additional assessments or specific testing criteria which may be required by internal control procedures.

G. all wagers offered on historical horse races shall incorporate the following elements:

1. a patron may only wager on historical horse races on a terminal approved by the commission;

2. for each different type of exotic wager on historical horse races offered by an association, the association shall at all times maintain at least two terminals offering each such exotic wager;

3. once a patron deposits an amount in the terminal offering wagering on historical horse races, one or more historical horse races shall be made available for wagering as set forth in the wagering specification rules;

4. prior to the patron making his or her wager selections, the terminal shall not display any information that would allow the patron to identify the historical horse race or races on which he or she is wagering, including the location of the race or races, the date on which the race or races was run, the names of the horses in the race or races, or the names of the jockeys that rode the horses in the race or races;

5. the terminal shall make available true and accurate past performance information on the historical horse race to the patron prior to making his or her wager selections. The information shall be current as of the day the historical horse race was actually run. The information provided to the patron shall be displayed on the terminal in data or graphical form; and

6. after a patron finalizes his or her wager selections, the terminal shall display the patron's successful selections, the official results of each race, and a replay of the race or races, or a portion thereof, whether by digital or animated depiction or by way of a video recording. The identity of each race shall be revealed to the patron after the patron has placed his or her wager.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13115. Historical Horse Race Specification and Selection Requirements

A. The outcome of any historical horse race wager shall be derived from the result of one or more historical horse races.

B. All historical horse races must be chosen at random from a database of actual historical horse races. All races in the database shall have a valid historical horse race result with details recorded at the same level as other races in the database, and shall include:

1. race location;
2. race date; and
3. finishing order.

C. If available and provided for in the recorded race data, other information such as horse name and jockey name or associated identifiers may be included in the race database.

D. In the case where a random process is used to select the historical horse races for a wager, all possible races in the database shall be available for selection.

E. Each terminal shall:

1. be tested by an independent testing laboratory, selected by the commission, and found to be in compliance with all applicable technical standards. Any modifications made to the terminal or software shall require re-testing;

2. provide race information that is current as of the day the horse race was actually run;

3. allow any patron that is handicapping to exit the selection and not continue with a given race set;

4. display the information provided to the patron in graphic form which is discernable to the bettor;

5. not be in the nature of a slot machine. A terminal shall not be considered to be in the nature of a slot machine when it precludes the use of random elements to determine the outcome of a wager other than the selection of a race or races from a database of races, when all wagers and prizes are pari-mutuel in nature, and when it does not include any interest of the licensee.

F. Prior to the patron making his or her wager selections, the terminal shall:

1. make true and accurate past performance information available on each historical horse race; and

2. not display any information that would allow the patron to identify the historical horse race on which the patron is wagering, including:

- a. the location of the race;
- b. the date on which the race was run;
- c. the names of the horses in the race; or
- d. the names of the jockeys who rode the horses in the race.

G. After the results of a patron's wager are determined, the terminal shall display:

1. the patron's selections;
2. the identity and official results of each race; and
3. a replay of the race or races, or a portion thereof, whether by digital, animated, or graphical depiction or by way of a video recording.

H. The video display required by Paragraph 3 of Subsection F of this Section shall be of a size and quality that allows the player to reasonably view and determine the outcome of the horse race or races.

I. In addition to the requirement of Paragraph 2 of Subsection F of this Section, the terminal may also display the wager and its outcome as part of an entertaining display, provided the underlying wager and outcome functions according to the pari-mutuel wagering pool specifications provided by the historical horse racing licensee to the commission.

J. Approximate odds or payouts for each wagering pool shall be posted, or made available, on each terminal for viewing by patrons.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13117. Payouts through Pari-Mutuel Pools Authorized

A. A wager on a historical horse race or races, less deductions permitted by R.S. 4:216(E), shall be placed in pari-mutuel pools approved by the commission.

B. A payout to a winning patron shall be paid from money wagered by patrons and shall not constitute a wager against the association.

C. An association conducting wagering on historical horse races shall not conduct wagering in such a manner that patrons are wagering against the association, or in such a manner that the amount retained by the association as a commission is dependent upon the outcome of any particular race or the success of any particular wager.

D. An association offering wagering on historical horse races shall operate a pari-mutuel pool or pools in a manner and method approved by the commission. An association offering wagering on historical horse races may operate a player-funded pool or pools in a manner and method approved by the commission for the purpose of ensuring that sufficient funds are at all times available to pay any winning wagers in situations where a pari-mutuel pool becomes a minus pool. For each wager made, an association may assign a percentage of the wager to a player-funded pool or pools.

E. If an association chooses to make a deposit into a trust account or seed pool for the purpose of ensuring that sufficient funds are at all times available to pay any winning wagers in situations where a pari-mutuel pool becomes a minus pool, then such trust account must be approved by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13119. Minors Prohibited from Wagering on Historical Horse Races

A. A minor shall not be permitted by any licensed association to purchase or cash a pari-mutuel ticket on historical horse races.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13121. Responsible Play

A. A licensee shall implement a program to promote responsible play of historical horse racing by its patrons and provide details of the same to the commission. At a minimum, such program shall require:

1. posting in a conspicuous place in every facility where pari-mutuel wagering on historical horse racing is conducted a sign that bears a toll-free number for an approved organization that provides assistance to problem gamblers;

2. providing informational leaflets or other similar materials at the licensee's facilities on the dangers associated with problem gambling;

3. including in the licensee's promotional and marketing materials information on problem gambling and organizations that provide assistance to problem gamblers;

4. providing patrons expressing concern with a gambling problem with information on organizations that provide assistance to problem gamblers; and

5. ensuring that any request by a patron who wishes to self-exclude from the licensee's facilities is honored by the licensee.

B. A licensee shall report annually to the commission and make a copy available to the public on its efforts to meet Subsection A of this Section, its efforts to identify problem gamblers, and steps taken to:

1. prevent such individuals from continuing to engage in pari-mutuel wagering on historical horse racing; and

2. provide assistance to these individuals to address problem gambling activity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13123. Totalizator or Other Approved Equipment Required

A. Pari-mutuel wagering on historical horse races shall only be conducted through the use of a totalizator or other similar mechanical or electrical equipment.

B. The totalizator or other mechanical or electrical equipment shall be available for testing under the supervision of the commission upon request by the commission to ensure its proper working order.

C. Wagering on historical horse races shall be offered on terminals that include a cabinet in which the electronics and other operating components are located. All terminals and other equipment shall be subject to inspection by the commission.

D. The terminal cabinet and electronics shall:

1. protect against electrostatic interference by being grounded so that static discharge energy shall not permanently damage or inhibit the normal operation of the electronics or other components within the wagering terminal. In the event that a temporary disruption of the normal operation of a wagering terminal occurs as a result of an electrostatic discharge, the wagering terminal shall have the capacity to recover and complete any interrupted wager without loss or corruption of any control or critical data information. Each terminal shall be tested to a maximum discharge severity level of 27 kilovolt air discharge;

2. not be adversely affected, other than during resets, by surges or dips of up to 20 percent of the supply voltage. If a wagering terminal is designed such that a surge or dip of up to 20 percent of the supply voltage causes a reset, the terminal shall also be designed so that a surge or dip shall not result in damage to the equipment or loss or corruption of data. Upon reset, the wager play shall return to its previous state or return to a wager completion state, provided the wagering history and all credit and accounting meters comprehend a completed wager play;

3. have an on/off switch that controls the electrical current installed in a readily accessible location within the interior of the terminal so that power cannot be disconnected from outside of the terminal using the on/off switch. The on/off positions of the switch shall be labeled;

4. be designed so that power and data cables into and out of the terminal can be routed so that they are not accessible to the general public. Security-related wires and cables that are routed into a logic area shall be securely fastened within the interior of the terminal;

5. have an identification badge affixed to the exterior of the terminal by the terminal provider that is not removable without leaving evidence of tampering. This badge shall include the following information:

- a. the name of the terminal provider;
- b. a unique serial number;
- c. the terminal model number; and
- d. the date of manufacture;

6. have an external tower light located conspicuously on the top of the terminal that automatically illuminates when a patron has won an amount that the terminal cannot automatically pay or when an error condition has occurred;

7. be constructed of materials that are designed to allow only authorized access to the inside of the terminal. The terminal and its locks, doors, and associated hinges shall be capable of withstanding determined and unauthorized

efforts to gain access to the inside of the terminal and shall be designed to leave evidence of tampering if such an entry is made;

8. be equipped with doors of a locked area that are designed to resist the use of tools or other objects used to breach the locked area by physical force;

9. have external doors that shall be locked and monitored by door access sensors. When the external doors are opened, the door access sensors shall:

- a. cause wagering activity to cease;
- b. disable all currency acceptance;
- c. enter an error condition;
- d. illuminate the tower light at a minimum; and
- e. record the error condition. The requirements of this Subsection do not apply to the drop box door;

10. have external doors designed so that it shall not be possible to insert a device into the terminal that will disable a sensor that indicates "door open" without leaving evidence of tampering when the door of the terminal is shut;

11. have a sensor system that shall provide notification that an external door is open when the door is moved from its fully closed and locked position, provided power is supplied to the device;

12. have a logic area, which is a separately locked cabinet area with its own monitored, locked door or other monitored, locked covering that houses electronic components that have the potential to significantly influence the operation of the terminal. There may be more than one such logic area in a terminal. The electronic components housed in the logic area shall include:

a. a central processing unit and any program storage device that contains software that may affect the integrity of wagering, including the individual play accounting, system communication, and peripheral firmware devices involved in or that significantly influence the operation and calculation of wager plays, wager outcome display, wager result determination, or wager play accounting, revenue, or security;

b. communication controller electronics and components housing the communication program storage device; and

c. the nonvolatile memory backup device, which if located in the logic area, shall be kept within a locked logic area; and

13. have a currency storage area that is separately keyed and fitted with sensors that indicate "door open/close" or "stacker receptacle removed," provided power is supplied to the device. Access to the currency storage area shall be secured by two locks before the currency can be removed. The locks shall be located on the relevant outer door and on at least one other door.

E. Critical memory requirements shall include the following.

1. Critical memory storage shall be maintained by a methodology that enables errors to be identified, including signatures, checksums, partial checksums, multiple copies, timestamps, effective use of validity codes, or any combination of these methods.

2. Comprehensive checks of critical memory shall be made following wager play initiation but prior to display of wager outcome to the patron.

3. An unrecoverable corruption of critical memory shall result in an error state. The memory error shall not be cleared automatically and shall cause the terminal to cease further functioning. The critical memory error shall also cause any communication external to the terminal to immediately cease. An unrecoverable critical memory error shall require restoration or clearing of software state by an authorized person.

4. If critical memory is maintained in nonvolatile memory on the terminal and not by the server-based system, then:

a. the terminal shall have the ability to retain data for all critical memory as defined in this Section and be capable of maintaining the accuracy of the data for 30 days after power is discontinued from the terminal;

b. for rechargeable battery types only, if the battery backup is used as an off-chip battery source, it shall recharge itself to its full potential in a maximum of 24 hours, and the shelf life of the battery shall be at least five years;

c. nonvolatile memory that uses an off-chip backup power source to retain its contents when the main power is switched off shall have a detection system that will provide a method for software to interpret and act upon a low battery condition before the battery reaches a level where it is no longer capable of maintaining the memory in question. Clearing nonvolatile memory shall require access to the locked logic area or other secure method, provided that the method is approved by the commission; and

d. following the initiation of a nonvolatile memory reset procedure, the wagering program shall execute a routine that initializes all bits in critical nonvolatile memory to the default state. All memory locations intended to be cleared as per the nonvolatile memory clear process shall be fully reset in all cases.

5. Critical memory of a server-based wager configuration may be maintained by the server, terminal, or some combination thereof. The critical memory related to each terminal shall:

a. be kept independent to all other wagering terminals. If corruption occurs in any single terminal's critical memory no other terminal shall be effected by the terminal's corrupt memory state; and

b. be clearly identified as to which physical terminal the critical memory represents, through unique identification, such as serial number or other unique terminal hardware identifier.

6. All terminals shall be equipped with a device, mechanism, or method for retaining the value of the meter information specified in §13135 in the event of a loss of power to the terminal. Storage and retrieval of the accounting meters from a server is an acceptable method of retrieval.

7. Configuration setting changes shall not cause an obstruction to the meters.

8. If the terminal is in a test, diagnostic, or demonstration mode, any test that incorporates credits entering or leaving the terminal shall be completed prior to resumption of normal operation. In addition, there shall not be any mode other than normal wagering operation that debits or credits any of the electronic meters. Any wagering credits on the terminal that were accrued during the test, diagnostic, or demonstration mode shall be cleared before

the mode is exited. Specific meters are permissible for these types of modes, provided the meters are clearly identified.

9. Terminals shall not allow any information contained in a communication to or from the online monitoring system that is intended to be protected, including validation information, secure personal identification numbers, credentials, or secure seeds and keys, to be viewable through any display mechanism supported by the terminal.

F. Program storage devices shall be required to comply with the following.

1. All program storage devices shall:

a. be housed within a fully enclosed and locked logic compartment;

b. validate themselves during each processor reset; and

c. validate themselves the first time they are used.

2. Program storage devices that do not have the ability to be modified while installed in the terminal during normal operation shall be clearly marked with information to identify the software and revision level of the information stored in the devices.

3. Server-stored information shall be backed up no less often than once per day to an offsite storage facility. Offsite storage may include storage through a cloud service provider if approved by the commission. The server and offsite backup storage shall be accessible to the commission and subject to third-party checks and validation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13125. Terminal Operational/Software Requirements

A. Terminals shall have the ability to allow for an independent integrity check of all software that may affect the integrity of the wagering configurations available to the terminal. The integrity check shall be by an independent testing laboratory approved by the commission.

B. If a winning amount is in excess of the thresholds established in the Internal Revenue Service reporting requirements, the terminal shall cease operation and require attendant interaction to proceed.

C. Terminals shall be capable of detecting and displaying the following errors:

1. open door conditions;

2. nonvolatile memory errors;

3. low nonvolatile memory battery for batteries external to the nonvolatile memory itself for low power source;

4. program error or authentication mismatch;

5. display device errors;

6. the identification of an invalid bill or voucher; and

7. loss of communication to the tote system.

D. To protect the integrity of the wagering configuration, when a terminal error condition is detected, the terminal shall secure itself by:

1. ceasing play and requiring operator intervention prior to returning to normal play;

2. displaying an appropriate error message;

3. disabling bill and voucher acceptance;

4. sounding an alarm, illuminating the tower light, displaying the error on screen, or any combination of the three;

5. communicating the error condition to an online monitoring and control system; and

6. if the terminal is powered down with an unresolved error condition, remaining in error mode unless power down is used as a part of the error reset procedure.

E. Upon resolution of an error condition, a terminal may return to a wager completion state, provided the wagering history, wagering credits, and other meters display the completed wager properly.

F. Terminals shall not be adversely affected by the simultaneous or sequential activation of various terminal inputs and outputs.

G. Test, diagnostic, or demonstration modes on a terminal shall:

1. be entered only from an attendant following appropriate instructions;

2. not be accessible to a patron;

3. be indicated on the terminal via an appropriate message; and

4. upon exiting from test, diagnostic, or demonstration mode, a terminal shall return to its previous state.

H. Available wagering credit may be collected from the terminal by the patron at any time other than during:

1. a bet being wagered;

2. audit mode;

3. test mode;

4. a credit meter or win meter increment; or

5. an error condition

I. Terminals shall be capable of displaying wager recall, which shall:

1. include the last 10 wagers on the terminal, including at least 50 intermediary steps within those wagers, including free spins and bonuses;

2. be retrievable on the terminal via an external key-switch or other secure method not available to the patron; and

3. provide all information required to fully reconstruct the wagers, including:

a. initial credits or ending credits associated with the wager;

b. credits wagered;

c. credits won;

d. entertaining display symbol combinations and credits paid whether the outcome resulted in a win or a loss;

e. representation in a graphical or text format;

f. final wager outcome, including all patron choices and all bonus features; and

g. as an optional feature, display of values as currency in place of wagering credits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13127. Requirements for Tickets or Vouchers used in Historical Horse Racing

A. Terminals shall not dispense currency. Payment to patrons shall only be accomplished by means of a printed voucher.

B. All vouchers shall contain the following printed information at a minimum:

1. licensee name and site identifier, which may be contained on the ticket stock itself;

2. terminal number or cashier booth location;
3. date and time stated according to the local time zone;
4. alpha and numeric dollar amount;
5. ticket or voucher sequence number;
6. validation number;
7. bar code or any machine-readable code representing the validation number;

8. type of transaction or other method of differentiating voucher types. If the voucher is a noncashable item, the ticket shall explicitly express that it has "no cash value"; and

9. the expiration period from date of issue, or date and time the ticket or voucher will expire according to the local time zone. This information may be contained on the ticket stock itself. Payment on valid pari-mutuel tickets, including tickets where refunds are ordered, shall be made only upon presentation and surrender of valid pari-mutuel tickets to the licensee within 180 days after the purchase of the ticket. Failure to present any valid pari-mutuel ticket to the licensee within 180 days after the purchase of the ticket shall constitute a waiver of the right to payment.

C. A system approved by the commission shall be used to validate the payout ticket or voucher. The ticket or voucher information on the central system shall be retained for two calendar years after a voucher is valid at that location.

D. Payment by voucher as a method of credit redemption shall only be permissible when the terminal is linked to a computerized voucher validation system that is approved by the commission.

E. The validation system must be able to identify a duplicate ticket or voucher to prevent fraud.

F. Terminals must meet the following minimum requirements to incorporate the ability to issue offline vouchers after a loss of communication has been identified by a wagering terminal.

1. The wagering terminal shall not issue more offline vouchers than it has the ability to retain and display in the wagering terminal maintained voucher-out log.

2. The wagering terminal shall not request validation numbers used in the issuance of vouchers until all outstanding offline voucher information has been fully communicated to the voucher validation system.

3. The wagering terminal shall request a new set of validation numbers used in the issuance of online or offline vouchers if the current list of validation numbers has the possibility of being compromised, which shall include:

- a. after power has been recycled; or
- b. upon exit of a main door condition.

4. Validation numbers must always be masked when viewable through any display supported by the wagering terminal such that only the last four digits of the validation number are visible.

G. Vouchers may be inserted in any terminal participating in the validation system providing that no credits are issued to the terminal prior to confirmation of voucher validity.

H. The offline voucher redemption may be validated as an internal control process. A manual handpay may be conducted for the offline voucher value.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13129. Terminal Peripheral Device Requirements

A. Video monitor touch screens on terminals shall:

1. be accurate to manufacturer specifications for touch point sensitivity;

2. be able to be calibrated without access to the terminal cabinet other than opening the main door, and once calibrated shall maintain accuracy for at least the video touch screen manufacturer's recommended maintenance period; and

3. have no hidden or undocumented buttons or touch points anywhere on the screen that affect wagering or that impact the outcome of the bet, except as provided by the wagering configuration rules.

B. Paper currency acceptors used in a terminal shall:

1. be electronically based;

2. detect the entry of bills or vouchers inserted into the paper currency acceptor and provide a method to enable the terminal software to interpret and act appropriately upon a valid or invalid input;

3. be configured to ensure the acceptance of only valid bills or vouchers and reject all other items;

4. return to the patron all rejected bills or vouchers, and any other item inserted into the acceptor;

5. be constructed in a manner that protects against vandalism, abuse, or fraudulent activity;

6. register the actual monetary value or appropriate number of wagering credits received for the denomination used on the patron's credit meter for each valid bill or voucher;

7. register wagering credits only when the bill or other note has passed the point where it is accepted or stacked and the acceptor has sent an "irrevocably stacked" message to the terminal;

8. be designed to prevent the use of fraudulent crediting, the insertion of foreign objects, and any other fraudulent technique;

9. implement a method of detecting counterfeit bills;

10. only accept bills or vouchers when the terminal is enabled for play;

11. have the capability of detecting and displaying any supported error conditions;

12. shall communicate with the terminal using a bi-directional protocol;

13. be located in a locked area of the terminal that requires the opening of the main door for access. The paper currency acceptor shall not be located in the logic area. Only the bill or voucher insertion area shall be accessible by the patron;

14. have a secure stacker that shall:

- a. deposit into the stacker all accepted items;

- b. be attached to the terminal in such a manner that it cannot be easily removed by physical force; and

- c. have a separate keyed lock to access the stacker area. The keyed lock shall be separate from the main door, and a separate keyed lock shall be required to remove the bills from the stacker; and

15. have a bill validator that shall:

a. retain in its memory and have the ability to display the information required of the last 25 items accepted by the bill validator;

b. have a recall log that may be combined or maintained separately by item type. If combined, the type of item accepted shall be recorded with the respective timestamp; and

c. give proper credit or return the bill or note if power failure occurs during acceptance of a bill or note.

C. Each terminal shall be equipped with a printer that:

1. is used to make payments to the patron by issuing a printed voucher. The terminal shall transmit the following data to an online system that records the following information regarding each payout ticket or voucher printed:

a. the value of credits in local monetary units in numerical form;

b. the time of day the ticket or voucher was printed, showing hours and minutes;

c. the date, in format approved by the commission, indicating the day, month, and year that the ticket or voucher was issued;

d. the terminal number; and

e. a unique ticket or voucher validation number.

2. prints only one copy to the patron and retains information on the last 25 printed vouchers;

3. is housed in a locked area of the terminal but shall not be located within the logic area or the drop box; and

4. allows control program software to interpret and act upon all error conditions.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13131. Location of Terminals Used for Wagering on Historical Horse Races

A. Terminals offering wagering on historical horse races shall be located within designated areas which have the prior written approval of the commission. Designated areas shall be established in such a way as to control access by the general public and prevent entry by any patron who is under 18 years of age or is otherwise not permitted to place wagers.

B. Each association shall monitor persons entering and leaving the designated areas and shall prevent access to any patron who is under 18 years of age or is otherwise not permitted to place wagers on historical horse races.

C. Each association shall provide terminals that are accessible to handicapped patrons.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13133. Records to be Maintained

A. Each association shall maintain complete records of all pari-mutuel wagering transactions on historical horse races, including the amounts wagered at each historical horse racing terminal.

B. A copy of the wagering records shall be retained and safeguarded for a period of not less than eighteen months and shall not be destroyed without the prior written permission of the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13135. Accounting and Occurrence Meter Requirements

A. The required accounting meters and related reporting as follows using the same or similar terminology:

1. coin in, which accumulates the total value of all wagers, whether the wagered amount results from the insertion of bills or vouchers or deduction from a credit meter;

2. coin out, which accumulates the total value of all amounts directly paid by the terminal as a result of winning wagers, whether the payback is made to a credit meter or any other means;

3. attendant paid jackpot, which accumulates the total value of credits paid by an attendant resulting from a single wager, in excess of thresholds established by the Internal Revenue Service reporting requirements, the amount of which results in Internal Revenue Service or applicable agency reporting;

4. attendant paid canceled credit, which accumulates the total value paid by an attendant resulting from a patron-initiated cashout or non-taxable winning wager that exceeds the physical or configured capability of the terminal to make the proper payout amount;

5. bill in, which accumulates the total value of currency accepted. Each wagering terminal shall have a specific occurrence meter for each denomination of currency accepted that records the number of bills accepted of each denomination;

6. voucher in, which accumulates the total value of all wagering terminal vouchers accepted by the device;

7. voucher out, which accumulates the total value of all wagering terminal vouchers issued by the device;

8. noncashable electronic promotion in, which accumulates the total value of noncashable credits from vouchers accepted by the terminal;

9. cashable electronic promotion in, which accumulates the total value of cashable credits from vouchers accepted by the terminal;

10. noncashable electronic promotion out, which accumulates the total value of noncashable credits issued to vouchers by the device; and

11. cashable electronic promotion out, which accumulates the total value of cashable credits issued to vouchers by the device.

B. Additional required occurrence meters are as follows:

1. cashable promotional credit wagered, which accumulates the total value of promotional cashable credits that are wagered;

2. plays wagered, which accumulates the number of wagers placed; and

3. plays won, which accumulates the number of wagers resulting in a win to the patron.

C. Electronic accounting meters shall maintain and calculate data to at least 10 digits in length.

D. Electronic accounting meters shall be maintained in credit units equal to the denomination or in dollars and cents.

E. If the electronic accounting meter is maintained in dollars and cents, eight digits must be used for the dollar amount and two digits must be used for the cents amount.

F. Devices configured for multi-denomination wagering shall display the units in dollars and cents at all times.

G. Any time the meter exceeds a value it is not capable of exceeding, the meter must roll over to zero.

H. Occurrence meters shall be at least eight digits in length but are not required to automatically roll over.

I. Meters shall be identified so that they can be clearly understood in accordance with their function.

J. Meters can be on the server instead of the terminal.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13137. Required Reports for Wagering on Historical Horse Races; Audit and Inspection by the Commission

A. All systems used for pari-mutuel wagering on historical horse races shall provide financial reports for individual approved wager model configurations and total pool amounts for each pool. Reports shall be available at the end of the wagering day or upon request by the commission with information current since the end of the last wagering day. The reports shall include:

1. current values of each pari-mutuel wagering pool;
2. total amounts wagered for all pools;
3. total amounts won by patrons for all pools;
4. total commission withheld for all pools;
5. total breakage for all pools, where applicable;
6. total amount wagered at each terminal;
7. total amount won by patrons at a terminal;
8. the amount wagered on each mathematical model configuration and the amount won from each mathematical model configuration offered at a terminal;
9. total amount of each type of financial instrument inserted into a terminal;
10. total amount cashed out in voucher or handpays at a terminal; and
11. taxable win events including:
 - a. time and date of win;
 - b. wagering terminal identification number;
 - c. amount wagered resulting in taxable win; and
 - d. taxable amount won.

B. As provided in §13118, the commission or its authorized representatives may, at any time, conduct an audit or inspection of the financial reports, software, terminals, or other equipment used by a licensee in conducting operations under this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13139. Equipment and Laboratory Testing

A. Each association shall provide for a nationally recognized, independent testing laboratory approved by the commission to submit to the commission a general functional evaluation laboratory report regarding the hardware and software installed on each historical horse racing terminal and the software on each historical horse racing app indicating whether same is in compliance with applicable law and regulations.

B. Any alterations, modifications, or updates to the software or hardware on any historical horse racing terminal or the software on any historical horse racing app shall

require the vendor to submit to the commission a new laboratory report as required under Subsection A of this Section before the wagering configuration may be used for play at an establishment.

C. If there is a complete breakdown of a terminal offering wagering on historical horse racing, the association offering the wager shall make a full refund of the patron's balance on the terminal at the time of the breakdown.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13141. Minimum Wagers and Payouts

A. The minimum wager to be accepted by an association on a wager based on the outcome of a historical horse race or races shall be \$0.10. The minimum payout on any wager shall not be less than the amount wagered.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13143. Odds and Payouts Posted

A. For wagering on historical horse races, approximate odds or payouts for each pari-mutuel pool shall be posted or made available on each terminal for viewing by patrons.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13145. Betting Explanation

A. Each association shall post, in conspicuous places in the designated area, a general explanation of pari-mutuel wagering offered on historical horse races and an explanation of each pari-mutuel pool offered. The explanation shall be submitted to the commission for approval prior to its posting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13147. Wagering Terminal Historical Horse Race Display

A. All wagering terminals shall have video displays that clearly identify the entertaining theme, if any, being used to offer pari-mutuel wagering on historical horse racing. The video display shall make available the rules of the historical horse racing wager and the award that will be paid to the patron when the patron obtains a specific win.

B. All payable information, rules of play, and help screen information shall be available to a patron prior to placing a wager.

C. All wagering terminals shall have video displays that make available to the patron the rules of any features or interactive functions that may occur on the patron interface as part of the entertaining display of the wager and its outcome. The video displays shall:

1. clearly identify the entertaining theme, if any, being used to offer pari-mutuel wagering on historical horse racing;
2. make the following information available to the patron:
 - a. all payable information, rules of play, and help screen information;

b. the award that will be paid to the patron when the patron obtains a specific win; and

c. the rules of any features or interactive functions that may occur as part of the entertaining display of the wager and its outcome;

3. provide the race data in a reasonable manner as to not discourage patrons who wish to handicap from doing so; and

4. allows the patron to compare their picks against the true order of finish.

D. The video display shall clearly indicate whether awards are designated in credits or currency.

E. All wagering terminals shall display the following information to the patron at all times the wagering terminal is available for patron wager input:

1. the patron's current credit balance in currency or credits;

2. the current bet amount;

3. the amount won for the last completed wager until the next wager starts or betting options are modified;

4. the patron's options selected for the last completed wager until the next wager starts or a new selection is made; and

5. a disclaimer stating "Malfunction Voids All Pays" or some equivalent wording approved by the commission. This may be presented as a permanent sign on the terminal.

F. Entertaining features that simulate bonus or free plays shall meet the following requirements:

1. the initiation of a bonus or free play shall only be based on the result of the wager placed by the patron on the result of the historical horse race selected for the wager;

2. the bonus or free play shall not require additional money to be wagered by the patron;

3. the entertaining display shall make it clear to the patron that the patron is in bonus mode to avoid the possibility of the patron unknowingly leaving the wagering terminal while in a bonus mode; and

4. if the bonus or free play requires an input from the patron, the terminal shall provide a means to complete the bonus or free play from a touch screen or hard button.

G. Electronic metering displays shall:

1. at all times include all credits or cash available for the patron to wager or cash out unless the terminal is in an error or malfunction state. This information is not required when the patron is viewing a menu or help screen item;

2. reflect the value of every prize at the end of a wager and add it to the patron's credit meter, except for handpays; and

3. show the cash value collected by the patron upon a cashout unless the terminal is in an error or malfunction state. The production of a voucher containing this information shall be sufficient.

H. A wager is complete when the final transfer to the patron's credit meter takes place or when all credits wagered are lost.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13149. Access by Commission and Agents of the Commission

A. Each association shall allow the commission and the agents of the commission unrestricted access to inspect the entire premises wherein historical horse racing is being conducted at any time to ensure that the *Rules of Racing* are being followed, this shall include the unrestricted access to inspect and test any mechanical, electrical, or electronic devices thereon being utilized or capable of being utilized by the association for historical horse racing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

§13151. Required Audits and Inspections

A. Terminals shall have the ability to allow for an independent integrity check of all software that may affect the integrity of the wagering system. The integrity check shall be performed by an independent testing laboratory approved by the commission.

B. The independent testing laboratory's software may be embedded within the wagering software, utilize an interface port to communicate with the terminal, or require the removal of terminal media for external verification.

C. Each terminal used for wagering on historical horse races shall be tested by the independent testing laboratory to ensure its integrity and proper working order. This evaluation shall include a review of installed software prior to implementation and periodically within a timeframe established by the commission.

D. The licensee shall pay the cost of the independent testing laboratory's review and testing, and the reports of the same shall be delivered to the licensee and the commission.

E. To ensure the integrity of pari-mutuel wagering and validity of the race results, the licensee shall permit an integrity auditor, selected and paid for by the commission, complete access to review and monitor the integrity, security, and operation, including all race and handicapping data used in order to detect any compromise of or anomalies that would allow a player to have an unfair advantage.

F. The integrity auditor shall be in a position to extract actual data and use a statistically significant portion of this data applied to quality assurance testing and assess the validity of the vendor's management reporting by cross-referencing to a body of raw source information to determine correctness. The integrity auditor shall have experience and expertise involving all components of pari-mutuel wagering and totalizator systems.

G. The integrity auditor will collect and provide wagering data and reports from the licensee's vendor. This shall include pari-mutuel commission and liability reports for analysis and verification of the amounts wagered, payouts, takeout, and taxes in addition to all transactional data logs and reports daily as specified by the integrity auditor.

H. The licensee shall provide access to the integrity auditor to conduct periodic onsite inspections and terminal audits at licensed racetracks and satellite wagering facilities with assistance from the vendor. The licensee shall notify of

and any adverse or unusual occurrences relating to the operation of play or payouts to the integrity auditor.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:141, R.S. 4:142 and R.S. 4:148.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Racing Commission, LR 47:

Family Impact Statement

This proposed Rule has no known impact on family formation, stability, and/or autonomy as described in R.S. 49:972.

Poverty Impact Statement

This proposed Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule has no known measurable impact on small businesses as described in R.S. 49:965.6.

Provider Impact Statement

This proposed Rule has no known impact on providers of services for individuals with developmental disabilities.

Public Comments

The domicile office of the Louisiana State Racing Commission is open from 8:00 a.m. to 4:30 p.m. Monday - Friday, and interested parties may submit oral or written comments, data, views, or arguments relative to this proposed Rule for a period up to 20 days (exclusive of weekends and state holidays) from the date of this publication to Brett Bonin, Assistant Attorney General, 320 North Carrollton Avenue, Suite 2-B, New Orleans, Louisiana 70119-5100.

Charles A. Gardiner III
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Wagering on Historical Horse Racing

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The estimated implementation costs to the Louisiana State Racing Commission (LSRC) as a result of the proposed administrative rules are \$74,400 for FY 22, \$844,102 for FY 23, and FY 24. (Note: FY23 and FY24 includes seven positions) The proposed adoption implements the initial administrative rules for conducting, application, licensing, enforcement, and regulation for wagering on historical horse racing in accordance with the provisions established in Act 437 of the 2021 Regular Session of the Legislature (RSL), which established historical horse racing in Louisiana. The direct cost effect on local governmental units is indeterminable.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Act 437 of the 2021 RSL, which established historical horse racing in Louisiana, excluded LSRC from participating in the collection of additional normal pari-mutuel wagering revenues for historical horse racing. Licensing and regulatory oversight fees to be established will be self-generated revenue meant to offset the cost of the LSRC performing its duties related to these rules. The direct effect on revenue collections on local governmental units is indeterminable.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed administrative rules may result in an indeterminable economic benefit to licensed racetracks in Louisiana by offering more wagering possibilities through

historical horse racing wagers found in LAC 35:XVII.Chapter 131, which may result in increased wagering. Licensed racetracks and employees with positions incident to the operation of wagering on historical horse racing will be subject to application fees and possible fines for violations of the proposed administrative rules. Operators may be subject to oversight and regulatory fees as a result of the proposed administrative rules.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The effect on competition and employment as a result of the proposed administrative rule changes is indeterminable.

Charles A. Gardiner, III
Executive Director
2110#005

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Office of the Governor
Division of Administration
Tax Commission**

Ad Valorem Taxation

(LAC 61:V.100, 111, 113, 117, 118, 121, 123, 203, 213, 301, 303, 304, 307, 703, 903, 907, 1103, 1307, 1503, 2501, 2503, 3101, 3102, 3103, 3105, 3106, 3107 and 3501)

In accordance with provisions of the Administrative Procedure Act (R.S. 49:950 et seq.), and in compliance with statutory law administered by this agency as set forth in R.S. 47:1837, notice is hereby given that the Tax Commission intends to adopt, amend and/or repeal sections of the Louisiana Tax Commission real/personal property rules and regulations for use in the 2022 (2023 Orleans Parish) tax year.

The full text of this proposed Rule may be viewed in the Emergency Rule section of this issue of the *Louisiana Register*.

Family Impact Statement

As required by Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the Louisiana Tax Commission hereby submits the following Family Impact Statement.

1. The Effect on the Stability of the Family. Implementation of these proposed rules will have no effect on the stability of the family.

2. The Effect on the Authority and Rights of Parent Regarding the Education and Supervision of Their Children. Implementation of these proposed rules will have no effect on the authority and rights of parents regarding the education and supervision of their children.

3. The Effect on the Functioning of the Family. Implementation of these proposed rules will have no effect on the functioning of the family.

4. The Effect on Family Earnings and Family Budget. Implementation of these proposed rules will have no effect on family earnings and family budget.

5. The Effect on the Behavior and Personal Responsibility of Children. Implementation of these proposed rules will have no effect on the behavior and responsibility of children.

6. The Ability of the Family or a Local Government to Perform the Function as Contained in these Proposed Rules. Implementation of these proposed rules will have no effect

on the ability of the family or local government to perform this function.

Poverty Impact Statement

The proposed Rule will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

The proposed Rule will have no adverse impact on small businesses as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule will have no adverse impact on providers of services for individuals with developmental disabilities as described in HCR 170 of 2014.

Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rules. Written submission must be directed to Michael Matherne, Tax Commission Administrator, LA Tax Commission, 1051 North 3rd St, Room 224, Baton Rouge, LA 70802 or P. O. Box 66788, Baton Rouge, LA 70896 and must be received no later than 4 p.m., Friday, January 7, 2022.

Public Hearing

A public hearing, on this proposed Rule, will be held on Wednesday, January 26, 2022, at 10:00 am, at the Louisiana State Capitol, 900 North Third St., Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, please contact (225) 219-0339.

Lawrence E. Chehardy
Chairman

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Ad Valorem Taxation**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rules reflect annual changes in valuation procedures for taxation purposes based on the most recent available data. There are no estimated costs or savings associated with the proposed rules for state governmental units. An impact to local governmental workload resulting in an additional administrative costs will occur, but is expected to be minimal.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will result in a increase of approximately \$16,350,000 in revenue collections for local governments based upon revisions to valuation tables increasing real and personal property assessments by approximately 1.5% in total. However, these revisions will not necessarily affect revenue collections of local government units as any net increase or decrease in assessed valuations are authorized to be offset pursuant to millage adjustment provisions of Article VII, Section 23 of the state Constitution.

On average, these revisions will generally increase certain 2022 real and personal property assessments for property of similar age and condition in comparison with the latest available equivalent assessments. However, the assessments of certain property types will decrease compared to prior year. Composite multiplier tables for assessment of most personal property will remain stagnant. Specific valuation tables for assessment of pipelines will increase by an estimated +2% (Onshore by +2% and Offshore by +2.5%. Oil wells and gas

wells combined on average will increase by an estimated +11% (Region 1 by +12%, Region 2 by +10% and Region 3 by +10.5%). Drilling rigs will decrease by an estimated -4% (Land rigs to decrease by an estimated -15%, Jack-Ups to increase by an estimated +2%, and Semisubmersible rigs to increase by an estimated +2%). The net effect determined by averaging these revisions is estimated to increase assessments by +1.5% and estimated local tax collections by \$16,350,000 in FY 22/23 on the basis of the existing statewide average millage. However, these revisions will not necessarily affect revenue collections of local government units as any net increase or decrease in assessed valuations are authorized to be offset by millage adjustment provisions of Article VII, Section 23 of the state Constitution.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The effects of these new rules on assessments of individual items of equivalent real and personal property will generally be higher in the aggregate in 2022 compared to the last year of actual data. Specific assessments of real and personal property will depend on the age and condition of the property subject to assessment. Taxpayers will be impacted based on the changes to the valuation guidelines for assessments as listed in Section II. The magnitude will depend on the taxable property for which they are liable. Regardless of the guidelines adopted by the Tax Commission, all taxpayers continue to have the right to appeal their assessments. Additionally, Small Businesses' real and personal property is assessed in the same manner as for all other property owners.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The impact on competition and employment cannot be quantified. In as much as the proposed changes in assessments are relatively small and there will no longer be any charges for the updates, any aggregate impact on competition and employment statewide will likely be minimal.

Michael A. Matherne
Administrator
2110#023

Alan Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Office of the Governor
Commission on Law Enforcement**

Peace Officer Training (LAC 22:III.4705)

In accordance with the provision of R.S. 40:2401, et seq., the Peace Officer Standards and Training Act, and R.S. 40:905 et seq., which is the Administrative Procedure Act, the Peace Officer Standards and Training Council hereby, gives notice of its intent to promulgate rules and regulations relative to the training of peace officers.

Title 22

CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT

Part III. Commission on Law Enforcement and Administration of Criminal Justice

Subpart 4. Peace Officers

Chapter 47. Standards and Training

§4705. Registration

A. - B.4. ...

5. Registered part-time/reserve peace officers who have been "grandfathered in" and subsequently become a

full time peace officer must successfully complete a basic training course as required by R.S.40:2405 (A)(1).

C. - F.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 15:1204 and R.S. 15:1207.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Commission on Law Enforcement and Administration of Criminal Justice, LR 13:434 (August 1987), amended LR 25:663(April 1999), LR 31:3159 (December 2005), LR 37:319 (January 2011), LR 44:1008 (June 2018), LR 47:1304 (September 2021), LR 48:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed rule has been considered. This proposed rule will have no impact on family functioning, stability, or autonomy as described in R.S. 49:972 since it outlines the implementation of sexual assault awareness training for peace officers.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through post-secondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirement or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to the same level of service.

Public Comments

Interested persons may submit written comments on this proposed Rule no later than January 1, 2022 at 5pm to Bob Wertz, Peace Officer Standards and Training Council, Louisiana Commission on Law Enforcement, Box 3133 Baton Rouge, LA 70821. An analysis of the proposed rule shows that it will have no impact on the family as described in R.S. 49.972, nor any impact on small business as defined by Act 820 of 2008.

Mr. Jim Craft
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Peace Officer Training

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There may be an increase in expenditures of local municipalities and sheriffs' departments to the extent they do

not grandfather their part-time and reserve peace officers under the proposed rules. The LCLE does reimburse local municipalities and sheriffs' departments for training full time officers and there might be minimal impact on expenditures of the Louisiana Commission on Law Enforcement (LCLE).

The proposed rules provide additional guidelines for all grandfathered part-time and reserve peace officers who become full time officers after January 1, 2022.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will not increase revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

There is no impact to private citizens, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no effect on competition or employment in the public or private sector as a result of this proposed amendment.

Jim Craft
Executive Director
2110#009

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Bureau of Health Services Financing**

Adult Residential Care Providers
Licensing Standards
(LAC 48:I.6882)

The Department of Health, Bureau of Health Services Financing proposes to amend the provisions of LAC 48:I.6882 as authorized by R.S. 36:254 and R.S. 40:2166.1-2166.8. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health, Bureau of Health Services Financing proposes to amend the provisions governing the licensing of adult residential care providers (ARCPs) in order to extend the timeframe the ARCP is allowed to inactivate its license due to a declared emergency or disaster from one year to two years.

Title 48

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 68. Adult Residential Care Providers

Subchapter G. Emergency Preparedness

§6882. Inactivation of License Due to a Declared

Disaster or Emergency

A. An ARCP licensed in a parish which is the subject of an executive order or proclamation of emergency or disaster issued in accordance with R.S. 29:724 or R.S. 29:766, may seek to inactivate its license for a period not to exceed two years, provided that the following conditions are met:

1. - 1.e....

2. the licensed ARCP resumes operating as an ARCP in the same service area within two years of the issuance of an executive order or proclamation of emergency or disaster in accordance with R.S. 29:724 or R.S. 29:766;

A.3. - B. ...

C. Upon completion of repairs, renovations, rebuilding or replacement, an ARCP which has received a notice of inactivation of its license from the department shall be allowed to reinstate its license upon the following conditions being met.

1. - 1.b. ...

2. The provider resumes operating as an ARCP in the same service area within two years.

D. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2166.1-2166.8.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 47:1505 (October 2021), amended LR 48:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Small Business Analysis

In compliance with Act 820 of the 2008 Regular Session of the Louisiana Legislature, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have a positive impact on small businesses, as described in R.S. 49:978.1 et seq. as it allows those affected by emergencies to inactivate their licenses for an additional year.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments to Tasheka Dukes, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Dukes is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on January 31, 2022.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office

Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on January 10, 2022. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on January 27, 2022 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after January 10, 2022. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Dr. Courtney N. Phillips
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Adult Residential Care Providers Licensing Standards

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 21-22. It is anticipated that \$540 will be expended in FY 21-22 for the state's administrative expense for promulgation of this proposed rule and the final rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that the implementation of this proposed rule will have no effect on revenue collections since the licensing fees, in the same amounts, will continue to be collected.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule amends the provisions governing the licensing of adult residential care providers (ARCPs) in order to extend the timeframe the ARCP is allowed to inactivate its license due to a declared emergency or disaster from one year to two years. It is anticipated that implementation of this proposed rule will not result in costs to ARCPs in FY 21-22, FY 22-23 and FY 23-24, but will be beneficial to these providers by allowing additional time for inactivation of license due to a declared emergency or disaster.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Tasheka Dukes, RN
Deputy Assistant Secretary
2111#047

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Bureau of Health Services Financing

Ambulatory Surgical Centers
Licensing Standards
(LAC 48:I.4503 and 4541)

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 48:I.4503 and §4541 as authorized by R.S. 36:254 and R.S. 40:2131-2141. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health, Bureau of Health Services Financing proposes to amend the provisions governing the licensing of ambulatory surgical centers (ASCs) in order to: 1) add the definition of optometry; 2) exempt ASC medical staff qualified as optometrists and practicing optometry from the requirement to also be staff members or have admitting privileges at local hospitals; and 3) require ASCs to have a written procedure for the immediate transfer of patients requiring emergency services to a local facility that meets federal requirements for payment and to provide the facility with a notice of operations and patient population served.

Title 48

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 45. Ambulatory Surgical Center

Subchapter A. General Provisions

§4503. Definitions

* * *

Optometry—the practice in which a person qualified as an optometrist employs primary eye care procedures, including surgery such as YAG laser capsulotomy, laser peripheral iridotomy, and laser trabeculoplasty that is within the scope of practice of optometry.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2131-2141.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 43:1732 (September 2017), amended LR 48:

Subchapter C. Admissions, Transfers and Discharges

§4541. Transfer Agreements and Patient Transfers

A. - A.2....

B. Except for medical staff qualified as an optometrist and practicing optometry, each member of the medical staff of the ASC, including physicians who practice under a use agreement, shall be a member in good standing on the medical staff of at least one hospital in the community and that hospital shall be licensed by the department. Members of the ASC medical staff shall be granted surgical privileges compatible with privileges granted by the hospital for that physician.

C. ...

D. The ASC is responsible for developing written policies and procedures for the immediate safe transfer of patients and coordination of admission into an inpatient facility, when patients require emergency medical care

beyond the capabilities of the ASC. The written policy shall include, but is not limited to:

1. ...
2. procedures for securing inpatient services;
3. procedures for the procurement of pertinent and necessary copies of the patient's medical record that will be sent with the transferring patient so that the information may be included in the patient's inpatient medical record;
4. identifying an inpatient facility that is a local Medicare participating inpatient facility, or a local nonparticipating inpatient facility that meets the requirements for payment for emergency services in accordance with all federal law and regulations; and
5. include a requirement that the ASC will periodically provide the local inpatient facility with written notice of its operations and patient population served.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2131-2141.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 43:1742 (September 2017), amended LR 48:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Small Business Analysis

In compliance with Act 820 of the 2008 Regular Session of the Louisiana Legislature, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have no impact on small businesses, as described in R.S. 49:978.1 et seq.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments to Tasheka Dukes, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Dukes is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on January 31, 2022.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the

Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on January 10, 2022. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on January 27, 2022 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after January 10, 2022. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage, which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Dr. Courtney N. Phillips
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Ambulatory Surgical Centers
Licensing Standards**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 21-22. It is anticipated that \$648 will be expended in FY 21-22 for the state's administrative expense for promulgation of this proposed rule and the final rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that the implementation of this proposed rule will not affect federal revenue collections since the licensing fees, in the same amounts, will continue to be collected.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

This proposed rule amends the provisions governing the licensing of ambulatory surgical centers (ASCs) in order to: 1) add the definition of optometry; 2) exempt ASC medical staff qualified as optometrists and practicing optometry from the requirement to also be staff members or have admitting privileges at local hospitals; and 3) require ASCs to have a written procedure for the immediate transfer of patients requiring emergency services to a local facility that meets federal requirements for payment and to provide the facility with a notice of operations and patient population served. It is anticipated that implementation of this proposed rule will not result in costs to ambulatory surgical centers and will have no impact on small businesses in FY 21-22, FY 22-23 and FY 23-24, but will be beneficial to qualified providers that will not be required to be on staff or have admitting privileges at local hospitals.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Tasheka Dukes, RN
Deputy Assistant Secretary
2111#048

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Bureau of Health Services Financing**

Hospital Licensing Standards
Newborn Safety Devices
(LAC 48:I.9573)

The Department of Health, Bureau of Health Services Financing proposes to adopt LAC 48:I.9573 as authorized by R.S. 36:254 and 40:2100 et seq. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

Act 421 of the 2021 Regular Session of the Louisiana Legislature authorized the Department of Health to regulate the installation of newborn safety devices (NSDs) located inside of hospital facilities which have 24-hour emergency departments. In compliance with Act 421, the Department of Health, Bureau of Health Services Financing proposes to adopt provisions governing the installation and use of NSDs in hospitals.

Title 48

PUBLIC HEALTH-GENERAL

Part I. General Administration

Subpart 3. Licensing and Administration

Chapter 93. Hospitals

Subchapter V. Newborn Safety Devices

§9573. General Provisions

A. In accordance with the Louisiana Children's Code (La. Ch. Code 1149 et seq.), a parent may leave an infant in a newborn safety device (NSD) that is physically located inside a facility which is licensed as a hospital in accordance with R.S. 40:2100 et seq., and has an emergency department that is staffed 24 hours per day.

B. Each NSD shall meet all of the following specifications:

1. voluntarily installed in the designated hospital;
2. installed in a location that ensures the anonymity of the relinquishing parent;
3. installed in a climate-controlled environment consistent with the internal temperature of the hospital;
4. installed by a licensed contractor in accordance with manufacturer's recommendations;
5. have an access door that locks automatically upon closure when an infant is in the device;
6. have a supporting frame that is anchored so as to align the bed portion of the NSD directly beneath the access door and prevent movement of the unit as a whole; and

7. feature a safe sleep environment which includes a firm, flat bassinet mattress and a sheet that fits snugly on and overlaps the mattress, and is free of pillows, bumpers, blankets and other bedding.

C. The hospital shall post appropriate signage approved by the Department of Children and Family Services at the site of the NSD that clearly identifies the NSD, and provides both written and pictorial instruction to the relinquishing parent to open the access door, place the infant inside the NSD and close the access door to engage the lock. The signage shall also clearly indicate all of the following:

1. the maximum age of the infant who may be relinquished in accordance with the Louisiana Children's Code;

2. that the infant must not have been previously subjected to abuse or neglect; and

3. that by placing an infant in the NSD, a parent is foregoing all parental responsibilities with response to the infant, and is giving consent for the state to take custody of the infant.

D. The hospital shall be responsible for:

1. the cost of the installation of the NSD;

2. installation of an adequate dual alarm system that shall be connected to the physical location of the NSD. The hospital shall ensure all of the following with respect to the alarm system:

a. the alarm system generates an audible alarm at a central location within the facility 60 seconds after the opening of the access door to the NSD;

b. the alarm system generates an automatic call to 911 if the alarm is activated and not turned off from within the hospital less than 60 seconds after the commencement of the initial alarm;

c. the alarm system is tested at least one time per week to ensure that it is in working order; and

d. the alarm system is visually checked at least two times per day to ensure that it is in working order.

3. obtaining Department of Health (LDH), Health Standards Section (HSS) approval prior to the use of the NSD; and

4. submission of written notification to the LDH, HSS of the hospital's intent to implement the use of the device.

E. Prior to use of the NSD, an onsite survey shall be conducted by the LDH, HSS.

F. The hospital shall ensure that the device is checked at least daily for debris and is cleaned and sanitized with a hospital-quality disinfectant at least weekly and after any infant relinquishment into the NSD.

G. The hospital shall maintain documentation of the testing of the alarm system and the cleaning and sanitation of the NSD.

H. The hospital shall install a cardholder adjacent to the NSD and shall keep the cardholder stocked with safe haven informational cards and other safe haven informational materials produced in accordance with La. Ch. Code 1160 and required by the Department of Children and Family Services.

I. The hospital shall develop and implement written policies and procedures that include, but are not limited to, receiving an infant who has been relinquished into the NSD, the use of an adequate NSD alarm system, testing of the NSD alarm system, cleaning of the NSD, documentation,

and training of staff responsible for implementing the policies and procedures of the NSD, in accordance with La. Ch. Code 1149 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Small Business Analysis

In compliance with Act 820 of the 2008 Regular Session of the Louisiana Legislature, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have no impact on small businesses, as described in R.S. 49:978.1 et seq.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170, but will have an impact on hospital facilities that choose to have a newborn safety device installed as the hospital will be responsible for paying for the device as well as its installation and maintenance.

Public Comments

Interested persons may submit written comments to Tasheka Dukes, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Dukes is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on January 31, 2022.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on January 10, 2022. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on January 27, 2022 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after January 10, 2022. If a public hearing is to be held, all interested persons are invited to attend and present data,

views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Dr. Courtney N. Phillips
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Hospital Licensing Standards
Newborn Safety Devices**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 21-22. It is anticipated that \$756 will be expended in FY 21-22 for the state's administrative expense for promulgation of this proposed rule and the final rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that the implementation of this proposed rule will have no effect on revenue collections since the licensing fees, in the same amounts, will continue to be collected.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

In compliance with Act 421 of the 2021 Regular Session of the Louisiana Legislature, this proposed rule adopts provisions governing the installation and use of newborn safety devices (NSDs) in hospitals. Implementation of this proposed rule will impact hospitals that elect to purchase and install NSDs, since any costs will be incurred by the hospital. Since hospitals may choose whether or not to purchase and install an NSD, it is not possible to estimate the potential impact to these providers in FY 21-22, FY 22-23 and FY 23-24, as there are currently no hospitals that have indicated their intent to pursue this option. This proposed rule will be beneficial to hospitals that pursue this option by providing guidance for the installation and use of an NSD.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Tasheka Dukes, RN
Deputy Assistant Secretary
2111#049

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Bureau of Health Services Financing**

Hospital Licensing Standards
Obstetrical and Newborn Services
(LAC 48:I.Chapter 93)

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 48:I.Chapter 93 as authorized by R.S. 36:254 and 40:2100 et seq. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health, Bureau of Health Services Financing proposes to amend the provisions governing the licensing of hospitals in order to update the standards for obstetrical and newborn services to ensure that the administrative Rule reflects current requirements for staffing and levels of care units. This proposed Rule also relocates the existing provisions of LAC 48:I.9511-9515 to LAC 48:I.9519-9523.

Title 48

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

**Subchapter S. Obstetrical and Newborn Services
(Optional)**

**§9505. General Provisions for Hospitals Licensed as of
January 1, 2022**

A. Sections 9505-9509 shall be effective immediately upon publication of these provisions for existing hospitals licensed as of January 1, 2022, and shall remain in effect through June 30, 2023. Such hospitals must be in compliance with Sections 9511-9517 beginning July 1, 2023.

NOTE Repealed.

1. The level of care of the neonatal intensive care unit (NICU) is not required to match or exceed the level of obstetrical care for each level of obstetrical service.

2. For facilities that change the level of care and services of the facility's NICU unit, either decreasing or increasing the level provided, the facility shall submit an attestation of this change to the Department's Health Standards Section (HSS) in writing and on the appropriate state neonatal services Medicaid attestation form. Such notice shall be submitted to the HSS within 90 days of the facility's change in NICU level provided. For facilities that change the level of care and services of a facility's obstetrical unit, by either decreasing or increasing the level provided, the facility shall submit written notice of this change to HSS within 90 days of such change.

B. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:2427 (November 2003), amended LR 33:284 (February 2007), amended by the Department of Health, Bureau of Health Services Financing, LR 43:75 (January 2017), LR 46:1087 (August 2020), LR 48:

§9511. General Provisions for Hospitals Licensed After January 1, 2022, and for Existing Hospitals Beginning July 1, 2023

A. Sections 9511-9517 shall be effective immediately upon publication of these provisions for hospitals licensed after January 1, 2022.

1. Sections 9511-9517 shall be effective for existing hospitals (those licensed by or before January 1, 2022) beginning July 1, 2023.

B. The level of care of the neonatal ICU is not required to match or exceed the level of obstetrical care for each level of obstetrical service.

1. - 5. Repealed.

C. For facilities that change the level of care and services of the facility's NICU unit, either decreasing or increasing the level provided, the facility shall submit an attestation of this change to the department's HSS in writing and on the appropriate state neonatal services Medicaid attestation form. Such notice shall be submitted to the HSS within 90 days of the facility's change in NICU level provided. For facilities that change the level of care and services of a facility's obstetrical unit, by either decreasing or increasing the level provided, the facility shall submit written notice of this change to HSS within 90 days of such change.

D. For purposes of this Subchapter, the requirements for hospital staff and/or equipment as being physically present at all times specifies the person and/or equipment shall be on-site in the location 24 hours a day, 7 days a week .

E. For purposes of this Subchapter, the requirements for hospital staff and/or equipment as being readily available at all times specifies the person shall be available 24 hours a day, 7 days a week.

F. Any transfer agreements shall be in writing and approved by the hospital medical staff and by each hospital's governing body. Transfer agreements shall be reviewed at least annually and revised as needed.

G. For those hospitals providing transports, the qualifications of the transport team shall be in writing, defined by hospital policy and approved by each hospital's governing body. Such qualifications shall be reviewed at least annually and revised as needed.

H. The hospital shall have data collection and retrieval capabilities in use, and shall cooperate and report the requested data to the appropriate supervisory agencies to review.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:2428 (November 2003), amended LR 33:286 (February 2007), amended by the Department of Health, Bureau of Health Services Financing, LR 43:78 (January 2017), LR 48:

§9513. Organization and Staffing

A. For purposes of this Subchapter, hospital privileges are such privileges that are unrestricted and approved by the medical staff committee and the governing body that allows the practitioner to perform all duties within their scope of practice and certification(s) at the hospital in which the privileges are granted and such duties are performed.

1. The requirements for privileges, such as active privileges, inpatient privileges or full privileges, shall be defined in hospital policy and approved by each hospital's governing body.

1.a. - 2.c. Repealed.

B. In accordance with R.S. 40:2109, a hospital located in a parish with a population of 250,000 people or less shall not be required to maintain personnel in-house with credentials to administer obstetric anesthesia on a 24-hour basis in order to qualify for Medicaid reimbursement for level III, neonatal or obstetric medical services, or as a prerequisite for licensure to provide such services. Personnel with such credentials may be required to be on staff and readily available on a 24-hour on-call basis and demonstrate ability to provide anesthesia services within 20 minutes.

1. - 3.a.ii. Repealed.

NOTE: The provisions of §.9513.B shall not apply to any hospital with level IIIS, IIIR or IV obstetrical and neonatal services.

C. For purposes of this Subchapter, the requirements for hospital staff and/or equipment as being physically present at all times means that the person and/or equipment shall be on-site in the location 24 hours a day, 7 days a week.

1. - 5.b.Repealed.

D. For purposes of this Subchapter, the requirements for hospital means that the person shall be available 24 hours a day, 7 days a week.

1. - 3.a.i. Repealed.

E. Any transfer agreements shall be in writing and approved by the hospital medical staff and by each hospital's governing body. Transfer agreements shall be reviewed at least annually and revised as needed.

1. - 2.b.Table. Repealed.

F. For those hospitals providing transports, the qualifications of the transport team shall be in writing, defined by hospital policy and approved by each hospital's governing body. Such qualifications shall be reviewed at least annually and revised as needed.

G. The hospital shall have data collection and retrieval capabilities in use, and shall cooperate and report the requested data to the appropriate supervisory agencies to review.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:2429 (November 2003), amended LR 33:286 (February 2007), amended by the Department of Health, Bureau of Health Services Financing, LR 43:78 (January 2017), LR 43:1979 (October 2017), LR 48:

§9515. Obstetrical Units

A. These requirements are applicable to those hospitals which provide obstetrical and neonatal services.

B. Levels of Care Units. There are five established obstetrical levels of care units:

1. obstetrical level I unit;
2. obstetrical level II unit;
3. obstetrical level III unit;
4. obstetrical level III regional unit; and
5. obstetrical level IV.

C. The guidance for these standards is based on *Obstetric Care Consensus: Levels of Maternal Care* published in August 2019. Each advanced level of care unit shall provide all services and meet the personnel requirements of the lower designated units, as applicable, i.e., a level IV unit shall meet the requirements of a level I, II, III and III regional unit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:2429 (November 2003), amended LR 33:288 (February 2007), amended by the Department of Health, Bureau of Health Services Financing, LR 43:82 (January 2017), LR 48:

§9517. Obstetrical Unit Functions

A. Obstetrical Level I Unit (Basic Care)

1. General Provisions

a. Care and supervision for low risk pregnancies greater or equal to 35 weeks gestation and postpartum patients who are generally healthy and do not have medical, surgical, or obstetrical conditions that present a significant risk of maternal morbidity or mortality, shall be provided.

b. Participation in the state perinatal quality collaborative, which is under the authority of the Louisiana Commission on Perinatal Care and Prevention of Infant Mortality, is required and defined as reporting national perinatal measures determined by the Louisiana Commission on Perinatal Care and Prevention of Infant Mortality.

c. There shall be a triage system present in policies and procedures for identification, stabilization and referral of high risk maternal and fetal conditions beyond the scope of care of a level I unit, including situations where an infant will require a higher level of care than what may be provided by the neonatal level of care of the facility.

d. Postpartum care facilities shall be available on-site.

e. There shall be capability to provide for resuscitation and stabilization of inborn neonates.

f. The hospital shall have a policy for infant security and an organized program to prevent infant abductions.

g. The hospital shall have a program in place to address the needs of the family, including parent-sibling-neonate visitation.

h. The hospital shall have a written transfer agreement with another hospital that has an approved appropriate higher level of care.

i. The hospital shall have the capability to screen, provide brief intervention and refer to treatment through consultation with appropriate personnel for behavioral health disorders, including depression, and substance use disorder.

j. Social services, pastoral care and bereavement services shall be provided as appropriate to meet the needs of the patient population served.

2. Personnel Requirements

a. Obstetrical services shall be under the medical direction of a qualified physician who is a member of the medical staff with obstetric privileges. The physician shall be board certified or board eligible in obstetrics/gynecology or family practice medicine. The physician has the responsibility of coordinating perinatal services with the pediatric chief of service.

b. The nursing staff shall be adequately trained and staffed to provide patient care at the appropriate level of service. Registered nurse to patient ratios may vary in accordance with patient needs.

c. The unit shall provide credentialed medical staff to ensure the capability to perform emergency Cesarean delivery within a time interval that best incorporates maternal and fetal risks and benefits.

d. The maternal care providers, including midwives, family physicians or obstetricians, shall be readily available at all times.

e. Anesthesia, radiology, ultrasound, electronic fetal monitoring (along with personnel skilled in the use of these) and laboratory services shall be readily available at all times.

f. At least one credentialed physician or certified registered nurse midwife shall attend all deliveries, and at least one individual who is American Academy of Pediatrics (AAP) certified in neonatal resuscitation and capable of neonatal resuscitation shall attend all deliveries.

g. The nurse manager shall be a registered nurse (RN) with specific training and experience in obstetric care. The RN manager shall participate in the development of written policies, procedures for the obstetrical care areas, and coordinate staff education and budget preparation with the chief of service. The RN manager shall name qualified substitutes to fulfill duties during absences.

h. A facility shall have at least one individual with additional education in breastfeeding who is available for support, counseling and assessment of breastfeeding mothers.

i. A facility shall have ability to initiate education and quality improvement programs to maximize patient safety, and/or collaborate with higher-level facilities to do so.

3. Physical Plant

a. Laboring and postpartum patients shall not be placed in rooms with non-obstetrical patients.

b. Each room shall have at least one toilet and lavatory basin for the use of obstetrical patients.

c. The arrangement of the rooms and areas used for obstetrical patients shall be such as to minimize traffic of patients, visitors, and personnel from other departments and prevent traffic through the delivery room(s).

d. There shall be an isolation room provided with hand washing facilities for immediate segregation and isolation of a mother and/or baby with a known or suspected communicable disease.

e. For any new construction or major alteration of the obstetrical unit/suite, the hospital shall ensure that the OB unit has a cesarean delivery room (surgical operative room) to perform cesarean deliveries at all times.

4. Program Functions and Services
 - a. Laboratory and Blood Bank Services
 - i. There shall be protocols and capabilities for massive transfusion with process to obtain more blood and component therapy as needed, emergency release of blood products and management of multiple component therapy available on-site.
 - b. Medical Imaging Services
 - i. Ultrasound equipment shall be physically present at all times in the hospital and available during labor and delivery.
 - ii. Basic ultrasound imaging for maternal or fetal assessment including interpretation, shall be readily available at all times.
 - c. Obstetrical Services
 - i. Ensure the availability and interpretation of non-stress testing and electronic fetal monitoring.
 - ii. A trial of labor for patients with prior cesarean delivery may be attempted only if the necessary personnel to perform a cesarean delivery and perform maternal resuscitation are physically present. This personnel includes, but is not limited to, an anesthesiologist and an obstetrician capable of performing a cesarean delivery.
 - iii. The facility shall have written guidelines or protocols for various conditions that place the pregnant or postpartum patient at risk for morbidity and/or mortality, including promoting prevention, early identification, early diagnosis, therapy, stabilization and transfer. The guidelines or protocols shall address at a minimum:
 - (a). massive hemorrhage and transfusion of the pregnant or postpartum patient in coordination with the blood bank, including management of unanticipated hemorrhage and/or coagulopathy;
 - (b). hypertensive disorders in pregnancy;
 - (c). sepsis and/or systemic infection in the pregnant or postpartum patient; and
 - (d). venous thromboembolism in the pregnant and postpartum patient, including assessment of risk factors, prevention, and early diagnosis and treatment.

B. Obstetrical Level II Unit (Specialty Care)

1. General Provisions
 - a. the role of an obstetrical level II unit is to provide care for pregnant and postpartum patients with medical, surgical and/or obstetrical conditions that present a moderate risk of maternal morbidity or mortality; and
 - b. women with high risk of morbidity or mortality or conditions that would result in the delivery of an infant weighing less than 1,500 grams or less than 32 weeks gestation that will require a higher level of care than what may be provided by the neonatal level of care of the facility, shall be referred to an approved level III or above unit unless the attending physician has documented that the patient is unstable to transport safely. Written transfer agreements with approved obstetrical level III and above units for transfer of these patients shall exist for all obstetrical level II units.
2. Personnel Requirements
 - a. Obstetric Service Leadership
 - i. The physician obstetric leader shall be a board-certified obstetrician or a board eligible candidate for certification in obstetrics. This obstetrician has the responsibility of coordinating perinatal services with the

neonatal healthcare provider in charge of the neonatal intensive care unit (NICU).

b. Personnel

i. A board-certified or board eligible OB-GYN physician shall be readily available at all times.

EXCEPTION: For those hospitals whose staff OB-GYN physician(s) do not meet the provisions of §9517.B.2.b.i, such physician(s) may be grandfathered as satisfying the requirement of §9517.B.2.b.i when the hospital has documented evidence that the OB-GYN physician(s) was granted clinical staff privileges by the hospital prior to the effective date of this Rule. This exception applies only to the physician at the licensed hospital location and shall not be transferrable.

ii. A licensed physician board-certified or board eligible in maternal fetal medicine (MFM) shall be readily available at all times for consultation on-site, by telephone or by telemedicine, as needed. Timing and need to be on-site or available by telemedicine shall be directed by the urgency of the clinical situation.

iii. A board-certified anesthesiologist with specialized training or experience in obstetric anesthesia shall be readily available at all times for consultation.

iv. A board-certified radiologist and a board-certified clinical pathologist shall be readily available at all times. Internal or family medicine physician(s) and general surgeon(s) shall be readily available at all times for consultation to stabilize obstetric patients who have been admitted to the facility or transferred from other facilities.

v. There shall be a continuous availability of qualified RNs with the ability to stabilize and transfer high-risk women.

vi. A lactation consultant or counselor shall be on staff to assist breastfeeding mothers as needed.

vii. The lactation consultant or counselor shall be certified by a nationally recognized board on breastfeeding.

3. Program Functions and Services

a. Medical Imaging Services

i. Computed tomography (CT) scan, magnetic resonance imaging (MRI), non-obstetric ultrasound imaging and maternal echocardiography with interpretation shall be readily available at all times.

ii. Specialized obstetric ultrasound and fetal assessment with interpretation shall be readily available at all times.

C. Obstetrical Level III Unit (Subspecialty Care)

1. General Provisions

a. This unit shall provide care for moderate to high-risk perinatal conditions. Women with such conditions requiring a medical team approach not available to the perinatologist in an obstetrical level III unit shall be transported to a higher-level unit.

b. The unit shall have written cooperative transfer agreements with approved higher level units for the transport of mothers and fetuses requiring care unavailable in an obstetrical level III unit or that are better coordinated at a higher level unit.

c. The hospital shall have advanced imaging services readily available at all times which shall include MRI and CT.

d. The hospital shall have medical and surgical ICUs to accept pregnant women and women in the postpartum period and, shall have qualified critical care

providers readily available at all times to actively collaborate with MFM physicians.

e. Equipment and qualified personnel, adequate in number, shall be available on-site to ventilate and monitor women in labor and delivery until they can be safely transferred to the ICU.

f. This unit shall accept maternal transfers as deemed appropriate by the medical staff and governing body.

2. Personnel Requirements

a. Obstetric Leadership

i. The physician obstetric leader shall be a board-certified OB-GYN with active staff privileges in obstetrical care.

ii. A board-certified anesthesiologist with specialized training or experience in obstetric anesthesia shall be in charge of obstetric anesthesia services.

iii. The director of MFM services shall be a board-certified or board eligible MFM physician.

b. Personnel

i. This unit shall have a board-certified or board-eligible OB-GYN readily available at all times and available to be physically present within 20 minutes of request to be on-site.

ii. This unit shall have a board-certified or a board-eligible anesthesiologist qualified in the delivery of obstetric anesthesia services physically present at all times, as applicable to R.S. 40:2109. Personnel with such credentials shall be required to be on staff and readily available on a 24-hour on-call basis, and demonstrate the ability to provide anesthesia services within 20 minutes.

iii. A board-certified or board-eligible MFM physician with inpatient privileges shall be readily available at all times, either on-site, by telephone or by telemedicine.

iv. A full complement of subspecialists, including subspecialists in critical care, general surgery, infectious disease, urology, hematology, cardiology, nephrology, neurology, gastroenterology, internal medicine, behavioral health, neonatology and pulmonology shall be readily available at all times for inpatient consultations.

v. Anesthesia services shall be physically present at all times.

vi. The delivery of safe and effective perinatal nursing care requires appropriately qualified registered nurses in adequate numbers to meet the nursing needs of each patient. The hospital shall develop, maintain and adhere to an acuity-based classification system based on nationally recognized staffing guidelines and shall have documentation of such.

vii. A nutritionist and a social worker shall be on staff and available for the care of these patients as needed.

D. Obstetrical Level III regional Unit (Regional Transfer Unit)

1. General Provisions

a. This unit shall provide care for the most challenging of perinatal conditions. Women with such conditions requiring a medical team approach not available to the MFM physician in an obstetrical level III regional unit shall be transported to a level IV unit.

b. This unit shall have written cooperative transfer agreements with a level IV unit for the transport of mothers

and fetuses requiring care that is unavailable in the level III regional unit or that is better coordinated at a level IV.

c. This unit shall accept maternal transfers as deemed appropriate by the medical staff and hospital governing body.

2. Personnel Requirements

a. This unit shall have a board-certified or board-eligible OB-GYN available on-site 24 hours a day.

b. The director of MFM services for this unit shall be a board-certified MFM physician.

c. This unit shall have an anesthesiologist qualified in the delivery of obstetric anesthesia services available to be on-site 24 hours a day.

E. Obstetrical Level IV Unit (Regional Subspecialty Perinatal Health Care Centers)

1. General Provisions

a. This unit shall provide on-site medical and surgical care of the most complex maternal conditions and critically ill pregnant women and fetuses throughout antepartum, intrapartum, and postpartum care.

2. Unit Requirements

a. This unit shall have perinatal system leadership, including facilitation of maternal referral and transport, outreach education for facilities and health care providers in the region and analysis and evaluation of regional data, including perinatal complications and outcomes and quality improvement.

3. Personnel

a. Obstetric Leadership

i. The physician obstetric leader for this unit shall be a board-certified MFM physician.

b. Personnel

i. This unit shall have a MFM care team with the expertise to assume responsibility for pregnant women and women in the postpartum period who are in critical condition or have complex medical conditions. This includes co-management of ICU-admitted obstetric patients. The MFM team members shall have full privileges and shall be available 24 hours per day for on-site consultation and management. This team shall be led by a board-certified MFM physician.

ii. This unit shall have qualified subspecialists on staff, readily available at all times, to provide consultation and treatment as needed on-site in the care of critically ill pregnant women in the following areas:

(a) cardiothoracic surgery and

(b) neurosurgery.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:

§9519. Neonatal Intensive Care [Formerly LAC 48:1.9511]

A. This §9519 is applicable to those hospitals which provide obstetrical and neonatal services.

B. Levels of Care. There are five established neonatal levels of care units:

1. neonatal level I unit;

2. neonatal level II unit;

3. level III NICU unit;

4. level III surgical NICU; and

5. level IV NICU unit.

C. Each advanced level of care unit shall provide all services and meet the personnel requirements of the lower designated units, as applicable, i.e., a level III surgical unit must meet the requirements of the level I, II, and III units.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:

§9521. Neonatal Unit Functions [Formerly LAC 48:I.9513]

A. Level I Neonatal Unit (Well Newborn Nursery)

1. General Provisions

a. This unit shall have the capability for resuscitation and stabilization of all inborn neonates in accordance with Neonatal Resuscitation Program (NRP) guidelines. The unit shall stabilize unexpectedly small or sick neonates before transfer to the appropriate advanced level of care.

b. The unit shall stabilize and provide care for infants born at 35 weeks or greater gestation and who remain physiologically stable. The requirements for maternal transport at lesser gestations for transfer to a higher level of care shall be determined by the medical staff and approved by the hospital governing body.

c. This unit shall have the capability to stabilize newborns born at less than 35 weeks gestational age for transfer to higher level of care.

d. This unit shall maintain consultation and written transfer agreements with an approved level II or III as appropriate.

e. This unit shall have a defined, secured nursery area with limited public access and/or secured rooming-in facilities with supervision of access.

f. Parent and/or sibling visitation/interaction with the neonate shall be provided.

2. Personnel Requirements

a. The unit's chief of service shall be a physician who is board-certified or board-eligible in pediatric or family practice medicine.

b. The nurse manager shall be a registered nurse with specific training and experience in neonatal care. The RN manager shall participate in the development of written policies and procedures for the neonatal care areas, and coordinate staff education and budget preparation with the chief of service. The RN manager shall name qualified substitutes to fulfill duties during absences.

c. Registered nurse to patient ratios may vary in accordance with patient needs. If couplet care or rooming-in is used, a registered nurse who is responsible for the mother shall coordinate and administer neonatal care. If direct assignment of the nurse is also made to the nursery to cover the newborn's care, there shall be double assignment (one nurse for the mother-neonate couplet and one for just the neonate if returned to the nursery). A registered nurse shall be available 24 hours a day, but only one may be necessary as most neonates will not be physically present in the nursery. Direct care of neonates in the nursery may be provided by ancillary personnel under the registered nurse's direct supervision. Adequate staff is needed to respond to acute and emergency situations.

B. Neonatal Level II Unit (Special Care Nursery)

1. General Provisions

a. This unit shall provide care for infants born at more than 32 weeks gestation and weighing more than 1,500 grams.

i. infants who have medical problems that are expected to resolve rapidly and are not anticipated to need emergent subspecialty services from a higher level NICU as determined by the attending medical staff.

b. This unit shall have the capability to provide mechanical ventilation and/or CPAP for a brief duration (less than 24 hours) for infants born at more than 32 weeks and weighing more than 1,500 grams.

c. Neonates requiring greater than 24 hours of continuous ventilator support shall be transferred to a higher-level neonatal intensive care facility.

d. This unit shall have the ability to stabilize infants born before 32 weeks gestation and/or weighing less than 1,500 grams until transfer to a higher level neonatal intensive care facility.

e. Neonates requiring transfer to a higher-level neonatal intensive care facility may be returned to a level II unit for convalescence.

2. Personnel Requirements

a. A board-certified neonatologist shall be the chief of service.

NOTE: This unit shall have continuously available medical staff defined as available 24 hours per day/7 days per week/365 days per year on call for consultation as defined by medical staff bylaws.

b. Registered nurse to patient ratios may vary in accordance with patient needs.

c. This unit shall have at least one full-time social worker to be available as needed to assist with the socioeconomic and psychosocial problems of high-risk mothers, sick neonates, and their families.

d. This unit shall have at least one occupational or physical therapist to be available as needed to assist with the care of the newborn.

e. This unit shall have at least one registered dietitian/nutritionist to be available as needed who can plan diets as required to meet the special needs of mothers and high-risk neonates.

f. This unit shall have staff available 24 hours per day who have the demonstrated knowledge, skills, abilities and training to provide the care and services to infants in this unit, such as but not limited to:

- i. nurses;
- ii. respiratory therapists;
- iii. radiology technicians; and
- iv. laboratory technicians.

3. Equipment Requirements

a. This unit shall have hospital based equipment to provide care to infants available 24 hours per day, such as but not limited to:

- i. portable x-ray machine;
- ii. blood gas analyzer.

C. Level III NICU

1. General Provisions

a. There shall be a written neonatal transport agreement with an approved level III surgical unit or level IV unit.

b. This unit shall have either a neonatologist or a neonatal nurse practitioner or a neonatology fellow in-house 24 hours per day.

c. The staffing of this unit shall be based on patient acuity and consistent with the recommended staffing guidelines of the 2012 Seventh Edition of the *AAP Guidelines for Perinatal Care*. For medical sub-specialty requirements, refer to Table 1, Neonatal Medical Subspecialties and Transport Requirements.

NOTE: All provisions of level III NICUs are required of level IIIS and IV NICUs.

2. Personnel Requirements

a. The chief of service of a level III NICU shall be a board-certified neonatologist.

EXCEPTION: In 1995, those physicians in existing units who were designated as the chief of service of the unit and who were not neonatal or perinatal board-certified, were granted a waiver by written application to the Office of the Secretary, Department of Health. This waiver shall be maintained as it applies only to the hospital where that chief of service's position is held. The physician cannot relocate to another hospital nor can the hospital replace the chief of service for whom the exception was granted and retain the exception.

b. This unit shall have at least one full-time social worker available as needed who has experience with the socioeconomic and psychosocial problems of high-risk mothers and fetuses, sick neonates, and their families. For units with greater than 30 patients, the social worker staffing ratios shall be at least one social worker to 30 patients (additional social workers may be required in accordance with hospital staffing guidelines).

c. This unit shall have at least one occupational or physical therapist available as needed with neonatal expertise and at least one individual skilled in evaluation and management of neonatal feeding and swallowing disorders (e.g., speech-language pathologist).

d. This unit shall have at least one registered dietitian/nutritionist available as needed who has training or experience in perinatal nutrition and can plan diets that meet the special needs of high-risk mothers and neonates.

e. Delivery of safe and effective perinatal nursing care requires this unit to have qualified registered nurses in adequate numbers to meet the nursing needs of each patient. To meet the nursing needs of this unit, hospitals shall develop and adhere to an acuity based classification system based on nationally recognized staffing guidelines and have documentation available on such guidelines.

f. This unit shall have the following support personnel immediately available as needed to be on-site in the hospital, including but not limited to:

i. licensed respiratory therapists or registered nurses with specialized training who can supervise the assisted ventilation of neonates with cardiopulmonary disease.

3. Equipment Requirements

a. This unit shall have the following support equipment, in sufficient number, immediately available as needed in the hospital that includes, but is not limited to:

i. advanced imaging with interpretation on an urgent basis (computed tomography, ultrasound (including cranial ultrasound), MRI, echocardiography and electroencephalography); and

ii. respiratory support that allows provision of continuous mechanical ventilation for infants less than 32 weeks gestation and weighing less than 1,500 grams.

4. Transport

a. It is optional for level III NICUs to provide transports. If the unit performs transports, the unit shall have a qualified transport team and provide for and coordinate neonatal transport with level I and level II units throughout the state.

b. Transport shall be in accordance with national standards as published by the American Academy of Pediatrics' section on neonatal and pediatric transport and in accordance with applicable Louisiana statutes.

5. Quality Improvement Collaborative

a. Facilities with level III NICUs and above shall participate in a quality improvement collaborative and a database selected by the Medicaid quality committee, neonatology sub-committee.

b. Proof of current participation by the facility will be available from the LDH website.

D. Level III Surgical NICU

1. General Provisions

a. This unit shall have a transport team and provide for and coordinate neonatal transport with level I, level II units and level III NICUs throughout the state as requested. Transport shall be in accordance with national standards as published by the American Academy of Pediatrics' section on neonatal and pediatric transport and in accordance with applicable Louisiana statutes.

NOTE: All provisions of level III NICUs are required of level IIIS and IV NICUs.

2. Personnel Requirements

a. For medical sub-specialty requirements refer to Table 1—Neonatal Medical Subspecialties and Transport Requirements.

EXCEPTION: Those hospitals which do not have a member of the medical staff who is a board certified/eligible pediatric anesthesiologist but whose anesthesiologist has been granted staff privileges to perform pediatric anesthesiology, such physician(s) may be grandfathered as satisfying the requirement of §9521.2.a when the hospital has documented evidence that the anesthesiologist was granted clinical staff privileges by the hospital prior to the effective date of this Rule. This exception applies only to such physician at the licensed hospital location and is not transferrable.

3. Equipment Requirements

a. This unit shall have the following support equipment, in sufficient number, immediately available as needed in the hospital that includes, but is not limited to:

i. a full range of respiratory support that includes high frequency ventilation and inhaled nitric oxide.

E. Level IV NICU

1. General Provisions

a. This unit shall be located within an institution with the capability to provide surgical repair of complex conditions (e.g., congenital cardiac malformations that require cardiopulmonary bypass with or without extracorporeal membrane oxygenation).

2. Personnel Requirements

a. for medical sub-specialty requirements, refer to Table 1—Neonatal Medical Subspecialties and Transport Requirements.

NOTE: All provisions of level IIIS NICUs are required of level IV NICUs.

b. Neonatal Medical Subspecialties and Transport Requirements

Table 1—Neonatal Medical Subspecialties and Transport Requirements

Text denoted with asterisks (*) indicates physician shall be available in person on-site as needed by the facility. Each higher level NICU unit shall meet the requirements of each lower level NICU unit.

Level I (Well Nursery)	Level II	Level III	Level IIIS	Level IV
Board Certified/Eligible Pediatric or Family Practice Physician	Board Certified/Eligible Pediatric or Family Practice Physician	Pediatric Cardiology ¹	Pediatric Surgery ⁴	Pediatric Surgery ⁴
	Board Certified Neonatologist	Ophthalmology ²	Pediatric Anesthesiology ⁵ §9513(2)a—See Exception	Pediatric Anesthesiology ⁵
	Social Worker		Neonatal Transport	Neonatal Transport
	Occupational Therapist	Social Worker Ratio 1:30	Ophthalmology ^{2*}	Ophthalmology ^{2*}
	Physical Therapist	OT or PT/neonatal expertise	Pediatric Cardiology*	Pediatric Cardiology*
	Respiratory Therapists	RD/training in perinatal nutrition	Pediatric Gastroenterology*	Pediatric Cardiothoracic Surgery*
	Registered dietician/nutritionist	RT/training in neonate ventilation	Pediatric Infectious Disease*	Pediatric Endocrinology*
	Laboratory Technicians	Neonatal feeding/swallowing-SLP/ST	Pediatric Nephrology*	Pediatric Gastroenterology*
	Radiology Technicians		Pediatric Neurology ^{3*}	Pediatric Genetics*
			Pediatric Neurosurgery*	Pediatric Hematology-Oncology*
			Pediatric Orthopedic Surgery*	Pediatric Infectious Disease*
			Pediatric Otolaryngology ^{6*}	Pediatric Nephrology*
			Pediatric Pulmonology*	Pediatric Neurology ^{3*}
				Pediatric Neurosurgery
				Pediatric Orthopedic Surgery
				Pediatric Otolaryngology ^{7*}
				Pediatric Pulmonology*
				Pediatric Radiology*
				Pediatric Urologic Surgery*
			Transport note:	
¹ There shall be at least one board certified or board eligible pediatric cardiologist as a member of medical staff. For Level III facilities, staff using telemedicine shall be continuously available.			Transport shall be in accordance with national standards as published by the American Academy of Pediatrics' Section on neonatal and pediatric transport and in accordance with applicable Louisiana statutes.	
² There shall be at least one board certified or board eligible ophthalmologist with sufficient knowledge and experience in retinopathy or prematurity as a member of the medical staff. An organized program for monitoring retinotherapy of prematurity shall be readily available in Level III and for treatment and follow-up of these patients in Level IIIS and IV facilities.				
³ There shall be at least one board certified or board eligible pediatric neurologist as a member of medical staff.				
⁴ For pediatric surgery, the expectation is that there is a board certified or eligible pediatric surgeon who is continuously available to operate at that facility.				
⁵ There shall be at least one board certified or board eligible pediatric anesthesiologist as a member of the medical staff.				

Table 1—Neonatal Medical Subspecialties and Transport Requirements

Text denoted with asterisks (*) indicates physician shall be available in person on-site as needed by the facility. Each higher level NICU unit shall meet the requirements of each lower level NICU unit.

Level I (Well Nursery)	Level II	Level III	Level IIIS	Level IV
⁶ Board eligible or certified in Otolaryngology; special interest in Pediatric Otolaryngology or completion of Pediatric Otolaryngology Fellowship.				
⁷ Board eligible or certified in Otolaryngology; completion of Pediatric Otolaryngology Fellowship.				
For specialties listed above staff shall be board eligible or board certified in their respective fields with the exception of otolaryngology as this field has not yet pursued certification.				

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:

§9523. Additional Support Requirements [Formerly LAC 48:I.9515]

A. A bioethics committee shall be available for consultation with care providers at all times.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Small Business Analysis

In compliance with Act 820 of the 2008 Regular Session of the Louisiana Legislature, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have no impact on small businesses, as described in R.S. 49:978.1 et seq.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments to Tasheka Dukes, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Dukes is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on January 31, 2022.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on January 10, 2022. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on January 27, 2022 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after January 10, 2022. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage, which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Dr. Courtney N. Phillips
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Hospital Licensing Standards Obstetrical and Newborn Services

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than

the cost of promulgation for FY 21-22. It is anticipated that \$4,104 will be expended in FY 21-22 for the state's administrative expense for promulgation of this proposed rule and the final rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that the implementation of this proposed rule will have no effect on revenue collections since the licensing fees, in the same amounts, will continue to be collected.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

This proposed rule amends the provisions governing the licensing of hospitals in order to update the standards for obstetrical and newborn services to ensure that the administrative rule reflects current requirements for staffing and levels of care units. Additionally, the existing provisions of LAC 48:I.9511-9515 are being relocated to LAC 48:I.9519-9523. Facilities choosing to offer certain obstetric and newborn services may experience an increase in operational costs in FY 21-22, FY 22-23, and FY 23-24; however, there is no way to determine the number of hospitals that may be impacted nor estimate the potential costs to these providers.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Tasheka Dukes, RN
Deputy Assistant Secretary
2111#050

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Bureau of Health Services Financing**

**Medicaid Eligibility
Twelve-Months Postpartum Coverage
(LAC 50:III.Chapter 23 and XV.16303)**

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 50:III.Chapter 23 and XV.16303 as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R. S. 49:950 et seq.

House Resolution 193 (HR 193) of the 2021 Regular Session of the Louisiana Legislature requested that the Department of Health, Bureau of Health Services Financing allow for postpartum Medicaid coverage for 12 months after birth for eligible pregnant individuals. In compliance with HR 193, the Department now proposes to amend the provisions governing Medicaid eligibility to extend postpartum eligibility from 60 days to 12 months. In addition, this proposed Rule amends the provisions governing modified adjusted gross income groups in order to align the administrative Rule with the current provisions of the Medicaid State Plan approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services.

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part III. Eligibility

Subpart 3. Eligibility Groups and Factors

Chapter 23. Eligibility Groups and Medicaid Programs

§2315. LaMOMS Program

A. Pursuant to the provisions of the Omnibus Budget Reconciliation Act of 1986, the Department of Health, Bureau of Health Services Financing shall provide health care coverage through the LaMOMS Program to Medicaid eligible pregnant women with low income under the Medicaid state plan.

B. Eligibility Requirements. Eligibility for LaMOMS coverage may begin at any time during a pregnancy, and as early as three months prior to the month of application. Eligibility cannot begin before the first month of pregnancy. The pregnant woman must be pregnant for each month of eligibility, except for the 12-month postpartum period.

C. ...

1. Changes in income shall be disregarded during the period of pregnancy and for the 12-month postpartum period.

D. The LaMOMS program shall provide Medicaid coverage for:

1. - 3. ...

4. postpartum care during the 12-month postpartum period.

E. Certification Period

1. Eligibility for the pregnant women group may begin:

a. at any time during a pregnancy; and

b. as early as three months prior to the month of application.

2. Eligibility cannot begin before the first month of pregnancy. The pregnant women group certification may extend through the calendar month in which the 12-month postpartum period ends.

3. An applicant/enrollee whose pregnancy terminated in the month of application or in one of the three months prior without a surviving child shall be considered a pregnant woman for the purpose of determining eligibility in the pregnant women group.

4. Certification shall be from the earliest possible month of eligibility (up to three months prior to application) through the month in which the 12-month postpartum period ends.

5. Retroactive eligibility shall be explored regardless of current eligibility status.

a. If the applicant/enrollee is eligible for any of the three prior months, she remains eligible throughout the pregnancy and 12-month postpartum period. When determining retroactive eligibility, actual income received in the month of determination shall be used.

b. If application is made after the month her pregnancy ends, the period of eligibility will be retroactive but shall not start more than three months prior to the month of application. The start date of retroactive eligibility is

determined by counting back three months prior to the date of application. The start date will be the first day of that month.

6. Coverage during the 12-month postpartum period is only available to an individual who is eligible for medical assistance under the state plan while pregnant, including during a period of retroactive eligibility.

7. Eligibility may not extend past the month in which the 12-month postpartum period ends.

a. The 12-month postpartum period begins on the last day of pregnancy.

b. The 12-month postpartum period ends the last day of the month in which the 12-month postpartum period has expired.

8. The applicant/enrollee must be income eligible during the initial month of eligibility only. Changes in income after the initial month will not affect eligibility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 39:3299 (December 2013), amended by the Department of Health, Bureau of Health Services Financing, LR 48:

§2327. Modified Adjusted Gross Income (MAGI)

Groups

A. - C.3. ...

D. Pregnant Women Group

1. - 1.b....

2. Eligibility cannot begin before the first month of pregnancy. The pregnant women group certification may extend through the calendar month in which the 12-month postpartum period ends.

3. ...

4. Certification shall be from the earliest possible month of eligibility (up to three months prior to application) through the month in which the 12-month postpartum period ends.

5. ...

a. If the applicant/enrollee is eligible for any of the three prior months, she remains eligible throughout the pregnancy and 12-month postpartum period. When determining retroactive eligibility actual income received in the month of determination shall be used.

b. If application is made after the month her pregnancy ends, the period of eligibility will be retroactive but shall not start more than three months prior to the month of application. The start date of retroactive eligibility is determined by counting back three months prior to the date of application. The start date will be the first day of that month.

6. Coverage during the 12-month postpartum period is only available to an individual who is eligible for medical assistance under the state plan while pregnant, including during a period of retroactive eligibility.

7. Eligibility may not extend past the month in which the 12-month postpartum period ends.

a. The 12-month postpartum period begins on the last day of pregnancy.

b. The 12-month postpartum period ends the last day of the month in which the 12-month postpartum period has expired.

8. The applicant/enrollee must be income eligible during the initial month of eligibility only. Changes in income after the initial month will not affect eligibility.

E. - E.2.e. ...

3. Children Under Age 19—LaCHIP Affordable Plan. A child covered under the Louisiana State Children's Health Insurance Program (LaCHIP) Affordable Plan shall:

a. - e. ...

f. be a child whose custodial parent has not voluntarily dropped the child(ren) from employer sponsored insurance within the last three months without good cause. Good cause exceptions to the three month period for dropping employer sponsored insurance are:

i. the premium paid by the family for coverage of the child under the group health plan exceeded 5 percent of household income;

ii. the child's parent is determined eligible for advance payment of the premium tax credit for enrollment in a qualified health plan (QHP) through the marketplace because the employer-sponsored insurance (ESI) in which the family was enrolled is determined unaffordable in accordance with 26 CFR 1.36B-2(c)(3)(v);

iii. the cost of family coverage that includes the child exceeded 9.5 percent of the household income;

iv. the employer stopped offering coverage of dependents (or any coverage) under an employer-sponsored health insurance plan;

v. a change in employment, including involuntary separation, resulted in the child's loss of employer-sponsored insurance (other than through full payment of the premium by the parent under the Consolidated Omnibus Reconciliation Act of 1985 (COBRA));

vi. the child has special health care needs;

vii. the child lost coverage due to the death or divorce of a parent;

viii. involuntary termination of health benefits due to a long-term disability or other medical condition;

ix. the child has exhausted coverage under the COBRA continuation provision (i.e., COBRA expired); or

x. lifetime maximum has been reached.

E.4. - G. ...

1. Former foster care children may also be applicants/enrollees who:

a. have lost eligibility due to moving out of state, but re-established Louisiana residency prior to reaching age 26.

b. Repealed.

2. - 2.d....

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:945 (May 2015), amended by the Department of Health, Bureau of Health Services Financing, LR 48:

§2331. Twelve-Months Postpartum Medicaid Coverage

A. Pursuant to the provisions of the section 9812 of the American Rescue Plan Act of 2021, the Department of Health, Bureau of Health Services Financing shall provide, during a five year period beginning April 1, 2022, that an individual who, while pregnant, is eligible for and has received medical assistance under the state plan or waiver of

such plan including during a period of retroactive eligibility, shall remain eligible for a 12-month postpartum period. The 12-month postpartum period begins on the last day of pregnancy and ends on the last day of the month in which the 12-month postpartum period has expired.

B. The medical assistance provided for the pregnant or postpartum individual shall:

1. include all items and services covered under the state plan (or waiver) that are not less in amount, duration, or scope to the medical assistance available for an individual described in section 1902(a)(10)(A)(i) of the Social Security Act; and

2. be provided for the individual while pregnant and during the 12-month period that begins on the last day of the individual's pregnancy and ends on the last day of the month in which such 12-month period ends.

C. Coverage Under CHIP. A targeted low-income child who while pregnant, is eligible for and has received title XXI child health assistance, shall remain eligible for a 12-month postpartum period. The 12-month postpartum period begins on the last day of pregnancy and ends on the last day of the month in which the 12-month postpartum period has expired.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:

Part XV. Services for Special Populations

Subpart 13. Pregnant Women Extended Services

Chapter 163. Substance Use Screening and Intervention Services

§16303. Scope of Services

A. - D. ...

1. Pregnant women may receive four counseling sessions per quit attempt, up to two quit attempts per calendar year. Limits may be exceeded, based on medical necessity. The period of coverage for these services shall include the prenatal period through 12-month postpartum period. Services shall be provided:

a. - b.ii. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and Title XIX of the Social Security Act.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 40:794 (April 2014), amended by the Department of Health, Bureau of Health Services Financing, LR 46:184 (February 2020), LR 46:954 (July 2020), LR 48:

Implementation of the provisions of this Rule may be contingent upon the approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), if it is determined that submission to CMS for review and approval is required.

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have a positive impact on family functioning, stability and autonomy as described in R.S. 49:972 as it extends Medicaid coverage for recipients from 60 days postpartum to 12 months.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have a positive impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973 as it extends Medicaid coverage for recipients from 60 days postpartum to 12 months.

Small Business Analysis

In compliance with Act 820 of the 2008 Regular Session of the Louisiana Legislature, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule may have a positive impact on small businesses, as described in R.S. 49:978.1 et seq., since it permits Medicaid reimbursement for the provision of services to qualified mothers.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, but may reduce the total direct and indirect cost to the provider to provide the same level of service, and may enhance the provider's ability to provide the same level of service as described in HCR 170 since this proposed Rule permits Medicaid reimbursement for the provision of services to qualified recipients.

Public Comments

Interested persons may submit written comments to Patrick Gillies, Bureau of Health Services Financing, P.O. Box 91030, Baton Rouge, LA 70821—9030. Mr. Gillies is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on January 31, 2022.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on January 10, 2022. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 9:30 a.m. on January 27, 2022 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after January 10, 2022. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage, which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Dr. Courtney N. Phillips
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Medicaid Eligibility
Twelve-Months Postpartum Coverage**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed rule will result in increased state general fund costs of approximately \$317,398 for FY 21-22, \$2,757,349 for FY 22-23 and \$2,818,831 for FY 23-24. It is anticipated that \$1,512 (\$756 SGF and \$756 FED) will be expended in FY 21-22 for the state's administrative expense for promulgation of this proposed rule and the final rule.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that the implementation of this proposed rule will increase federal revenue collections by approximately \$1,146,187 for FY 21-22, \$8,870,551 for FY 22-23, and \$9,113,550 for FY 23-24. It is anticipated that \$756 will be collected in FY 21-22 for the federal share of the expense for promulgation of this proposed rule and the final rule.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

This proposed rule, in compliance with House Resolution 193 of the 2021 Regular Session of the Louisiana Legislature, amends the provisions governing Medicaid eligibility to extend postpartum eligibility from 60 days to 12 months and amends the provisions governing Modified Adjusted Gross Income Groups in order to align the administrative rule with the current provisions of the Medicaid State Plan approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services. This proposed rule will be beneficial to qualified recipients by extending their access to Medicaid services. Providers will benefit from implementation of this proposed rule since they will receive reimbursement for the provision of services that were previously not covered for this population. It is anticipated that implementation of this proposed rule will increase expenditures in the Medicaid program by approximately \$1,462,073 for FY 21-22, \$11,627,900 for FY 22-23, and \$11,932,381, for FY 23-24.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Patrick Gillies
Medicaid Executive Director
2111#051

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Office of Public Health**

Newborn Heel Stick Screening (LAC 48:V.6303)

Under the authority of R.S. 40:4 and 40:5, and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the state health officer, acting through the Louisiana Department of Health, Office of Public Health (LDH/OPH), intends to recodify parts of Chapter 63 of Title 48—Public Health—General.

This proposed rule will amend §6303 to include Spinal Muscular Atrophy (SMA), Mucopolysaccharidosis (MPS I), and Glycogen Storage Diseases Type II (Pompe Disease) to

the Louisiana Newborn Screening Panel. The proposed rule will also amend the laboratory testing methodology used for newborn heel stick screening.

Title 48

PUBLIC HEALTH—GENERAL

Part V. Preventive Health Services

Subpart 18. Disability Prevention Program

Chapter 63. Newborn Heel Stick Screening

§6303. Purpose, Scope, and Laboratory Testing Methodology

A. - A.8.a. ...

9. Neuromuscular disorders:

a. spinal muscular atrophy (SMA).

10. Lysosomal storage disorders:

a. mucopolysaccharidosis type 1 (MPS 1);

b. glycogen storage disease type II (Pompe).

B. - B.3. ...

4. To ensure that specimens for testing are received within 24 to 48 hours or 1 to 2 days after collection, a state run courier will pick up specimens from each birthing facility and transport the specimens to the Office of Public Health (OPH) Laboratory. Specimens collected by other laboratories approved by OPH to perform newborn screening pursuant to the requirements of this Chapter, shall provide mailing envelopes to submitting hospitals which guarantee a delivery time no longer than 32 days from mailing. The use of the United States Postal Service and all other companies and courier services providing the required level of service stated herein are acceptable.

C. ...

1. Pre-Discharge Screening. All hospitals that have maternity units shall institute and maintain a policy of screening all newborns before discharge regardless of their length of stay in the hospital. The initial screening specimen should be collected between 24 and 48 hours after birth.

a. If the newborn is admitted or readmitted to the hospital within the first 28 days of life, the admitting facility shall collect and submit the newborn screening specimen unless proof of a previous normal newborn screening specimen result is available.

b. If the newborn transferred from one facility to another, the transferring facility shall collect the newborn screening specimen and notify the next facility that the newborn screening specimen has been collected. The facility transporting a sick newborn should have the initial newborn screen documented in the newborn's medical record. The receiving facility should determine if the newborn screen was done. If not, the newborn shall have an initial newborn screen collected upon admission.

2. Repeat Screening for Specimens Collected before 24 Hours. There is a greater risk of false negative results for specimens collected from babies younger than 24 hours of age. Therefore, full-term, healthy newborns screened prior to 24 hours of age must be rescreened at the first medical visit, preferably between 2-5 days of life. Repeat screening should be arranged by the primary pediatrician; however, it may be done by any primary healthcare provider or clinical facility qualified to perform newborn screening specimen collection.

3. For preterm, low birth weight, and sick infants admitted to the neonatal intensive care unit (NICU), an initial specimen should be collected upon admission, a second specimen shall be collected at 48-72 hours after

admission and a final specimen shall be collected at 28 days or upon discharge, whichever comes first.

4. Policy for Result Reporting and Repeat Screening Post Transfusion. Whenever possible, a specimen should be collected prior to transfusion. Repeat testing is recommended 3 days after transfusion and 90 days after last transfusion. If the specimen was not collected before transfusion, the laboratory reporting the results to the submitter shall indicate that transfusion may alter all newborn screening results and include the above times for repeat screening.

NOTE: Please contact the Louisiana Genetic Diseases program for guidance on any other testing concerns.

5. Education to Parents on Repeat Screening. To ensure that newborns who need rescreening actually receive the repeat test, hospitals with maternity units must establish a system for disseminating information to parents about the importance of rescreening. This includes infants with an initial unsatisfactory specimen, infants with an initial collection performed at less than 24 hours of age, and infants admitted to the NICU

D. - D.1 ...

E. Unsatisfactory Specimens. The accuracy of a test depends on proper collection of the blood spot. Specimens of unsatisfactory quality for testing shall be indicated on the test result slip. If the laboratory determines the specimen to be unsatisfactory, the submitter shall collect and submit a second sample as soon as possible. If the newborn has been discharged, the submitter shall contact the newborn's primary care provider or parent or guardian to collect a second sample. Training on collecting adequate specimens is available on the Newborn Screening website at ldh.la.gov/newborn.

F. - G.4. ...

5. Only the following testing methodologies listed in Table 6303.G.5 are acceptable without prior written approval from the Genetic Diseases Program.

Table 6303.G.5	
Disease	Testing Methodology
Disorders of Amino Acid Metabolism Disorders of Fatty Acid Metabolism Disorders of Organic Acid Metabolism (Specific disorders include those as listed under Subsection A)	Tandem Mass Spectrometry (MS/MS)
Biotinidase Deficiency	Time-Resolved Immunofluorescence assay Qualitative or Quantitative Enzymatic Colorimetric or Fluorometric
Galactosemia	Galt enzyme assay Total Galactose
Hemoglobinopathies (Sickle Cell Diseases)	Cellulose acetate/citrate agar Capillary isoelectric focusing (CIEF) Gel isoelectric focusing (IEF) High Pressure Liquid Chromatography (HPLC) DNA Mutational Analysis Sickle Dex - is NOT Acceptable Controls must include: F, A, S, C, D, E If controls for hemoglobins D and E are not included in the first tier testing methodology, then the second tier testing must be able to identify the presence of these hemoglobins.

Table 6303.G.5	
Disease	Testing Methodology
	Result Reporting: by phenotype Positive/negative is NOT acceptable
Congenital Hypothyroidism	Radioimmunoassay (RIA), Fluorescent Immunoassay (FIA) time resolved fluoroimmunoassay, Enzyme Immunoassay (EIA) methods for T4 and/or Thyroid Stimulating Hormone (TSH) which have been calibrated for neonates
Congenital Adrenal Hyperplasia	17 hydroxyprogesterone (17OHP), time resolved fluoroimmunoassay
Cystic Fibrosis	Primary: Immunoreactive Trypsinogen; Time-Resolved fluoroimmunoassay Second Tier: Deoxyribonucleic Acid (DNA) mutation analysis Qualitative Sweat Conductivity Test is NOT acceptable as a primary screening methodology. Confirmatory Test Methodologies: Quantitative Pilocarpine Iontophoresis Sweat Chloride Test Qualitative Sweat Conductivity Test is NOT recommended.
Severe Combined Immunodeficiencies (SCID) Spinal Muscular Atrophy (SMA)	Real Time Quantitative Polymerase Chain Reaction (RTQPCR)
Mucopolysaccharidosis type I (MPS I) Glycogen storage disease type II (Pompe)	Digital microfluidics

a. Alternative Methodologies not listed in Table 6303.G.5. New Food and Drug Administration (FDA)-approved methodologies may be used if first found to be acceptable by the Genetics Diseases Program. Approval shall be requested from the Genetic Diseases Program in writing 60 days before the intended date of implementation by mailing the request to:

LDH OPH Genetic Diseases Program
P.O. Box 60630
New Orleans, Louisiana 70160-0630

5.b. - 8.b. ...

- i. metabolic disorders identified by tandem mass spectrometry and for galactosemia—report results within 2 hours;
- ii. biotinidase deficiency—report results within 24 hours;
- iii. sickle cell disease—report results of FS, FSC, FSA from initial specimens within 24 hours;
- iv. congenital hypothyroidism—report within 24 hours;
- v. congenital adrenal hyperplasia—report within 2 hours; and
- vi. cystic fibrosis—report within 24 hours.

c. The specified information to be reported:

- i. child's name;
- ii. parent or guardian's name;
- iii. child's street address;
- iv. child's date of birth;
- v. child's sex;
- vi. child's race;
- vii. parent's telephone number;
- viii. collection date;
- ix. test results;
- x. primary care physician;

- xi. age at collection (< or > 48 hours old);
- xii. birth weight;
- xiii. full term or premature or gestational age; and
- xiv. transfusion given?

Yes ___ No ___

If yes, date of last transfusion (if available): _____

xv. Feeding type: human milk, formula (type), both (formula type)

9. - 11.e. ...

H. - H.3.repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1081.1 and 1081.2.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of Preventive and Public Health Services, LR 13:246 (April 1987), amended by the Department of Health, Office of Public Health, LR 17:378 (April 1991), LR 18:1131 (October 1992), LR 20:1386 (December 1994), LR 23:301 (March 1997), LR 27:545 (April 2001), LR 29:1490 (August 2003), LR 32:248 (February 2006), LR 34:442 (March 2008), amended by the Department of Health, Office of Public Health, LR 44:1908 (October 2018), LR 48:

Family Impact Statement

The proposed Rule is anticipated to have a known or foreseeable impact on family formation, stability, and autonomy. In particular, for newborns diagnosed with any of these conditions and their families, the proposed Rule may have a known or foreseeable impact on:

1. The stability of the family: the purpose of newborn screening is to identify genetic conditions which are treatable, life enhancing and potentially life-saving. Newborn screening is a very important service to families in detecting diseases at birth which can be identified through proper and available screening. Adding these additional diseases to the newborn screening panel would enhance the stability of the family by detecting this devastating condition early and preventing the negative health consequences.

2. The authority and rights of persons regarding the education and supervision of their children: This will not affect the authority, rights or supervision of parents over their children. Parents have the choice to "opt out" of the testing.

3. The functioning of the family: if detected and treated early, children affected by these disorders can lead long and fulfilling lives. This will contribute to a positive family structure.

4. Family earnings and family budget: testing for SMA, MPS I and Pompe Disease is life-saving as well as cost saving for families. Testing for these conditions will be added to the existing newborn screening blood spot panel at no cost to families, leading to early identification of the conditions. This testing saves lives and saves money. A late diagnosed case of SMA can result in up to \$200,000 per year per case in medical bills and can ultimately lead to death within the first two years of life. Treatment for SMA with FDA approved methods is approximately \$2,000,000 for a single-dose curative treatment and is covered by Medicaid and most commercial health insurance plans and results in a typical life for people with this condition. Without early testing and treatment, the life span of a person with MPS I is 10 years and Pompe Disease can cause death in the first year of life. Although there is no cure for these conditions, both can be managed with enzyme replacement therapy (ERT) which is covered by Louisiana Medicaid.

5. The behavior and personal responsibility of children: The addition of SMA, MPS I and Pompe would help children affected with these conditions lead typical lives.

6. The ability of the family or a local government to perform the function as contained in the proposed Rule: All children in Louisiana are tested at birth for most conditions recommended by the U.S. Department of Health and Human Services' Advisory Committee on Heritable Disorders in Newborns and Children. Adding the new disorders to the newborn screening panel will not call for any additional effort of families or local governments.

Poverty Impact Statement

The proposed Rule is anticipated to have a known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, for newborns diagnosed with any of these conditions and their families, there may be a foreseeable effect on:

1. The effect on household income, assets, and financial security: there will be a positive effect on household income, assets and financial security through the avoidance of health issues for families of children who have these additional diseases and were detected at birth. Health issues, if not treated early in life, can have huge financial impact to a family as they will have extreme medical costs.

2. The effect on early childhood development and preschool through postsecondary education development: if detected and treated early, children can develop without the burden of continued medical issues. When these diseases are not identified early, illness and eventually death, will likely occur before the child ever reaches pre-school.

3. The effect on employment and workforce development: there could be effect on the employment and workforce development of parents of children with these additional diseases. Caring for a very sick child could make employment for both parents difficult.

4. The effect on taxes and tax credits: there will be no effect on taxes and tax credits.

5. The effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance: there will be a positive effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance. Early detection and treatment mean that a child, and their family, can operate without the burden of increased health care costs. Additionally, lost employment and strained resources for utilities can be avoided, as well as increased difficulties for child and dependent care, due to frequent illnesses.

Small Business Analysis

The proposed Rule should have no adverse impact on small businesses as defined in the Small Business Protection Act.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. Per HCR 170, "provider" means an organization that provides services for individuals with developmental disabilities. In particular, the impact is anticipated as follows:

1. there is no anticipated impact on the staffing level requirements or qualifications required to provide the same level of service as is currently being provided to the

population of individuals with developmental/intellectual disabilities being served by the provider;

2. the total direct and indirect effect on the cost to the providers to provide the same level of service is anticipated to be minimal due to the low incidence rates for these conditions. The goal of testing newborns is to identify positive cases early in life and institute treatment as soon as possible; thus, more costly interventions later in life to babies who are not tested and are later found to exhibit symptoms of this disease are averted. The incidence for SMA is 1 per 10,000 births. Louisiana would expect to see 4-5 cases per year. The incidence for MPS I is 1 in 54,000 births and Louisiana would expect to see 1 case per year. The incidence of Pompe Disease is 1 in 28,000 births and Louisiana would expect to see about 2-3 cases per year; and

3. there is no anticipated impact on the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments on the proposed Rule. Such comments must be received no later than Tuesday, January 25, 2022 and should be addressed to Amy Zapata, MPH, Louisiana Department of Health, Office of Public Health, Bureau of Family Health, 1450 Poydras Street, Room 2013, New Orleans, LA 70112.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than Monday, January 10, 2022. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a public hearing at 9:00AM on Tuesday, January 25, 2022 in Room 173 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after Monday, January 10, 2022. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to the Bienville Building's front security desk.

Dr. Courtney N. Phillips
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Newborn Heel Stick Screening

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There are no implementation costs or savings to local government.

The estimated costs to state government are expected to be \$729,105 for FY22, \$1,589,417 for FY23, and \$1,759,788 for FY24. The cost of publication in the Louisiana Register is expected to be approximately \$609.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no revenue impact on local governments.

Regarding state government, The Office of Public Health (OPH) is negotiating with the Louisiana Medicaid to reimburse OPH on the cost of the screening. At this time, the agency is unable to provide the exact dollar amount of the anticipated revenue increase. However, it is anticipated that the revenue will be equal or close to the expenditures.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The benefit of this rule to affected persons is the reduction in the risk of mortality and cost of treatment associated with these conditions.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The LDH Office of Public Health is the only entity in the state with the resources to provide this service. There is no estimated effect on competition or employment.

Kim Hood, JD
Assistant Secretary
2112#046

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Insurance Office of the Commissioner

Regulation 120—Administrative and Agency
Proceedings Instituted Against a License
(LAC 37:XIII.Chapter 181)

The Department of Insurance, pursuant to the authority of the Louisiana Insurance Code, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby gives notice of its intent to promulgate Regulation 120—Administrative and Agency Proceedings Instituted Against a License. Regulation 120 establishes three types of notice requirements applicable to administrative and agency proceedings instituted against a license, including (1) notice of wrongful conduct, (2) notice of regulatory action, and (3) notice of summary suspension. Regulation 120 also prescribes the time delays for each of the respective notices sent to a licensee. Lastly, Regulation 120 provides a mechanism for requesting a stay, and it further addresses related procedures governing administrative actions against a license in accordance with R.S. 22:2191, et seq.

Title 37 INSURANCE

Part XIII. Regulations

Chapter 181. Regulation Number 120—Administrative and Agency Proceedings Instituted Against a License

§18101. Authority

A. This regulation is promulgated on behalf of the Department of Insurance by the Commissioner of Insurance pursuant to the authority granted under Title 22.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 48:

§18103. Purpose

A. The purpose of this regulation is to establish procedures for governing the institution of administrative and agency proceedings resulting in administrative action with respect to a license in accordance with R.S. 22:2191, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 48:

§18105. Scope and Applicability

A. Regulation 120 sets forth procedures and time delays that govern the institution of administrative and agency proceedings resulting in administrative action instituted against any licensee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 48:

§18107. Severability

A. The provisions of this Subpart are severable. If any provision or item of this Subpart, or application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of this Subpart which are to be given effect without the invalid provision, item, or application of the Subpart.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 30:2834 (December 2004), amended LR 48:

§18109. Definitions

A. Strictly for purposes of Regulation 120, the following terms are defined as follows.

License—any and all authorizations, certificates of authority, licenses, registrations, or other written instruments, acknowledgements, or statutory decrees, establishing that a person or entity is authorized to conduct the business of insurance in accordance with Title 22.

Licensee—all persons and entities issued a “license” by the Department of Insurance or otherwise authorized by statute to conduct the business of insurance in this state. Additionally, the term “licensee,” as used in this regulation, includes approved unauthorized insurers, as defined in Chapter 2 of the Louisiana Insurance Code.

Administrative Proceedings—proceedings in an administrative tribunal adjudicated by an administrative law judge and conducted in accordance with Chapter 12 of the Louisiana Insurance Code, R.S. 22:2191, et seq. and the Administrative Procedure Act, R.S. 49:950, et seq.

Agency Proceedings—proceedings instituted or conducted by the Commissioner of Insurance.

Commissioner—the Commissioner of Insurance, his deputy, or the Department of Insurance, as appropriate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 48:

§18111. Actions Against License; Notice of Wrongful Conduct; Opportunity to Show Compliance

A. Prior to the institution of an agency proceeding regarding the revocation, suspension, annulment, or withdrawal of a license, the Commissioner shall give the licensee notice of the wrongful conduct alleged and an opportunity to show compliance with all lawful requirements for the retention of the license in accordance with R.S. 49:950 et seq. The notice of wrongful conduct shall be in writing, mailed or delivered personally to the licensee at the last known address or principal place of business identified in the Department’s database for the licensee, and it must include the particulars set forth under Subpart B. herein.

B. The notice of wrongful conduct shall include a statement of the legal authority and alleged facts or conduct under which the Department’s enforcement action is based. The notice of wrongful conduct shall also include references to the applicable provisions of Title 22 and regulations promulgated by the Department, and it shall advise the licensee of the opportunity to show compliance with all lawful requirements for retention of the license.

C. The licensee shall have 20 calendar days from the mailing or personal delivery of the notice of wrongful conduct by the Commissioner to demonstrate compliance with all lawful requirements for retention of the license as specified in the notice of wrongful conduct, unless the Commissioner determines that an extension of time is warranted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 48:

§18113. Notice of Regulatory Action

A. If the licensee fails to demonstrate compliance with all lawful requirements of Title 22 for retention of the license to the satisfaction of the Commissioner within 20 calendar days of the mailing or personal service of the notice of wrongful conduct, or within any extension of time approved by the Commissioner, a notice of regulatory action may be issued. The notice shall be in writing and issued via mail or by personal delivery to the last known address or principal place of business identified in the Department’s database for the licensee. The revocation, suspension, annulment, or withdrawal of a license shall take effect 10 calendar days from the date of issuance of the notice of regulatory action, unless otherwise provided in Title 22. The licensee shall have the right to timely demand an administrative hearing to contest the notice of regulatory action in accordance with R.S. 22:2191, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 48:

§18115. Notice of Summary Suspension or Order

A. Notwithstanding any other provision of this regulation, if the Commissioner finds that the public health, safety, or welfare of Louisiana citizens imperatively requires emergency action, the Commissioner may issue a notice of summary suspension or order to the licensee, setting forth

the basis for such a finding. The notice of summary suspension or order shall be in writing, mailed or delivered personally to the licensee at the last known address or principal place of business identified in the Department's database for the licensee, and it may be issued while agency proceedings for license revocation or other adverse actions authorized by R.S. 49:961(C) are pending, unless otherwise provided in Title 22. The licensee shall have the right to timely demand an administrative hearing to contest the notice of summary suspension or order in accordance with R.S. 22:2191, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 48:

§18117. Stay of Action

A. A demand for an administrative hearing shall not operate as an automatic stay of any order issued by the Commissioner or any action taken or proposed to be taken by the Commissioner unless such relief is granted by the Division of Administrative Law pursuant to R.S. 22:2204 and the Administrative Procedure Act, R.S. 49:950, or as otherwise provided in Title 22. All demands for hearing and requests for a stay of action shall be filed in accordance with Chapter 12 of the Louisiana Insurance Code, R.S. 22:2191, et seq. and held in accordance with the Administrative Procedure Act, R.S. 49:950, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2204, and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 48:

§18119. Effective Date

A. This regulation shall become effective upon final publication in the Louisiana Register.

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:2, 22:11, 22:18, 22:2191, et seq., and the Administrative Procedure Act, R.S. 49:950, et seq.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 48:

Family Impact Statement

1. Describe the Effect of the Proposed Regulation on the Stability of the Family. The proposed regulation should have no measurable impact upon the stability of the family.

2. Describe the Effect of the Proposed Regulation on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. The proposed regulation should have no impact upon the rights and authority of children regarding the education and supervision of their children.

3. Describe the Effect of the Proposed Regulation on the Functioning of the Family. The proposed regulation should have no direct impact upon the functioning of the family.

4. Describe the Effect of the Proposed Regulation on Family Earnings and Budget. The proposed regulation should have no direct impact upon family earnings and budget.

5. Describe the Effect of the Proposed Regulation on the Behavior and Personal Responsibility of Children. The proposed regulation should have no impact upon the behavior and personal responsibility of children.

6. Describe the Effect of the Proposed Regulation on the Ability of the Family or a Local Government to Perform the Function as Contained in the Rule. The proposed regulation should have no impact upon the ability of the family or a local governmental unit to perform the function as contained in the rule.

Poverty Impact Statement

1. Describe the Effect on Household Income, Assets, and Financial Security. The proposed regulation should have no effect on household income assets and financial security.

2. Describe the Effect on Early Childhood Development and Preschool through Postsecondary Education Development. The proposed regulation should have no effect on early childhood development and preschool through postsecondary education development.

3. Describe the Effect on Employment and Workforce Development. The proposed regulation should have no effect on employment and workforce development.

4. Describe the Effect on Taxes and Tax Credits. The proposed regulation should have no effect on taxes and tax credits.

5. Describe the Effect on Child and Dependent Care, Housing, Health Care, Nutrition, Transportation and Utilities Assistance. The proposed regulation should have no effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The impact of the proposed regulation on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed regulation that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed regulation on small businesses.

1. Identification and Estimate of the Number of the Small Businesses Subject to the Proposed Rule. The proposed regulation should have no measurable impact upon small businesses.

2. The Projected Reporting, Record Keeping, and Other Administrative Costs Required for Compliance with the Proposed Rule, Including the Type of Professional Skills Necessary for Preparation of the Report or Record. The proposed regulation should have no measurable impact upon small businesses.

3. A Statement of the Probable Effect on Impacted Small Businesses. The proposed regulation should have no measurable impact upon small businesses.

4. Describe any Less Intrusive or Less Costly Alternative Methods of Achieving the Purpose of the Proposed Rule. The proposed regulation should have no measurable impact on small businesses; therefore, there is no less intrusive or less costly alternative method of achieving the purpose of the proposed regulation.

Provider Impact Statement

1. Describe the Effect on the Staffing Level Requirements or Qualifications Required to Provide the Same Level of Service. The proposed regulation will have no effect.

2. The Total Direct and Indirect Effect on the Cost to the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

3. The Overall Effect on the Ability of the Provider to Provide the Same Level of Service. The proposed regulation will have no effect.

Public Comments

Interested persons who wish to make comments may do so by writing to Philip Dominique, Staff Attorney, Louisiana Department of Insurance, P.O. Box 94214, Baton Rouge, LA 70804-9214, or by faxing comments to (225) 342-1632. Comments will be accepted through the close of business, 4:30 p.m., January 10, 2022.

James J. Donelon
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Regulation 120—Administrative and Agency Proceedings Instituted Against a License

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to result in implementation of costs or savings to the state or local governmental units. The proposed rule is promulgated to establish procedures for governing the administrative and agency proceedings instituted against a license. The proposed rule prescribes time delays for notices sent to a licensee, mechanism for requesting a stay, and procedures governing administrative action with respect to a license in accordance with R.S. 22:2191, et seq.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will have no impact on state or local governmental revenues.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule may have an affect on any insurance license issued in Louisiana. The proposed rule sets forth procedures and time delays that govern the institution of administrative and agency proceedings resulting in administrative action against any licensee.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule will have no impact upon competition and employment in the state.

Denise Gardner
Chief of Staff
2112#045

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Public Safety and Corrections Office of Motor Vehicles

Designations or Restrictions on Driver's Licenses and Identification Cards (LAC 55:III.108)

Editor's Note: This Notice of Intent is being repromulgated to correct a submission error. The original Notice of Intent can be viewed in the November 20 2021, *Louisiana Register* on pages 1771-1773.

Under the authority of R.S. 37:3270 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Office of Motor Vehicles, hereby proposes to amend section 108 under Chapter 1 to implement a more comprehensive version of Title 55 as it relates to the rules governing designations or restrictions on driver's licenses and identification cards. In addition to a more comprehensive version of the rules governing driver's licenses and identification cards, the Office of Motor Vehicles implements Act 137 of the 2020 Regular Legislative Session regarding a designation for applicants with autism spectrum disorder.

Title 55

PUBLIC SAFETY

Part III. Motor Vehicles

Chapter 1. Driver's License

Subchapter A. General Requirements

§108 Designations or Restrictions on Driver's Licenses and Identification Cards

A. - A.6. ...

B. Autism

1. A special Louisiana driver's license shall be issued to any applicant upon request who has been diagnosed as having autism spectrum disorder. The designation shall be issued by the Department and exhibited on the driver's license.

2. An "autism" designation shall be exhibited on a driver's license, including a temporary instructional permit.

3. Only applicants with autism spectrum disorder documented as required in Paragraph B.4 of this Section are eligible for the designation "autism."

4. All applications for an "autism" designation shall be accompanied by one of the following to obtain the designation authorized in this Section:

a. a statement, on a form provided by the department, from a qualified medical professional licensed in Louisiana or another state or territory of the United States, stating the medical information which establishes the individual as having autism spectrum disorder; or

b. a statement from a qualified medical or mental health professional verifying the applicant's diagnosis; or a statement from a qualified mental health professional licensed in Louisiana or any other state or territory of the United States verifying the applicant's disability.

5. If the holder of a driver's license with an "autism" designation no longer wishes to have the designation displayed on the driver's license, the holder shall return the credential to have the designation removed.

6. No additional fee shall be charged to include such a designation. The charge for an "autism" driver's license shall be the same as for regular driver's license.

C. Deaf or Hard of Hearing

1. A special Louisiana driver's license card shall be issued to any applicant who is deaf or hard of hearing.

2. A restriction code will be placed on the driver's license for deaf or hard of hearing and these codes will be inclusive of a Restriction 41 as well.

3. Only applicants who are deaf or hard of hearing documented as required in Paragraph B.4 of this Section are eligible to have the restriction code placed on their driver's license.

4. All applications for a deaf or hard of hearing restriction shall be accompanied by a medical examination form from a qualified medical, audiologist, or speech pathologist professional licensed in Louisiana stating the medical information which establishes the applicant is deaf or hard of hearing.

5. No additional fee shall be charged to include such restriction. The charge for a driver's license inclusive of the restrictions shall be the same as for regular driver's license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:412(O), R.S. 32:412(P), and R.S. 32:403.3.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Public Safety Services, Office of Motor Vehicles, LR 44:2020 (November 2018), LR 48:

Family Impact Statement

The Effect of this Rule on the Stability of the Family. This Rule will have no effect on the stability of the family.

The Effect of this Rule on the Authority and Rights of Parents Regarding the Education and Supervision of their Children. This Rule will have no effect on the authority and rights of parents regarding the education and supervision of their children.

The Effect of this Rule on the Functioning of the Family. This Rule will have no effect on the functioning of the family.

The Effect of this Rule on Family Earnings and Family Budget. This Rule will have no effect on family earning and family budget.

The Effect of this Rule on the Behavior and Personal Responsibility of Children. This Rule will have no effect on the behavior and personal responsibility of children.

The Effect of this Rule on the Ability of the Family or Local Government to Perform the Function as Contained in the Proposed Rules. This Rule will have no effect on the ability of the family or local government to perform the function as contained in the proposed Rules.

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973.B. In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The impact of the proposed Rule on small businesses as defined in R.S. 49:965.6, the Regulatory Flexibility Act, has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses. The agency, consistent with health, safety, environmental, and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small businesses.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments to Laura H. Ellender, Attorney, Louisiana State Police, 7979 Independence Blvd., Suite 307, Baton Rouge, LA 70806. She is responsible for responding to inquiries regarding this proposed Rule.

Public Hearing

Requests for a public hearing must be submitted in writing either via email or written correspondence. Requests for a public hearing shall be sent to Laura.ellender@la.gov or to Laura H. Ellender, Attorney, Louisiana State Police, 7979 Independence Blvd., Suite 307, Baton Rouge, Louisiana 70806. The deadline for submitting a request for public hearing is December 10, 2021. All requests for a public hearing sent via written correspondence must be received December 10, 2022. A public hearing will be held on Tuesday, December 28, 2021 at 10:00 a.m. at 7979 Independence Boulevard, Suite 301, Baton Rouge, Louisiana 70806. If the requisite number of comments are not received, the hearing will be cancelled. Please call and confirm the hearing will be conducted before attending.

Karen St. Germain
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Designations or Restrictions on Driver's Licenses and Identification Cards

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the de minimis cost of promulgation for FY 21-22.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

It is anticipated that the implementation of this proposed rule will not affect revenue collections.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

It is anticipated that implementation of this proposed rule will not have economic cost or benefits to directly affected persons or non-governmental groups for FY 21-22, FY 22-23, and FY 23-24.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Jason Starns
Chief Administrative Officer
2112#061

Alan M. Boxberger
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Revenue
Office of Alcohol and Tobacco Control**

Regulation IX—Prohibition of Certain
Unfair Business Practices (LAC 55:VII.317)

In accordance with the provisions of the Administrative Procedure Act, R.S. 26:792, the Department of Revenue, Office of Alcohol and Tobacco Control (ATC), proposes to amend LAC 55:VII, Subpart 3, Beer and Liquor, Chapter 3, Section 317, relative to the marketing and sale of alcoholic beverages in Louisiana. This proposed Rule is promulgated in accordance with the authority delegated in R.S. 26:307(E) and R.S. 26:308(E) that allow the commissioner to promulgate rules related to the requirements and qualifications for delivery of alcoholic beverages.

Title 55

PUBLIC SAFETY

Part VII. Alcohol and Tobacco Control

Subpart 3. Beer and Liquor

Chapter 3. Liquor Credit Regulations

**§317. Regulation IX—Prohibition of Certain Unfair
Business Practices**

A. - C.2.b.ii. ...

iii. Product displays may be furnished by an industry member to a retailer, provided that the total value of all product displays furnished by an industry member may not exceed \$155 per brand in use at any one time in any one retail establishment. Product display are racks, bins, barrels, casks, shelving, and the like from which alcoholic beverages are displayed or sold. Product display also includes refrigerated coolers, which serve as only a temperature-controlled product display for exclusively spirits or liquor. A manufacturer may furnish to a retailer the refrigerated coolers that serve only as a temperature-controlled products display for spirituous liquor but such display may not exceed \$155 of the total value of all products displays per brand in use at any one time in any one retail establishment. Product displays shall bear conspicuous, substantial, and permanently inscribed or securely affixed advertising matter.

C.2.c. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 26:150.

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of Alcoholic Beverage Control, LR 4:463 (November 1978), amended LR 5:11 (January 1979), amended by the Department of Public Safety and Corrections, Office of Alcoholic Beverage Control, LR 17:607 (June 1991), LR 20:671 (June 1994), amended by the Department of Revenue and Taxation, Office of Alcoholic Beverage Control, LR 22:116 (February 1996), LR 26:2631 (November 2000), LR 28:1484 (June 2002), LR 31:1344 (June 2005), amended by the Department of Revenue, Office of Alcohol and Tobacco Control, LR 35:89 (January, 2009), LR 38:1286 (May 2012), LR 38:2938 (November 2012), LR 42:66 (January 2016), amended by the Department of Revenue, Office of Alcohol and Tobacco Control, LR 47:1537 (October 2021), amended by the Department of Revenue, Office of Alcohol and Tobacco Control, LR 48:

Family Impact Statement

The proposed Rule is not anticipated to have an impact on family formation, stability, and autonomy as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule is not anticipated to have an impact on poverty as defined by R.S. 49:973.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule is not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared.

Provider Impact Statement

The proposed Rule is not anticipated to have an impact on providers of services funded by the state as described in HCR 170 of the 2014 Regular Legislative Session.

Public Comments

All interested persons may submit written comments through January 10, 2022, to Heather M. Royer, Office of Alcohol and Tobacco Control, 7979 Independence Blvd., Suite 101, Baton Rouge, LA 70806.

Linda Pham
Attorney Supervisor

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Regulation IX—Prohibition of Certain
Unfair Business Practices**

**I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO
STATE OR LOCAL GOVERNMENT UNITS (Summary)**

The proposed amendment will not result in significant costs or savings to state or local governmental units. The proposed amendment clarifies the definition of product displays of inside signage that are permitted to be furnished by an Industry member to a retailer.

**II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE
OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed amendment will not affect revenue collections for state or local entities. The proposed amendment only clarifies the already existing rule and regulation.

**III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO
DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL
GROUPS (Summary)**

The proposed amendment will not affect estimated costs and/or economic benefits to directly affected persons, small businesses, or non-government groups.

**IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT
(Summary)**

The ability for industry members to furnish refrigerated coolers which serve only as a temperature-controlled product display for exclusively spirits or liquor to a retailer may result in competition and employment benefits to industry members and retailers that choose to take advantage of this exchange of product displays.

Linda Pham
Supervising Attorney
2110#021

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Revenue Policy Services Division

Income Tax Withholding on Gaming Winnings (LAC 61:I.1525)

Under the authority of Act 80 of the 2021 Regular Session of the Louisiana Legislature, R.S. 47:32(A), R.S. 47:164(D), R.S. 47:241 et seq., and 47:1511 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division, proposes to amend LAC 61:I.1525 relative to income tax withholding on gaming winnings. The purpose of this regulation is to require any person paying gaming winnings under the provisions of Act 141 of the 2020 Regular Session of the Louisiana Legislature and Act 80 of the 2021 Regular Session of the Louisiana Legislature to withhold Louisiana income tax.

Act 141 of the 2020 Regular Session of the Louisiana Legislature and Act 80 of the 2021 Regular Session of the Louisiana Legislature respectively authorize fantasy sports contest and sports wagering gaming. This proposed amendment requires income tax withholding from every person or business that pays sports wagering and fantasy sports contest winnings won in Louisiana is required to withhold individual income taxes at the highest rate provided for by R.S. 47:32(A) if income taxes are required to be withheld for the Internal Revenue Service under 26 USC 3402 on the same winnings. This proposed amendment also clarifies that any person paying gaming winnings is required to conform to the electronic filing requirements for LDR Form L-3 and accompanying IRS Form W-2G.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 15. Income: Withholding Tax

§1525. Income Tax Withholding on Gaming Winnings

A. Withholding Requirement for Gaming Winnings

1. Any person that pays gaming winnings won in Louisiana is required to withhold individual income taxes at the highest rate provided for by R.S. 47:32(A) if income taxes are required to be withheld for the Internal Revenue Service under 26 USC 3402 on the same winnings.

2. Additionally following current Department of Revenue practice, casinos that pay slot machine winnings in excess of \$1,200 shall issue an IRS Form W2-G and withhold at the highest rate provided for by R.S. 47:32(A) of the slot machine winnings regardless of the Internal Revenue Code withholding on such slot machine winnings.

3. Any person that pays sports wagering and fantasy sports contest winnings won in Louisiana is required to withhold individual income taxes at the highest rate provided for by R.S. 47:32(A) if income taxes are required to be withheld for the Internal Revenue Service under 26 USC 3402 on the same winnings.

B. - B.2.b. ...

3. Effective for taxable periods beginning on or after January 1, 2021, persons required to withhold and to remit income taxes on gaming winnings shall electronically file the LDR Form L-3 transmittal and accompanying IRS Form

W-2G. Pursuant to the authority of R.S. 47:114(D)(2) and to provide simplicity on related federal filing requirements, the secretary grants an extension of time to file to February 28th to coincide with the federal due date.

a. Electronic Filing Options. The LDR Form L-3 and IRS Form W-2G shall be filed electronically in one of the manners as follows:

i. electronic filing using the LaWage electronic filing application via the LDR website, www.revenue.louisiana.gov; or

ii. any other electronic method authorized by the secretary.

4. Tax Preparer Undue Hardship Waiver of Electronic Filing Requirement

a. The secretary may waive the electronic filing requirement if it is determined that complying with the requirement would cause an undue hardship.

b. For the purposes of waiver of the electronic filing requirement, inability by the tax preparer to obtain broadband access at the location where LDR Forms L-3 and IRS Forms W-2G are prepared shall be considered an undue hardship and waiver of the requirement will be granted.

AUTHORITY NOTE: Promulgated in accordance with Act 80 of the 2021 Regular Session of the Louisiana Legislature, R.S. 47:32(A), R.S. 47:164, and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 36:2877 (December 2010), amended by the Department of Revenue, Policy Services Division, LR 48:

Family Impact Statement

The proposed adoption of LAC 61:I.1525, regarding Louisiana Income Tax Withholding on Gaming Winnings, should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of this proposed rule will have no known or foreseeable effect on:

1. The stability of the family.
2. The authority and rights of parents regarding the education and supervision of their children.
3. The functioning of the family.
4. Family earnings and family budget.
5. The behavior and personal responsibility of children.
6. The ability of the family or a local government to perform this function.

Poverty Statement

This proposed regulation will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

It is anticipated that this proposed amendment should not have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting this proposed amendment to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Provider Impact Statement

The proposed amendment will have no known or foreseeable effect on:

1. The staffing levels requirements or qualifications required to provide the same level of service.
2. The total direct and indirect effect on the cost to the provider to provide the same level of service.
3. The overall effect on the ability of the provider to provide the same level of service.

Public Comments

Any interested person may submit written data, views, arguments or comments regarding these proposed amendments to Christina Junker, Attorney, Policy Services Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be received no later than 4 p.m., Tuesday, January 25, 2022.

Public Hearing

A public hearing will be held on Wednesday, January 26, 2022, at 10 a.m. in the LaBelle Room, on the first floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

Kimberly J. Lewis
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Income Tax Withholding on
Gaming Winnings**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule change will not result in any additional costs or savings to the LA Department of Revenue (LDR) or any state governmental units. Local governments are not affected by this proposal.

Act 80 of the 2021 Regular Session of the Louisiana Legislature authorized sports wagering to be conducted by casinos and certain businesses licensed by the Louisiana Lottery Corporation, and levies a tax on sports wagering gaming. This proposal amends the Income Tax Withholding on Gaming Winnings rule to provide withholding at the highest tax rate (currently 6%) requirement on sports betting and fantasy sports winnings in excess of \$5,000, which is the same requirement at federal level, and mandatory electronic filing requirements for Form L-3 and accompanying forms W-2G.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule change provides for tax-withholding rates for winnings generated from sports betting and fantasy sports wagering as authorized in Act 80. SGF revenues are anticipated to increase by an indeterminable amount, as the amount of future sports betting and fantasy sports winnings is unknown.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

People and establishments engaging in sports wagering and fantasy sports gaming will be affected by this proposal. Additional costs, workload adjustments, and paperwork of the withholding, remitting, and reporting required by this proposed amendment are expected to be relatively minor. People who win money from sports wagering or fantasy sports gaming will have their winnings receipts reduced by the withholding required by this proposed amendment.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change implements the provisions of Act 80 with regard to the expansion of sports betting and fantasy

sports wagering in Louisiana. This expansion will result in an indeterminable impact on competition and employment in the gaming sector and/or other industries that compete for the disposable income of Louisiana residents.

Kimberly Lewis
Secretary
2112#010

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Revenue
Policy Services Division**

Louisiana Youth Jobs Tax Credit
(LAC 61:I.1921)

Under the authority of R.S. 47:1511 and 6028 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division, proposes to adopt LAC 61:I.1921 relative to the Louisiana Youth Jobs Tax Credit.

Revised Statute 47:6028 authorizes a credit for businesses that hire an eligible youth, as defined therein. The purpose of the proposed adoption is to implement Act 454 of the 2021 Regular Session of the Louisiana Legislature relative to the Youth Jobs Tax Credit.

Title 61

REVENUE AND TAXATION

**Part I. Taxes Collected and Administered by the
Secretary of Revenue**

**Chapter 19. Miscellaneous Tax Exemptions, Credits
and Deductions**

§1921 Louisiana Youth Jobs Tax Credit

A. General Description.

1. The Youth Jobs credit provides an income and franchise tax credit for businesses that hire one or more eligible youth, as defined herein, on or after July 1, 2021. The credit is allowable on a one-time basis for each eligible youth hired.

2. To be eligible for the credit, a business must employ an individual who:

a. meets the definition of an eligible youth, as defined herein, on or after July 1, 2021;

b. has worked in a full-time or part-time position, as defined herein, for at least three consecutive months at the business seeking to utilize the credit.

3. For a business seeking to utilize the credit for the amounts authorized for a full-time position, as provided in Paragraph D.2., an individual must have worked for three consecutive months in a full-time position in order to be eligible for the amounts so authorized.

4. The credit shall be earned in the year in which the eligible youth completes the third consecutive month of work in either a full-time or part-time position. Under no circumstances may a business earn more than one credit per eligible youth.

5. The credit shall be allowed against the income tax for the taxable period for which the credit is earned and against the franchise tax for the taxable period following the period in which the credit is earned. If the tax credit allowed pursuant to R.S. 47:6028 exceeds the amount of such taxes due, any unused credit may be carried forward as a credit

against subsequent liability for a period not to exceed five years.

6. A taxpayer shall not receive any other incentive for the job creation or hiring of an eligible youth for which the taxpayer has received a tax credit pursuant to this Section, including but not limited to the provisions of R.S. 25:1226, 47:6023, 6026, 6033 or 51:1787, and 2451.

B. Definitions

Department—the Louisiana Department of Revenue

Eligible Youth—an individual who:

a. has attained the age of 16 but not yet attained the age of 24.

b. is unemployed prior to being hired by a business that will apply for a credit pursuant to the provisions of this Section.

c. will be working in a full-time or part-time position that pays wages that are equivalent to the wages paid for similar jobs, with adjustments for experience and training.

d. meets at least one of the following criteria:

i. is at least 18 years old, is no longer in school, and does not have a high school diploma, HiSET or GED credential, or high school equivalency diploma;

ii. is a member of a family that is receiving assistance from the Family Independence Temporary Assistance Program;

iii. is a member of a family that is receiving benefits through the Supplemental Nutrition Assistance Program;

iv. is a member of a family that is receiving assistance from the Kinship Care Subsidy Program;

v. is a member of a family that is receiving assistance or benefits under the Temporary Assistance for Needy Families Program;

vi. has served time in jail or prison or is on probation or parole;

vii. is pregnant or is a parent;

viii. is homeless;

ix. is currently or was in foster care, extended foster care, or the custody of the Department of Children and Family Services;

x. is a veteran;

xi. is the child of a parent who is currently incarcerated or was released from incarceration within the past two years;

xii. lives in public housing or receives housing assistance such as a Section 8 voucher.

Full-Time Position—a position in which a person works at least 32 hours per week.

Part-Time Position—a position in which a person works at least 20 hours per week but less than 32 hours per week.

C. Application.

1. Beginning January 1, 2022, taxpayers seeking to utilize the youth jobs tax credit for taxable periods beginning on or after January 1, 2021 must annually apply for and be deemed eligible for the credit by the Department. The application period for calendar year 2021 shall begin on March 1, 2022 and conclude on April 30, 2022. Thereafter, the application period shall begin on January 1 and conclude on February 28 of the subsequent calendar year. Applications may not be submitted and will not be accepted prior to the application period. Taxpayers must electronically submit a

Louisiana Youth Jobs Tax Credit Application (Form R-90004) to the Department for review. Each application must include an employee-completed Louisiana Youth Jobs Tax Credit Employee Certification (Form R-90004-B) for each employee claimed, which includes the qualifying employee's date of birth, date of hire, and satisfied employment criteria of the eligible youth, as defined herein, as well as all other required information. After exercising due diligence to ensure compliance with the requirements provided herein, qualifying taxpayers must maintain supporting documentation which can be produced upon request of the Department to substantiate the qualification of an eligible youth. Completed applications should be submitted to YouthJobsCredit@La.gov. A taxpayer is deemed eligible upon satisfactorily demonstrating that it has met the requirements of Subsection A of this Section during the calendar year.

D. Approval.

1. For calendar year 2021, the Department shall notify each taxpayer that submitted a timely and complete application as to whether the application has been approved or denied as to each youth employee no later than July 1, 2022. For all application periods subsequent to calendar year 2021, the Department shall send such notice no later than May 1 following the close of the application period. If approved, the tax notice letter shall include Form R-90004 indicating the amount of credit earned and the taxable periods against which the nonrefundable credit(s) may be used. If denied, the letter shall so provide the reasons for denial.

2. Pursuant to R.S. 47:6028, an approved application shall authorize a taxpayer for eligibility for one or more nonrefundable credit(s) with a carryforward of five years equal to \$750 or \$1250 for each eligible youth employed in either a part-time or full-time position, respectively, unless subject to proration, for the tax period deemed eligible. In the event the taxpayer is subject to proration due to the credit cap provisions, the taxpayer shall only be eligible for a credit equal to the pro rata amount for the tax period deemed eligible.

3. For each calendar year, beginning with the March 1-April 30, 2022 application period, the Department shall not approve credits in excess of \$5,000,000. For purposes of administering the credit cap, the Department shall count each approved eligible youth employed either part-time or full-time at a value of \$750 or \$1250, respectively, or if subject to proration, the pro rata value. Eligible applications shall be approved for the credit by the Department on a first-come, first-served basis as determined by the received date of a completed Louisiana Youth Jobs Tax Credit Application. An application shall not be considered complete until all information requested by the Department has been received.

4. All applications received on the same business day shall be treated as received at the same time, and if the aggregate amount of requests received on the same business day exceeds the total amount of available tax credits, tax credits shall be approved on a pro rata basis.

5. In the event it is determined by the Department that the taxpayer has not met the requirements of Subsection A of this Section, any amounts approved are subject to disallowance and any amounts allowed to offset tax are subject to recapture by the Department.

E. Claiming the Credit

1. Taxpayers claiming tax credits on a return must include Form R-90004. The accrual of interest shall be suspended during any period of time that a delay in the issuance of a refund is attributable to the taxpayer's failure to provide information or documentation required herein, as provided by R.S. 47:1624(F).

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1511 and R.S. 47:6028.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 48:

Family Impact Statement

The proposed adoption of LAC 61:I.1921, regarding Louisiana Youth Jobs tax credits, should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of the proposed amendment will have no known or foreseeable effect on:

1. The stability of the family.
2. The authority and rights of parents regarding the education and supervision of their children.
3. The functioning of the family.
4. Family earnings and family budget.
5. The behavior and personal responsibility of children.
6. The ability of the family or a local government to perform this function.

Poverty Statement

This proposed adoption of LAC 61:I.1921 will have no impact on poverty as described in R.S. 49:973.

Small Business Statement

It is anticipated that the proposed regulation should not have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting this proposed amendment to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Provider Impact Statement

The proposed regulation will have no known or foreseeable effect on:

1. The staffing levels requirements or qualifications required to provide the same level of service.
2. The total direct and indirect effect on the cost to the provider to provide the same level of service.
3. The overall effect on the ability of the provider to provide the same level of service.

Public Comments

Any interested person may submit written data, views, arguments or comments regarding these proposed amendments to Brad Blanchard, Attorney, Policy Services Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be received no later than Monday, 4:00 p.m., January 24, 2022.

Public Hearing

A public hearing will be held on Tuesday, January 25, 2022, at 2:00 p.m. in the LaBelle Room, on the first floor of

the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

Kimberly J. Lewis
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Louisiana Youth Jobs Tax Credit

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule is not anticipated to result in implementation cost or savings to the state or local government units.

Act 454 of the 2021 Regular Session of the Louisiana Legislature established a non-refundable tax credit to be applied against Louisiana income tax or corporate franchise tax for employers that hire "eligible youth" on or after July 1, 2021. The business must employ the youth for three consecutive months in order to earn the credit. The tax credit amount is \$1,250 per youth hired for a full-time job and \$750 per youth hired for a part-time job.

The proposed rule sets up the application process and the process of approving credits under the established \$5 million cap on granted credits.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will decrease SGF for the state, with a maximum of the cap amount of \$5 million per year. The Department of Revenue cannot predict how many employers would seek to hire eligible youth. Of those eligible youth hired, the Department cannot predict how many would be employed full-time versus part-time.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Businesses will need to submit an application to the Department in order to apply for and be certified for the credit. Additional cost for completion and submission of the required paperwork by participating businesses of this proposed rule are expected to be minor.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule incentivizes the employment of eligible disadvantaged youth, but a reasonable determination of the effect on competition and employment cannot be made.

Kimberly Lewis
Secretary
2112#029

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Revenue
Policy Services Division**

Nonresident Professional Athletes
(LAC 61:I.1304, 1305, 1520, and III.1527)

Under the authority of R.S. 39:100.1, 47:101(A), 111(A)(12), 114, 164(D), 290, 293, 295, 1511, 1520, 1602.1, 1604.1 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the

Department of Revenue, Policy Services Division, proposes to amend LAC 61:I.1304, 1305, 1520 and 61:III.1527 relative to Louisiana income tax returns for nonresident professional athletes.

These proposed amendments would repeal language pertaining to obsolete team composite tax returns and composite payments, which allowed professional athletic teams to report Louisiana individual income tax on behalf of all nonresident team members. These amendments would also effectively modify certain reporting requirements related to the Sports Facility Assistance Fund and make an existing regulation consistent with R.S. 47:1604.1, which modifies penalty rates for fraud, negligence and large tax deficiencies.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 13. Income: Individual

§1304. Nonresident Apportionment of Compensation from Personal Services Rendered in Louisiana

A. - I.2. ...

* * *

J. Nothing in this regulation shall restrict the secretary's authority to otherwise provide for efficient administration of the individual income tax.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:111(A)(12), R.S. 47:290, R.S. 47:293, R.S. 47:295, and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 28:99 (January 2002), amended LR 48:

§1305. Income Tax Schedule Requirement for Certain Nonresident Professional Athletes and Professional Sports Franchises

A. If the Louisiana income tax of a nonresident professional athlete or professional sports franchise is attributable to the Sports Facility Assistance Fund, created by R.S. 39:100.1, the following schedule must be attached to any income tax return filed, including individual, corporate, fiduciary, or trust income tax returns. Each nonresident professional athlete and professional sports franchise with Louisiana source income must attach a schedule to the required Louisiana income tax return—that includes the following information:

1. the name of each facility, course, stadium, or arena at which they earned income in Louisiana;
2. the location of each facility, course, stadium, or arena at which they earned income in Louisiana; and
3. the number of duty days, as defined in LAC 61:I.1304.I, spent at each facility, course, stadium, or arena at which they earned income in Louisiana.

B. ...

* * *

C. Effective for tax years beginning on or after January 1, 2021, nonresident professional athletes, if required to file an individual income tax return, must utilize the Louisiana Nonresident Return, Form IT-540B and attach Schedules NRPA-1 and NRPA-2.

D. Penalty for Failure to Timely Remit Returns, Schedules and Payments

1. The following penalties based on R.S. 47:1602.1 will be imposed for failure to timely remit these returns, schedules, and payments.

a. In the case of failure to timely make and file any return or schedule required by the secretary to administer the provisions of the Sports Facility Assistance Fund, the penalty shall be \$500 for the first such failure, \$1,000 for the second such failure within the three-year period beginning on the due date of the first delinquent return or schedule, and \$2,500 for each subsequent failure within the three-year period beginning on the due date of the first delinquent return or schedule.

b. In the case of failure to timely remit any payment required by the secretary to administer the provisions of the Sports Facility Assistance Fund, the penalty shall be 5 percent of the total payment due if the delinquency is for not more than 30 days, with an additional 5 percent for each additional 30 days or fraction thereof during which the delinquency continues, not to exceed 50 percent of the amount due.

E. Based on R.S. 47:1604.1, any taxpayer who fails to comply with the tax laws of this state or understates tax liability by ten percent or more, under circumstances indicating a careless or reckless disregard of rules and regulations, but with no voluntary intent to defraud, may cause a penalty to be imposed, in addition to any other penalties provided, of 20 percent of the tax or deficiency found to be due.

1. The penalty provided for pursuant to this Paragraph shall not be applicable if a taxpayer's understatement was due to reasonable cause where the taxpayer acted in good faith.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:100.1, R.S. 47:101(A)(3), R.S. 47:295, R.S. 47:1511, R.S. 47:1602.1, and R.S. 47:1604.1.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 28:98 (January 2002), amended LR 34:446 (March 2008), amended LR 48:

Chapter 15. Income: Withholding Tax

§1520. Withholding by Professional Athletic Teams

A. - G.1.b. ...

H - H.3. repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 39:100.1, R.S. 47:164(D), R.S. 47:295, R.S. 47:1511, R.S. 47:114 and R.S. 47:1602.1.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 30:91 (January 2004), amended LR 39:104 (January 2013), repromulgated LR 39:330 (February 2013), amended LR 48:

Part III. Administrative and Miscellaneous Provisions **Chapter 15. Mandatory Electronic Filing of Tax Returns and Payment**

§1527. Electronic Filing Mandate for Reports and Returns related to the Sports Facility Assistance Fund

A. - B.1.b. ...

c. IT-540B with attached Schedules NRPA-1 and NRPA-2 for nonresident athletes; and

B.1.d. - D. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:1520 and 1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 37:914 (March 2011), amended LR 48:

Family Impact Statement

The proposed amendments to LAC 61:I.1304, 1305, 1520 and 61:III.1527, regarding Louisiana Nonresident Professional Athlete Returns, should not have any known or foreseeable impact on any family as defined by R.S. 49:972(D) or on family formation, stability and autonomy. Specifically, the implementation of this proposed rule will have no known or foreseeable effect on:

1. The stability of the family.
2. The authority and rights of parents regarding the education and supervision of their children.
3. The functioning of the family.
4. Family earnings and family budget.
5. The behavior and personal responsibility of children.
6. The ability of the family or a local government to perform this function.

Poverty Statement

This proposed regulation will have no impact on poverty as described in R.S. 49:973.

Small Business Statement

It is anticipated that this proposed amendment should not have a significant adverse impact on small businesses as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic factors has considered and, where possible, utilized regulatory methods in drafting this proposed amendment to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Provider Impact Statement

The proposed amendment will have no known or foreseeable effect on:

1. The staffing levels requirements or qualifications required to provide the same level of service.
2. The total direct and indirect effect on the cost to the provider to provide the same level of service.
3. The overall effect on the ability of the provider to provide the same level of service.

Public Comments

Any interested person may submit written data, views, arguments or comments regarding these proposed amendments to Christina Junker, Attorney, Policy Services Division, Office of Legal Affairs by mail to P.O. Box 44098, Baton Rouge, LA 70804-4098. All comments must be received no later than 4:00 p.m., Tuesday, January 25, 2022.

Public Hearing

A public hearing will be held on Wednesday, January 26, 2022, at 1:00 p.m. in the LaBelle Room, on the first floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

Kimberly J. Lewis
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

RULE TITLE: Nonresident Professional Athletes

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

This proposed rule change will result in approximately \$12,500 in savings to the LA Department of Revenue (LDR) in fiscal year 2022-2023 and fiscal year 2023-2024. The Department of Revenue, Policy Services Division, proposes to amend LAC 61:I.1304, 1305, 1520 and 61:III.1527 relative to Louisiana income tax returns for nonresident professional athletes. These proposed amendments would repeal language pertaining to obsolete team composite tax returns, change the income tax form required to be filed by nonresident professional athletes (NRPAs) from the Form IT-540B-NRA to the Form IT-540B, further clarifies that late filing of required schedules trigger the delinquent filing penalty, and adds the statute language regarding the delinquent payment penalty. This proposal also implements the provision of Act 348 of the 2020 Regular Legislative Session that is related to the replacement of the 10% "negligence" penalty with the 20% "Accuracy-related" penalty (R.S. 47:1604.1).

Local governments are not affected by this proposal.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule amendment will result in no impact to the state general fund in FY 2020-2021, and indeterminable impacts to the state general fund in FY2021-2022 and FY2022-2023. Also, this proposal will result in relatively minor increases to LDR self-generated funds in FY 2021-2022, FY2022-2023, and FY2023-2024.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

NRPAs that are delinquent in paying their tax liability will incur increased delinquent payment penalty costs that are relatively minor in the collective. NRPAs that fail to make a reasonable attempt to comply with the tax laws of this state, or carelessly or recklessly disregard the tax laws of this state will collectively and individually incur indeterminable "Accuracy-related" penalty costs. The changes to optional and required return filings are not expected to impact the affected group's costs, workload, or amount of paperwork.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule amendment is not expected to have any effect on competition or employment.

Kimberly Lewis
Secretary
2112#027

Alan M. Boxberger
Deputy Director
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Revenue
Policy Services Division**

Sales and Use Tax Exemption for Charitable
Construction of Animal Shelters (LAC 61:I.4427)

Under the authority of R.S. 47:1151, and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division, gives notice that rulemaking procedures

have been initiated to enact LAC 61:I.4427 to provide guidance on the procedures for receiving the sales and use tax exemption provided in R.S. 47:305.59(B) as enacted by Act 299 of the 2021 Regular Session.

R.S. 47:1511 authorizes the secretary to prescribe rules and regulations to carry out the purposes of Title 47 and the purposes of any other statutes or provisions included under the secretary's authority. R.S. 47:305.59(B) provides a sales tax exemption for materials used in the construction of new animal shelters. The purpose of this regulation is to provide further guidance on requesting and receiving the exemption.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 44. Sales and Use Tax Exemptions

§4427. Sales and Use Tax Exemption for Charitable Construction of Animal Shelters

A. R.S. 47:305.59(B) provides a state sales and use tax exemption for sales of construction materials to certain animal shelter purchased between October 1, 2021, and June 30, 2025, are intended to be used in constructing new animal shelters in Louisiana, and construction begins on or before June 30, 2025. The local sales and use tax exemption is effective July 1, 2021, for construction beginning between July 1, 2021, and June 30, 2025.

B. Definitions. For purposes of this Section, the following terms shall have the meaning ascribed therein.

Animal Shelter Facility—a building, structure, site, enclosure, or other facility used or operated for the housing or keeping of any stray, homeless, abandoned, or unwanted animals, including any facility designated by a parish, municipality, or other local governmental authority for the keeping or housing of any impounded animals.

Animal Shelter—a public or private entity designated by the parish, municipality, or other local governmental authority for keeping or housing its impounded animals or a private, not for profit entity whose mission or practice is protecting the welfare of animals and the placement of those animals in permanent homes or with animal rescue organizations.

Louisiana Animal Shelter Registry—the registry established and maintained by the state veterinarian for animal shelters as set forth in R.S. 3:2366.

C. Eligibility. To qualify for the sales and use tax exemption on sales of construction materials, the following conditions must be satisfied at the time of application:

1. The animal shelter is registered with the Louisiana animal shelter registry.

2. The animal shelter intends to use the purchased materials in constructing a new animal shelter facility located within this state.

3. The animal shelter and the proposed new construction must comply with the provisions of R.S. 3:2461 et seq. and R.S. 3:2471 et seq.

4. Purchases of materials for the construction of a new animal shelter facility must occur between October 1, 2021 and June 30, 2025 for the state sales tax exemption to be applicable.

a. Purchases of materials for the repair of, for an addition to, or for alterations to existing animal shelter facilities do not qualify for the exemption.

D. Limitations. The following limitations shall apply for the sales and use tax exemption on sales of construction materials.

1. The animal shelter shall not be eligible for the exemption if the animal shelter engages in the business of selling animals at retail or the business of breeding animals.

2. The animal shelter shall not be eligible for the exemption if the animal shelter is a residential dwelling or attached in any manner to a residential dwelling.

E. Application

1. All applications for the exemption shall be submitted to the secretary of the Department of Revenue on a form prescribed by the secretary.

2. Applicants shall provide appropriate documentation to the secretary, as follows:

a. proof of address and estimated costs of construction for the proposed animal shelter facility;

b. resolution, declaration, or letter from the parish, municipality, or other local governmental entity; and

c. any other documentation required by the secretary to make a determination as to whether the exemption is applicable;

d. the most recent submission to the state veterinarian required by R.S. 3:2366(E).

AUTHORITY NOTE: Promulgated in accordance with R.S.47:305.59(B) and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Department of Revenue, Policy Services Division, LR 48:

Family Impact Statement

The proposed Rule has no known impact on family as defined by R.S. 49:972(D), or on family formation, stability, and autonomy. The proposed rule also have no known or foreseeable impact on:

1. The effect on the stability of the family.

2. The effect on the authority and rights of parents regarding the education and supervision of their children.

3. The effect on the functioning of the family.

4. The effect on family earnings and family budget.

5. The effect on the behavior and personal responsibility of children.

6. The ability of the family or a local government to perform the function as contained in the proposed rule.

Poverty Impact Statement

The proposed Rule has no known impact on poverty as described in R.S. 49:973.

Small Business Analysis

The proposed Rule may have a slight economic impact on small businesses by providing guidance on the procedures for receiving the sales and use tax exemption provided in R.S. 47:305.59(B). The proposed rule has no other known measurable impact on small businesses as described in R.S. 49:965.6.

Provider Impact Statement

The proposed Rule has no known or foreseeable effect on:

1. the staffing levels requirements or qualifications required to provide the same level of service;

2. the total direct and indirect effect on the cost to the provider to provide the same level of service;

3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

All interested persons may submit written data, views, arguments or comments regarding this proposed rule to Dewanna Trask, P.O. Box 44098, Baton Rouge, LA 70804-4098. Written comments will be accepted until 4:30 p.m., January 24, 2022.

Public Hearing

A public hearing will be held on January 28, 2022, at 10:00 a.m. in the LaBelle Room, located on the first floor of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802.

Kimberly J. Lewis
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Sales and Use Tax Exemption for Charitable Construction of Animal Shelters

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There is no anticipated direct material effect on governmental expenditures as a result of this measure. Costs for implementation of this proposal will be absorbed within the current budget allocation of the Department.

Act 299 of the 2021 Regular Session of the Louisiana Legislature provides a sales tax exemption for

certain purchases of construction materials for the construction of new animal shelters, which begin construction between July 1, 2021, and June 30, 2025. The purpose of the proposed rule is to define the eligibility requirements and to implement the procedures the Department of Revenue (the Department) will use to administer the sales and use tax exemption for the sales of construction materials to certain animal shelters.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

This measure will result in an indeterminable, but likely relatively minor, reduction in state general fund revenue. Local funds reductions will vary by the tax rate charged and the extent of eligible purchases in each political subdivision.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The Department estimates that non-governmental groups will be affected. Approved animal shelters will receive reduced construction material costs for new shelter construction. Animal shelters who are not approved or who do not apply for certification will be required to pay state sales tax on their purchases of construction materials for new shelters.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule does not affect competition or employment.

Kimberly Lewis
Secretary
2112#031

Alan M. Boxberger
Deputy Fiscal Officer
Legislative fiscal Office

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Hunter Education Program Certification Policy (LAC 76:I.312)

The Wildlife and Fisheries Commission does hereby give notice of its intent to amend the Hunter Education Program Certification Policy (LAC 76:I.312). Under the current rule, the minimum age requiring a basic hunting license is 16, so at this time hunter education students 16 and above taking the approved computer based (online) hunter education course receive their hunter education card upon successful completion of the course. In 2021, the Louisiana legislature made changes to the Department of Wildlife and Fisheries license structure that will change the minimum age requiring a basic hunting license to 18 effective June 1, 2022. If the current rule remains unchanged, this would raise the online-only hunter education certification age to 18 on June 1, 2022. The proposed change keeps the minimum age for computer based hunter education certification at age 16.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent and the final Rule, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and final Rule and the preparation of reports and correspondence to other agencies of government.

Title 76

WILDLIFE AND FISHERIES

Part I. Wildlife and Fisheries Commission

and Agencies Thereunder

Chapter 3. Special Powers and Duties

Subchapter C. Hunter Safety Program

§312. Hunter Education Program Certification Policy

A. - E. ...

F. Minimum age for certification in all courses within the Louisiana Hunter Education Program shall be as follows:

1. classroom based hunter education course—age 10;
2. computer based hunter education course—age 16;
3. blended computer based and field day combination course—age 10.

G. - H.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:699.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 33:1396 (July 2007), amended LR 46:1613 (November 2020), LR 48:

Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission hereby issues its Family Impact Statement in connection with the

preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

The proposed Rule will have no impact on poverty as described in R.S. 49:973.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Small Business Analysis

This proposed Rule has no known impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

Public Comments

Interested persons may submit written comments relative to the proposed Rule to Eric Shanks, 1213 N. Lakeshore Drive, Lake Charles LA, eshanks@wlf.la.gov, no later than 4:30 p.m., Monday, February 7, 2022.

Jerri G. Smitko
Chair

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Hunter Education Program Certification Policy

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)
The proposed rule change will have no expenditure impact on state or local governmental units.
The proposed rule change alters regulatory language to maintain access to computer-based hunter education certification courses by persons who are at least 16 years old.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
The proposed rule change will have no effect on revenue collections of state or local governmental units.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
The proposed rule change is expected to have no effects on persons, small businesses, or non-governmental goods.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
The proposed rule change is anticipated to have no impact on competition and employment in Louisiana.

Byran McClinton
Undersecretary
2112#044

Alan M. Boxberger
Deputy Director
Legislative Fiscal Officer

NOTICE OF INTENT

Workforce Commission Office of Workers' Compensation

Medical Treatment Guidelines
(LAC 40:I.Chapters 25, 27 and 51)

The Louisiana Workforce Commission does hereby give notice of its intent to amend certain portions of the Medical Guidelines contained in the Louisiana Administrative Code, Title 40, Labor and Employment, Part I, Workers' Compensation Administration, Subpart 2, Medical Guidelines, Chapter 25, Chapter 51, and Chapter 27, Section

2717. The purpose of this amendment is to update the medical reimbursement rules in accordance to a reoccurring maintenance schedule and add consistency throughout the guidelines. Chapter 25 is repealed as a whole while its language is combined in revised sections of Chapter 51. Previous promulgated sections are repealed and replaced in Chapter 51. This Rule is promulgated by the authority vested in the director of the Office of Workers' Compensation found in R.S. 23:1291 and R.S. 23:1310.1(C).

Title 40

LABOR AND EMPLOYMENT

Part I. Workers' Compensation Administration Subpart 2. Medical Guidelines

Chapter 25. Hospital Reimbursement Schedule, Billing Instruction and Maintenance Procedures

§2505. Hospital Inpatient Reimbursement

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), repealed LR 48:

§2507. Outpatient Reimbursement

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), repealed LR 48:

§2509. Psychiatric and Chemical Dependency Reimbursement

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), repealed.

§2511. Rehabilitation Services Reimbursement

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), repealed LR 48:

§2513. Skilled Nursing and Intermediate Facility Reimbursement

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), repealed LR 48:

§2515. Hospice Services Reimbursement

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), repealed LR 48:

§2517. Hospice Care Rate Schedule

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), repealed LR 48:

§2519. Outlier Reimbursement and Appeals Procedures

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), amended by the Workforce Commission, Office of Workers' Compensation Administration, LR 41:981 (May 2015), repromulgated LR 41:1774 (September 2015), amended LR 42:283 (February 2016), repealed LR 48:

§2521. Hospital Billing Instructions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), LR 48:

§2523. Required Information for Billing Inpatient Services

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:121034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), repealed LR 48:

§2525. Inpatient Services Not Billable on the UB-92

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), LR 48:

§2527. Inpatient Revenue Codes Not Billable on the UB-92

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), LR 48:

§2529. Required Information for Billing Outpatient Services

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), LR 48:

§2531. Outpatient Services Not Billable on the UB-92

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), LR 48:

§2533. Outpatient Revenue Codes Not Billable on the UB-92

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), LR 48:

§2539. Annual Maintenance

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), repealed LR 48:

§2599. Appendix A—F.I.P.S. Area Codes

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), repealed LR 48:

Chapter 27. Utilization Review Procedures

§2717. Medical Review Guidelines

A. - B.2. ...

C. Functions of Medical Review. The carrier/self-insured employer should use a program of prevention and detection to guarantee the most appropriate and economical use of health care resources for claimants.

1. - 2.f. ...

3. Medical Necessity

a. ...

i. clinically appropriate, in terms of type, frequency, extent, site, and duration, and effective for the patient's illness, injury, or disease;

ii. in accordance with the medical treatment schedule and the provisions of L.S.A.-R.S. 23:1203.1.;

iii. consistent with the diagnosis and treatment of a condition or complaint;

iv. not solely for the convenience of the patient, family, hospital, or physician; and

v. furnished in the most appropriate and least intensive type of medical care setting required by the patient's condition.

b. Services not related to the diagnosis or treatment of a work related illness or injury are not payable under the workers' compensation laws and shall be the financial responsibility of the claimant, and in appropriate cases, his health insurance carrier.

C.4. - D. 2. ...

AUTHORITY NOTE: Promulgated in accordance with RS 23:1291.

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Chapter 51. Medical Reimbursement Schedule

Editor's Note: The following Sections of this Chapter are applicable and shall be used for the Chapters in this Part governing reimbursement. These specific Chapters are: Chapter 25, Hospital Reimbursement; Chapter 29, Pharmacy; Chapter 31, Vision Care Services; Chapter 33, Hearing Aid Equipment and Services; Chapter 35, Nursing/Attendant Care and Home Health Services; Chapter 37, Home and Vehicle Modification; Chapter 39, Medical Transportation; Chapter 41, Durable Medical Equipment and Supplies; Chapter 43, Prosthetic and Orthopedic Equipment; Chapter 45, Respiratory Services; Chapter 47, Miscellaneous Claimant Expenses; Chapter 49, Vocational Rehabilitation Consultant; Chapter 51, Medical Reimbursement Schedule; and Chapter 53, Dental Care Services.

§5101. Introduction and Guidelines

A. Purpose and Scope

1. This Medical Reimbursement Schedule Chapter (the "Fee Schedule"), including the accompanying rules, are intended to establish the maximum level of reimbursement and uniform payment guidelines for reimbursing qualified health care providers for the treatment of injured employees. In accordance with the statutes and regulations established by the State of Louisiana, the fee schedule is deemed to represent usual and customary reimbursement amounts for the specific services rendered.

2. Employers, insurance carriers, self-insurers, or other payors shall use these rules for the purpose of approving and reimbursing medical charges submitted by physicians, hospitals, ambulatory surgery centers and other qualified health care providers for services performed in the treatment of work-related injuries or illnesses.

B. Format of the Fee Schedule

1. This fee schedule (Chapter 51) is comprised of subsections which outline general rules and guidelines (Introduction and Guidelines; General Payment Policies; Coding Standards; Billing Instructions; Reporting Requirements), ten distinct sections based on the category or type of service rendered (Evaluation and Management Services; Anesthesia Services; Surgical Services; Diagnostic and Therapeutic Radiological Services; Pathology and Laboratory Services; General Medicine Services; Physical Medicine Services; Outpatient Facility; Inpatient Facility; Hospice Care) and a comprehensive section defining the Maximum Reimbursement Allowances. Each category of service has separate instructions.

2. The fee schedule is divided into these sections for structural purposes only. Providers are to use the specific section(s) that contains the procedure(s) they perform or the service(s) they render. In the event a rule/guideline contained in one of the specific service sections conflicts with a general rule/guideline, the specific section rule/guideline will supersede, unless otherwise provided elsewhere in this Chapter.

C. Key Terms and Definitions

AA—Anesthesiology Assistant.

ADA—American Dental Association.

AMA—American Medical Association.

Ambulatory Surgery Center (ASC)—a distinct entity that operates exclusively to furnish outpatient surgical services to patients who need no hospitalization and for whom the expected duration of services is less than 24 hours following admission. ASC patients should not need active medical monitoring at midnight on the day of the procedure. ASC services must be provided by or under the supervision

of a physician, dentist, or other provider having medical staff privileges in the ASC.

AS—assistant surgeon.

AWP—average wholesale price.

Bill—a claim submitted by a provider to a payor for payment of health care services provided in connection with a covered injury or illness.

Bill Adjustment—a reduction of a fee on a provider's bill, or other alteration of a provider's bill.

BR—by report.

C/SIE—carrier/self-insured employer.

Carrier—any stock company, mutual company, or reciprocal or inter-insurance exchange authorized to write or carry on the business of workers' compensation insurance in this state, or self-insured group, or third-party payer, or self-insured employer, or uninsured employer.

Case—a covered injury or illness occurring on a specific date and identified by the worker's name and date of injury or illness.

CDT—current dental terminology, a medical code set maintained and copyrighted by the American Dental Association, which is used for reporting dental services.

Claimant—the individual person seeking medical services for a work-related illness or injury.

CMS—Centers for Medicare and Medicaid Services.

CMS-1500—the paper professional billing form and instructions (formerly referred to as a HCFA-1500) that are used by non-institutional providers and suppliers to bill for outpatient services.

CNS—clinical nurse specialist.

CPT (Current Procedural Terminology)—a set of codes, descriptions, and guidelines developed by the American Medical Association, intended to describe procedures and services performed by physicians and other health care professionals. Each procedure or service is identified with a five-digit code. CPT codes may also be referred to as HCPCS Level I codes.

Commission—the Louisiana Workforce Commission (LWC).

Consultation—a service provided by a physician whose opinion or advice regarding evaluation and/or management of a specific problem is requested by another physician or other appropriate source.

Covered Injury or Illness—an injury or illness for which treatment is mandated under the Louisiana Workers' Compensation Statutes (R.S. 23:1020.1B.(1) and (2)).

Critical Care—care rendered in a variety of medical emergencies that requires the constant attention of the practitioner, such as cardiac arrest, shock, bleeding, respiratory failure, postoperative complications, and is usually provided in a critical care unit or an emergency department.

CRNA—certified registered nurse anesthetist

CT—computerized tomography.

Day—a continuous 24-hour period unless otherwise defined

Diagnostic Procedure—a service that helps determine the nature and causes of a disease or injury.

Durable Medical Equipment (DME)—specialized equipment designed to stand repeated use, appropriate for home use, and used solely for medical purposes.

ED—emergency department.

Electronic Bill—a bill submitted electronically from the health care provider, health care facility, or third-party biller/assignee to the payor.

E/M—evaluation and management services.

Expendable Medical Supply—a disposable article that is needed in quantity on a daily or monthly basis.

EOR/EOMB—Explanation Of Review (EOR) or Explanation Of Medical Benefits (EOMB) is the documentation sent by the payor to the health care provider, health care facility, or third-party biller/assignee to explain payment or denial of a medical bill.

Fee Schedule—includes all sections and subsections as defined in Chapter 51, Medical Reimbursement Schedule from the Louisiana Administrative Code, Title 40 Labor and Employment, Part I. Workers' Compensation Administration, Subpart 2. Medical Guidelines.

Follow-Up Care—the care which is related to the recovery from a specific procedure, and which is considered part of the procedure's maximum allowable reimbursement but does not include complications.

Follow-Up Days (FUD)—the days of care following a surgical procedure which are included in the procedure's maximum allowable reimbursement amount, but which do not include follow up care related to complications. The follow-up day period begins on the day of the surgical procedure(s).

FCE—Functional Capacity Evaluation

Health Care Provider (HCP)— a hospital, a person, corporation, facility, or institution licensed by the state to provide health care or professional services as a physician, hospital, dentist, registered or licensed practical nurse, pharmacist, optometrist, podiatrist, chiropractor, physical therapist, occupational therapist, psychologist, graduate social worker or licensed clinical social worker, psychiatrist, or licensed professional counselor, and any officer, employee, or agent thereby acting in the course and scope of his employment.

Health Care Review—the review of a health care case, bill, or both by the payor or the payor's agent.

HCPCS—the Healthcare Common Procedure Coding System, an alpha-numeric medical code set maintained by the Centers for Medicare and Medicaid Services used for reporting services, durable medical equipment, prosthetics, orthotics, and supplies. CPT codes are Level I HCPCS codes. HCPCS codes may also be referred to as HCPCS Level II codes.

HIPAA—Health Insurance Portability and Accountability Act, federal legislation that includes provisions that mandate electronic billing in the Medicare system and establishes national standard electronic file formats and code sets.

Hospital Outpatient—the portion of a hospital that provides services to sick or injured individuals who do not require hospitalization. Hospital outpatient services may include rehabilitation services, diagnostic and therapeutic (both surgical and non-surgical) services, laboratory tests, an emergency room or outpatient clinic, ambulatory surgical procedures and/or medical supplies.

ICD-10-CM—international classification of diseases, tenth revision, clinical modification.

Incidental—services and supplies which are commonly furnished as an integral part of the primary service or procedure and not reimbursed separately.

Incidental Surgery—surgery performed through the same incision, on the same day, by the same doctor, not increasing the difficulty or follow-up of the main procedure, or not related to the diagnosis.

Independent Medical Examination (IME)—a consultation provided by a physician to evaluate a patient. This evaluation may include an extensive record review and physical examination of the patient and requires a written report.

Inpatient Services—services rendered to a person who is admitted to a hospital as an inpatient.

LOS—length of stay

LWC—Louisiana Workforce Commission

Maximum Allowable Reimbursement (MAR)—the maximum amount allowed for medical services as set forth in this Chapter.

Medically Necessary—see LAC 40:I.2717. Medical Review Guidelines for the definition of medically necessary consistent with the provisions of R.S. 23:1203.1.

Medical Consultant—a physician or other health care professional with expertise in the area for which medical or other treatment determinations need to be made regarding acceptable, safe medical care and treatment as well as appropriate reimbursement for the services rendered.

Medical Record—a record in which the medical service provider records the subjective findings, objective findings, diagnosis, treatment rendered, treatment plan, and return to work status and/or goals and impairment rating as applicable.

Medical Supply—a piece of durable medical equipment or an expendable medical supply.

MRI—magnetic resonance imaging.

NCCI—national correct coding initiative.

NDC—national drug code, the code set used to identify medication dispensed by pharmacies.

Nonprescription Drugs or Over-the-Counter Medications (OTC)—Medicines or drugs which are sold without a prescription, and which are prepackaged for use by the consumer and labeled in accordance with the requirements of the statutes and regulations of this state and the federal government

NP—nurse practitioner.

Observation Care—a well-defined set of specific, clinically appropriate services, which include ongoing short-term treatment, assessment, and reassessment before a decision can be made regarding whether patients will require further treatment as hospital inpatients or if they are able to be discharged from the hospital.

Operative Report—the practitioner's written description of the surgery or procedure.

Orthotic Equipment—an apparatus designed to support, align, prevent, or correct deformities, or improve the function of a moveable body part.

Orthotist—a person skilled in the construction and application of orthotic equipment.

OTC—over-the-counter medications

Outpatient Service—services provided to patients at a time when they are not hospitalized as inpatients.

OWCA—Office of Workers' Compensation Administration

PA—physician assistant.

Payor/Payer—the entity responsible, whether by law or contract, for the payment of the medical expenses incurred by a claimant as a result of a work-related injury. The payor may be the carrier, employer, self-insured group, or third-party administrator (TPA). Payor may also be referenced as C/SIE.

PC—professional component.

PE—physician extenders.

Pharmacy—the place where the science, art, and practice of preparing, preserving, compounding, dispensing, and giving appropriate instruction in the use of drugs is practiced.

Practitioner—a person licensed, registered, or certified as a health care provider.

Prescription—an order by a prescribing practitioner for a prescription or nonprescription drug to be filled, compounded, or dispensed by a pharmacist.

Primary Procedure—the therapeutic procedure most closely related to the principal diagnosis, and in billing, the code with the highest unit that is neither an add-on code nor a code exempt from modifier 51 shall be considered the primary procedure.

Procedure—a unit of health service.

Procedure Code—a five-digit numerical sequence or a sequence containing an alpha character and preceded or followed by four digits, which identifies the service performed and billed.

PROF MAR—professional maximum allowable reimbursement.

Prosthesis—an artificial substitute for a missing body part.

Prosthetist—a person skilled in the construction and application of prostheses.

Provider—a facility, health care organization, or a health care provider who provides medical care or services.

RNF—registered nurse first assistant.

Secondary Procedure—a surgical procedure performed during the same operative session as the primary surgery but considered an independent procedure that may not be performed as part of the primary surgery.

Special Report—a report requested by the payor to explain or substantiate a service or clarify a diagnosis or treatment plan.

Specialist—a board-certified practitioner, board-eligible practitioner, or a practitioner otherwise considered an expert in a particular field of health care service by virtue of education, training, and experience generally accepted by practitioners in that field of health care service.

TC—Technical Component

Usual and Customary (U and C)—the general prevailing amount for a medical service based on what providers in Louisiana usually charge for the same or similar medical service. As provided in R.S.23:1034.2, the mean of the U and C amount is included when determining the reasonable or generally accepted reimbursement amount for a specific medical service as defined in this fee schedule.

The U and C amount is not the same as the provider's billed charge.

UB-04—the paper hospital, institutional, or facility billing form used for hospital billing.

D. Recognized Providers

1. As defined in RS 23:1021, a *health care provider* means a hospital, a person, corporation, facility, or institution licensed by the state to provide health care or professional services as a physician, hospital, dentist, registered or licensed practical nurse, pharmacist, optometrist, podiatrist, chiropractor, physical therapist, occupational therapist, psychologist, graduate social worker or licensed clinical social worker, psychiatrist, or licensed professional counselor, and any officer, employee, or agent thereby acting in the course and scope of his employment.

2. The health care providers covered by this fee schedule include, but are not limited to:

i. physicians and surgeons;

ii. limited licensed practitioners to include oral and maxillofacial surgeons, chiropractors, podiatrists, dental surgeons, optometrists, and clinical psychologists.

iii. non-physician practitioners to include, but not limited to, physical therapists, physical therapy assistants, occupational therapists, occupational therapy assistants, physicians' assistants, nurse practitioners, certified registered nurse anesthetists, and medical or clinical social workers.

3. Physician extenders (PE): clinical nurse specialist (CNS), certified registered nurse anesthetist (CRNA), nurse practitioner (NP), or physician assistant (PA)

i. The clinical nurse specialist (CNS), certified registered nurse anesthetist (CRNA), nurse practitioner (NP), or physician assistant (PA), if qualified by training and experience as determined by the supervising physician, may perform medical treatments, diagnostic procedures, or other delegated duties and tasks which are allowable by law, approved by the state licensing board, and which fall within the normal scope of practice of the supervising physician.

ii. While the supervising physician is responsible for the overall direction and management of the professional activities of the CNS, CRNA, NP, or PA, the supervising physician is not required to physically be on site at the time of service. However, if the supervising physician is not physically present with the CNS, CRNA, NP, or PA, he or she must be immediately available to the CNS, CRNA, NP, or PA for consultation purposes by telephone or other effective, reliable means of communication.

iii. The federal tax ID number for the supervising physician is to be used on bills for services rendered by a PE. When professional services are directly performed by a CNS, CRNA, NP, or PA, the reimbursement shall be 80 percent of the fee schedule MAR or the provider's charge, whichever is less.

4. Physical Therapists. Services performed by a physical therapist possessing a doctorate degree or five years of licensed clinical practice experience may implement physical therapy treatment without a prescription or referral. Such physical therapist treating a patient without a prescription or referral must refer the patient to an appropriate healthcare provider if, after 30 days of physical therapy treatment, the patient has not made measurable or functional improvement. Physical therapist

who do not possess a doctorate degree and/or do not have five years of licensed clinical practice experience may provider services only under the direction of the authorized treating physician detailing the type, frequency, and duration of therapy to be provided. No physical therapist may render a medical diagnosis of disease. Physical therapists shall not be reimbursed for office visits. See §5124, Physical Medicine Services for more information.

5. Occupational Therapists. Services performed by an occupational therapist shall be under the direction of the authorized treating physician detailing the type, frequency, and duration of therapy to be provided. Occupational therapists shall not be reimbursed for office visits. See Section 5124, Physical Medicine Services for more information.

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§5103. General Payment Policies

A. Covered Services and Liability

1. Verification of Coverage - The Payor is responsible for 100 percent of the maximum allowable reimbursement rate for covered services rendered for treatment of compensable conditions. The claimant is not required to contribute a copayment and does not have to meet any deductibles. If there is a difference between the provider's billed amount and this fee schedule's maximum allowable reimbursement, the claimant, employer, and/or carrier cannot, under any circumstances, be billed for the difference. Services identified in this fee schedule as noncovered and/or non-compensable are not billable to the claimant if rendered in the treatment of compensable conditions unless the claimant is informed beforehand that he/she will be responsible for the fees.

2. Prior to the provision of medical services, supplies or other nonmedical services a determination that the illness, injury, or condition is work-related must be made and must be accomplished in the following manner:

- i. payor should be contacted for verification of coverage/liability;
- ii. the name and title of the individual verifying coverage/liability must be recorded in the claimant's records;
- iii. denial of coverage/liability must be immediately communicated to the claimant.

3. If the health care provider collects fees from the claimant because he/she is unaware of the occupational nature of the injury or condition when treatment is rendered, the health care provider must, to the best of his/her ability, make certain that the payor does not receive duplicate billings from the provider and the claimant. The provider should file for the full amount on behalf of the claimant and then reimburse the claimant; or, the claimant should bill the payor for the full amount directly.

4. If the claimant is receiving treatment for both compensable and non-compensable conditions, only those services provided in the treatment of compensable

conditions should be listed on invoices submitted to the payor unless the non-compensable condition (e.g., hypertension, diabetes) has a direct bearing on the treatment of the compensable condition. In addition, payments for non-compensable conditions should not be listed on invoices submitted to the payor for compensable conditions. If a provider reasonably does not know the workers' compensation status, or the workers' compensation insurer has denied coverage, the provider will not be penalized for not complying with this rule. Upon notification or knowledge of workers' compensation eligibility, the provider will comply with these regulations prospectively.

5. Whenever a claimant is eligible for Medicare or payment from another third-party payor and is also eligible for workers' compensation medical benefits, the payor is always the primary payor, the payor of first resort. Services related to compensable conditions should be billed to the payor before attempting to collect from the third-party payor.

B. Treatment Guidelines and Prior Authorization. The rules set forth in this Chapter are to be applied in conjunction with the rules set forth in LAC40:I.Chapter 27, Utilization Review Procedures. The R.S. 23:1142 establishes a monetary limit for nonemergency medical care. The statute further provides significant penalties for a carrier/self-insured employer's arbitrary and capricious refusal to approve necessary care beyond that limit. In addition to all other rules and procedures, the provider who provides care under the "medical emergency" exception must demonstrate that it was a "medical emergency" as outlined in the utilization review procedures. For additional instructions, please refer to LAC40:I.Chapter 27.

C. Out-of-State Treatment. All necessary drugs, supplies, hospital care and services, medical and surgical treatment, and any nonmedical treatment recognized by the laws of this state as legal shall be performed at facilities within the state when available.

1. Prior authorization must be obtained from the payor for referral to out-of-state providers. The documentation required in the authorization must include the name and location of the out-of-state provider along with supporting documentation to show that the service being provided cannot be performed within the state, or it is closer to the patient's domicile to have services performed out-of-state.

2. The maximum reimbursement allowances defined in this fee schedule are applicable to medical services rendered outside the state of Louisiana for accidents and injuries subject to the Louisiana Workers' Compensation Act.

3. Out-of-State Injuries. An injured worker may receive medical services in Louisiana for injuries incurred in an out-of-state accident.

i. If the injured worker is receiving care and treatment in Louisiana pursuant to the Louisiana Act, the reimbursement is subject to the requirements and amounts defined in this fee schedule regardless of the site of injury.

ii. If the injured worker receives benefits from another state, while also seeking benefits in Louisiana, the benefits paid by the other state will be credited towards any payments due under the Louisiana Act.

4. Providers may contact the carrier to determine if the claimant benefits are provided pursuant to Louisiana law or the law of another state.

5. If the patient is receiving treatment under the Workers' Compensation Law of another state, this manual may not apply. It will apply if a timely claim is made under the Louisiana Workers' Compensation Act for the same accident and injuries and the benefits paid under the Workers' Compensation Law of another state is credited against what the patient would receive under the Louisiana Workers' Compensation Act.

D. Carrier Responsibilities

1. Reimbursement Determinations. Payors must utilize the expertise of a Medical Consultant in making determinations pertaining to acceptable, safe medical care and treatment as well as appropriate reimbursement for the services rendered. These medical consultants should have expertise in the areas for which medical or other treatment determinations are made.

2. Payors may not change, alter, delete, or obscure any diagnosis, procedure or service category codes reported by a provider. If a payor questions a service reported by a provider, the payor must contact the provider for clarification and/or additional documentation to substantiate the service in question.

3. Explanation of Review (EOR) – Payors must provide an EOR to the health care provider whenever the reimbursement amount differs from the amount billed by the provider. The EOR must accompany any payment that is being made.

i. The EOR must contain appropriate identifying information so the provider can relate a specific reimbursement to the applicable claimant, the services billed and the date of service. When possible, the payor should cite the specific rule upon which the final adjustment(s) were made.

ii. Acceptable EORs include copies of the bill as well as computerized or manually produced forms. Every EOR must include the applicable explanation code along with a written description of the explanation code for each line of service that has been adjusted.

iii. A payor must use the listed EOR codes and descriptors below to explain why a provider's charge has been reduced or disallowed.

iv. A payor may develop additional EOR codes, if necessary, to explain an adjustment but must furnish to the provider a written explanation of each EOR code used.

v. In all cases, the payor must clearly and specifically detail the reasons for an adjustment including references to applicable provisions of the Fee Schedule or other source(s) used as the basis for the adjustment(s).

012	Incorrect or incomplete license number of billing provider.
013	Medical report required for payment.
014	Documentation does not justify level of service billed.
015	Place of service is inconsistent with procedure billed.
016	Invalid procedure code.

E. Disputed Reimbursement Reconsideration

1. When, after examination of the EOR, a health care provider is dissatisfied with a payor's reduction or denial of a billed charge for any service, the provider may make a written request for reconsideration within 60 days from receipt of the EOR. The request must include a copy of the bill in question, the payor's EOR and any supporting documentation to substantiate the charge/service in question.

2. Upon receipt of a request for reconsideration, the payor must review and re-evaluate the original bill and accompanying documentation using its own medical consultant as necessary and respond to the provider within 60 days of the date of the receipt of the request. The payor's response to the provider must explain the reason(s) for the decision and cite the specific rule upon which the final adjustment(s) were made.

3. If the health care provider finds the result of the payor's reconsideration unsatisfactory, the provider may request the Office of Workers' Compensation Administration, Medical Services Section to resolve the disputes which involves the interpretation of the reimbursement policies and allowable reimbursement contained in the fee schedule.

a. The health care provider should file a formal appeal with the Office of Workers' Compensation using the Special Reimbursement Consideration Appeal Form (LWC-WC-3000)(see LAC 40:II.5129). Forms are available upon request from the Office of Workers' Compensation at the address shown on the sample form. Procedures for filing the appeal and documentation required are provided on the form. The written request for resolution of a disputed reimbursement along with the completed Special Reimbursement Consideration Appeal form must be submitted to the Office of Workers' Compensation Administration within 60 days of the payor's reconsideration or 90 days from the provider's requested date for reconsideration when no response from the payor was received.

b. Requests for resolving disputes should be sent to:
 Office of Workers' Compensation
 Medical Services Section
 P.O. Box 94040
 Baton Rouge, LA 70804-9040

F. Deposition and Witness Fees. Any health care provider who gives deposition shall be allowed a witness fee. Procedure Code 99075 must be used to bill for a deposition. Reimbursement for a deposition should be a specific amount mutually agreed upon and in writing, in advance of the event. Fees may be at an hourly rate or a flat rate. Disputes over these fees will be resolved in the same manner and subject to the same procedures as established for dispute resolution of claims for workers' compensation benefits. Disputes over these fees will be resolved using form LWC-WC-1008 (Disputed Claim for Compensation).

G. Copies of Records and Reports. Health care providers must submit copies of records and reports to payors, employers, claimants, a claimant's attorney, and the Office

001	These services are not reimbursable under the Workers' Compensation Program.
002	Charges exceed maximum allowance.
003	Charge is included in the basic surgical allowance.
004	Surgical assistant is not routinely allowed for this procedure. Documentation of medical necessity required.
005	This procedure is included in the basic allowance of another procedure.
006	This procedure is not appropriate to the diagnosis.
007	This procedure is not within the scope of the license of the billing provider.
008	Equipment of services are not prescribed by a physician.
009	Exceeds reimbursement limitations.
010	This service is not reimbursable unless billed by a physician.
011	Incorrect billing form.

of Workers' Compensation Administration upon request. Providers can facilitate the timely processing of claims and payment for services by submitting appropriate documentation to the payor when requested.

1. Copies to Payors. Health care providers are entitled to recover a reasonable amount, not to exceed \$1 per page, to cover the cost of copying documents which have been requested by a payor.

a. Certain procedure code descriptors require the submission of records and/or reports with the bill and/or claim. No copy charges should be billed by the provider for these required records and reports.

b. No copy charges should be billed for documentation which is submitted by the provider but was not specifically requested by the payor.

c. Health care providers may not charge a separate fee for medical reports that are required to substantiate the medical necessity of a service.

2. Copies to Claimants. Health care providers must furnish an injured employee and his/her attorney copies of his/her records and reports at the same time as copies are being furnished to the employer or payor at no expense to the claimant. If additional copies are requested by the claimant or his/her attorney, a copy charge may be billed to the employee or his/her attorney not to exceed \$0.50 per page.

3. X-ray, Microfilm and other Nonpaper Records. Health care providers may charge the actual direct cost of copying nonpaper records.

4. The OWCA may charge \$0.25 per page for reproducing records. This fee must be paid in advance.

H. Other Payment Policies

1. Prompt Payment. It is in the best interest of all parties that fees for services reasonably performed and billed in accordance with the reimbursement schedule be promptly paid. Not paying or formally contesting such bills by filing LWC-WC-1008 (Disputed Claim for Compensation) with the OWCA within 30 days of the date of receipt of the bill may subject the payor to penalties and attorney's fees should the Workers' Compensation Judge (WCJ) ultimately determine that such failure to pay is arbitrary and capricious or without reasonable cause.

2. Sales Tax. Sales taxes and other state mandated taxes are required to be reimbursed in addition to other procedure, supplies or medical service expenses.

3. Supplies and Materials

a. Supplies and materials provided by the health care provider (e.g., sterile trays/drugs) over and above those usually included within the office visit may be listed separately using CPT code 99070. Supplies and materials over \$50 will be reimbursed at invoice cost plus 20 percent. Specialized supplies and DME may require a copy of the invoice be sent to the payor.

b. CPT Code 99080 is not to be used to complete required workers' compensation forms, to complete required documentation to substantiate medical necessity, to sign affidavits or to certify medical record forms. CPT Code 99080 may be used for billing of a special report such as an independent medical examination report.

4. Plastic and Metallic Implants. Plastic and metallic implants and non-autogenous graft materials are reimbursed at invoice cost plus 20 percent. A manufacturer's original

invoice with the cost of the material must be submitted to the payor with the bill. If the manufacturer's original invoice cannot be produced, reimbursement shall be made by the payor using the prevailing charges for implants/graft materials used in similar procedures as determined by the payor based upon data which is specific to Louisiana.

5. Missed Appointments. A health care provider shall not receive payment for a missed appointment unless the appointment was arranged by the payor or the employer. If the payor or employer fails to cancel the appointment no less than 72 hours prior to the time of the appointment and the provider is unable to arrange for a substitute appointment for that time, the provider may bill the payor for the missed appointment.

6. Dispensing Physician Services. Reimbursement to a health care provider for dispensing medications, drugs or chemicals is limited to providers who are licensed through the State Board of Medical Examiners for dispensing such items. The health care provider is only allowed to dispense medication until he/she is informed by the payor that he/she may not do so. Payment shall be made in accordance with the Pharmacy Reimbursement Schedule, LAC40:I.Chapter 29.

7. Procedure Codes Not Listed in the Rules. If a procedure is performed for which the 5-digit CPT code is not listed in the current maximum allowable reimbursement table (Section 5157), the health care provider may use a valid CPT code and submit a narrative report to the payor explaining the use of a code/descriptor not contained in the maximum allowable reimbursement table. The Maximum Allowable Reimbursement for professional services for which the CPT code is not listed in Section 5157 may be a negotiated rate between the payor and provider.

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§5105. Coding Standards

A. Coding Systems

1. Diagnosis Coding. The most current version of the International Classification of Diseases 10th Revision, Clinical Modification (ICD-10-CM) in effect at the time service is rendered or provided shall be the authoritative diagnostic coding guide, unless otherwise specified in this Chapter.

2. Procedure Coding

a. Inpatient. The most current version of the International Classification of Diseases 10th Revision, Clinical Modification/Procedure Coding System (ICD-10-CM/PCS) in effect at the time service is rendered or provided shall be the authoritative coding guide, unless otherwise specified in this Chapter.

b. Outpatient

i. The most current version of the American Medical Association's Current Procedural Terminology (CPT®) in effect at the time service is rendered or provided shall be the authoritative coding guide, unless otherwise specified in this Chapter.

ii. The most current version of HCPCS codes developed by CMS in effect at the time service is rendered

or provided shall be the authoritative coding guide for durable medical equipment, prosthetics, orthotics, and other medical supplies (DMEPOS), unless otherwise specified in this Chapter.

c. Dental. The most current version of the American Dental Association's CDT: Dental Procedure Codes in effect at the time service is rendered or provided shall be the authoritative coding guide, unless otherwise specified in this Chapter.

B. Modifiers. Modifiers augment CPT codes to more accurately describe the circumstances of services provided. When applicable, the circumstances should be identified by a modifier which is a two-digit alpha/numeric code placed after the usual procedure code, separated by a hyphen. If more than one modifier is needed, place the multiple modifiers code 99 after the procedure code to indicate that two or more modifiers will follow. The use of modifiers does not imply or guarantee that a provider will receive reimbursement as billed.

1. Modifier 22—Increased Procedural Services. When the work required to provide a service is substantially greater than typically required, it may be identified by adding modifier 22 to the usual procedure code. Documentation must support the substantial additional work and the reason for the additional work (i.e., increased intensity, time, technical difficulty of procedure, severity of patient's condition, physical and mental effort required). This modifier should not be appended to an E/M service. Louisiana guidelines require a report explaining the medical necessity of the situation must be submitted with the claim to the payor. This modifier would be used in unusual circumstances only and is not appropriate to use for billing of routine procedures. Use of this modifier does not guarantee additional reimbursement.

2. Modifier 23—Unusual Anesthesia. Occasionally, a procedure, which usually requires either no anesthesia or local anesthesia, because of unusual circumstances must be done under general anesthesia. This circumstance may be reported by adding modifier 23 to the procedure code of the basic service.

3. Modifier 24—Unrelated Evaluation and Management Services by the Same Physician or Other Qualified Health Care Professional during a Postoperative Period. The physician or other qualified health care professional may need to indicate that an evaluation and management service was performed during a postoperative period for a reason(s) unrelated to the original procedure. This circumstance may be reported by adding modifier 24 to the appropriate level of E/M service.

4. Modifier 25—Significant, Separately Identifiable Evaluation and Management Service by the Same Physician or Other Qualified Health Care Professional on the Same Day of the Procedure or Other Service. It may be necessary to indicate that on the day a procedure or service identified by a CPT code was performed, the patient's condition required a significant, separately identifiable E/M service above and beyond the other service provided or beyond the usual preoperative and postoperative care associated with the procedure that was performed. A significant, separately identifiable E/M service is defined or substantiated by documentation that satisfies the relevant criteria for the respective E/M service to be reported (See Evaluation and

Management Services Guidelines for instructions on determining level of E/M service). The E/M service may be prompted by the symptom or condition for which the procedure and/or service was provided. As such, different diagnoses are not required for reporting of the E/M services on the same date. This circumstance may be reported by adding modifier 25 to the appropriate level of E/M service. Note: This modifier is not used to report an E/M service that resulted in a decision to perform surgery. See modifier 57. For significant, separately identifiable non-E/M services, see modifier 59.

5. Modifier 26—Professional Component (PC). Certain procedures are a combination of a physician or other qualified health care professional component and a technical component. When the physician or other qualified health care professional component is reported separately, the service may be identified by adding modifier 26 to the usual procedure number.

6. Modifier TC—Technical Component. Certain procedures are a combination of a professional component and a technical component. When the technical component is reported separately, the service may be identified by adding modifier TC to the usual procedure number. Technical component charges are institutional charges and not billed separately by physicians.

7. Modifier 32—Mandated Services. Services related to mandated consultation and/or related services (e.g., third-party payor, governmental, legislative, or regulatory requirement) may be identified by adding modifier 32 to the basic procedure.

8. Modifier 47—Anesthesia by Surgeon. Regional or general anesthesia provided by the surgeon may be reported by adding modifier 47 to the basic service. (This does not include local anesthesia.) Modifier 47 would not be used as a modifier for the anesthesia procedures.

9. Modifier 50—Bilateral Procedure. Unless otherwise identified in the listings, bilateral procedures that are performed at the same session, should be identified by adding modifier 50 to the appropriate 5-digit code.

10. Modifier 51—Multiple Procedures. When multiple procedures, other than E/M Services, physical medicine and rehabilitation services, or provision of supplies (e.g., vaccines), are performed at the same session by the same individual, the primary procedure or service may be reported as listed. The additional procedure(s) or service(s) may be identified by appending modifier 51 to the additional procedure or service code(s). This modifier should not be appended to designated "add-on" codes (see Section 5106.F).

11. Modifier 52—Reduced Services. Under certain circumstances a service or procedure is partially reduced or eliminated at the discretion of the physician or other qualified health care professional. Under these circumstances the service provided can be identified by its usual procedure number and the addition of modifier 52, signifying that the service is reduced. This provides a means of reporting reduced services without disturbing the identification of the basic service. For hospital outpatient reporting of a previously scheduled procedure/service that is partially reduced or cancelled as a result of extenuating circumstances or those that threaten the wellbeing of the patient prior to or after administration of anesthesia, see

modifiers 73 and 74 (see modifiers approved for ASC hospital outpatient use).

12. **Modifier 53—Discontinued Procedure.** Under certain circumstances the physician or other qualified health care professional may elect to terminate a surgical or diagnostic procedure. Due to extenuating circumstances or those that threaten the wellbeing of the patient, it may be necessary to indicate that a surgical or diagnostic procedure was started but discontinued. This circumstance may be reported by adding modifier 53 to the code reported by the individual for the discontinued procedure. This modifier is not used to report the elective cancellation of a procedure prior to the patient's anesthesia induction and/or surgical preparation in the operating suite. For outpatient hospital/ambulatory surgery center (ASC) reporting of a previously scheduled procedure/service that is partially reduced or cancelled as a result of extenuating circumstances or those that threaten the wellbeing of the patient prior to or after administration of anesthesia, see modifiers 73 and 74 (see modifiers approved for ASC hospital outpatient use).

13. **Modifier 54—Surgical Care Only.** When one physician or other qualified health care professional performs a surgical procedure and another provides preoperative and/or postoperative management, surgical services may be identified by adding modifier 54 to the usual procedure number.

14. **Modifier 55—Postoperative Management Only.** When one physician or other qualified health care professional performed the postoperative management and another performed the surgical procedure, the postoperative component may be identified by adding modifier 55 to the usual procedure number.

15. **Modifier 56—Preoperative Management Only.** When one physician or other qualified health care professional performed the preoperative care and evaluation and another performed the surgical procedure, the preoperative component may be identified by adding modifier 56 to the usual procedure number.

16. **Modifier 57—Decision for Surgery.** An evaluation and management service that resulted in the initial decision to perform the surgery may be identified by adding modifier 57 to the appropriate level of E/M service.

17. **Modifier 58—Staged or Related Procedure or Service by the Same Physician or Other Qualified Health Care Professional during the Postoperative Period.** It may be necessary to indicate that the performance of a procedure or service during the postoperative period was:

- a. planned or anticipated (staged);
- b. more extensive than the original procedure; or
- c. for therapy following a surgical procedure. This

circumstance may be reported by adding modifier 58 to the staged or related procedure. For treatment of a problem that requires a return to the operating/procedure room, (e.g., unanticipated clinical condition), see modifier 78.

18. **Modifier 59—Distinct Procedural Service.** Under certain circumstances, it may be necessary to indicate that a procedure or service was distinct or independent from other non-E/M services performed on the same day. Modifier 59 is used to identify procedures/services other than E/M services that are not normally reported together, but are appropriate under the circumstances. Documentation must support a different session, different procedure or surgery, different

site or organ system, separate incision/excision, separate lesion, or separate injury (or area of injury in extensive injuries) not ordinarily encountered or performed on the same day by the same individual. However, when another already established modifier is appropriate, it should be used rather than modifier 59. Only if no more descriptive modifier is available, and the use of modifier 59 best explains the circumstances, should modifier 59 be used. Modifier 59 should not be appended to an E/M service. To report a separate and distinct E/M service with a non-E/M service performed on the same date, see modifier 25.

19. **Modifier 62—Two Surgeons.** When two surgeons work together as primary surgeons performing distinct part(s) of a procedure, each surgeon should report his/her distinct operative work by adding modifier 62 to the procedure code and any associated add-on code(s) for that procedure if both surgeons continue to work together as primary surgeons. Each surgeon should report the co-surgery once using the same procedure code. If additional procedure(s) (including add-on procedure(s)) are performed during the same surgical session, separate code(s) may also be reported with modifier 62 added. If a co-surgeon acts as an assistant in the performance of additional procedure(s), other than those reported with the modifier 62, during the same surgical session, those services may be reported using separate procedure code(s) with modifier 80 or modifier 82 added, as appropriate.

20. **Modifier 66—Surgical Team.** Under some circumstances, highly complex procedures (requiring the concomitant services of several physicians or other qualified health care professionals, often of different specialties, plus other highly skilled, specially trained personnel, various types of complex equipment) are carried out under the "surgical team" concept. Such circumstances may be identified by each participating individual with the addition of modifier 66 to the basic procedure number used for reporting services.

21. **Modifier 76—Repeat Procedure or Service by Same Physician or Other Qualified Health Care Professional.** It may be necessary to indicate that a procedure or service was repeated by the same physician or other qualified health care professional subsequent to the original procedure or service. This circumstance may be reported by adding modifier 76 to the repeated procedure or service. This modifier should not be appended to an E/M service.

22. **Modifier 77—Repeat Procedure by Another Physician or Other Qualified Health Care Professional.** It may be necessary to indicate that a basic procedure or service was repeated by another physician or other qualified health care professional subsequent to the original procedure or service. This circumstance may be reported by adding modifier 77 to the repeated procedure or service. This modifier should not be appended to an E/M service.

23. **Modifier 78—Unplanned Return to the Operating/Procedure Room by the Same Physician or Other Qualified Health Care Professional Following Initial Procedure for a Related Procedure During the Postoperative Period.** It may be necessary to indicate that another procedure was performed during the postoperative period of the initial procedure (unplanned procedure following initial procedure). When this procedure is related to the first and

requires the use of an operating/procedure room, it may be reported by adding modifier 78 to the related procedure. (For repeat procedures, see modifier 76.)

24. Modifier 79—Unrelated Procedure or Service by the Same Physician or Other Qualified Health Care Professional during the Postoperative Period. The individual may need to indicate that the performance of a procedure or service during the postoperative period was unrelated to the original procedure. This circumstance may be reported by using modifier 79. (For repeat procedures on the same day, see modifier 76.)

25. Modifier 80—Assistant Surgeon. Surgical assistant services may be identified by adding modifier 80 to the usual procedure number(s). Reimbursement is 20 percent of the maximum allowable reimbursement.

26. Modifier 81—Minimum Assistant Surgeon. Minimum surgical assistant services are identified by adding modifier 81 to the usual procedure number.

27. Modifier 82—Assistant Surgeon (when qualified resident surgeon not available). The unavailability of a qualified resident surgeon is a prerequisite for use of modifier 82 appended to the usual procedure code number(s).

28. Modifier 90—Reference (Outside) Laboratory. When laboratory procedures are performed by a party other than the treating or reporting physician or other qualified health care professional, the procedure may be identified by adding modifier 90 to the usual procedure number.

29. Modifier 91—Repeat Clinical Diagnostic Laboratory Test. In the course of treatment of the patient, it may be necessary to repeat the same laboratory test on the same day to obtain subsequent (multiple) test results. Under these circumstances, the laboratory test performed can be identified by its usual procedure number and the addition of modifier 91. This modifier may not be used when tests are rerun to confirm initial results; due to testing problems with specimens or equipment; or for any other reason when a normal, one-time, reportable result is all that is required. This modifier may not be used when other code(s) describe a series of test results (e.g., glucose tolerance tests, evocative/suppression testing). This modifier may only be used for laboratory test(s) performed more than once on the same day on the same patient.

30. Modifier 92—Alternative Laboratory Platform Testing. When laboratory testing is being performed using a kit or transportable instrument that wholly or in part consists of a single use, disposable analytical chamber, the service may be identified by adding modifier 92 to the usual laboratory procedure code (HIV testing 86701–86703, and 87389). The test does not require permanent dedicated space; hence by its design may be hand carried or transported to the vicinity of the patient for immediate testing at that site, although location of the testing is not in itself determinative of the use of this modifier.

31. Modifier 95—Synchronous Telemedicine Service Rendered Via a Real-Time Interactive Audio and Video Telecommunications System. Synchronous telemedicine service is defined as a real-time interaction between a physician or other qualified health care professional and a patient who is located at a distant site from the physician or other qualified health care professional. The totality of the communication of information exchanged between the

physician or other qualified health care professional and the patient during the course of the synchronous telemedicine service must be of an amount and nature that would be sufficient to meet the key components and/or requirements of the same service when rendered via a face-to-face interaction. The modifier 95 appended to a code indicates it was performed by telemedicine/telehealth methods. Services should be reimbursed the same amount as the exact same codes without the modifier. If the payor requires a Place of Service (POS) code for telemedicine/telehealth, code 02 may be used.

32. Modifier 99—Multiple Modifiers. Under certain circumstances two or more modifiers may be necessary to completely delineate a service. In such situations, modifier 99 should be added to the basic procedure and other applicable modifiers may be listed as part of the description of the service.

33. Modifier QX—CRNA Service with medical direction by a physician.

34. Modifier QY—Medical direction of one certified registered nurse anesthetist (CRNA) by an anesthesiologist.

35. Modifier QZ—CRNA service without medical direction by a physician.

C. Correct Coding Standard. All services performed shall be coded and billed in accordance with the standard coding systems defined in §5106.A. To promote national correct coding methodologies and to control improper coding leading to inappropriate payment, the state of Louisiana adopts the National Correct Coding Initiative (NCCI) edits defined by CMS to identify services that are commonly performed together and that should not be billed separately when the services are provided at the same encounter. CMS annually updates the NCCI Policy Manual. The complete list of NCCI edits is available on the CMS website at <https://www.cms.gov/Medicare/Coding/NationalCorrectCodInitEd/index.html>. When a conflict between the NCCI edits and the guidelines and coding policies defined in Chapter 51 Medical Reimbursement Schedule arise, the guidelines and policies dictated in Chapter 51 will prevail. Knowingly and willfully misrepresenting services provided to workers' compensation claimants is strictly prohibited.

D. Unlisted Procedures. CPT contains codes for unlisted procedures. Use these codes only when there is no procedure code that accurately describes the service rendered. A report is required as these services are reimbursed By Report (see §5105.E).

E. By Report Services (BR)

1. By report refers to the method by which the reimbursement for a procedure is determined by the payor when a service or procedure is performed by the provider that does not have an established maximum allowable reimbursement (MAR) amount.

2. Reimbursement for procedure codes listed as "BR" must be determined by the payor based on documentation submitted by the provider in a special report attached to the claim form. This required documentation to substantiate the medical necessity of a procedure does not warrant a separate fee. Information in this report must include, as appropriate:

- a. a complete description of the actual procedure or service performed;
- b. the amount of time necessary to complete the procedure or service performed;

c. accompanying documentation that describes the expertise and/or equipment required to complete the service or procedure.

3. Reimbursement of “BR” procedures by the payor should be based on the following:

a. review of the submitted documentation;

b. recommendation of the payor's medical consultant;

c. the payor's review of the prevailing charges for like procedures based upon data which is specific for Louisiana charges.

F. Add-on Codes – CPT identifies procedures that are always performed in addition to the primary procedure and designates them with a + symbol. These add-on codes are never reported for stand-alone services but are reported secondarily in addition to the primary procedure. Specific language is used to identify add-on procedures such as “each additional” or “list separately in addition to primary procedure.” Add-on codes are exempt from the multiple procedure concept (see Modifier 51 in §5105). Add-on codes are reimbursed at 100 percent of the maximum allowable reimbursement or the provider's charge, whichever is less.

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HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), amended by the Workforce Commission, Office of Workers' Compensation Administration, LR 48:

§5107. Billing Instructions

A. Inpatient and Outpatient Facility Services. Health care facilities must bill using the most current paper or electronic forms which are authorized by CMS. The electronic version, 837i or the paper form UB-04 (CMS-1450) is required. Services must be itemized. The use of all-inclusive accommodation and ancillary revenue codes is not acceptable. Additional coding and billing guidelines specific to certain categories may be found in the applicable facility services sections of this fee schedule.

B. Professional Services. Health care providers, with the exception of dentists, billing for outpatient professional services must bill using the most current paper or electronic forms which are authorized by CMS, regardless of the site of service. The electronic version, 837p or the paper form CMS-1500 is required. Additional coding and billing guidelines specific to certain coding categories may be found in the applicable professional services sections of this fee schedule.

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§5109. Evaluation and Management (E/M) Services

A. General Ground Rules

1. Classification of Evaluation and Management (E/M) Services. The E/M section is divided into broad categories such as office visits, hospital visits, and consultations. Most of the categories are further divided into two or more subcategories of E/M services. For example, there are two subcategories of office visits—new patient and

established patient and there are two subcategories of hospital visits—initial and subsequent. The subcategories of E/M services are further classified into levels of E/M services that are identified by specific codes. This classification is important because the nature of physician work varies by type of service, place of service, and the injured worker's status.

2. New versus Established Patient

a. A new patient is one who has not received any professional services from the provider or another provider of the same specialty who belongs to the same group practice, within the past three years. A new patient is also defined as a patient who is being seen and evaluated for a new workers' compensation related illness or injury.

b. An established patient is one who has received professional services from the provider or another provider of the same specialty who belongs to the same group practice, within the past three years.

c. In the instance where a provider is on call for or covering for another provider, the patient's encounter will be classified as it would have been by the provider who is not available. When advanced practice nurses and physician assistants are working with physicians, they are considered as working in the exact same specialty as the physician.

d. No distinction is made between new and established patients in the emergency department. E/M services in the emergency department category may be reported for any new or established patient who presents for treatment in the emergency department.

3. Level of Service. The appropriate level of E/M service is based on the level of medical decision making defined for each service or the total time spent on E/M services on the date of service. Time may be used to select a code level in office or other outpatient services whether or not counseling and/or coordination of care dominates the service. Time may only be used for selecting the level of the other E/M services when counseling and/or coordination of care dominates the service. Documentation in the medical record must support the level of E/M service reported.

a. For office visits and other outpatient visits, time is based on the amount of time spent face to face with the patient and not the time the patient is in an examining room.

b. For inpatient hospital care, time is based on unit floor time. This includes the time the physician is present on the patient's hospital unit and at the bedside rendering services. This also includes time spent reviewing the patient's chart, writing additional notes, and communicating with other professionals and/or the patient's family.

c. Medical decision making (MDM) includes establishing diagnoses, assessing the status of a condition, and/or selecting a management option. The four types of MDM are straightforward, low, moderate, and high. MDM in the office or other outpatient services codes is defined by three elements:

i. the number and complexity of problems(s) that are addressed during the encounter.

ii. the amount and/or complexity of data to be reviewed and analyzed.

iii. the risk of complications and/or morbidity or mortality of patient management decisions made at the visit, associated with the injured worker's problem(s), the diagnostic procedure(s), and treatment(s).

4. Consultations. A consultation is a service rendered by a specialist at the request of the treating provider or other appropriate source seeking further evaluation and/or an opinion on how to proceed in the management of a patient's illness. A consulting physician shall only initiate diagnostic and/or therapeutic services with approval from the authorized treating physician. A detailed narrative report is required and shall accompany the bill. The reimbursement for a consultation includes payment for the report and separate reimbursement for the report will not be provided. Following a consultation, if the consulting physician assumes responsibility for management of all or any part of the injured worker's condition(s), the injured worker becomes an "established patient" under the care of the consulting physician. Subsequent services must be billed and reimbursed under the appropriate visit codes, not consultation codes.

5. Hospital Discharge Day Management. Reimbursement for code 99238 will not be made in addition to another hospital visit billed by the same physician on the same day for the same patient.

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§5111. Anesthesia Services

A. General Ground Rules. The amount payable for anesthesia services will be the lesser of the actual charge or the Maximum Allowable Reimbursement (MAR) as calculated using the factors defined in this section.

1. Global Service - Reimbursement includes the usual pre- and postoperative visits, the care by the anesthesiologist during surgery, the administration of fluids and/or blood, and the usual monitoring services. Unusual forms of monitoring, such as central venous, intra-arterial, and Swan-Ganz monitoring, may be reimbursed separately.

2. Multiple Procedures. When multiple surgical procedures are performed during the same period of anesthesia, only the highest base unit allowance of the various surgical procedures should be used.

3. Non-anesthetic Procedures - When a non-anesthetic procedure is performed by anesthesiologist, they should use the surgical or medical code and fee established for that code. Anesthesia units and conversion factors are to be used only when the primary purpose of the service is to anesthetize the patient so that the surgical procedure can be performed.

4. Unlisted Service. When an unlisted service or procedure is provided, the value should be substantiated with a report. Unlisted services are identified in this Fee Schedule as by report (BR).

5. More than one Anesthesiologist. When it is necessary to have a second anesthesiologist, the necessity should be substantiated by report. The second anesthesiologist will receive five base units + time units x the conversion factor (calculation of total anesthesia value).

6. Appropriate Coding. Anesthesiologists or CRNAs must bill their services with the appropriate modifiers to indicate which one provided the service. Bills not properly coded may cause a delay or error in reimbursement by the

payor. Application of the appropriate modifier to the bill for service is the responsibility of the provider, regardless of the place of service. For detailed information on anesthesia modifiers, refer to Section 5105.B.

7. Criteria for Reimbursement. Anesthesia services may be billed for any one of the three following circumstances.

a. An anesthesiologist provides total and individual anesthesia service.

b. An anesthesiologist directs a CRNA.

c. Anesthesia provided by a CRNA working independent of an anesthesiologist's supervision is covered when all the following conditions are met.

i. The service falls within the CRNA's scope of practice and scope of license as defined by law.

ii. The service is reasonable and medically necessary.

iii. The service is supervised by a licensed health care provider who has prescriptive authority.

iv. The service is provided under one of the following conditions: in accordance with the clinical privileges individually granted by the hospital or other health care organization:

(a) the doctor performing the procedure requiring the service specifically requests the service of a CRNA;

(b) the patient requiring the service specifically requests the service of a CRNA;

(c) the services are provided by a CRNA in connection with a medical emergency; or

(d) no anesthesiologist is on staff or an anesthesiologist is unable to provide the service.

8. Field Avoidance. Any procedure around the head, neck, or shoulder girdle that requires field avoidance or any procedure compromising the anesthesia administration (e.g., requiring a position other than supine or lithotomy) has a minimum base value of five units regardless of any lesser base value assigned to such procedures. In this case, a medical report must be attached to document the special unit.

9. Anesthesia Administered by other than an Anesthesiologist or CRNA - Anesthesia fees are not payable when local infiltration, digital block or topical anesthesia is administered by the operating surgeon or surgical assistants. Such services are included in the value for the surgical procedure.

B. Anesthesia Value Components

1. Base Units. Base units are relative values for anesthesia procedures as specified in the American Society of Anesthesiologists' (ASA) Relative Value Guide®. Base units reflect the complexity of the service and include pre- and postoperative visits, intubation, and care by the anesthesiologist/anesthesia professional during the procedure, the administration of fluids and/or blood, the usual monitoring services and extubation. See Table 1 in Section 5157 for a list of the base units for each CPT code.

2. Time Units. Anesthesia time begins when the anesthesiologist or CRNA starts physically to prepare the patient for the induction of anesthesia in the operating room area (or in an equivalent area) and ends when the patient is placed under postoperative supervision. Anesthesia time units are computed by allowing one unit for each 15 minutes

or significant fraction thereof of anesthesia time. Five minutes or greater is considered a significant portion of a time unit for calculating additional time units of less than 15 minutes.

3. Physical Status Modifiers. The following physical status modifiers are consistent with the ASA ranking of patient physical status and distinguish various levels of complexity of the anesthesia service provided. All anesthesia services are reported by use of the anesthesia five-digit procedure codes (00100 - 01999) with the appropriate physical status modifier appended. Under certain circumstances, when another established modifier(s) is appropriate, it should be used in addition to the physical status modifier.

Physical Status Modifier	Description	Additional Units
P1	A normal healthy patient	0
P2	A patient with mild systemic disease	0
P3	A patient with severe systemic disease	1
P4	A patient with severe systemic disease that is a constant threat to life	2
P5	A moribund patient who is not expected to survive without the operation	3
P6	A patient declared brain-dead whose organs are being removed for donor purposes	0

4. Qualifying Circumstances. Anesthesia services may be provided under difficult circumstances based on factors such as the extraordinary condition of the patient, unusual risk factors, patient age and management of body temperature or blood flow. More than one qualifying circumstance may be selected. These procedures would not be reported alone; they are add-on codes reported in addition to another anesthesia procedure or service.

CPT Code	Description	Additional Units
99100	Anesthesia for patient of extreme age, younger than 1 year and older than 70	1
99116	Anesthesia complicated by utilization of total body hypothermia	5
99135	Anesthesia complicated by utilization of controlled hypotension	5
99140	Anesthesia complicated by emergency conditions (specify)	2
(An emergency is defined as existing when delay in treatment of a patient would lead to a significant increase in the threat to life or body part.)		

C. Calculating Anesthesia Maximum Allowable Reimbursement. The maximum allowable reimbursement (MAR) for anesthesia is calculated by adding the base unit value, the number of time units, any applicable modifier and/or unusual circumstances units, and multiplying the sum by a dollar amount (conversion factor) allowed per unit. The conversion factor for anesthesia services provided under this fee schedule is \$50.

$$(\text{Base units} + \text{time units} + \text{modifying units}) \times \text{conversion factor} = \text{MAR}$$

1. When multiple surgical procedures are performed during the same period of anesthesia, use the base units for the highest/most complex anesthesia service and the time units applicable for the entire period of anesthesia time.

2. When the anesthesiologist provides an anesthesia service directly, payment will be the lesser of the billed charge or 100 percent of the calculated MAR.

3. Payment for covered anesthesia services provided by a CRNA will be the lesser of the actual billed charge or 85 percent of the calculated MAR. The CRNA's services should be billed using Modifier QZ.

4. Where a single anesthesia procedure involves both a physician's medical direction service and the service of the medically directed CRNA, the payment amount for the service of each is 50 percent of the allowance otherwise recognized had the service been furnished by the anesthesiologist alone.

a. Use Modifier—QX if medical direction by physician.

b. Use Modifier—QY if medical direction for one CRNA by anesthesiologist.

c. Reimbursement shall not be made to either the anesthesiologist or the CRNA until the insurer has received and reviewed the bill and the anesthesia report from both providers.

d. Reimbursement shall never exceed 100 percent of the maximum amount an anesthesiologist would have been allowed under the Medical Fee Schedule Allowance had the anesthesiologist or physician alone performed the services.

e. Medical supervision, as opposed to medical direction, occurs when the anesthesiologist is involved in furnishing more than four procedures concurrently or is performing other services while directing the concurrent procedures. No additional reimbursement shall be made for general supervisory services rendered by the anesthesiologist or other physician.

5. Example MAR Anesthesia Calculation: The MAR for anesthesia time of two hours for CPT code 01382, anesthesia for arthroscopic procedure of knee joint, for a 45-year-old patient with severe systemic disease would be calculated as follows:

Base Units = 3
 Time Units = 8 (four units per hour for two hours)
 Physical Status Modifier = P3 or one additional unit
 Qualifying Circumstance = not applicable or no additional units
 MAR Calculation = (3+8+1) * \$50.00 = \$600

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§5113. Surgical Services

A. General Ground Rules

1. Global Reimbursement. The reimbursement allowances for surgical procedures are based on a global reimbursement concept that covers performing the basic service and the normal range of care required before and after surgery.

a. The global reimbursement includes:

i. the initial evaluation or consultation by a surgeon will be paid separately. The pre-operative policy will include all pre-operative visits, in or out of the hospital, by the surgeon beginning the day before the surgery;

- ii. local anesthesia, such as infiltration, digital or topical anesthesia;
- iii. services such as dressing changes, local incisional care, removal of operative packs, removal of cutaneous sutures, staples, lines, wires, tubes, drains, casts, and splints; insertion, irrigation and removal of urinary catheters, routine peripheral intravenous lines nasogastric and rectal tubes, and change and removal of tracheostomy tubes;
- iv. normal, uncomplicated follow-up care for the time periods indicated in the follow-up days (FUD) column to the right of each procedure code as defined in the Maximum Allowance Reimbursement table in Section 5157. The number in that column establishes the days during which no additional reimbursement is allowed for the usual care provided following surgery, absent complications, or unusual circumstances. Follow-up days are specified by procedure. The day of surgery is day one when counting follow-up days. Follow-up days are defined as follows.

Indicator	Meaning
000	Zero-day post-operative period. E/M visits on the same day as the procedure are included in the procedure unless a separately identifiable service is reported with an appropriate modifier.
010	10-day post-operative period. E/M visits on the same day as procedures and during the 10-day post-operative period are included in the procedure, unless a separately identifiable service is reported with an appropriate modifier.
090	90-day post-operative period. E/M visits on the same day as procedures and during the 90-day post-operative period are included in the procedure, unless a separately identifiable service is reported with an appropriate modifier.
MMM	Maternity service. Global service days concept does not apply.
XXX	Global concept does not apply.
YYY	Identifies procedures with variable service where global days are determined By Report.
ZZZ	Identifies "add-on" services. Procedure code is related to another service and included in the global period of the other service.

2. Follow-Up Care for Diagnostic Procedures. Follow-up care for diagnostic procedures, e.g., endoscopy, arthroscopy, injections procedures for radiography; includes only care that is related to the recovery from the diagnostic procedure itself. Care of the condition for which the diagnostic procedure was performed or of other concomitant condition is not included and may be reimbursed in accordance with the services provided.

3. Follow-Up Care for Therapeutic Surgical Procedures. Follow-up care for therapeutic surgical procedures includes only care that is usually part of the surgical procedure. Complications, exacerbations, recurrence, or the presence of other diseases or injuries requiring additional services concurrent with the procedure(s) or during the listed period of normal follow-up care may warrant additional charges. The payor is responsible only for services related to the compensable injury or illness unless the non-compensable condition has a direct bearing on the treatment of the compensable condition.

4. Additional Surgical Procedure(s). When an additional surgical procedure(s) is carried out within the

listed period of follow-up care for a previous surgery, each follow-up period specific to each surgery continues concurrently with each service maintaining its original timeline.

5. Unique Techniques. A surgeon is not entitled to an extra fee for a unique technique. It is inappropriate to use Modifier-22 unless the procedure is significantly more difficult than indicated by the description of the code.

6. Surgical Destruction. Surgical destruction is part of a surgical procedure, and different methods of destruction are not ordinarily listed separately unless the technique substantially alters the standard management of a problem or condition. Exceptions under special circumstances are provided for by separate code numbers.

7. Incidental Procedure(s). An additional charge for an incidental procedure (e.g., incidental appendectomy, incidental scar excisions, puncture of ovarian cysts, simple lysis of adhesions, simple repair of hiatal hernia, etc.) is not customary and does not warrant additional reimbursement.

8. Biopsy Procedures. A biopsy of the skin and another surgical procedure performed on the same lesion on the same day must be billed as one procedure.

9. Suture Removal. Billing for suture removal by the operating surgeon is not appropriate as this is considered part of the global fee.

10. Joint Manipulation under Anesthesia. There is no charge for manipulation of a joint under anesthesia when it is preceded or followed by a surgical procedure on that same day by that surgeon or associate. However, when manipulation of a joint is the scheduled procedure and it indicates additional procedures are necessary and appropriate, 50 percent of the manipulation may be allowed.

11. Aspirations and Injections. Puncture of a cavity of joint for aspiration followed by an injection of a therapeutic agent is one procedure and should be billed as such.

12. Surgical Assistant. An individual who has the necessary qualifications to participate in a particular operation and actively assist in performing the surgery.

a. Physician Surgical Assistant. A physician who assists at surgery may be reimbursed as a surgical assistant. Assistant surgeons should use modifier-80 and are allowed the lesser of the billed amount or 20 percent of the maximum allowable reimbursement amount for the procedure(s). The assistant surgeon's name should be listed on the operative report.

b. Non-Physician Assistant-at-Surgery. Qualified Physician Assistant, Nurse Practitioner, or Surgical Technician may be reimbursed as an assistant-at-surgery. The assistant-at-surgery should be billed using modifier-AS and are allowed the lesser of the charged amount or 13 percent of the maximum allowable reimbursement amount for the procedure(s). Services provided by an assistant-at-surgery should be submitted with the bill by the primary surgeon.

c. Reimbursement for a surgical assistant shall be based on medical necessity. If a procedure does not usually require the use of an assistant, documentation of medical necessity must be submitted with the claim form.

13. Operative Reports. An operative report must be submitted to the payor before reimbursement can be made for the surgeon's or assistant surgeon's services.

14. Needle Procedures. Needle procedures (lumbar puncture, thoracentesis, jugular, or femoral taps, etc.) should be billed in addition to the medical care on the same day.

15. Therapeutic Procedures. Therapeutic procedures (injecting into cavities, nerve blocks, etc.) (20526-20611; 64400-64450; 64455-64484) may be billed in addition to the medical care for a new patient. (Use appropriate level of service plus injection.) In follow-up cases for additional therapeutic injections and/or aspirations, an office visit is only indicated if it is necessary to re-evaluate the patient. In this case, a minimal visit may be listed in addition to the injection. Documentation supporting the office visit charge must be submitted with the bill to the payor. Reimbursement for therapeutic injections will be made according to the multiple procedure rule. Trigger point injection is considered one procedure and reimbursed as such regardless of the number of injection sites.

16. Anesthesia by Surgeon. In certain circumstances it may be appropriate for the attending surgeon to provide regional or general anesthesia. Anesthesia by the surgeon is considered to be more than local or digital anesthesia. Identify this service by adding the Modifier-47 to the surgical code. Only base anesthesia units are allowed (See Anesthesia, §5111).

B. Multiple Procedures

1. Multiple Procedure Reductions. When more than one procedure is performed during the same operative session at the same operative site or multiple procedures are performed during the same operative session through multiple incisions for the same operative procedure the following reimbursement applies:

- a. 100 percent for the primary procedure;
- b. 60 percent for the second procedure;
- c. 40 percent for the third procedure;
- d. 25 percent for fourth and fifth procedures; and
- e. each procedure after the fifth procedure will be paid by special report.

2. Bilateral Procedure Reductions. When bilateral procedures are performed that require preparation of separate operative sites, e.g., bilateral carpal tunnel, the second (or bilateral) site will be reimbursed as follows:

- a. 75 percent for the primary procedure at the secondary site;
- b. 60 percent for the second procedure at the secondary site;
- c. 40 percent for the third procedure at the secondary site; and
- d. 25 percent for fourth and fifth procedures at the secondary site.

3. Different Area Multiple Procedures. When multiple surgical procedures are performed in different areas of the body during the same operative sessions and the procedures are unrelated (i.e., abdominal hernia repair and a knee arthroscopy), the multiple procedure reimbursement rule will apply independently to each area. Modifier-51 must be added.

4. Multiple Endoscopic Procedures. When multiple endoscopic procedures are performed, the major procedure is reimbursed at 100 percent. If a secondary procedure is performed through the same opening/orifice, 50 percent is allowable as a multiple procedure. However, diagnostic procedures during the same session and entry site are

incidental to the major procedure, which should be coded for the deepest penetration. Generally, no payment will be made for an office visit on the same day in addition to the endoscopic procedure unless a documented, separately identifiable service is furnished.

5. Add-on Procedures. CPT identifies procedures that are always performed in addition to the primary procedure. These add-on codes are never reported for stand-alone services but are reported secondarily in addition to the primary procedure. Specific language is used to identify add-on procedures such as “each additional” or “list separately in addition to primary procedure.” Add-on codes are exempt from the multiple procedure concept (see Modifier 51 in Section 5105). Add-on codes are reimbursed at 100 percent of the maximum allowable reimbursement or the provider’s charge, whichever is less.

C. Wound Repair

1. Wound repair (closure) procedures may be accomplished by one or more of the following techniques: sutures, staples, or tissue adhesives. Wound closure or dressing may also include adhesive strips. When adhesive strips are the only method of closure, the service is reported using the appropriate E/M code. The repair of wounds may be classified as simple, intermediate, or complex:

a. Simple Repair: Surgical closure of a superficial wound, requiring single layer closure of the skin (epidermis, dermis, or subcutaneous tissue). Local anesthesia is included. Simple repair includes chemical or electrocauterization.

b. Intermediate Repair: Surgical closure of a wound requiring closure of one or more of the deeper subcutaneous tissue and non-muscle fascia layers in addition to suturing the skin. Simple wounds with heavy contamination that require extensive debridement may also be considered to require intermediate repair.

c. Complex Repair: Surgical closure of a wound requiring more than layered closure of the deeper subcutaneous tissue and fascia (i.e., debridement, scar excision, placement of stents or retention sutures, and sometimes site preparation or undermining that creates the defect requiring complex closure). Excision of benign or malignant lesions is not inherent in complex repairs.

2. Report repair of nerves, blood vessels and tendons using codes from the appropriate system (Nervous, Cardiovascular, Musculoskeletal). The repair of these structures includes wound repair unless it qualifies as a complex wound, in which case modifier 51 should be appended as appropriate.

3. Simple exploration of nerves, blood vessels, and tendons exposed in an open wound is also considered part of the essential treatment of the wound closure and is not a separate procedure unless appreciable dissection is required.

D. Burns, Local Treatment

1. Procedure code 16000 must be used when billing for treatment of first degree burns when no more than local treatment of the burned surfaces is required.

2. Procedure codes 16020–16030 must be used only when billing for treatment of second- and third-degree burns.

3. Major debridement of foreign bodies, grease, epidermis, or necrotic tissue may be billed separately using CPT codes 11000–11047.

4. In order to accurately identify the proper procedure code and substantiate the descriptor for billing, the exact percentage of the body surface involved, and the degree of the burn must be specified in the proper section on the billing form or by attaching a special report.

5. Percentage of body surface burned is defined as follows:

- a. *Small* means less than 9 percent of the body area
- b. *Medium* means 9 to 18 percent of the body area
- c. *Large* means greater than 18 percent of the body area

6. Any claim submitted that does not indicate the degree of burn and exact percentage of body area involved must be returned to the physician for this additional information. Grafting of burned areas must be billed separately under the appropriate skin grafting procedures. (See procedure codes 15050–15261).

7. Hospital visits, emergency room visits, or critical care visits provided by the same physician on the same day as the application of burn dressings will be reimbursed as a single procedure at the highest level of service.

E. Soft Tissue Injury Care

1. Initial (new patient) treatment for soft tissue injuries must be billed under the appropriate medical (office) visit code.

2. When a cast or strapping is applied during an initial visit, supplies and materials used such as stockinette, plaster, fiberglass, ace bandages, etc., may be itemized and billed separately using procedure code 99070.

3. When initial casting and/or strapping is applied for the first time during an established patient visit, reimbursement may be made for the itemized supplies and materials in addition to the appropriate established patient visit.

4. Replacement casts or strapping provided during a follow-up visit (established patient) include reimbursement for the replacement service as well as the removal of casts, splints, or strapping. Follow-up visit charges may be reimbursed in addition to replacement casting and strapping only when additional significantly identifiable medical services are provided. Office notes should substantiate the medical necessity of the visit. Supplies and materials may be billed using procedure code 99070 and reimbursed separately.

5. When replacement casting and strapping procedures are not performed during follow-up visits, the services should be billed under the appropriate established patient visit code in the evaluation and management section.

F. Microsurgery

1. The surgical microscope is employed when the surgical services are performed using the techniques of microsurgery. CPT code 69990 Microsurgical techniques requiring use of operating microscope, is an add-on code reported separately (without modifier 51 appended) in addition to the code for the primary procedure performed.

2. Do not use 69990 for visualization with magnifying loupes or corrected vision. When a magnifying loupe or magnifying binoculars are used during a surgical procedure, no additional payment will be made for the use of the magnifying instrument.

G. Nerve Blocks

1. When a nerve block is performed for diagnostic or therapeutic purposes, select the appropriate code from CPT codes 62320–62327 or 64400–64530.

2. Reimbursement for therapeutic injections will be made according to the multiple procedure rules.

3. Refer to LAC40:I.Chapter 21. Pain Medical Treatment Guidelines for additional guidelines of therapeutic nerve blocks.

4. Medications such as steroid, pain medication, etc. may be separately billed and reimbursed using code 99070. The name, dosage and volume of the medication must be identified. Refer to the LAC40:I.Chapter 29. Pharmacy Reimbursement Schedule, Billing Instruction and Maintenance Procedures for additional information.

5. When a nerve block for anesthesia is provided by the operating room surgeon, the procedure codes listed in the Anesthesia section must be followed.

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§5115. Diagnostic and Therapeutic Radiological Services

A. General Ground Rules. The amount payable for Radiological services will be the lesser of the actual charge or the Maximum Allowable Reimbursement (MAR) as calculated using the factors defined in this section. For Facility billing and reimbursement, see Outpatient Facility Section 5123.

1. Global Fee. A global fee includes both the professional component for the radiologist and the technical component needed to accomplish the procedure. Explanations of the professional component and the technical component are listed below. The values as listed in the MAR column of Section 5157 represent the global reimbursement. Under no circumstances shall the global MAR for a procedure be more than the combined value of the professional component (modifier 26) and the technical component (modifier TC).

2. Professional Component. The professional component represents the reimbursement allowance of the professional radiological services of the physician and is identified by the use of modifier 26. This includes examination of the patient when indicated, performance or supervision of the procedure, interpretation and written report of the examination, and consultation with the referring physician. In the majority of hospital radiology departments, the radiologist submits a separate statement to the patient for professional services rendered, which are listed as the professional component. PC Values in the rate table of Section 5157 are intended for the services of a radiologist for the professional component only and do not include any other charges. To identify a charge for a professional component only, use the five-digit code followed by modifier 26.

3. Technical Component. The technical component includes charges made by the institution or clinic to cover the services of technologists and other staff members, the film, contrast media, chemicals and other materials, and the use of the space and facilities of the x-ray department. To identify a charge for a technical component only, use the five-digit code followed by HCPCS modifier TC.

4. Review of X-rays. CPT code 76140, Consultation on x-ray examination made elsewhere, written report, will only be paid when there is a documented need for the service (e.g., a second opinion is required for a radiological procedure) and when performed by a radiologist or physician certified to perform radiological services. Reimbursement is limited to the PC Amount listed in the Fee Schedule for the radiological procedure. Billing code 76140 is not appropriate in the following circumstances because review of the x-rays is inherent to the evaluation and management code:

- a. the physician, during the course of an office visit or consultation, reviews an x-ray made elsewhere;
- b. the treating or consulting physician reviews x-rays at an emergency room or hospital visit;

5. Additional X-rays. No payment shall be made for additional x-rays when recent x-rays are available except when supported by adequate information regarding the need to retake x-rays. The use of photographic or digital media and/or imaging is not reported separately, but is considered to be a component of the basic procedure and shall not merit any additional payment.

6. Comparison X-rays. Comparison x-rays are reimbursable when appropriate. Any repeat comparison x-ray requires prior approval and will not be reimbursed without prior approval.

7. Contrast Material

a. Complete procedures, interventional radiological procedures, or diagnostic studies involving injection of contrast media include all usual pre-injection and post-injection services (e.g., necessary local anesthesia, placement of needle catheter, injection of contrast media, supervision of the study, and interpretation of results).

b. Providers must determine whether the use of ionic or non-ionic contrast media is appropriate for the individual patient. No additional payment will be made for the use of non-ionic contrast media. Supplies are considered incidental to the administration of the contrast and are not separately reimbursable.

c. When contrast can be administered orally (upper G.I.) or rectally (barium enema), the administration of contrast is included as part of the procedure and not separately reimbursed.

d. When an intravenous line is placed simply for access in the event of a problem with a procedure or for administration of contrast, it is considered part of the procedure and is not separately reimbursed.

8. Supervision and Interpretation Only. A code designated as "Supervision and Interpretation only" is used to indicate radiological services provided by a radiologist and staff, in conjunction with services provided by another physician (i.e., injection, insertion of catheter). In this instance, a physician other than the radiologist should bill using the appropriate procedure code and the radiologist should bill using the appropriate "Supervision and

Interpretation" only code. If the radiologist and staff provide both portions of the service, report both the Supervision and Interpretation code and the appropriate procedure code

9. Written Report(s). A written report, signed by the interpreting physician, should be considered an integral part of a radiological procedure or interpretation, and must be submitted with the billing.

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§5117. Pathology and Laboratory Services

A. General Ground Rules. The amount payable for Professional Pathology and Laboratory services will be the lesser of the actual charge or the Maximum Allowable Reimbursement (MAR) as calculated using the factors defined in this section. For Facility billing and reimbursement, see Outpatient Facility Section 5123.

1. Global, Professional and Technical Components. Some pathology and laboratory services may require interpretation by a physician. In this case, there may be a separate bill for the technical and professional components of the procedure. The technical component is the use of the laboratory equipment and technician's services, and the professional component is the physician's interpretation and report. When billing for the professional or the technical component, use the appropriate modifier 26 (professional) or modifier TC (technical component). When billing for the global procedure, no modifier is required.

2. Panel Tests. The billing for panel tests must include documentation listing the tests in the panel. When billing for panel tests (80047-80081), use the code number corresponding to the appropriate panel test. These tests will not be reimbursed separately. The panel components do not preclude the performance of other tests not listed in the panel. If other laboratory tests are performed in conjunction with a particular panel, the additional tests may be reported separately in addition to the panel.

3. Handling and Collection Process

a. In collecting a specimen, the cost for collection is covered by the technical component when the lab test is conducted at that site. No separate collection or handling fee for this purpose will be reimbursed.

b. When a specimen must be sent to a reference laboratory, the cost of specimen collection is covered in a collection fee. This charge is only allowed when a reference laboratory is used, and modifier 90 must be used.

B. Drug Screening. Current coding for drug testing relies on a structure of "screening" (also known as "presumptive" testing), followed by quantitative or "definitive" testing that identifies the specific drug and quantity. Presumptive testing indicates the presence or absence of a drug or drug classes. Results are commonly reported as "positive" or "negative" and do not indicate the level of drug present. Definitive drug testing is most often used to evaluate presumptive drug test results and identify specific drugs and concentrations of drugs and their associated metabolites.

1. A definitive drug test is reimbursable if:

a. a definitive concentration of a drug must be identified to guide treatment, or

b. a specific drug in a large family of drugs (e.g., benzodiazepines, barbiturates, and opiates) must be identified to guide treatment, or

c. a false result must be ruled out for a presumptive drug test that is inconsistent with a member's self-report, presentation, medical history, or current prescriptions, or

d. a specific substance or metabolite that is inadequately detected by presumptive drug testing (direct-to-definitive testing) must be identified.

2. CPT codes 80305, 80306 and 80307 are used for reporting presumptive drug class screening. Each code represents all drugs and drug classes performed by the respective methodology per date of service. Each code also includes all sample validation procedures performed.

3. Definitive drug screening should be reported using HCPCS Level II codes G0480-G0483, which are distinguished by the number of drug classes being tested, and G0659 that distinguishes between structural isomers. The AMA has developed CPT codes 80320-80377 for definitive drug testing; however, these codes are not reimbursable under this fee schedule.

4. At maximum, only one code from each category (presumptive and definitive) is to be utilized per date of service or patient encounter resulting in no more than two billing codes per bill.

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§5119. General Medicine Services

A. Allergy and Clinical Immunology

1. Procedure codes 95004-95199 are used for allergy testing and allergy immunotherapy services.

2. Allergy skin testing is reimbursed on a per test basis.

3. Professional services including the preparation and provision of antigens is reimbursed on a per dose basis.

B. Biofeedback

1. Biofeedback training (CPT codes 90901, 90912 and 90913) may be reimbursed when it is medically necessary. A written plan of care which includes objectives, the estimated length of treatment and stated goals must be submitted to the payor for approval prior to the services being provided.

2. Reimbursement of biofeedback services is limited to providers currently licensed or certified to provide biofeedback services. Providers include:

a. Physicians currently licensed in Louisiana who are certified by or meet certification requirements of the Biofeedback Certification Institute of America.

b. Physical and Occupational therapists licensed through the license laws of Louisiana and biofeedback therapists certified by the Biofeedback Certification Institute of America, who are employed by physicians. Billing for biofeedback services provided by these therapists must be submitted by the supervising physician. The appropriate license and/or certification number must be provided on the billing form to receive reimbursement for biofeedback services.

3. Reimbursement for biofeedback training is limited to 12 visits unless additional visits are appropriately justified per the medical treatment guidelines. One or more procedures may be provided during a visit if medically necessary and included in the approved plan of care.

C. Injections

1. Subcutaneous, Intramuscular, and Intravenous

a. Any procedure codes from 90476-90749 which are listed as "By Report" in the fee schedule table require that the report include the name of the medication strength and volume injected.

b. When multiple drugs are administered from the same syringe, Modifier-51 must be added to the procedure codes for the second and subsequent drugs.

c. Reimbursement for multiple drugs administered from the same syringe must be at the provider's usual charge or the maximum allowable reimbursement, whichever is less for the first drug, and the provider's charge or 50 percent of the maximum allowable reimbursement, whichever is less for each additional drug.

d. Reimbursement for injections includes the cost of the drug, the charge for the administration of the drug and the cost of the supplies used to administer the drug.

e. Reimbursement for anesthetic agents, such as Xylocaine and Carbocaine, when used for infiltration, is included in the reimbursement for the basic procedure performed and must not be separately reimbursed.

2. Intra-Articular or Intrabursal Injections (Procedure codes 20550-20615)

a. Reimbursement for intra-articular or intrabursal injections includes the supplies usually required to perform the procedure, but not the medications.

b. An invoice documenting the cost of the injectable medications must be submitted with the claim form since reimbursement is limited to the provider's charge or up to 20 percent above the actual cost to the provider, whichever is less.

D. Neurology and Neuromuscular Services

1. Neurology services are typically consultation services and any of the five levels of consultation (Procedure Codes 99241-99245) may be appropriate. However, when provided by the attending physician for all or partial care, the appropriate evaluation and management level of service must be billed.

2. Diagnostic studies (nerve conduction tests, electromyograms, electroencephalograms, etc.) are reimbursable in addition to the office visit or consultative service.

3. Diagnostic study includes both a technical (equipment, technical personnel, supplies, etc.) and professional (interpreting test results, written reports, etc.) components. Billing CPT neurological and neuromuscular procedure codes indicate that the complete service, both professional and technical components, are being billed. Reimbursement is the lesser of the provider's charge or the maximum allowable reimbursement for the procedure.

4. When a visit/consultation is made for the purpose of an assessment and evaluation of the patient, range of motion tests and measurements are not reimbursed as separate entities as these tests are an integral part of the visit/consultation. When the visit/consultation is made solely for the purpose of performing tests and measurements, the

testing procedures may be reimbursed as separate entities however no additional reimbursement will be made for the visit. Reports showing these measurements must accompany the billing of these codes.

E. Psychological Services

1. Provision of Services

a. Psychiatric services may be billed by licensed physicians who are certified by or who have satisfactorily completed the specialized training requirements of the American Board of Psychiatry and Neurology or the American Osteopathic Board of Neurology and Psychiatry. These physicians must either perform the service directly or provide direct supervision of qualified mental health professionals performing the service as required under the applicable Louisiana statutes.

b. Psychiatric evaluations may be provided as independent medical examinations (IMEs) when requested by the payor.

c. Psychiatric evaluations may be provided as consultations when requested by a physician and when authorized by the payor.

d. Upon authorization by the payor, psychiatric treatment may be provided when documentation submitted by the physician to the payor substantiates the medical necessity of the treatment and includes the estimated length of treatment.

e. Psychiatric diagnostic, evaluative and therapeutic procedures must be billed under appropriate CPT procedure codes.

2. Reimbursement

a. A routine medical visit rendered by the same physician on the same day as psychiatric therapy is included in the reimbursement for the more comprehensive service.

b. Hypnosis may be reimbursed when it is an integral part of a plan for the treatment of post-traumatic stress disorders arising from on-the-job injuries.

c. Psychiatric Diagnostic Interview (Procedure Code 90791 and 90792) includes history and mental status determination, development of a treatment plan when treatment is necessary, and the preparation of a written report.

d. Psychological Testing Evaluation Services (Procedure Codes 96130-96133) includes the interpretation of results and preparation of a written report. Test administration and scoring services (Procedure Codes 96136-96139) provided by a physician or qualified health care professional may be reported in addition to the psychological testing evaluation services.

e. Individual Psychotherapy (Procedure Codes 90832-90838) must be billed under the procedure code most closely approximating the length of the session.

f. Group psychotherapy (Procedure Code 90853) generally requires 75 to 90 minutes per session. When a psychiatric treatment program includes group sessions routinely scheduled for more or less time than this, appropriate modifiers should be used.

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§5121. Physical Medicine Services

A. General Ground Rules

1. Practicing Physical and Occupational Therapists - To bill for physical therapist and/or occupational therapist services under workers' compensation, a practicing therapist must be:

a. currently licensed in the state of Louisiana as a physical therapist or as an occupational therapist;

b. if billing for physical or occupational therapy procedures, you must provide your physical therapist or occupational therapist license number. These procedures will not be reimbursed unless a current Louisiana license number is provided;

c. services must be billed using the appropriate CPT codes.

2. Physical and occupational therapy services billed by hospitals, other facility settings, or billed by therapists in a non-facility setting will be reimbursed based on the lesser of the amount charged or the MAR set forth in the Professional Services Rate Table, Section 5157.B. This represents the total reimbursement for the service. No additional reimbursement will be due to the facility.

3. The following criteria must be met for therapy to qualify for reimbursement:

a. the patient's condition must have the potential for restoration of function;

b. the therapy must be specific for the improvement of the patient's condition; and

c. the therapy must be provided under a current, written plan of care. The plan of care needs to be substantiated in the office notes and approved by a physician unless the therapy is performed by a physical therapist possessing a doctorate degree or five years of licensed clinical practice experience.

4. Upon request, physicians must submit to the payor documentation substantiating the medical necessity of the therapies ordered.

B. Plan of Care

1. On the initial visit, a therapist must evaluate the patient's therapy needs and develop a written plan of care based upon the assessment of the patient's level of function.

2. Plan of Care Content. At a minimum, the plan of care should contain:

a. the potential degree of restoration and measurable goals;

b. the specific therapies to be provided including the frequency of each treatment;

c. the estimated duration for the therapeutic regimen.

3. Plan of Care Review. The therapist must review each plan of care at least every 30 days and make necessary revisions. Physical and occupational therapy services required in excess of 45 days from onset of evaluation for treatment shall require evidence in writing as to the necessity for continued therapy. Thereafter, evidence in writing to the necessity for continued physical therapy shall be required every 30 days.

C. Assessment. Only one initial assessment per injury may be reimbursed. Reimbursement for the use of additional initial assessment time is not allowed. Reimbursement for reassessments shall be recommended only once in a seven-day period.

1. Physical Therapist. The initial, written assessment developed by a physical therapist must be reported to the payor using procedure code 97161-97163. Code 97164 is used for re-evaluation of a patient by the physical therapist.

2. Occupational Therapist. The initial, written assessment developed by an occupational therapist must be reported to the payor using procedure code 97165-97167. Code 97168 is used for re-evaluation of a patient by the physical therapist.

3. Assessment of the patient's status includes assessment of the neuromuscular system. Therefore, reimbursement must not be made for neuromuscular testing codes, extremity testing codes and/or range of motion codes.

D. Medical Supplies. Medical supplies used in the course of physical and occupational therapy including dressings, splinting and orthotic materials, educational materials, lumbar and cervical rolls, etc., may be billed and reimbursed using procedure code 99070.

E. Modalities and Procedures

1. Body Areas. Under workers' compensation, the following two body areas, or any portions thereof, are recognized for the provision of modalities and procedures:

- a. the trunk—the entire body including the spine, excluding the head and limbs (syn: torso);
- b. any two extremities:
 - i. an upper extremity is an upper limb, including the shoulder, upper arm, elbow, forearm, wrist and hand;
 - ii. a lower extremity is a lower limb, including the hip, thigh, knee, leg, ankle, and foot.

2. Reimbursement

a. No more than one visit per day for the purpose of therapy may be reimbursed.

b. The payor should compare the billing with the plan of care to ensure that only the services that are itemized in the plan of care are reimbursed.

c. Since the Hubbard Tank or Therapeutic Pool is designed for full body immersion, unless full body immersion is medically necessary and prescribed, procedure code 97036 must not be reimbursed.

d. Prior written authorization must be obtained when billing for more than eight modalities, procedures, or combination in one physical and occupational therapy session.

e. Therapeutic exercises and procedures codes 97150, 97110, 97530 are to be utilized by physical therapists when billing for therapeutic exercise and procedures such as, but not limited to, joint mobilization, gait training, muscle re-education, activities of daily living, patient education, etc.

F. Tests and Measurements

1. Test and measurements codes are included in the value of an evaluation and management service when performed on the same day (CPT codes 97750-97755)

2. Procedure code 97755 shall be used when testing is performed by means of mechanical equipment. This procedure code shall include a print out of test results with report.

3. Prior authorization is required to bill 97755 if testing exceeds 30 minutes for single joint, single plane; or, 45 minutes for single joint multiple plane; or, 45 minutes for multiple joint, multiple plane for noninvolved side.

4. Prior authorization if required to bill 97755 if re-testing exceeds 15 minutes for a single joint, single plane; or

30 minutes for single joint multiple plane; or, 30 minutes for multiple joints, multiple planes for noninvolved side.

G. Fabrication of Orthotics. Orthotics must be billed separately for professional fitting and supplies. CPT code 97760 should be used by a health care provider or therapist to fabricate orthotics. Supplies should be billed according to Section 5103.H.3. Supplies and Materials.

H. Transcutaneous Electrical Nerve Stimulation (TENS). TENS may be provided by the therapist when ordered by the physician, itemized in the plan of care, and authorized by the payor.

1. Reimbursement for TENS testing and training is limited to four sessions per injury.

2. When the provider recommends TENS for long-term therapy, authorization must be obtained from the payor for rental or purchase of equipment prior to providing the equipment to the patient. For reimbursement and billing instructions, refer to the Durable Medical Equipment Manual, LAC40:I.Chapter 41.

I. Work Hardening and Work Conditioning – Use CPT code 97545 and 97546 to report Work Hardening and Work Conditioning services. A checklist for the billing and medical record requirements is provided in this section as an outline when performing billing for these services.

1. Operational Definitions

a. Direct Supervision. Direct supervision means supervision of personnel by a licensed provider who is physically available on site.

b. Work Conditioning. Work conditioning is a work-related, intensive, goal-oriented treatment program specifically designed to restore an individual's systemic, neuro-musculo-skeletal (strength, endurance, movement, flexibility, and motor control) and cardiopulmonary functions. The objective of the work conditioning program is to restore the claimant's physical capacity and function so the claimant can return to work.

c. Work Conditioning Assessment. Work conditioning assessment is defined as evaluation(s), test(s), and procedure(s) required to identify and quantify the claimant's individual work-related, systemic, neuro-musculo-skeletal restoration needs. The results of this assessment shall be used to identify eligibility, design a plan of care, monitor progress, and plan for discharge and return to work.

d. Work Conditioner Provider. A licensed physical therapist or a licensed occupational therapist.

e. Work Hardening. Work hardening is a highly structured, goal-oriented, individualized treatment program designed to return the claimant to work. Work hardening programs, which are interdisciplinary in nature, use real or simulated work activities designed to restore physical, behavioral, and vocational functions. Work hardening addresses the issues of productivity, safety, physical tolerances, and worker behaviors.

f. Work Hardening Assessment. Work hardening assessment is defined as interdisciplinary evaluation(s), test(s), and procedure(s) required to identify and quantify the claimant's individual restoration needs related to physical, functional, behavioral, and vocational status. The initial interdisciplinary assessment is used to identify claimant's eligibility, design a plan of care, monitor process, plan for discharge, and return to work.

g. Work Hardening Providers - Work hardening providers include the following professionals:

- i. physical therapist;
- ii. occupational therapist;
- iii. psychologist;
- iv. vocational specialist.

2. Program Comparison

Work Conditioning Program	Work Hardening Program
Addresses physical and functional needs which may be provided by one discipline (single discipline model).	Addresses physical, functional, behavioral vocational needs within an interdisciplinary model.
Requires work conditioning assessment.	Requires work hardening assessment.
Utilizes physical conditioning and functional activities related to work.	Utilizes real or simulated work activities.
Provided in multi-hour sessions up to: 2-4 hours/day, 5 days/week, up to 8 weeks (need additional approval after this length of stay)	Provided in multi-hour sessions up to: 4-8 hours/day, 2-5 visits/week, up to 8 weeks

3. Work Conditioning Guidelines

a. Eligibility – To be eligible for work conditioning, a claimant must have a job goal, have started, or demonstrated willingness to participate, have identified systemic neuro-musculo-skeletal physical and functional deficits that interfere with work and be at a point of resolution of the initial or principal injury that participation in the work conditioning program would not be prohibited. Work conditioning generally follows acute medical care or may begin when the claimant meets the eligibility criteria.

b. Provider Responsibility

i. Provider must seek authorization from the payor prior to initiation of the program.
ii. The need for a program shall be established by a work conditioning provider based on the results of a work conditioning assessment.

iii. The program shall be provided by or under the direct supervision of a work conditioning provider.

iv. The work conditioning provider shall document all evaluations, services provided, claimant progress, and discharge plans. Information shall be available to the claimant, payor, other providers, and any referral source.

v. The work conditioning provider shall develop and utilize an outcome assessment system designed to evaluate, at a minimum, patient care results, program effectiveness, and efficiency.

vi. The work conditioning provider should be appropriately familiar with job expectations, work environments, and skills required of the claimant through means such as site visitation, videotapes, and functional job descriptions.

c. Program Content:

- i. development of program goals in relation to job skills and job requirements;
- ii. techniques to improve strength, endurance, movement, flexibility, motor control and cardiopulmonary capacity related to the performance of work tasks;
- iii. practice, modification, and instruction in work related activities;

iv. education related to safe job performance and injury prevention;

v. promotion of claimant responsibility and self management;

vi. work conditioning programs are provided in multi-hour sessions available up to five days a week for a duration of up to eight weeks.

d.i. Program Termination – The claimant shall be discharged from the work conditioning program when the goals for the claimant have been met. Work conditioning shall be discontinued when any of the following occur.

(a). The claimant has or develops behavioral or vocational problems which are not being addressed and which interfere with return to work.

(b). There are medical contraindications.

(c). The claimant fails to comply with the requirements of participation.

(d). The claimant's progress has reached a plateau prior to meeting goals.

(e). Services are discontinued by the referral source.

ii. When the claimant is discharged or discontinued from the work conditioning program, the work conditioning provider shall notify the payor and/or any referral source, including the reasons for program termination, the clinical and functional status, recommendations regarding return to work and recommendations for follow-up services.

e. Work Conditioning Billing Checklist

1.	No additional modality charge should be added to a work conditioning charge
2.	Services rendered by a licensed Physical Therapist or Occupational Therapist
3.	Maximum treatment program for work conditioning is eight weeks
4.	Claimant should not have frequent unexcused absences

f. Work Conditioning Medical Records Checklist

1.	Thorough initial evaluation to include history, musculo-skeletal assessment, functional testing and job description or job evaluation
2.	Treatment plan
4.	Claimant's progress documented in progress notes
5.	Discharge evaluation and discharge report
6.	Documentation of claimant education
7.	Documentation of work simulation tasks
8.	Documentation of therapeutic exercise task
9.	Documentation of aerobic conditioning tasks
10.	Documentation of two-to-four-hour daily program

4. Work Hardening Guidelines

a. Eligibility. To be eligible for work hardening, a claimant must have a have a job goal for return to work at the time of discharge, have stated or demonstrated willingness to participate, have identified physical (systemic neuro-muscular-skeletal), functional, behavioral, and vocational deficits that interfere with work and be at the point of resolution of the initial or principal injury that participation in the work hardening program would not be prohibited. Work hardening may begin only after the completion of the work hardening assessment.

b. Provider Responsibility

- i. The payor should be notified prior to initiation of the program.
- ii. The need for a program shall be based on the results from a work hardening assessment performed by all of the work hardening providers.
- iii. The program components shall be provided by or under the direct supervision of the appropriate work hardening providers.
- iv. The treating work hardening providers shall meet on a regular basis to discuss, coordinate and document program progress and outcome achievement.
- v. The work hardening providers shall document all evaluations, services provided, claimant progress, and discharge plans. Information shall be available to the claimant, C/SIE, other professional providers, and any referral source.

vi. The work hardening providers shall develop and utilize an outcome assessment system designed to assess, at a minimum, patient care results, program effectiveness, and efficiency.

vii. The work hardening providers should be familiar with job expectations, work environments, and skills required of the claimant through means as site visitation, videotape, functional job descriptions, interview of claimant, or interview of employer

viii. There should be an area that is designed, arranged, and equipped for the specific purpose of providing work hardening programs

c. Program Content

- i. development of program goals in relationship to specific job requirement or specific functional goals;
- ii. techniques to develop strength, endurance, movement, flexibility, motor control and cardiopulmonary capacity related to the performance of work tasks;
- iii. practice, modification, and instruction in simulated or real work activities;
- iv. education related to safe job performance and injury prevention;
- v. provision of behavioral and vocational services as determined by the respective work hardening provider;
- vi. promotion of claimant responsibility and self-management;
- vii. provision in multi-hour sessions with a minimum of four hours and up to eight hours, five days a week, for duration up to eight weeks;
- viii. assist the claimant to obtain as appropriate:
 - (a). alcohol and other drug dependency counseling;
 - (b). engineering and ergonomic services;
 - (c). medical services;
 - (d). nutritional and weight control services;
 - (e). orthotic and prosthetic services;
 - (f). smoking cessation counseling.

d.i. Program Termination. The claimant shall be discharged from the work conditioning program when the goals for the claimant have been met. Work conditioning shall be discontinued when any of the following occur.

- (a). The claimant has or develops problems which cannot be addressed within the program.
- (b). There are medical contraindications.

(c). The claimant demonstrates a lack of willingness to participate.

(d). The claimant fails to comply with the requirements of participation.

(e). The claimant's progress has reached a plateau prior to meeting goals.

(f). Services are discontinued by the referring source.

ii. When the claimant is discharged or discontinued from the work hardening program, the work hardening provider shall notify the payor and/or any referral source, including the reasons for program termination, clinical and functional status, recommendations regarding return to work and recommendations for follow-up services.

e. Work Hardening Billing Checklist

1.	No additional modality charge should be added to a work hardening charge
2.	Services rendered by licensed Work Hardening providers as defined in LAC Title 40
3.	Maximum treatment program for work hardening is eight weeks
4.	Program should be daily after first week of evaluation
5.	Claimant should not have frequent unexcused absences
6.	Preauthorization obtained

f. Work Hardening Medical Records Checklist

1.	Torough initial evaluation to include history, musculo-skeletal assessment, functional testing and job description or job evaluation
2.	Treatment plan
3.	Documentation of claimant staffing
4.	Claimant's progress documented in progress notes
5.	Discharge evaluation and discharge report
6.	Documentation of claimant education
7.	Documentation of work simulation tasks
8.	Documentation of therapeutic exercise task
9.	Documentation of aerobic conditioning tasks
10.	Documentation of four-to-eight-hour daily program

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), amended by the Workforce Commission, Office of Workers' Compensation Administration, LR 48:

§5123. Outpatient Facility

A. General Ground Rules

1. Facility Services Reimbursement. All hospital-based, freestanding ambulatory surgery centers, rehabilitation, psychiatric and chemical dependency outpatient facilities will be reimbursed at covered charges less a ten percent discount. The formula for calculating the payment amount is as follows:

$$\begin{aligned} & ((\text{Billed Charges}) - (\text{Noncovered Charges})) \times 0.90 \\ & = \text{Reimbursement Amount} \end{aligned}$$

2. For the purposes of this fee schedule, if a patient is admitted as an outpatient but stays in the hospital overnight, the patient will not be considered an "inpatient" until the patient remains in the hospital by midnight census of the second day.

3. The rate table provided in §5157 should not be referenced for the reimbursement of outpatient facility services. The formula referenced above is for all outpatient facility payments.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2., 1125, 1127 and 1310.12.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), amended by the Workforce Commission, Office of Workers' Compensation Administration, LR 48:

§5125. Inpatient Facility

A. Acute Inpatient Facilities

1. Pre-certification is required for all inpatient admissions. Refer to the Managed Care Program section of the Utilization Review Manual for definitions and requirements.

2. Reimbursement for inpatient hospital services is limited to the lesser of covered billed charges or the per diem amount as specified in the table below.

a. The per diem rate assigned will be applied to the inpatient days by type of service, either medical or surgical. The diagnosis/procedure code requiring the greatest resource consumption (severity) should be used to assign the correct type of service.

b. Charges for noncovered items and services should not be included in the total charges considered for reimbursement.

3. Reimbursement Calculation – Using the Per Diem Rate Table below, the formula for calculating the reimbursement amount is:

$$\text{Per Diem Rate} \times \text{LOS} = \text{Per Diem Amount}$$

a. If the billed charges are greater than the calculated per diem amount, reimbursement will be the per diem amount less any noncovered charges.

b. If the billed charges are less than the calculated per diem amount, reimbursement will be the billed charges less any noncovered charges.

Per Diem Rate Schedule		
	Medical per Diem	Surgical per Diem
Louisiana State Rate	\$1818	\$3089

4. For the purposes of this fee schedule, if a patient is admitted as an outpatient but stays in the hospital overnight, the patient will not be considered an “inpatient” until the patient remains in the hospital by midnight census of the second day.

B. Skilled Nursing Facilities

1. Reimbursement for inpatient skilled nursing or intermediate care (swing bed) facility services is limited to the lesser of covered billed charges or the per diem amount as specified in the table below.

a. The uniform statewide per diem rate will be applied to all inpatient days by type of facility, either hospital-based or freestanding.

b. Charges for noncovered items and services should not be included in the total charges considered for reimbursement.

2. Reimbursement Calculation – Using the Per Diem Rate Table below, the formula for calculating the reimbursement amount is:

$$\text{Applicable Per Diem Rate} \times \text{LOS} = \text{Per Diem Amount}$$

a. If the billed charges are greater than the calculated per diem amount, reimbursement will be the per diem amount less any noncovered charges.

b. If the billed charges are less than the calculated per diem amount, reimbursement will be the billed charges less any noncovered charges.

Per Diem Rate Schedules	Rates
Skilled Nursing Facility	
Hospital Based	\$441
Freestanding	\$104
Intermediate Care Facility	
Hospital Based	\$336
Freestanding	\$95

C. Rehabilitation Facilities

1. Reimbursement for inpatient rehabilitation facility services is limited to the lesser of covered billed charges or the per diem amount as specified in the table below.

a. The uniform statewide per diem rate will be applied to all inpatient days by type of facility, either hospital-based or freestanding.

b. Charges for noncovered items and services should not be included in the total charges considered for reimbursement.

2. Reimbursement Calculation – Using the Per Diem Rate Table below, the formula for calculating the reimbursement amount is:

$$\text{Applicable Per Diem Rate} \times \text{LOS} = \text{Per Diem Amount}$$

a. If the billed charges are greater than the calculated per diem amount, reimbursement will be the per diem amount less any noncovered charges.

b. If the billed charges are less than the calculated per diem amount, reimbursement will be the billed charges less any noncovered charges.

Per Diem Rate Schedule	Rates
Hospital Based Rehabilitation Facility	\$1056
Freestanding Rehabilitation Facility	\$1838

D. Psychiatric and Chemical Dependency Facilities

1. Reimbursement for inpatient psychiatric and/or chemical dependency unit facility services is limited to the lesser of covered billed charges or the per diem amount as specified in the table below.

a. The uniform statewide per diem rate will be applied to all inpatient days by type of service, either psychiatric or chemical dependency.

b. Charges for noncovered items and services should not be included in the total charges considered for reimbursement.

2. Reimbursement Calculation. Using the Per Diem Rate Table below, the formula for calculating the reimbursement amount is:

$$\text{Applicable Per Diem Rate} \times \text{LOS} = \text{Per Diem Amount}$$

a. If the billed charges are greater than the calculated per diem amount, reimbursement will be the per diem amount less any noncovered charges.

b. If the billed charges are less than the calculated per diem amount, reimbursement will be the billed charges less any noncovered charges.

Per Diem Rate Schedule	Rates
Psychiatric Services	\$1199
Chemical Dependency Unit Services	\$896

E. Outliers

1. Automatic Outliers. Inpatient stays for hospital acute care services falling within the classification of DRG 927, 928, 929, and 933 (severe burns) are considered automatic outliers and will be reimbursed outside of the normal per diem reimbursement method. These inpatient stays will be reimbursed at covered billed charges less a 15 percent discount. The reimbursement calculation formula for an automatic outlier is:

$$\frac{\text{(Billed Charges – Noncovered Charges)} \times 0.85}{\text{= Reimbursement Amount}}$$

2. Special Reimbursement Appeals

a. Special consideration will be given to cases that are atypical in nature due to a patient’s case complexity causing unusually high expense when compared to the provider’s usual case mix. The following criteria will be applied to determine when an inpatient stay, originally paid according to the per diem methodology of this section, may be appealed for additional reimbursement consideration:

- i. total charges for an acute inpatient surgical stay are equal to or greater than \$100,000;
- ii. total charges for an acute inpatient medical stay are equal to or greater than \$75,000;
- iii. average charge per day for any inpatient stay (acute, rehab, SNF, etc.) equal to 1.75 times the applicable per diem rate for the inpatient facility type.

b. If a facility determines that an inpatient stay falls within the appealable criteria, a request for review may be submitted to the payor.

c. If the request for review is denied by the payor, the facility may then file a formal appeal with the Office of Workers’ Compensation using the Special Reimbursement Consideration Appeal Form (LWC-WC-3000) (see LAC 40:II.5129). Forms are available upon request from the Office of Workers’ Compensation at the address shown on the sample form. Procedures for filing the appeal and documentation required are provided on the form.

d. Final determination as to the acceptance of a case for special reimbursement rests solely with the state of Louisiana, Office of Workers’ Compensation.

e. If the appeal is approved, the facility will be reimbursed covered billed charges less a 15 percent discount. The reimbursement calculation formula for an approved appeal is:

$$\frac{\text{(Billed Charges – Noncovered Charges)} \times 0.85}{\text{= Reimbursement Amount}}$$

3. All workers’ compensation inpatient claims paid outside of the per diem reimbursement method either as automatic outliers or as Special Reimbursement Appeals are subject to on-site bill audit. Bill audits are governed by the

rules and procedures found in the Utilization Review Procedures Manual. Please refer to that manual for further details.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), amended by the Louisiana Workforce Commission, Office of Workers' Compensation Administration, LR 46:1400 (October 2020), amended by the Workforce Commission, Office of Workers' Compensation Administration, LR 48:

§5127 Reporting Requirements

A. Data Reporting Requirements. As provided in R.S. 23:1034.2, OWCA may at any time request payors, administrators, and other entities with claims data to submit data to support workers’ compensation fee schedule analysis, development, maintenance, and updates. Data submitters shall send data to OWCA’s indicated vendor in the format based on the vendor’s data specifications. The data parameters and formats will be defined by OWCA and provided in advance of the request for data.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), amended by the Workforce Commission, Office of Workers' Compensation, LR 40:376 (February 2014). amended by the Workforce Commission, Office of Workers' Compensation Administration, LR 48:

§5129. Special Reimbursement Consideration Appeal

A. Form LWC-WC 3000

LOUISIANA WORKFORCE COMMISSION OFFICE OF WORKERS' COMPENSATION ADMINISTRATION POST OFFICE BOX 94040 BATON ROUGE, LA 70804-9094 (800) 201-2494 / (225) 342-7555	SPECIAL REIMBURSEMENT CONSIDERATION APPEAL
INSTRUCTIONS: Please provide the following information and return this form with the required medical records to the address shown below. It should be understood that an appeal is not a guarantee of additional reimbursement.	
DATE _____	WORKERS' COMPENSATION CARRIER NAME AND ADDRESS _____
PROVIDER INFORMATION	
PROVIDER NAME _____	
ADDRESS _____ CITY, STATE, ZIP _____	
CONTACT PERSON _____	TITLE _____ TELEPHONE _____ EXT. _____
_____	EMAIL ADDRESS _____ FAX NUMBER _____
PATIENT INFORMATION	
PATIENT NAME _____	SOCIAL SECURITY NUMBER _____
EMPLOYER NAME AND ADDRESS _____ DATES OF SERVICE _____	
PATIENT ADDRESS _____ CITY, STATE, ZIP _____	
DIAGNOSIS AND SURGICAL PROCEDURES _____	
WAS ADMISSION PRE-CERTIFIED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
MEDICAL INFORMATION	
The following information must be submitted with an appeal for special reimbursement consideration:	
<ul style="list-style-type: none"> • Relevant medical records 	<ul style="list-style-type: none"> • Cover letter identifying issue of dispute
<ul style="list-style-type: none"> • Itemization of charges 	<ul style="list-style-type: none"> • All Explanation of Benefits
<ul style="list-style-type: none"> • Provider's written request for reconsideration 	<ul style="list-style-type: none"> • All supporting information which could substantiate percentage of charge reimbursement
Do NOT send:	
<ul style="list-style-type: none"> • Consents 	<ul style="list-style-type: none"> • Therapy notes
<ul style="list-style-type: none"> • PT Education documents 	<ul style="list-style-type: none"> • Medication records
SEND THIS FORM TO:	Louisiana Workforce Commission Office of Workers' Compensation Administration Medical Services Section Post Office Box 94040 Baton Rouge, LA 70804-9040
LWC-WC 3000	Revised 10/2021

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:212 (February 1993), amended LR 20:1299 (November 1994), amended by the Workforce Commission, Office of Workers' Compensation Administration, LR 48:

§5157. Maximum Reimbursement Allowances

Editor's Note: December 2021- Table 1 removed columns for Modifiers and Global days as well as removing the redundant "+TM" verbiage on each row. Table 2 added "000" to any non-edited blank spaces under Global Days to confirm none.

A. Table 1 Anesthesia Base Units Table

Maximum Fee Allowance Schedule Office of Workers' Compensation			
CPT Code	Description		Base Units
***	***		***
00142	Lens surgery		4
***	***		***
00147	Iridectomy		4
***	***		***
00540	Thoracotomy procedures; nos		12
***	***		***
00548	Repair trauma trachea/bronchi		17

Maximum Fee Allowance Schedule Office of Workers' Compensation			
CPT Code	Description		Base Units
***	***		***
00561	Anesth, heart surg <1 yr		25
***	***		***
00700	Upper anterior abdominal wall nos		4
***	***		***
00731	Upper GI endoscopic procedures		5
00732	Upper GI ERCP		6
***	***		***
00800	Lower anterior abdominal wall; nos		4
***	***		***
00811	Anes lwr intst ndsc nos		4
00812	Anes lwr intst scr colsc		3
00813	Anes upr lwr gi ndsc px		5
***	***		***
00902	Anorectal procedure		5
***	***		***
01150	Rad proc tumor pelvis,		10
***	***		***
01440	Arteries knee and popliteal area nos		8
***	***		***
01996	Hosp manage cont drug admin		3
***	***		***

B. Table 2 Professional Services Rate Table

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
10004		Fna bx w/o img gdn ea addl	ZZZ	\$79		
10005		Fna bx w/us gdn 1st les	XXX	\$209		
10006		Fna bx w/us gdn ea addl	ZZZ	\$93		
10007		Fna bx w/fluor gdn 1st les	XXX	\$474		
10008		Fna bx w/fluor gdn ea addl	ZZZ	\$252		
10009		Fna bx w/ct gdn 1st les	XXX	\$728		
10010		Fna bx w/ct gdn ea addl	ZZZ	\$430		
10011		Fna bx w/mri gdn 1st les	XXX	\$766		
10012		Fna bx w/mri gdn ea addl	ZZZ	\$463		
10021		Fna w/o image	XXX	\$305		
10030		Guide cathet fluid drainage	000	\$1,022		
10035		Perq dev soft tiss 1st imag	000	\$658		
10036		Perq dev soft tiss add imag	ZZZ	\$564		
10040		Acne surgery	010	\$119		
***		***	***	***		
11001		Debride infected skin add-on	ZZZ	\$42		
***		***	***	***		
11008		Remove mesh from abd wall	ZZZ	\$570		
***		***	***	***		
11043		Deb musc/fascia 20 sq cm/<	000	\$282		
11044		Deb bone 20 sq cm/<	000	\$397		
11045		Deb subq tissue add-on	ZZZ	\$63		
11046		Deb musc/fascia add-on	ZZZ	\$148		
11047		Deb bone add-on	ZZZ	\$250		
***		***	***	***		
11102		Tangntl bx skin single les	000	\$160		
11103		Tangntl bx skin ea sep/addl	ZZZ	\$81		
11104		Punch bx skin single lesion	000	\$200		
11105		Punch bx skin ea sep/addl	ZZZ	\$94		
11106		Incal bx skn single les	000	\$244		
11107		Incal bx skn ea sep/addl	ZZZ	\$112		
***		***	***	***		
11201		Remove skin tags add-on.	ZZZ	\$37		
***		***	***	***		
11732		Remove nail plate, add-on.	ZZZ	\$60		
***		***	***	***	***	***
11922		Correct skin color defects ea 20.0cm	ZZZ	\$64		
***		***	***	***		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
12001		Repair superficial wound(s) 2.5cm/<	000	\$161		
12002		Repair superficial wound(s) 2.6-7.5cm	000	\$189		
12004		Repair superficial wound(s) 7.6-12.5cm	000	\$243		
12005		Repair superficial wound(s) 12.6-20.0cm	000	\$313		
12006		Repair superficial wound(s) 20.1-30.0cm	000	\$396		
12007		Repair superficial wound(s) >30.0 cm	000	\$430		
12011		Repair superficial wound(s) 2.5 cm/<	000	\$178		
12013		Repair superficial wound(s) 2.6-5.0 cm	000	\$216		
12014		Repair superficial wound(s) 5.1-7.5 cm	000	\$262		
12015		Repair superficial wound(s) 7.6-12.5 cm	000	\$347		
12016		Repair superficial wound(s) 12.6-20.0 cm	000	\$448		
12017		Repair superficial wound(s) 20.1-30.0 cm	000	\$590		
12018		Repair superficial wound(s) >30.0 cm	000	\$787		
***		***	***	***		
13102		Repair wound/lesion add-on 5cm/<	ZZZ	\$227		
***		***	***	***		
13122		Repair wound/lesion add-on 5 cm/>	ZZZ	\$248		
***		***	***	***		
13133		Repair wound/lesion add-on	ZZZ	\$349		
***		***	***	***		
13153		Repair wound/lesion add-on 5cm/<	ZZZ	\$388		
***		***	***	***		
14301		Skin tissue rearrangement any 30.1-60 sq cm	090	\$2,262		
14302		Skin tissue rearrange add-on addl 30 sq cm	ZZZ	\$468		
***		***	***	***		
15003		Wound prep addl 100 cm	ZZZ	\$158		
***		***	***	***		
15005		Wnd prep f/n/hf/g addl cm	ZZZ	\$261		
***		***	***	***		
15101		Skin split graft t/a/l add-on	ZZZ	\$249		
15110		Epidrm autogrft trnk/arm/leg	090	\$1,810		
15111		Epidrm autogrft t/a/l add-on	ZZZ	\$233		
15115		Epidrm a-grft face/nck/hf/g	090	\$1,823		
15116		Epidrm a-grft f/n/hf/g addl	ZZZ	\$361		
***		***	***	***		
15121		Skn split graft add-on	ZZZ	\$410		
15130		Derm autograft trnk/arm/leg	090	\$1,414		
15131		Derm autograft t/a/l add-on	ZZZ	\$214		
15135		Derm autograft face/nck/hf/g	090	\$1,834		
15136		Derm autograft f/n/hf/g add	ZZZ	\$183		
15150		Cult skin grft t/arm/leg	090	\$1,435		
15151		Cult skin grft t/a/l addl	ZZZ	\$247		
15152		Cult skin graft t/a/l +%	ZZZ	\$348		
15155		Cult skin graft f/n/hf/g	090	\$1,434		
15156		Cult skin grft f/n/hfg add	ZZZ	\$373		
15157		Cult epiderm grft f/n/hfg +%	ZZZ	\$378		
***		***	***	***		
15201		Skin full graft trunk add-on	ZZZ	\$232		
***		***	***	***		
15221		Skin full graft add-on	ZZZ	\$216		
***		***	***	***		
15241		Skin full graft add-on	ZZZ	\$319		
***		***	***	***		
15261		Skin full graft add-on	ZZZ	\$376		
***		***	***	***		
15272		Skin sub graft t/a/l add-on	ZZZ	\$56		
***		***	***	***		
15274		Skin sub grft t/a/l child add	ZZZ	\$144		
***		***	***	***		
15276		Skin sub graft f/n/hf/g addl	ZZZ	\$70		
***		***	***	***		
15278		Skin sub grft f/n/hf/g ch add	ZZZ	\$169		
***		***	***	***		
15730		Mdfc flap w/prsrv vasc pedcl	090	\$2,291		
15731		Forehead flap w/vasc pedicle	090	\$2,399		
15733		Musc myoq/fscq flp h&n pedcl	090	\$1,583		
***		***	***	***		
15769		Grfg autol soft tiss dir exc	090	\$736		
***		***	***	***		
15771		Grfg autol fat lipo 50 cc/<	090	\$882		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
15772		Grfg autol fat lipo ea addl	ZZZ	\$276		
15773		Grfg autol fat lipo 25 cc/<	090	\$889		
15774		Gfrg autol fat lipo ea addl	ZZZ	\$268		
***		***	***	***		
15777		Acellular derm matrix implt	ZZZ	\$442		
***		***	***	***		
15787		Abrasion, lesions, add-on	ZZZ	\$41		
***		***	***	***		
15824		Removal of forehead wrinkles	000	BR		
15825		Removal of neck wrinkles	000	BR		
***		***	***	***		
15830		Exc skin abd	090	\$2,470		
***		***	***	***		
15847		Exc skin abd add-on	YYY	\$614		
15850		Removal of sutures same surgeon	XXX	\$176		
***		***	***	***		
15999		Removal of pressure sore	YYY	BR		
***		***	***	***		
16035		Incision of burn scab initi	000	\$478		
16036		Escharotomy addl incision	ZZZ	\$175		
***		***	***	***		
17003		Destroy premalg lesions, 2-14	ZZZ	\$28		
***		***	***	***		
17312		Mohs addl stage	ZZZ	\$806		
***		***	***	***		
17314		Mohs addl stage t/a/l	ZZZ	\$747		
17315		Mohs surg addl block	ZZZ	\$163		
***		***	***	***		
17999		Skin tissue procedure	YYY	BR		
***		***	***	***		
19001		Drain breast lesion add-on	ZZZ	\$64		
***		***	***	***		
19081		Bx breast 1st lesion strtctc	000	\$883		
19082		Bx breast add lesion strtctc	ZZZ	\$707		
19083		Bx breast 1st lesion us imag	000	\$884		
19084		Bx breast add lesion us imag	ZZZ	\$695		
19085		Bx breast 1st lesion mri imag	000	\$1,358		
19086		Bx breast add lesion mri imag	ZZZ	\$1,076		
***		***	***	***		
19126		Excision, addl breast lesion	ZZZ	\$326		
19281		Perq device breast 1st imag	000	\$379		
19282		Perq device breast ea imag	ZZZ	\$271		
19283		Perq dev breast 1st strtctc	000	\$419		
19284		Perq dev breast add strtctc	ZZZ	\$320		
19285		Perq dev breast 1st us imag	000	\$664		
19286		Perq dev breast add us imag	ZZZ	\$561		
19287		Perq dev breast 1st mri guide	000	\$1,140		
19288		Perq dev breast add mri guide	ZZZ	\$901		
19294		Prep tum cav iort prtl mast	ZZZ	\$254		
***		***	***	***		
19297		Place breast cath for rad	ZZZ	\$194		
***		***	***	***		
19300		Removal of breast tissue	090	\$1,080		
19301		Partial mastectomy	090	\$1,345		
19302		P-mastectomy w/lr removal	090	\$1,855		
19303		Mast simple complete	090	\$2,084		
19305		Mast radical	090	\$2,339		
19306		Mast rad urban type	090	\$2,482		
19307		Mast mod rad	090	\$2,469		
***		***	***	***		
19340		Immediate breast prosthesis	090	\$1,284		
***		***	***	***	***	***
19499		Breast surgery procedure	YYY	BR		
***		***	***	***		
20240		Bone biopsy, open superficial	000	\$396		
20245		Bone biopsy, open deep	000	\$545		
***		***	***	***		
20560		Needle Insertion w/o Injection 1 or 2 Muscles	XXX		\$37	\$24
20561		Needle Insertion w/o Injection 3 or more Muscles	XXX		\$55	\$36

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
***		***	***	***		
20604		Drain/inj joint/bursa w/us	000	\$124		
***		***	***	***		
20606		Drain/inj joint/bursa w/us	000	\$136		
***		***	***	***		
20611		Drain/inj joint/bursa w/us	000	\$152		
***		***	***	***		
20696		Comp multiplane ext fixation	090	\$2,366		
***		***	***	***		
20700		Mnl prep&insj dp rx dlvr dev	ZZZ	\$128		
20701		Rmvl deep rx delivery device	ZZZ	\$97		
20702		Mnl prep&insj imed rx dev	ZZZ	\$214		
20703		Rmvl imed rx delivery device	ZZZ	\$154		
20704		Mnl prep&insj i-artic rx dev	ZZZ	\$223		
20705		Rmvl i-artic rx delivery dev	ZZZ	\$184		
***		***	***	***		
20900		Removal of bone for graft	000	\$586		
20902		Removal of bone for graft	000	\$885		
***		***	***	***		
20930		Spinal bone allograft morsel add-on	XXX	BR		
20931		Spinal bone allograft struct add-on	ZZZ	\$263		
20932		Osteoart algrft w/surf & b1	ZZZ	\$1,166		
20933		Hemicrt intrcly algrft prtl	ZZZ	\$1,069		
20934		Intercalary algrft compl	ZZZ	\$1,165		
20936		Spinal bone autograft local add-on	XXX	BR		
20937		Spinal bone autograft morsel add-on	ZZZ	\$402		
20938		Spinal bone autograft struct add-on	ZZZ	\$434		
20939		Bone marrow aspir bone grfg	ZZZ	\$107		
***		***	***	***	***	***
20983		Ablate bone tumor(s) perq	000	\$8,875		
20985		Cptr-asst dir ms px	ZZZ	\$307		
20999		Musculoskeletal surgery	YYY	BR		
***		***	***	***		
21011		Exc face les sc <2 cm	090	\$730		
21012		Exc face les sbq 2 cm/>	090	\$703		
21013		Exc face tum deep < 2 cm	090	\$1,095		
21014		Exc face tum deep 2 cm/>	090	\$1,090		
***		***	***	***		
21016		Resect face/scalp tum 2 cm/>	090	\$2,172		
***		***	***	***		
21046		Remove mandible cyst complex	090	\$2,312		
21047		Excise lwr jaw cyst w/repair	090	\$2,739		
21048		Remove maxilla cyst complex	090	\$2,372		
21049		Excis uppr jaw cyst w/repair	090	\$2,590		
***		***	***	***		
21073		Mnpj of tmj w/anesth	090	\$812		
***		***	***	***	***	***
21089		Prepare face/oral prosthesis	YYY	BR		
***		***	***	***		
21188		Reconstruction of midface	090	\$2,469		
***		***	***	***		
21199		Reconstr lwr jaw w/advance	090	\$2,142		
***		***	***	***		
21299		Cranio/maxillofacial surgery	YYY	BR		
***		***	***	***		
21499		Head surgery procedure	YYY	BR		
***		***	***	***		
21552		Exc neck les sc 3 cm/>	090	\$927		
21554		Exc neck tum deep 5 cm/>	090	\$1,517		
***		***	***	***		
21558		Resect neck tumor 5 cm/>	090	\$2,807		
***		***	***	***		
21601		Exc chest wall tumor w/ribs	090	\$1,807		
21602		Exc ch wal tum w/o lymphadec	090	\$2,436		
21603		Exc ch wal tum w/lymphadec	090	\$2,656		
***		***	***	***		
21685		Hyoid myotomy & suspension	090	\$2,118		
***		***	***	***		
21742		Repair stern/nuss w/o scope	090	\$2,792		
21743		Repair sternum/nuss w/scope	090	\$4,008		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
***		***	***	***		
21811		Optx of rib fx w/fixj scope	000	\$914		
21812		Treatment of rib fracture	000	\$1,106		
21813		Treatment of rib fracture	000	\$1,518		
***		***	***	***		
21899		Neck/chest surgery procedure	YYY	BR		
***		***	***	***		
21931		Exc back les sc 3 cm/>	090	\$976		
21932		Exc back tum deep < 5 cm	090	\$1,371		
21933		Exc back tum deep 5 cm/>	090	\$1,535		
***		***	***	***		
21936		Resect back tum 5 cm/>	090	\$2,919		
22010		I&d p-spine c/t/cerv-thor	090	\$1,967		
22015		I&d abscess p-spine l/s/l	090	\$1,930		
***		***	***	***		
22103		Remove extra spine segment	ZZZ	\$335		
***		***	***	***		
22116		Remove extra spine segment	ZZZ	\$218		
22206		Incis spine 3 column thorac	090	\$4,913		
22207		Incis spine 3 column lumbar	090	\$4,981		
22208		Incis spine 3 column addl seg	ZZZ	\$1,226		
***		***	***	***		
22216		Revise, extra spine segment	ZZZ	\$818		
***		***	***	***		
22226		Revise, extra spine segment	ZZZ	\$819		
***		***	***	***		
22328		Treat each add spine fx	ZZZ	\$656		
***		***	***	***		
22510		Perq cervicothoracic inject	010	\$2,951		
22511		Perq lumbosacral injection	010	\$2,941		
22512		Vertebroplasty addl inject	ZZZ	\$1,279		
22513		Perq vertebral augmentation	010	\$10,223		
22514		Perq vertebral augmentation	010	\$10,185		
22515		Perq vertebral augmentation	ZZZ	\$5,493		
22526		Idet single level	010	\$4,833		
22527		Idet 1 or more levels	ZZZ	\$3,985		
22532		Lat thorax spine fusion	090	\$3,715		
22533		Lat lumbar spine fusion	090	\$3,502		
22534		Lat thor/lumb addl seg	ZZZ	\$756		
***		***	***	***		
22551		Neck spine fuse&remov bel c2	090	\$3,574		
22552		Addl neck spine fusion	ZZZ	\$820		
***		***	***	***		
22585		Additional spinal fusion	ZZZ	\$798		
22586		Prescrl fuse w/ instr l5-s1	090	\$3,132		
***		***	***	***		
22614		Spine fusion, extra segment	ZZZ	\$884		
***		***	***	***		
22632		Spine fusion, extra segment	ZZZ	\$745		
22633		Lumbar spine fusion combined	090	\$3,842		
22634		Spine fusion extra segment	ZZZ	\$1,037		
***		***	***	***		
22840		Insert spine fixation device	ZZZ	\$1,408		
22841		Insert spine fixation device	XXX	BR		
22842		Insert spine fixation device	ZZZ	\$1,457		
22843		Insert spine fixation device	ZZZ	\$1,652		
22844		Insert spine fixation device	ZZZ	\$2,015		
22845		Insert spine fixation device	ZZZ	\$1,343		
22846		Insert spine fixation device	ZZZ	\$1,524		
22847		Insert spine fixation device	ZZZ	\$1,691		
22848		Insert pelv fixation device	ZZZ	\$876		
***		***	***	***		
22853		Insj biomechanical device	ZZZ	\$398		
22854		Insj biomechanical device	ZZZ	\$515		
***		***	***	***		
22856		Cerv artific diskectomy	090	\$3,470		
22857		Lumbar artif diskectomy	090	\$3,413		
22858		Second level cer diskectomy	ZZZ	\$781		
22859		Insj biomechanical device	ZZZ	\$513		
22861		Revise cerv artific disc	090	\$4,137		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
22862		Revise lumbar artif disc	090	\$4,481		
22864		Remove cerv artif disc	090	\$4,070		
22865		Remove lumb artif disc	090	\$4,266		
22867		Insj stablj dev w/dcmprn	090	\$1,521		
22868		Insj stablj dev w/dcmprn	ZZZ	\$377		
22869		Insj stablj dev w/o dcmprn	090	\$674		
22870		Insj stablj dev w/o dcmprn	ZZZ	\$184		
22899		Spine surgery procedure	YYY	BR		
***		***	***	***		
22901		Exc abdl tum deep 5 cm/>	090	\$1,381		
22902		Exc abd les sc < 3 cm	090	\$899		
22903		Exc abd les sc 3 cm/>	090	\$903		
22904		Radical resect abd tumor <5cm	090	\$2,184		
22905		Rad resect abd tumor 5 cm/>	090	\$2,771		
22999		Abdomen surgery procedure	YYY	BR		
***		***	***	***		
23071		Exc shoulder les sc 3 cm/>	090	\$867		
23073		Exc shoulder tum deep 5 cm/>	090	\$1,436		
23075		Removal of shoulder les sc < 3 cm	090	\$339		
***		***	***	***		
23078		Resect shoulder tumor 5 cm/>	090	\$2,949		
***		***	***	***		
23333		Remove shoulder fb deep	090	\$733		
23334		Shoulder prosthesis removal	090	\$1,644		
23335		Shoulder prosthesis removal	090	\$1,955		
***		***	***	***		
23473		Revis reconst shoulder joint	090	\$2,491		
23474		Revis reconst shoulder joint	090	\$2,686		
***		***	***	***		
23929		Shoulder surgery procedure	YYY	BR		
***		***	***	***		
24079		Resect arm/elbow tum 5 cm/>	090	\$2,761		
***		***	***	***		
24300		Manipulate elbow w/anesth	090	\$853		
***		***	***	***		
24332		Tenolysis triceps	090	\$953		
***		***	***	***		
24343		Repr elbow lat ligmnt w/tiss	090	\$1,466		
24344		Reconstruct elbow lat ligmnt	090	\$2,293		
24345		Repr elbw med ligmnt w/tissu	090	\$1,458		
24346		Reconstruct elbow med ligmnt	090	\$2,278		
24357		Repair elbow perc	090	\$646		
24358		Repair elbow w/deb open	090	\$1,087		
24359		Repair elbow deb/atch open	090	\$1,374		
***		***	***	***		
24370		Revise reconst elbow joint	090	\$2,369		
24371		Revise reconst elbow joint	090	\$2,728		
***		***	***	***		
24999		Upper arm/elbow surgery	YYY	BR		
***		***	***	***		
25001		Incise flexor carpi radialis	090	\$714		
***		***	***	***		
25024		Decompress forearm 2 spaces	090	\$1,632		
25025		Decompress forearm 2 spaces	090	\$2,544		
***		***	***	***		
25071		Exc forearm les sc 3 cm/>	090	\$885		
25073		Exc forearm tum deep 3 cm/>	090	\$1,106		
***		***	***	***		
25078		Resect forarm/wrist tum 3cm>	090	\$2,437		
***		***	***	***		
25259		Manipulate wrist w/anesthes	090	\$859		
***		***	***	***		
25275		Repair forearm tendon sheath	090	\$1,412		
***		***	***	***		
25394		Repair carpal bone shorten	090	\$1,623		
***		***	***	***		
25430		Vasc graft into carpal bone	090	\$1,468		
25431		Repair nonunion carpal bone	090	\$1,634		
***		***	***	***		
25606		Treat fx distal radial	090	\$1,372		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
25607		Treat fx rad extra-articul	090	\$1,528		
25608		Treat fx rad intra-articul	090	\$1,712		
25609		Treat fx radial 3+ frag	090	\$2,179		
***		***	***	***		
25651		Pin ulnar styloid fracture	090	\$1,011		
25652		Treat fracture ulnar styloid	090	\$1,293		
***		***	***	***		
25671		Pin radioulnar dislocation	090	\$1,098		
***		***	***	***		
25999		Forearm or wrist surgery	YYY	BR		
***		***	***	***		
26111		Exc hand les sc 1.5 cm/>	090	\$871		
26113		Exc hand tum deep 1.5 cm/>	090	\$1,142		
***		***	***	***		
26118		Rad resect hand tumor 3 cm/>	090	\$2,213		
***		***	***	***		
26125		Release palm contracture	ZZZ	\$543		
***		***	***	***		
26340		Manipulate finger w/anesth	090	\$694		
26341		Manipulat palm cord post inj	010	\$203		
***		***	***	***		
26861		Fusion of finger jnt, add-on	ZZZ	\$275		
***		***	***	***		
26863		Fuse/graft added joint	ZZZ	\$538		
***		***	***	***		
26989		Hand/finger surgery	YYY	BR		
***		***	***	***		
27027		Buttock fasciotomy	090	\$1,765		
***		***	***	***		
27043		Exc hip pelvis les sc 3 cm/>	090	\$976		
27045		Exc hip/pelv tum deep 5 cm/>	090	\$1,555		
***		***	***	***		
27057		Buttock fasciotomy w/dbrdmt	090	\$1,980		
27059		Resect hip/pelv tum 5 cm/>	090	\$3,735		
***		***	***	***		
27096		Inject sacroiliac joint	000	\$255		
***		***	***	***		
27197		Clsd tx pelvic ring fx	000	\$204		
27198		Clsd tx pelvic ring fx	000	\$489		
***		***	***	***		
27267		Cltx thigh fx	090	\$906		
27268		Cltx thigh fx w/mnpj	090	\$1,115		
27269		Optx thigh fx	090	\$2,585		
***		***	***	***		
27279		Arthrodesis sacroiliac joint	090	\$1,332		
***		***	***	***		
27299		Pelvis/hip joint surgery	YYY	BR		
***		***	***	***		
27325		Neurectomy hamstring	090	\$1,050		
27326		Neurectomy popliteal	090	\$1,063		
***		***	***	***		
27337		Exc thigh/knee les sc 3 cm/>	090	\$872		
27339		Exc thigh/knee tum dep 5cm/>	090	\$1,556		
***		***	***	***		
27358		Remove femur lesion/fixation	ZZZ	\$678		
***		***	***	***		
27364		Resect thigh/knee tum 5 cm/>	090	\$3,238		
***		***	***	***		
27369		Njx cntrst kne arthg/ct/mri	000	\$266		
***		***	***	***		
27412		Autochondrocyte implant knee	090	\$3,438		
27415		Osteochondral knee allograft	090	\$2,854		
27416		Osteochondral knee autograft	090	\$2,034		
***		***	***	***		
27599		Leg surgery procedure	YYY	BR		
***		***	***	***		
27616		Resect leg/ankle tum 5 cm/>	090	\$2,641		
***		***	***	***		
27632		Exc leg/ankle les sc 3 cm/>	090	\$868		
27634		Exc leg/ankle tum dep 5 cm/>	090	\$1,430		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
***		***	***	***		
27692		Revise additional leg tendons	ZZZ	\$283		
***		***	***	***		
27726		Repair fibula nonunion	090	\$2,021		
***		***	***	***		
27767		Cltx post ankle fx	090	\$589		
27768		Cltx post ankle fx w/mnpj	090	\$912		
27769		Optx post ankle fx	090	\$1,529		
***		***	***	***		
27899		Leg/ankle surgery procedure	YYY	BR		
***		***	***	***		
28039		Exc foot/toe tum sc 1.5 cm/>	090	\$1,097		
28041		Exc foot/toe tum dep 1.5cm/>	090	\$980		
***		***	***	***		
28047		Resect foot/toe tumor 3 cm/>	090	\$2,147		
***		***	***	***		
28055		Neurectomy foot	090	\$781		
***		***	***	***		
28291		Corrj halux rigidus w/implt	090	\$1,127		
***		***	***	***		
28295		Correction hallux valgus	090	\$1,740		
***		***	***	***		
28360		Reconstruct cleft foot	090	\$1,695		
***		***	***	***		
28446		Osteochondral talus autogrft	090	\$2,544		
***		***	***	***		
28820		Amputation of toe	000	\$468		
28825		Partial amputation of toe	000	\$420		
28890		High energy eswt plantar fascia	090		\$696	\$467
28899		Foot/toes surgery procedure	YYY	BR		
***		***	***	***	***	***
29799		Casting/strapping procedure	YYY	BR		
***		***	***	***		
29805		Shoulder arthroscopy dx	090	\$981		
29806		Shoulder arthroscopy/surgery capsuloraphy	090	\$2,210		
29807		Shoulder arthroscopy/surgery rpr slap les	090	\$2,152		
***		***	***	***		
29824		Shoulder arthroscopy/surgery dstl clavicle	090	\$1,412		
***		***	***	***		
29826		Shoulder arthroscopy/surgery decompression	ZZZ	\$1,687		
29827		Arthroscop rotator cuff repr	090	\$2,241		
29828		Arthroscopy biceps tenodesis	090	\$1,926		
***		***	***	***		
29866		Autgrft implnt knee w/scope	090	\$2,181		
29867		Allgrft implnt knee w/scope	090	\$2,657		
29868		Meniscal trnspl knee w/scpe	090	\$3,481		
***		***	***	***		
29873		Knee arthroscopy/surgery	090	\$1,089		
***		***	***	***		
29899		Ankle arthroscopy/surgery	090	\$2,165		
29900		Mcp joint arthroscopy dx	090	\$1,000		
29901		Mcp joint arthroscopy surg	090	\$1,133		
29902		Mcp joint arthroscopy surg	090	\$1,253		
29904		Subtalar arthro w/fb rrvl	090	\$1,324		
29905		Subtalar arthro w/exc	090	\$1,434		
29906		Subtalar arthro w/deb	090	\$1,509		
29907		Subtalar arthro w/fusion	090	\$1,820		
29914		Hip arthro w/femoroplasty	090	\$2,112		
29915		Hip arthro acetabuloplasty	090	\$2,152		
29916		Hip arthro w/labral repair	090	\$2,152		
29999		Arthroscopy of joint	YYY	BR		
***		***	***	***		
30465		Repair nasal stenosis	090	\$2,084		
30468		Rpr nsl vlv collapse w/implt	000	\$4,391		
***		***	***	***		
30999		Nasal surgery procedure	YYY	BR		
***		***	***	***		
31241		Nsl/sins ndsc w/artery lig	000	\$674		
31253		Nsl/sins ndsc total	000	\$759		
***		***	***	***		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
31257		Nsl/sins ndsc tot w/sphendnt	000	\$677		
31259		Nsl/sins ndsc sphn tiss rmvl	000	\$717		
***		***	***	***	***	***
31298		Nsl/sins ndsc surg frnt&sphn	000	\$5,496		
31299		Sinus surgery procedure	YYY	BR		
***		***	***	***		
31551		Laryngoplasty laryngeal sten	090	\$2,357		
31552		Laryngoplasty laryngeal sten	090	\$2,275		
31553		Laryngoplasty laryngeal sten	090	\$2,597		
31554		Laryngoplasty laryngeal sten	090	\$2,598		
***		***	***	***		
31572		Largsc w/laser dstrj les	000	\$830		
31573		Largsc w/ther injection	000	\$436		
31574		Largsc w/njx augmentation	000	\$1,578		
***		***	***	***		
31591		Laryngoplasty medialization	090	\$1,680		
31592		Cricotracheal resection	090	\$2,647		
31599		Larynx surgery procedure	YYY	BR		
***		***	***	***		
31627		Navigational bronchoscopy	ZZZ		\$2,700	\$196
***		***	***	***		
31632		Bronchoscopy/lung bx addl	ZZZ		\$148	\$102
31633		Bronchoscopy/needle bx addl	ZZZ		\$181	\$131
***		***	***	***	***	***
31637		Bronchoscopy stent add-on	ZZZ	\$159		
***		***	***	***		
31647		Bronchial valve init insert	000	\$317		
31648		Bronchial valve remov init	000	\$303		
31649		Bronchial valve remov addl	ZZZ	\$103		
31651		Bronchial valve addl insert	ZZZ	\$116		
31652		Bronch ebus samplng 1/2 node	000	\$1,954		
31653		Bronch ebus samplng 3/> node	000	\$2,028		
31654		Bronch ebus ivntj perph les	ZZZ	\$190		
31660		Bronch thermoplasty 1 lobe	000	\$298		
31661		Bronch thermoplasty 2/> lobes	000	\$315		
***		***	***	***		
31899		Airways surgical procedure	YYY	BR		
***		***	***	***		
32096		Open wedge/bx lung infiltr	090	\$1,703		
32097		Open wedge/bx lung nodule	090	\$1,703		
32098		Open biopsy of lung pleura	090	\$1,601		
***		***	***	***		
32408		Core ndl bx lng/med perq	000	\$1,450		
***		***	***	***		
32501		Repair bronchus add-on	ZZZ	\$642		
32503		Resect apical lung tumor	090	\$3,845		
32504		Resect apical lung tum/chest	090	\$4,313		
32505		Wedge resect of lung initial	090	\$1,965		
32506		Wedge resect of lung add-on	ZZZ	\$332		
32507		Wedge resect of lung diag	ZZZ	\$332		
***		***	***	***	***	***
32552		Remove lung catheter	010		\$396	\$344
***		***	***		***	***
32554		Aspirate pleura w/o imaging	000	\$371		
32555		Aspirate pleura w/ imaging	000	\$503		
32556		Insert cath pleura w/o image	000	\$1,157		
32557		Insert cath pleura w/ image	000	\$1,037		
***		***	***	***	***	***
32650		Thoracoscopy w/pleurodesis	090	\$1,021		
32651		Thoracoscopy remove cortex	090	\$1,676		
32652		Thoracoscopy rem totl cortex	090	\$2,542		
***		***	***	***		
32666		Thoracoscopy w/wedge resect	090	\$1,837		
32667		Thoracoscopy w/w resect addl	ZZZ	\$332		
32668		Thoracoscopy w/w resect diag	ZZZ	\$334		
32669		Thoracoscopy remove segment	090	\$2,831		
32670		Thoracoscopy bilobectomy	090	\$3,379		
32671		Thoracoscopy pneumonectomy	090	\$3,751		
32672		Thoracoscopy for lvrs	090	\$3,208		
32673		Thoracoscopy w/thymus resect	090	\$2,530		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
32674		Thoracoscopy lymph node exc	ZZZ	\$455		
32701		Thorax stereo rad targetw/tx	XXX	\$325		
32800		Repair lung hernia	090	\$1,451		
32810		Close chest after drainage	090	\$1,379		
32815		Close bronchial fistula	090	\$4,293		
32820		Reconstruct injured chest	090	\$2,038		
32850		Donor pneumonectomy	XXX	BR		
32851		Lung transplant single	090	BR		
32852		Lung transplant with bypass	090	BR		
32853		Lung transplant double	090	BR		
32854		Lung transplant with bypass	090	BR		
32855		Prepare donor lung single	XXX	BR		
32856		Prepare donor lung double	XXX	BR		
***		***	***	***		
32994		Ablate pulm tumor perq crybl	000	\$8,486		
***		***	***	***		
32999		Chest surgery procedure	YYY	BR		
33016		Pericardiocentesis w/imaging	000	\$361		
33017		Prerd drg 6yr+ w/o egen car	000	\$374		
33018		Prerd drg 0-5yr or w/anomaly	000	\$424		
33019		Perq prerd drg insj cath ct	000	\$345		
***		***	***	***		
33141		Heart tnr w/other procedure	ZZZ	\$280		
33202		Insert epicard eltrd open	090	\$1,635		
33203		Insert epicard eltrd endo	090	\$1,686		
***		***	***	***		
33221		Insert pulse gen mult leads	090	\$739		
***		***	***	***		
33225		L ventric pacing lead add-on	ZZZ	\$928		
***		***	***	***		
33227		Remove&replace pm gen singl	090	\$705		
33228		Remv&replc pm gen dual lead	090	\$735		
33229		Remv&replc pm gen mult leads	090	\$766		
33230		Insrt pulse gen w/dual leads	090	\$795		
33231		Insrt pulse gen w/mult leads	090	\$825		
***		***	***	***		
33254		Ablate atria lmtd	090	\$2,902		
33255		Ablate atria w/o bypass ext	090	\$3,473		
33256		Ablate atria w/bypass exten	090	\$4,150		
33257		Ablate atria lmtd add-on	ZZZ	\$1,237		
33258		Ablate atria x10sv add-on	ZZZ	\$1,387		
33259		Ablate atria w/bypass add-on	ZZZ	\$1,796		
***		***	***	***		
33262		Remv& replc pulse gen sing lead	090	\$766		
33263		Remv& replc dfb gen dual lead	090	\$797		
33264		Remv& replc dfb gen mult lead	090	\$827		
33265		Ablate atria lmtd endo	090	\$2,870		
33266		Ablate atria x10sv endo	090	\$3,914		
33270		Ins/rep subq defibrillator	090	\$868		
33271		Insj subq impltbl dfb elctrd	090	\$696		
33272		Rmvl of subq defibrillator	090	\$534		
33273		Repos prev impltbl subq dfb	090	\$613		
33274		Tcat insj/rpl perm ldls pm	090	\$745		
33275		Tcat rmvl perm ldls pm w/ing	090	\$808		
33285		Insj subq car rhythm mntr	000	\$7,800		
33286		Rmvl subq car rhythm mntr	000	\$211		
33289		Tcat impl wrls p-art prs snr	000	\$510		
***		***	***	***		
33340		Perq clsr teat l atr apndge	000	\$1,207		
33361		Replace aortic valve perq	000	\$1,850		
33362		Replace aortic valve open	000	\$2,015		
33363		Replace aortic valve open	000	\$2,090		
33364		Replace aortic valve open	000	\$2,091		
33365		Replace aortic valve open	000	\$2,178		
33366		Tcath replace aortic valve	000	\$2,402		
33367		Replace aortic valve w/byp	ZZZ	\$960		
33368		Replace aortic valve w/byp	ZZZ	\$1,134		
33369		Replace aortic valve w/byp	ZZZ	\$1,497		
33390		Valvuloplasty aortic valve	090	\$2,942		
33391		Valvuloplasty aortic valve	090	\$3,503		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
***		***	***	***		
33418		Repair tcat mitral valve	090	\$2,748		
33419		Repair tcat mitral valve	ZZZ	\$649		
***		***	***	***		
33440		Rplcmt a-valve tlcj autol pv	090	\$5,045		
***		***	***	***		
33477		Implant tcat pulm vlv perq	000	\$2,072		
***		***	***	***		
33507		Repair art intramural	090	\$3,634		
33508		Endoscopic vein harvest	ZZZ	\$34		
***		***	***	***		
33517		Cabg, artery-vein, single	ZZZ	\$402		
33518		Cabg, artery-vein, two	ZZZ	\$803		
33519		Cabg, artery-vein, three	ZZZ	\$1,204		
33521		Cabg, artery-vein, four	ZZZ	\$1,605		
33522		Cabg, artery-vein, five	ZZZ	\$2,007		
33523		Cabg, artery-vein, 6+	ZZZ	\$2,408		
33530		Coronary artery, bypass/reop	ZZZ	\$1,305		
***		***	***	***		
33548		Restore/remodel ventricle	090	\$6,318		
33572		Open coronary endarterectomy	ZZZ	\$582		
***		***	***	***		
33620		Apply r&l pulm art bands	090	\$3,513		
33621		Transthor cath for stent	090	\$1,888		
33622		Redo compl cardiac anomaly	090	\$7,398		
***		***	***	***		
33675		Close mult vsd	090	\$4,197		
33676		Close mult vsd w/resection	090	\$4,483		
33677		Cl mult vsd w/rem pul band	090	\$4,659		
***		***	***	***		
33724		Repair venous anomaly	090	\$3,253		
33726		Repair pul venous stenosis	090	\$4,343		
***		***	***	***		
33741		Tas congenital car anomal	000	\$1,157		
33745		Tis cgen car anomal 1st shnt	000	\$1,633		
33746		Tis cgen car anomal ea addl	ZZZ	\$645		
***		***	***	***		
33768		Cavopulmonary shunting	ZZZ	\$930		
***		***	***	***		
33782		Nikaidoh proc	090	\$6,807		
33783		Nikaidoh proc w/ostia implt	090	\$7,371		
***		***	***	***		
33858		As-aort grf f/aortic dsj	090	\$5,185		
33859		As-aort grf f/ds oth/thn dsj	090	\$3,727		
***		***	***	***		
33864		Ascending aortic graft	090	\$6,833		
33866		Aortic hemiarch graft	ZZZ	\$1,410		
33871		Transvrs a-arch grf hypthrm	090	\$4,980		
***		***	***	***		
33880		Endovasc taa repr incl subcl	090	\$3,852		
33881		Endovasc taa repr w/o subcl	090	\$3,319		
33883		Insert endovasc prosth taa	090	\$1,697		
33884		Endovasc prosth taa add-on	ZZZ	\$879		
33886		Endovasc prosth delayed	090	\$2,087		
***		***	***	***		
33891		Car-car bp grft/endovas taa	000	\$1,464		
***		***	***	***		
33924		Remove pulmonary shunt	ZZZ	\$700		
33925		Rpr pul art unifocal w/o cpb	090	\$3,622		
33926		Repr pul art unifocal w/cpb	090	\$5,187		
33927		Impltj tot rplcmt hrt sys	XXX	\$3,894		
33928		Rmvl & rplcmt tot hrt sys	XXX	BR		
33929		Rmvl rplcmt hrt sys f/trnspl	ZZZ	BR		
33930		Removal of donor heart/lung	XXX	BR		
33933		Prepare donor heart/lung	XXX	BR		
***		***	***	***		
33940		Removal of donor heart	XXX	BR		
33944		Prepare donor heart	XXX	BR		
***		***	***	***		
33946		Ecmo/ecls initiation venous	XXX	\$473		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
33947		Ecmo/ecls initiation artery	XXX	\$525		
33948		Ecmo/ecls daily mgmt-venous	XXX	\$365		
33949		Ecmo/ecls daily mgmt artery	XXX	\$353		
33951		Ecmo/ecls insj prph cannula	000	\$646		
33952		Ecmo/ecls insj prph cannula	000	\$653		
33953		Ecmo/ecls insj prph cannula	000	\$723		
33954		Ecmo/ecls insj prph cannula	000	\$727		
33955		Ecmo/ecls insj ctr cannula	000	\$1,265		
33956		Ecmo/ecls insj ctr cannula	000	\$1,275		
33957		Ecmo/ecls repos perph cnula	000	\$281		
33958		Ecmo/ecls repos perph cnula	000	\$281		
33959		Ecmo/ecls repos perph cnula	000	\$358		
33962		Ecmo/ecls repos perph cnula	000	\$358		
33963		Ecmo/ecls repos perph cnula	000	\$714		
33964		Ecmo/ecls repos perph cnula	000	\$753		
33965		Ecmo/ecls rmvl prph cannula	000	\$281		
33966		Ecmo/ecls rmvl prph cannula	000	\$362		
***		***	***	***		
33968		Remove aortic assist device	000	\$71		
33969		Ecmo/ecls rmvl prph cannula	000	\$417		
***		***	***	***		
33975		Implant ventricular device	XXX	\$2,583		
33976		Implant ventricular device	XXX	\$3,519		
33977		Remove ventricular device	XXX	\$2,260		
33978		Remove ventricular device	XXX	\$2,583		
33979		Insert intracorporeal device	XXX	\$4,139		
33980		Remove intracorporeal device	XXX	\$3,791		
33981		Replace vad pump ext	XXX	\$1,784		
33982		Replace vad intra w/o bp	XXX	\$4,175		
33983		Replace vad intra w/bp	XXX	\$4,902		
33984		Ecmo/ecls rmvl prph cannula	000	\$434		
33985		Ecmo/ecls rmvl ctr cannula	000	\$784		
33986		Ecmo/ecls rmvl ctr cannula	000	\$799		
33987		Artery expos/graft artery	ZZZ	\$319		
33988		Insertion of left heart vent	000	\$1,188		
33989		Removal of left heart vent	000	\$753		
33990		Insj perq vad l hrt arterial	000	\$553		
33991		Insj perq vad l hrt artl&ven	000	\$722		
33992		Rmvl perq left heart vad	000	\$287		
33993		Reposg perq r/l hrt vad	000	\$253		
33995		Insj perq vad r hrt venous	000	\$555		
33997		Rmvl perq right heart vad	000	\$247		
33999		Cardiac surgery procedure	YYY	BR		
***		***	***	***		
34701		Evasc rpr a-ao ndgft	090	\$1,892		
34702		Evasc rpr a-ao ndgft rpt	090	\$2,822		
34703		Evasc rpr a-unilac ndgft	090	\$2,095		
34704		Evasc rpr a-unilac ndgft rpt	090	\$3,497		
34705		Evac rpr a-biiliac ndgft	090	\$2,330		
34706		Evasc rpr a-biiliac rpt	090	\$3,505		
34707		Evasc rpr ilio-iliac ndgft	090	\$1,777		
34708		Evasc rpr ilio-iliac rpt	090	\$2,822		
34709		Plmt xtn prosth evasc rpr	ZZZ	\$493		
34710		Dlyd plmt xtn prosth 1st vs1	090	\$1,216		
34711		Dlyd plmt xtn prosth ea addl	ZZZ	\$454		
34712		Tcat dlvr enhned fixj dev	090	\$1,004		
34713		Perq access & clsr fem art	ZZZ	\$189		
34714		Opn fem art expos cndt crtj	ZZZ	\$411		
34715		Opn ax/subcla art expos	ZZZ	\$458		
34716		Opn ax/subcla art expos cndt	ZZZ	\$566		
34717		Evasc rpr a-iliac ndgft	ZZZ	\$671		
34718		Evasc rpr n/a a-iliac ndgft	090	\$1,872		
34808		Endovas iliac a device addon	ZZZ	\$442		
34812		Xpose for endoprosth femorl	ZZZ	\$727		
34813		Femoral endovas graft add-on	ZZZ	\$511		
34820		Xpose for endoprosth iliac	ZZZ	\$1,046		
34830		Open aortic tube prosth repr	090	\$3,839		
34831		Open aortoiliac prosth repr	090	\$4,128		
34832		Open aortofemor prosth repr	090	\$4,128		
34833		Xpose for endoprosth iliac	ZZZ	\$1,312		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
34834		Opn brachial art expos	ZZZ	\$591		
34839		Plnning pt spec fenest graft	YYY	BR		
34841		Endovasc visc aorta 1 graft	YYY	\$3,201		
34842		Endovasc visc aorta 2 graft	YYY	\$3,540		
34843		Endovasc visc aorta 3 graft	YYY	\$3,879		
34844		Endovasc visc aorta 4 graft	YYY	\$4,218		
34845		Visc & infraren abd 1 prosth	YYY	\$3,201		
34846		Visc & infraren abd 2 prosth	YYY	\$3,540		
34847		Visc & infraren abd 3 prosth	YYY	\$3,879		
34848		Visc & infraren abd 4+ prost	YYY	\$4,218		
***		***	***	***		
35281		Repair blood vessel lesion	090	\$2,466		
***		***	***	***		
35302		Rechanneling of artery	090	\$2,457		
35303		Rechanneling of artery	090	\$2,704		
35304		Rechanneling of artery	090	\$2,779		
35305		Rechanneling of artery	090	\$2,684		
35306		Rechanneling of artery	ZZZ	\$971		
***		***	***	***		
35390		Reoperation, carotid add-on	ZZZ	\$366		
35400		Angioscopy	ZZZ	\$378		
35500		Harvest vein for bypass	ZZZ	\$693		
***		***	***	***		
35510		Art byp grft carotid-brchial	090	\$2,681		
***		***	***	***		
35512		Art byp grft subclav-brchial	090	\$2,630		
***		***	***	***		
35522		Artery bypass graft axill-brachial	090	\$2,551		
35523		Artery bypass graft brchl-ulnr-rdl	090	\$2,776		
35525		Art byp grft brachial-brchl	090	\$1,730		
***		***	***	***		
35535		Artery bypass graft hepatorenal	090	\$3,730		
***		***	***	***		
35537		Artery bypass graft aortoiliac	090	\$4,543		
35538		Artery bypass graft aortobi-iliac	090	\$5,086		
35539		Artery bypass graft aortofemoral	090	\$4,778		
35540		Artery bypass graft aortbifemoral	090	\$5,573		
***		***	***	***		
35572		Harvest femoropopliteal vein	ZZZ	\$747		
***		***	***	***		
35600		Harvest art for cabg add-on	ZZZ	\$546		
***		***	***	***		
35632		Artery bypass ilio-celiac	090	\$3,542		
35633		Artery bypass ilio-mesenteric	090	\$3,919		
35634		Artery bypass iliorenal	090	\$3,574		
***		***	***	***		
35637		Artery bypass aortoiliac	090	\$3,776		
35638		Artery bypass aortobi-iliac	090	\$3,848		
***		***	***	***		
35647		Artery bypass aortofemoral	090	\$3,369		
***		***	***	***		
35681		Composite bypass graft pros&vein	ZZZ	\$854		
35682		Composite bypass graft 2 veins	ZZZ	\$1,260		
35683		Composite bypass graft 3/> segmt	ZZZ	\$1,360		
35685		Bypass graft patency/patch	ZZZ	\$432		
35686		Bypass graft/av fist patency	ZZZ	\$359		
***		***	***	***		
35697		Reimplant artery each	ZZZ	\$321		
35700		Reoperation, bypass graft	ZZZ	\$359		
***		***	***	***		
35702		Expl n/flwd surg uxr art	090	\$631		
35703		Expl n/flwd surg lxr art	090	\$641		
***		***	***	***		
35883		Revise graft w/nonauto graft	090	\$2,634		
35884		Revise graft w/vein	090	\$2,704		
***		***	***	***		
36000		Place needle in vein	XXX	\$44		
***		***	***	***	***	***
36010		Place catheter in vein	XXX	\$343		
36011		Place catheter in vein	XXX	\$372		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
36012		Place catheter in vein	XXX	\$461		
36013		Place catheter in artery	XXX	\$350		
36014		Place catheter in artery	XXX	\$395		
36015		Place catheter in artery	XXX	\$461		
36100		Establish access to artery	XXX	\$420		
36140		Intro needle icath upr/lxtr artery	XXX	\$259		
36160		Establish access to aorta	XXX	\$368		
***		***	***	***		
36218		Place catheter in artery	ZZZ	\$136		
36221		Place cath thoracic aorta	000	\$1,665		
36222		Place cath carotid/inom art	000	\$1,992		
36223		Place cath carotid/inom art	000	\$2,613		
36224		Place cath carotd art	000	\$3,324		
36225		Place cath subclavian art	000	\$2,477		
36226		Place cath vertebral art	000	\$3,177		
36227		Place cath xtrnl carotid	ZZZ	\$381		
36228		Place cath intracranial art	ZZZ	\$2,081		
36245		Ins catheter abd/l-ext art 1st	XXX	\$601		
***		***	***	***		
36248		Ins catheter abd/l-ext art addl	ZZZ	\$136		
***		***	***	***	***	***
36299		Vessel injection procedure	YYY	BR		
36400		Drawing blood < 3 yrs fem/jugular	XXX	\$20		
36405		Drawing blood <3 yrs scalp vein	XXX	\$47		
36406		Drawing blood <3 yrs other vein	XXX	\$25		
36410		Drawing blood Non-routine 3/> yrs	XXX	\$30		
36415		Drawing blood Routine venipuncture	XXX	BR		
36416		Capillary blood draw	XXX	\$9		
36420		Establish access to vein cutdown < 1 yr	XXX	\$112		
36425		Establish access to vein cutdown > 1 yr	XXX	\$61		
36430		Blood transfusion service	XXX	\$73		
36440		Blood transfusion service 2 yr/<	XXX	\$145		
36450		Exchange transfusion service nb	XXX	\$304		
36455		Exchange transfusion service non-nb	XXX	\$349		
36456		Prtl exchange transfuse nb	XXX	\$149		
36460		Transfusion service, fetal	XXX	\$748		
36465		Njx noncmpnd sclrsnt 1 vein	000	\$2,318		
36466		Njx noncmpnd sclrsnt mlt vn	000	\$2,586		
36468		Injection(s); spider veins	000	\$171		
36470		Njx sclrsnt 1 incmptnt vein	000	\$94		
36471		Njx sclrsnt mlt incmptnt veins	000	\$137		
36473		Endovenous mchnchem 1st vein	000	\$2,162		
36474		Endovenous mchnchem add-on	ZZZ	\$443		
***		***	***	***	***	***
36476		Endovenous rf vein add-on	ZZZ		\$826	\$364
***		***	***	***	***	***
36479		Endovenous laser vein add-on	ZZZ		\$858	\$365
***		***	***	***		
36482		Endoven ther chem adhes 1st	000	\$2,912		
36483		Endoven ther chem adhes sbsq	ZZZ	\$223		
***		***	***	***	***	***
36557		Insert tunneled cv cath	010		\$2,127	\$681
36558		Insert tunneled cv cath	010		\$1,604	\$576
36560		Insert tunneled cv cath	010		\$2,829	\$760
36561		Insert tunneled cv cath	010		\$2,463	\$739
36563		Insert tunneled cv cath	010		\$2,817	\$792
36565		Insert tunneled cv cath	010		\$2,090	\$734
36566		Insert tunneled cv cath	010		\$11,204	\$795
***		***	***	***	***	***
36570		Insert picvad cath	010		\$2,415	\$637
36571		Insert picvad cath	010		\$2,697	\$670
36572		Insj picc rs&i <5 yr	000	\$698		
36573		Insj picc rs&i 5 yr+	000	\$636		
***		***	***	***	***	***
36576		Repair tunneled cv cath	010		\$784	\$404
36578		Replace tunneled cv cath	010		\$1,065	\$448
***		***	***	***	***	***
36581		Replace tunneled cv cath	010		\$1,555	\$406
36582		Replace tunneled cv cath	010		\$2,299	\$637
36583		Replace tunneled cv cath	010		\$2,483	\$670

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
***		***	***		***	***
36585		Replace picvad cath	010		\$2,315	\$578
36589		Removal tunneled cv cath	010		\$343	\$289
36590		Removal tunneled cv cath	010		\$611	\$428
36591		Draw blood off venous device	XXX	\$46		
36592		Collect blood from picc	XXX	\$52		
36593		Declot vascular device	XXX	\$61		
***		***	***		***	***
36600		Withdrawal of arterial blood	XXX	\$44		
***		***	***	***		
36818		Av fuse uppr arm cephalic	090	\$1,441		
***		***	***	***		
36820		Av fusion/forearm vein	090	\$1,734		
***		***	***	***		
36823		Insertion of cannula(s)	090	\$2,805		
***		***	***	***		
36838		Dist revas ligation hemo	090	\$2,480		
***		***	***	***		
36901		Intro cath dialysis circuit	000	\$1,135		
36902		Intro cath dialysis circuit	000	\$2,039		
36903		Intro cath dialysis circuit	000	\$7,728		
36904		Thrmbc/nfs dialysis circuit	000	\$2,996		
36905		Thrmbc/nfs dialysis circuit	000	\$3,830		
36906		Thrmbc/nfs dialysis circuit	000	\$9,683		
36907		Balo angiop ctr dialysis seg	ZZZ	\$1,035		
36908		Stent plmt ctr dialysis seg	ZZZ	\$2,847		
36909		Dialysis circuit embolj	ZZZ	\$3,233		
***		***	***	***		
37185		Prim art m-thrombect add-on sbsq vsl	ZZZ		\$1,532	\$347
37186		Sec art m-thrombect add-on	ZZZ		\$2,965	\$526
***		***	***		***	***
37195		Thrombolytic therapy, stroke	XXX	\$605		
37197		Remove intrvas foreign body	000	\$2,566		
***		***	***	***		
37211		Thrombolytic art therapy	000	\$587		
37212		Thrombolytic venous therapy	000	\$513		
37213		Thrombolytic art/ven therapy	000	\$353		
37214		Cessj therapy cath removal	000	\$186		
37215		Transcath stent cca w/eps	090	\$2,269		
37216		Transcath stent cca w/o eps	090	\$2,111		
37217		Stent placemt retro carotid	090	\$1,640		
37218		Stent placemt ante carotid	090	\$1,251		
***		***	***		***	***
37222		Iliac revasc add-on	ZZZ		\$1,941	\$397
37223		Iliac revasc w/stent add-on	ZZZ		\$5,541	\$450
***		***	***		***	***
37232		Tib/per revasc add-on	ZZZ		\$2,601	\$426
37233		Tibper revasc w/ather add-on	ZZZ		\$3,157	\$701
37234		Revasc opn/prq tib/pero stent	ZZZ		\$8,335	\$583
37235		Tib/per revasc stnt & ather	ZZZ		\$8,890	\$828
37236		Open/perq place stent 1st	000	\$4,976		
37237		Open/perq place stent ea add	ZZZ	\$2,537		
37238		Open/perq place stent same	000	\$5,966		
37239		Open/perq place stent ea add	ZZZ	\$2,985		
37241		Vasc embolize/occlude venous	000	\$7,739		
37242		Vasc embolize/occlude artery	000	\$12,105		
37243		Vasc embolize/occlude organ	000	\$14,900		
37244		Vasc embolize/occlude bleed	000	\$11,167		
37246		Trluml balo angiop 1st art	000	\$3,117		
37247		Trluml balo angiop addl art	ZZZ	\$970		
37248		Trluml balo angiop 1st vein	000	\$2,310		
37249		Trluml balo angiop addl vein	ZZZ	\$774		
37252		Intrvasc us noncoronary 1st	ZZZ	\$1,727		
37253		Intrvasc us noncoronary addl	ZZZ	\$281		
37500		Endoscopy ligate perf veins	090	\$1,483		
37501		Vascular endoscopy procedure	YYY	BR		
***		***	***	***		
37619		Ligation of inf vena cava	090	\$3,429		
***		***	***			
37718		Ligate/strip short leg vein	090	\$943		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
37722		Ligate/strip long leg vein	090	\$1,042		
***		***	***	***		
37761		Ligate leg veins open	090	\$1,186		
37765		Stab phleb veins xtr 10-20	010	\$1,413		
37766		Phleb veins - extrem 20+	010		\$1,660	\$1,173
***		***	***	***		
37799		Vascular surgery procedure	YYY	BR		
***		***	***	***		
38102		Removal of spleen total	ZZZ	\$546		
***		***	***	***		
38120		Laparoscopy, splenectomy	090	\$2,187		
38129		Laparoscope proc, spleen	YYY	BR		
***		***	***	***		
38204		Bl donor search management	XXX	\$209		
***		***	***	***		
38207		Cryopreserve stem cells	XXX	\$92		
38208		Thaw preserved stem cells	XXX	\$59		
38209		Wash harvest stem cells	XXX	\$25		
38210		T-cell depletion of harvest	XXX	\$164		
38211		Tumor cell deplete of harvst	XXX	\$149		
38212		Rbc depletion of harvest	XXX	\$97		
38213		Platelet deplete of harvest	XXX	\$25		
38214		Volume deplete of harvest	XXX	\$84		
38215		Harvest stem cell concentrte	XXX	\$97		
38220		Dx bone marrow aspirations	XXX		\$324	\$124
38221		Dx bone marrow biopsies	XXX		\$332	\$152
38222		Dx bone marrow bx & aspir	XXX	\$272		
38230		Bone marrow harvest allogene	000	\$436		
***		***	***	***		
38240		Bone marrow/stem transplant	XXX	\$308		
38241		Bone marrow transplanation	XXX	\$312		
***		***	***	***		
38243		Transplj hematopoietic boost	000	\$188		
***		***	***	***		
38510		Biopsy/removal, lymph node(s)	010	\$488		
***		***	***	***		
38531		Open bx/exc inguinofem nodes	090	\$686		
***		***	***	***		
38573		Laps pelvic lymphadec	010	\$1,790		
38589		Laparoscope proc, lymphatic	YYY	BR		
***		***	***	***		
38746		Remove thoracic lymph nodes	ZZZ	\$508		
38747		Remove abdominal lymph nodes	ZZZ	\$560		
***		***	***	***		
38900		Io map of sent lymph node	ZZZ	\$279		
38999		Blood/lymph system procedure	YYY	BR		
***		***	***	***		
39401		Mediastinoscopy w/medstnl bx	000	\$471		
39402		Mediastinoscopy w/lmph nod bx	000	\$616		
39499		Chest procedure	YYY	BR		
***		***	***	***		
39599		Diaphragm surgery procedure	YYY	BR		
***		***	***	***		
40799		Lip surgery procedure	YYY	BR		
***		***	***	***		
40899		Mouth surgery procedure	YYY	BR		
***		***	***	***		
41512		Tongue suspension	090	\$1,348		
***		***	***	***	***	***
41599		Tongue and mouth surgery	YYY	BR		
***		***	***	***		
41899		Dental surgery procedure	YYY	BR		
***		***	***	***		
42299		Palate/uvula surgery	YYY	BR		
***		***	***	***		
42699		Salivary surgery procedure	YYY	BR		
***		***	***	***		
42999		Throat surgery procedure	YYY	BR		
***		***	***	***		
43180		Esophagoscopy rigid trnso	090	\$833		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
43191		Esophagoscopy rigid trnso dx	000	\$236		
43192		Esophagosc rlg trnso inject	000	\$258		
43193		Esophagosc rlg trnso biopsy	000	\$256		
43194		Esophagosc rlg trnso rem fb	000	\$293		
43195		Esophagoscopy rigid balloon	000	\$279		
43196		Esophagosc guide wire dilat	000	\$297		
43197		Esophagoscopy flex dx brush	000	\$305		
43198		Esophagosc flex trnsn biopsy	000	\$334		
***		***	***	***		
43206		Esoph optical endomicroscopy	000	\$474		
43210		Egd esophagogastric fndoplsty	000	\$659		
43211		Esophagosc mucosal resect	000	\$357		
43212		Esophagosc stent placement	000	\$289		
43213		Esophagoscopy retro balloon	000	\$2,023		
43214		Esophagosc dilate balloon 30	000	\$294		
***		***	***	***		
43229		Esophagoscopy lesion ablate	000	\$1,160		
***		***	***	***		
43233		Egd balloon dil esoph30 mm/>	000	\$350		
***		***	***	***	***	***
43252		Egd optical endomicroscopy	000	\$532		
43253		Egd us transmural injxn/mark	000	\$399		
43254		Egd endo mucosal resection	000	\$411		
***		***	***	***		
43266		Egd endoscopic stent place	000	\$331		
43270		Egd lesion ablation	000	\$1,186		
43273		Endoscopic pancreatoscopy	ZZZ	\$264		
43274		Ercp duct stent placement	000	\$705		
43275		Ercp remove forgn body duct	000	\$573		
43276		Ercp stent exchange w/dilate	000	\$734		
43277		Ercp ea duct/ampulla dilate	000	\$576		
43278		Ercp lesion ablate w/dilate	000	\$658		
43279		Lap myotomy heller	090	\$2,691		
***		***	***	***		
43281		Lap paraesophag hern repair	090	\$3,211		
43282		Lap paraesoph her rpr w/mesh	090	\$3,611		
43283		Lap esoph lengthening	ZZZ	\$333		
43284		Laps esophgl sphnctr agmntj	090	\$1,010		
43285		Rmvl esophgl sphnctr dev	090	\$1,039		
43286		Esphg tot w/laps mobilj	090	\$4,891		
43287		Esphg dstl 2/3 w/laps mobilj	090	\$5,471		
43288		Esphg thrsc mobilj	090	\$5,760		
43289		Laparoscope proc. esoph	YYY	BR		
***		***	***	***		
43313		Esophagoplasty congenital	090	\$6,062		
43314		Tracheo-esophagoplasty cong	090	\$6,054		
***		***	***	***		
43327		Esoph fundoplasty lap	090	\$1,698		
43328		Esoph fundoplasty thor	090	\$2,484		
***		***	***	***		
43332		Transab esoph hiat hern rpr	090	\$2,418		
43333		Transab esoph hiat hern rpr	090	\$2,625		
43334		Transthor diaphrag hern rpr	090	\$2,647		
43335		Transthor diaphrag hern rpr	090	\$2,850		
43336		Thorabd diaphr hern repair	090	\$3,126		
43337		Thorabd diaphr hern repair	090	\$3,421		
43338		Esoph lengthening	ZZZ	\$273		
***		***	***	***		
43496		Free jejunum flap, microvasc	090	\$3,128		
43499		Esophagus surgery procedure	YYY	BR		
***		***	***	***		
43635		Partial removal of stomach	ZZZ	\$241		
***		***	***	***		
43644		Lap gastric bypass/roux-en-y	090	\$3,594		
43645		Lap gastr bypass incl smll i	090	\$3,848		
43647		Lap impl electrode antrum	YYY	\$1,041		
43648		Lap revise/remv eltrd antrum	YYY	\$792		
***		***	***	***		
43659		Laparoscope proc. stom	YYY	BR		
***		***	***	***	***	***

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
43762		Rplc gtube no revj trc	000	\$372		
43763		Rplc gtube revj gstrst trc	000	\$559		
43770		Lap place gastr adj device	090	\$2,322		
43771		Lap revise gastr adj device	090	\$2,637		
43772		Lap rmvl gastr adj device	090	\$1,981		
43773		Lap replace gastr adj device	090	\$2,635		
43774		Lap rmvl gastr adj all parts	090	\$1,995		
43775		Lap sleeve gastrectomy	090	\$2,653		
***		***	***	***		
43845		Gastroplasty duodenal switch	090	\$4,059		
***		***	***	***		
43881		Impl/redo electrtd antrum	YYY	\$1,005		
43882		Revise/remove electrtd antrum	YYY	\$1,065		
43886		Revise gastric port open	090	\$754		
43887		Remove gastric port open	090	\$681		
43888		Change gastric port open	090	\$954		
43999		Stomach surgery procedure	YYY	BR		
***		***	***	***		
44015		Insert needle cath bowel	ZZZ	\$390		
***		***	***	***		
44121		Removal of small intestine	ZZZ	\$508		
***		***	***	***		
44126		Enterectomy w/o taper cong	090	\$5,115		
44127		Enterectomy w/taper cong	090	\$5,912		
44128		Enterectomy cong add-on	ZZZ	\$504		
***		***	***	***		
44132		Enterectomy cadaver donor	XXX	BR		
44133		Enterectomy live donor	XXX	BR		
44135		Intestine transplnt cadaver	XXX	BR		
44136		Intestine transplant live	XXX	BR		
44137		Remove intestinal allograft	XXX	BR		
44139		Mobilization of colon	ZZZ	\$257		
***		***	***	***		
44157		Colectomy w/ileoanal anast	090	\$4,527		
44158		Colectomy w/neo-rectum pouch	090	\$3,479		
***		***	***	***		
44180		Lap enterolysis	090	\$1,910		
44186		Lap jejunostomy	090	\$1,355		
44187		Lap ileo/jejuno-stomy	090	\$2,311		
44188		Lap colostomy	090	\$2,557		
44202		Lap enterectomy	090	\$2,139		
44203		Lap resect s/intestine addl	ZZZ	\$504		
44204		Laparo partial colectomy	090	\$3,206		
44205		Lap colectomy part w/ileum	090	\$2,789		
44206		Lap part colectomy w/stoma	090	\$3,658		
44207		L colectomy/coloproctostomy	090	\$3,811		
44208		L colectomy/coloproctostomy	090	\$4,148		
44210		Laparo total proctocolectomy	090	\$3,748		
44211		Lap colectomy w/proctectomy	090	\$4,693		
44212		Laparo total proctocolectomy	090	\$4,313		
44213		Lap mobil splenic fl add-on	ZZZ	\$393		
44227		Lap close enterostomy	090	\$3,476		
44238		Laparoscope proc intestine	YYY	BR		
***		***	***	***		
44381		Small bowel endoscopy br/wa	000	\$1,623		
***		***	***	***		
44384		Small bowel endoscopy	000	\$235		
***		***	***	***		
44401		Colonoscopy with ablation	000	\$4,304		
44402		Colonoscopy w/stent plcmt	000	\$397		
44403		Colonoscopy w/resection	000	\$463		
44404		Colonoscopy w/injection	000	\$660		
44405		Colonoscopy w/dilation	000	\$907		
44406		Colonoscopy w/ultrasound	000	\$349		
44407		Colonoscopy w/ndl aspir/bx	000	\$419		
44408		Colonoscopy w/decompression	000	\$353		
***		***	***	***		
44701		Intraop colon lavage add-on	ZZZ	\$348		
44705		Prepare fecal microbiota	XXX	\$171		
44715		Prepare donor intestine	XXX	BR		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
44720		Prep donor intestine/venous	XXX	\$507		
44721		Prep donor intestine/artery	XXX	\$798		
44799		Unlisted px small intestine	YYY	BR		
***		***	***	***		
44899		Bowel surgery procedure	YYY	BR		
***		***	***	***		
44955		Appendectomy add-on...	ZZZ	\$248		
***		***	***	***		
44979		Laparoscope proc, app.	YYY	BR		
***		***	***	***		
45136		Excise ileoanal reservoir	090	\$3,800		
***		***	***	***		
45171		Exc rect tum transanal part	090	\$1,254		
45172		Exc rect tum transanal full	090	\$1,696		
***		***	***	***	***	***
45346		Sigmoidoscopy w/ablation	000	\$4,186		
45347		Sigmoidoscopy w/plcmt stent	000	\$235		
45349		Sigmoidoscopy w/resection	000	\$302		
45350		Sgmdsc w/band ligation	000	\$1,076		
***		***	***	***		
45388		Colonoscopy w/ablation	000	\$4,444		
45389		Colonoscopy w/stent plcmt	000	\$441		
45390		Colonoscopy w/resection	000	\$506		
***		***	***	***		
45393		Colonoscopy w/decompression	000	\$386		
45395		Lap removal of rectum	090	\$4,152		
45397		Lap remove rectum w/pouch	090	\$4,490		
45398		Colonoscopy w/band ligation	000	\$1,321		
45399		Unlisted procedure colon	YYY	BR		
45400		Laparoscopic proc	090	\$2,409		
45402		Lap proctopexy w/sig resect	090	\$3,193		
45499		Laparoscope proc rectum	YYY	BR		
***		***	***	***		
45999		Rectum surgery procedure	YYY	BR		
46020		Placement of seton	010		\$573	\$487
***		***	***	***		
46500		Injection into hemorrhoid(s)	010	\$498		
46505		Chemodervation anal musc	010		\$594	\$498
***		***	***	***		
46601		Diagnostic anoscopy	000	\$234		
***		***	***	***		
46607		Diagnostic anoscopy & biopsy	000	\$328		
***		***	***	***		
46706		Repr of anal fistula w/glue	010	\$347		
46707		Repair anorectal fist w/plug	090	\$963		
46710		Repr per/vag pouch sngl proc	090	\$2,270		
46712		Repr per/vag pouch dbl proc	090	\$4,249		
***		***	***	***		
46930		Destroy internal hemorrhoids	090		\$422	\$306
***		***	***	***		
46947		Hemorrhoidopexy by stapling	090	\$797		
46948		Int hrhc tranal dartlcz 2+	090	\$693		
46999		Anus surgery procedure	YYY	BR		
***		***	***	***		
47001		Needle biopsy, liver add-on	ZZZ	\$234		
***		***	***	***		
47133		Removal of donor liver	XXX	BR		
***		***	***	***		
47140		Partial removal donor liver	090	\$7,241		
47141		Partial removal donor liver	090	\$8,173		
47142		Partial removal donor liver	090	\$9,745		
47143		Prep donor liver whole	XXX	\$638		
47144		Prep donor liver 3-segment	090	\$758		
47145		Prep donor liver lobe split	XXX	\$718		
47146		Prep donor liver/venous	XXX	\$683		
47147		Prep donor liver/arterial	XXX	\$796		
***		***	***	***		
47370		Laparo ablate liver tumor rf	090	\$2,552		
47371		Laparo ablate liver cryosurg	090	\$2,606		
47379		Laparoscope procedure liver	YYY	BR		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
47380		Open ablate liver tumor rf	090	\$2,954		
47381		Open ablate liver tumor cryo	090	\$3,070		
47382		Percut ablate liver rf	010	\$6,522		
47383		Perq abltj lvr cryoablation	010	\$10,322		
47399		Liver surgery procedure	YYY	BR		
***		***	***	***		
47490		Incision of gallbladder	010	\$707		
47531		Injection for cholangiogram	000	\$664		
47532		Injection for cholangiogram	000	\$1,363		
47533		Plmt biliary drainage cath	000	\$1,956		
47534		Plmt biliary drainage cath	000	\$2,168		
47535		Conversion ext bil drg cath	000	\$1,512		
47536		Exchange biliary drg cath	000	\$1,080		
47537		Removal biliary drg cath	000	\$770		
47538		Perq plmt bile duct stent	000	\$6,596		
47539		Perq plmt bile duct stent	000	\$7,236		
47540		Perq plmt bile duct stent	000	\$7,399		
47541		Plmt access bil tree sm bwl	000	\$1,915		
47542		Dilate biliary duct/ampulla	ZZZ	\$818		
47543		Endoluminal bx biliary tree	ZZZ	\$678		
47544		Removal duct gblldr calculi	ZZZ	\$1,478		
47550		Bile duct endoscopy add-on	ZZZ	\$341		
***		***	***	***		
47579		Laparoscope proc, biliary	YYY	BR		
***		***	***	***		
47999		Bile tract surgery procedure	YYY	BR		
***		***	***	***		
48105		Resect/debride pancreas	090	\$5,918		
***		***	***	***		
48160		Pancreas removal/transplant	XXX	BR		
48400		Injection, intraop add-on	ZZZ	\$221		
***		***	***	***		
48548		Fuse pancreas and bowel	090	\$3,448		
48550		Donor pancreatectomy	XXX	BR		
48551		Prep donor pancreas	XXX	\$399		
48552		Prep donor pancreas/venous	XXX	\$488		
***		***	***	***		
48999		Pancreas surgery procedure	YYY	BR		
***		***	***	***		
49013		Prpertl pel pack hemrrg trma	000	\$666		
49014		Reexploration pelvic wound	000	\$551		
***		***	***	***		
49083		Abd paracentesis w/imaging	000	\$475		
***		***	***	***		
49185		Sclerotx fluid collection	000	\$2,005		
49203		Exc abd tum 5 cm or less	090	\$1,840		
49204		Exc abd tum over 5 cm	090	\$3,154		
49205		Exc abd tum over 10 cm	090	\$3,618		
***		***	***	***		
49324		Lap insert tunnel ip cath	010	\$820		
49325		Lap revision perm ip cath	010	\$875		
49326		Lap w/omentopexy add-on	ZZZ	\$393		
49327		Lap ins device for rt	ZZZ	\$269		
49329		Laparo proc abdm/per/oment	YYY	BR		
***		***	***	***		
49402		Remove foreign body abdomen	090	\$1,772		
49405		Image cath fluid colxn visc	000	\$1,430		
49406		Image cath fluid peri/retro	000	\$1,430		
49407		Image cath fluid trns/vgnl	000	\$1,188		
49411		Ins mark abd/pel for rt perq	000	\$1,143		
49412		Ins device for rt guide open	ZZZ	\$167		
49418		Insert tun ip cath perc	000	\$3,273		
49419		Insert tun ip cath w/port	090	\$917		
49421		Insert abdominal drain	000	\$697		
49422		Remove tunneled ip catheter	000	\$756		
***		***	***	***		
49435		Insert subq exten to ip cath	ZZZ	\$251		
49436		Embedded ip cath exit-site	010	\$385		
49440		Place gastrostomy tube perc	010	\$2,176		
49441		Place duod/jej tube perc	010		\$2,422	\$522

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
49442		Place cecostomy tube perc	010		\$1,916	\$443
***		***	***	***	***	***
49491		Rpr hern preemie reduc	090	\$1,590		
49492		Rpr ing hern premie blocked	090	\$1,983		
***		***	***	***		
49568		Hernia repair w/mesh	ZZZ	\$557		
***		***	***	***		
49652		Lap vent/abd hernia repair	090	\$1,433		
49653		Lap vent/abd hern proc comp	090	\$1,790		
49654		Lap inc hernia repair	090	\$1,627		
49655		Lap inc hern repair comp	090	\$1,989		
49656		Lap inc hernia repair recur	090	\$1,767		
49657		Lap inc hern recur comp	090	\$2,538		
49659		Laparo proc, hernia repair	YYY	BR		
***		***	***	***		
49904		Omental flap extra-abdom	090	\$3,019		
49905		Omental flap intra-abdom	ZZZ	\$763		
49906		Free omental flap, microvasc	090	\$3,010		
49999		Abdomen surgery procedure	YYY	BR		
***		***	***	***		
50250		Cryoablate renal mass open	090	\$2,494		
***		***	***	***		
50300		Remove cadaver donor kidney	XXX	BR		
***		***	***	***		
50323		Prep cadaver renal allograft	XXX	\$240		
50325		Prep donor renal graft	XXX	\$398		
50327		Prep renal graft/venous	XXX	\$448		
50328		Prep renal graft/arterial	XXX	\$391		
50329		Prep renal graft/ureteral	XXX	\$360		
***		***	***	***	***	***
50430		Njx px nfrogrm &/urtrgrm	000	\$972		
50431		Njx px nfrogrm &/urtrgrm	000	\$477		
50432		Plmt nephrostomy catheter	000	\$1,451		
50433		Plmt nephroureteral catheter	000	\$1,842		
50434		Convert nephrostomy catheter	000	\$1,476		
50435		Exchange nephrostomy cath	000	\$950		
50436		Dilat xst trc ndurlgc px	000	\$228		
50437		Dilat xst trc new access res	000	\$378		
***		***	***	***		
50541		Laparo ablate renal cyst	090	\$1,400		
50542		Laparo ablate renal mass	090	\$2,386		
50543		Laparo partial nephrectomy	090	\$3,048		
***		***	***	***		
50545		Laparo radical nephrectomy	090	\$2,747		
***		***	***	***		
50549		Laparoscope proc, renal	YYY	BR		
***		***	***	***		
50562		Renal scope w/tumor resect	090	\$1,190		
***		***	***	***		
50592		Perc rf ablate renal tumor	010		\$6,199	\$732
50593		Perc cryo ablate renal tum	010		\$9,224	\$978
***		***	***	***		
50606		Endoluminal bx urtr rnl plvs	ZZZ	\$912		
***		***	***	***		
50693		Plmt ureteral stent prq	000	\$1,647		
50694		Plmt ureteral stent prq	000	\$1,832		
50695		Plmt ureteral stent prq	000	\$2,210		
***		***	***	***		
50705		Ureteral embolization/occl	ZZZ	\$3,037		
50706		Balloon dilate urtrl strix	ZZZ	\$1,436		
***		***	***	***		
50947		Laparo new ureter/bladder	090	\$2,829		
50948		Laparo new ureter/bladder	090	\$2,608		
50949		Laparoscope proc ureter	YYY	BR		
***		***	***	***	***	***
51702		Insert temp bladder cath	000	\$98		
51703		Insert bladder cath complex	000	\$229		
51705		Change of bladder tube	000	\$100		
51710		Change of bladder tube	000	\$209		
***		***	***	***		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
51728		Cystometrogram w/vp	000	\$648		
***		***	***	***		
51729		Cystometrogram w/vp&up	000	\$707		
***		***	***	***		
51736		Urine flow measurement	XXX	\$91		
51736	26	Urine flow measurement	XXX	\$80		
51736	TC	Urine flow measurement	XXX	\$12		
51741		Electro-uroflowmetry, first	XXX	\$155		
51741	26	Electro-uroflowmetry, first	XXX	\$139		
51741	TC	Electro-uroflowmetry, first	XXX	\$17		
51784		Anal/urinary muscle study	XXX	\$188		
51784	26	Anal/urinary muscle study	XXX	\$158		
51784	TC	Anal/urinary muscle study	XXX	\$30		
51785		Anal/urinary muscle study	XXX	\$190		
51785	26	Anal/urinary muscle study	XXX	\$160		
51785	TC	Anal/urinary muscle study	XXX	\$31		
***		***	***	***		
51797		Intraabdominal pressure test	ZZZ	\$189		
51797	26	Intraabdominal pressure test	ZZZ	\$154		
51797	TC	Intraabdominal pressure test	ZZZ	\$35		
51798		Us urine capacity measure	XXX	\$16		
***		***	***	***		
51999		Laparoscope proc bla	YYY	BR		
***		***	***	***	***	***
52287		Cystoscopy chemodenervation	000	\$597		
***		***	***	***		
52342		Cysto w/up stricture tx	000	\$468		
***		***	***	***		
52356		Cysto/uretero w/lithotripsy	000	\$630		
52400		Cystouretero w/congen repr	090	\$977		
***		***	***	***		
52441		Cystourethro w/implant	000	\$2,150		
52442		Cystourethro w/addl implant	ZZZ	\$1,531		
***		***	***	***		
52649		Prostate laser enucleation	090	\$1,666		
***		***	***	***		
53431		Reconstruct urethra/bladder	090	\$2,359		
***		***	***	***		
53444		Insert tandem cuff	090	\$1,620		
***		***	***	***		
53446		Remove uro sphincter	090	\$1,312		
***		***	***	***		
53448		Remov/replc ur sphincter comp	090	\$2,616		
***		***	***	***		
53500		Urethrls transvag w/ scope	090	\$1,545		
***		***	***	***	***	***
53860		Transurethral rf treatment	090		\$3,129	\$480
53899		Urology surgery procedure	YYY	BR		
***		***	***	***		
54150		Circumcision w/regional block	000	\$168		
***		***	***	***		
54162		Lysis penil circumc lesion	010		\$518	\$403
54163		Repair of circumcision	010	\$446		
54164		Frenulotomy of penis	010	\$394		
***		***	***	***		
54406		Remove muti-comp penis pros	090	\$1,492		
54408		Repair multi-comp penis pros	090	\$1,615		
54410		Remove/replace penis prosth	090	\$1,756		
54411		Remov/replc penis pros comp	090	\$2,095		
54415		Remove self-contd penis pros	090	\$1,080		
54416		Remv/repl penis contain pros	090	\$1,452		
54417		Remv/replc penis pros compl	090	\$1,837		
***		***	***	***		
54437		Repair corporeal tear	090	\$1,034		
54438		Replantation of penis	090	\$2,037		
54440		Repair of penis	090	\$1,107		
***		***	***	***		
54512		Excise lesion testis	090	\$1,106		
***		***	***	***		
54522		Orchiectomy partial	090	\$1,206		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
***		***	***	***		
54699		Laparoscope proc testis	YYY	BR		
***		***	***	***		
54865		Explore epididymis	090	\$732		
***		***	***	***		
55559		Laparo proc, spermatic cord	YYY	BR		
***		***	***	***		
55706		Prostate saturation sampling	010	\$749		
***		***	***	***		
55866		Laparo radical prostatectomy	090	\$3,553		
***		***	***	***		
55873		Cryoablate prostate	090		\$13,774	\$1,548
55874		Tprnl plmt biodegrdabl matrl	000	\$4,891		
55875		Transperi needle place pros	090	\$1,556		
***		***	***	***	***	***
55880		Abltj mal prst8 tiss hifu	090	\$1,495		
55899		Genital surgery procedure	YYY	BR		
***		***	***	***		
55970		Sex transformation m to f	YYY	BR		
55980		Sex transformation f to m	YYY	BR		
***		***	***	***		
56606		Biopsy of vulva/perineum	ZZZ	\$87		
***		***	***	***	***	***
57022		I & d vaginal hematoma pp	010	\$355		
57023		I & d vag hematoma non-ob	010	\$657		
***		***	***	***	***	***
57267		Insert mesh/pelvic flr addon	ZZZ	\$539		
***		***	***	***		
57283		Colpopexy intraperitoneal	090	\$1,455		
***		***	***	***		
57285		Repair paravag defect vag	090	\$1,415		
57287		Revise/remove sling repair	090	\$1,411		
***		***	***	***		
57295		Revise vag graft via vagina	090	\$1,003		
57296		Revise vag graft open abd	090	\$2,011		
***		***	***	***	***	***
57423		Repair paravag defect lap	090	\$1,938		
57425		Laparoscopy surg colpopexy	090	\$2,045		
57426		Revise prosth vag graft lap	090	\$1,790		
***		***	***	***	***	***
57465		Cam cervix uteri drg colp	ZZZ	\$87		
***		***	***	***		
57558		D&c of cervical stump	010		\$260	\$238
***		***	***	***		
58110		Bx done w/colposcopy add-on	ZZZ		\$100	\$86
***		***	***	***		
58146		Myomectomy abdom complex	090	\$2,444		
***		***	***	***		
58300		Insert intrauterine device	XXX	\$136		
***		***	***	***	***	***
58541		Lsh uterus 250 g or less	090	\$1,828		
58542		Lsh w/t/o ut 250 g or less	090	\$2,042		
58543		Lsh uterus above 250 g	090	\$2,076		
58544		Lsh w/t/o uterus above 250 g	090	\$2,250		
58545		Laparoscopic myomectomy	090	\$1,893		
58546		Laparo-myomectomy complex	090	\$2,387		
58548		Lap radical hyst	090	\$3,841		
58550		Laparo-asst vag hysterectomy	090	\$1,867		
58552		Laparo-vag hyst incl t/o	090	\$2,076		
58553		Laparo-vag hyst complex	090	\$2,403		
58554		Laparo-vag hyst w/t/o compl	090	\$2,781		
***		***	***	***	***	***
58565		Hysteroscopy sterilization	090		\$3,854	\$908
58570		Tlh uterus 250 g or less	090	\$1,966		
58571		Tlh w/t/o 250 g or less	090	\$2,191		
58572		Tlh uterus over 250 g	090	\$2,452		
58573		Tlh w/t/o uterus over 250 g	090	\$2,807		
58575		Laps tot hyst resj mal	090	\$2,952		
58578		Laparo proc, uterus...	YYY	BR		
58579		Hysteroscope procedure	YYY	BR		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
***		***	***	***		
58611		Ligate oviduct(s) add-on	ZZZ	\$84		
***		***	***	***		
58674		Laps abltj uterine fibroids	090	\$1,258		
58679		Laparo proc, oviduct-ovary	YYY	BR		
***		***	***	***		
58953		Tah rad dissect for debulk	090	\$4,122		
58954		Tah rad debulk/lymph remove	090	\$4,467		
58956		Bso omentectomy w/tah	090	\$2,813		
58957		Resect recurrent gyn mal	090	\$3,222		
58958		Resect recur gyn mal w/lym	090	\$3,541		
***		***	***	***		
58999		Genital surgery procedure	YYY	BR		
***		***	***	***		
59050		Fetal monitor w/report	XXX	\$122		
59051		Fetal monitor/interpret only	XXX	\$119		
***		***	***	***	***	***
59400		Obstetrical care	MMM	\$2,793		
59409		Obstetrical care	MMM	\$1,767		
59410		Obstetrical care	MMM	\$1,921		
59412		Antepartum manipulation	MMM	\$228		
59414		Deliver placenta	MMM	\$215		
59425		Antepartum care only	MMM	\$537		
59426		Antepartum care only	MMM	\$920		
59430		Care after delivery	MMM	\$174		
59510		Cesarean delivery	MMM	\$3,149		
59514		Cesarean delivery only	MMM	\$2,048		
59515		Cesarean delivery	MMM	\$2,201		
59525		Remove uterus after cesarean	ZZZ	\$923		
59610		Vbac delivery.....	MMM	\$2,930		
59612		Vbac delivery only	MMM	\$1,816		
59614		Vbac care after delivery	MMM	\$1,972		
59618		Attempted vbac delivery	MMM	\$3,311		
59620		Attempted vbac delivery only	MMM	\$2,110		
59622		Attempted vbac after care	MMM	\$2,277		
***		***	***	***		
59897		Fetal invas px w/us	YYY	BR		
59898		Laparo proc, ob care/deliver	YYY	BR		
59899		Maternity care procedure	YYY	BR		
***		***	***	***	***	***
60512		Autotransplant parathyroid	ZZZ	\$508		
***		***	***	***		
60650		Laparoscopy adrenalectomy	090	\$2,465		
60659		Laparo proc, endocrine	YYY	BR		
60699		Endocrine surgery procedure	YYY	BR		
***		***	***	***		
61316		Implt cran bone flap to abdo	ZZZ	\$183		
***		***	***	***		
61322		Decompressive craniotomy	090	\$4,954		
61323		Decompressive lobectomy	090	\$4,975		
***		***	***	***		
61517		Implt brain chemotx add-on	ZZZ	\$181		
***		***	***	***		
61537		Removal of brain tissue	090	\$5,128		
***		***	***	***		
61540		Removal of brain tissue	090	\$4,552		
***		***	***	***		
61566		Removal of brain tissue	090	\$3,460		
61567		Incision of brain tissue	090	\$5,345		
***		***	***	***		
61611		Transect artery, sinus	ZZZ	\$945		
***		***	***	***		
61630		Intracranial angioplasty	XXX	\$2,577		
61635		Intracran angioplsty w/stent	XXX	\$2,837		
***		***	***	***		
61641		Dilat ic vspsm ea vsl sm ter	ZZZ	\$453		
61642		Dilat ic vspsm ea diff ter	ZZZ	\$905		
61645		Perq art m-thrombect &/nfs	000	\$1,281		
61650		Evasc prlng admn rx agnt 1st	000	\$873		
61651		Evasc prlng admn rx agnt add	ZZZ	\$374		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
***		***	***	***		
61697		Brain aneurysm repr complx	090	\$8,800		
61698		Brain aneurysm repr complx	090	\$9,656		
***		***	***	***		
61781		Scan proc cranial intra	ZZZ	\$489		
61782		Scan proc cranial extra	ZZZ	\$402		
61783		Scan proc spinal	ZZZ	\$489		
***		***	***	***		
61796		Srs cranial lesion simple	090	\$2,096		
61797		Srs cran les simple addl	ZZZ	\$453		
61798		Srs cranial lesion complex	090	\$2,860		
61799		Srs cran les complex addl	ZZZ	\$626		
61800		Apply srs headframe add-on	ZZZ	\$317		
***		***	***	***		
61863		Implant neuroelectrode	090	\$3,137		
61864		Implant neuroelectrde addl	ZZZ	\$592		
61867		Implant neuroelectrode	090	\$4,760		
61868		Implant neuroelectrde addl	ZZZ	\$1,042		
***		***	***	***		
62148		Retr bone flap to fix skull	ZZZ	\$264		
62160		Neuroendoscopy add-on	ZZZ	\$394		
62161		Dissect brain w/scope	090	\$3,159		
62162		Remove colloid cyst w/scope	090	\$3,942		
62164		Remove brain tumor w/scope	090	\$4,359		
62165		Remove pituit tumor w/scope	090	\$3,244		
***		***	***	***		
62252		Csf shunt reprogram	XXX	\$178		
62252	26	Csf shunt reprogram	XXX	\$82		
62252	TC	Csf shunt reprogram	XXX	\$96		
***		***	***	***		
62263		Lysis epidural adhesions mult sessions	010		\$1,462	\$721
62264		Epidural lysis on single day	010		\$918	\$505
***		***	***	***	**	***
62302		Myelography lumbar injection	000	\$408		
62303		Myelography lumbar injection	000	\$415		
62304		Myelography lumbar injection	000	\$403		
62305		Myelography lumbar injection	000	\$438		
62320		Njx interlaminar crv/thrc	000	\$257		
62321		Njx interlaminar crv/thrc	000	\$417		
62322		Njx interlaminar lmbr/sac	000	\$223		
62323		Njx interlaminar lmbr/sac	000	\$411		
62324		Njx interlaminar crv/thrc	000	\$218		
62325		Njx interlaminar crv/thrc	000	\$399		
62326		Njx interlaminar lmbr/sac	000	\$222		
62327		Njx interlaminar lmbr/sac	000	\$412		
62328		Dx lmbr spi pnxr w/fluor/ct	000	\$401		
62329		Ther spi pnxr csf fluor/ct	000	\$507		
62350		Implant spinal canal cath	010	\$800		
***		***	***	***		
62355		Remove spinal canal catheter	010	\$659		
62360		Insert spine infusion device	010	\$305		
62361		Implant spine infusion pump	010	\$630		
62362		Implant spine infusion pump	010	\$823		
62365		Remove spine infusion device	010	\$667		
62367		Analyze spine infusion pump	XXX	\$59		
62368		Analyze sp infusion pump w/reprog	XXX	\$93		
62369		Anal sp inf pmp w/reprg&fill	XXX		\$256	\$72
62370		Anl sp inf pmp w/mdreprg&fil	XXX		\$268	\$97
62380		Ndsc dcmprn 1 ntrspc lumbar	090	\$2,674		
***		***	***	***		
63035		Spinal disk surgery add-on	ZZZ	\$498		
***		***	***	***		
63043		Laminotomy addl cervical	ZZZ	\$920		
63044		Laminotomy addl lumbar	ZZZ	\$768		
***		***	***	***		
63048		Remove spinal lamina add-on	ZZZ	\$530		
63050		Cervical laminoplasty 2/> seg	090	\$3,231		
63051		C-laminoplasty w/graft/plate	090	\$3,577		
***		***	***	***		
63057		Decompress spine cord add-on	ZZZ	\$691		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
***		***	***	***		
63066		Decompress spine cord add-on	ZZZ	\$433		
***		***	***	***		
63076		Neck spine disk surgery	ZZZ	\$640		
***		***	***	***		
63078		Spine disk surgery, thorax	ZZZ	\$442		
***		***	***	***		
63082		Remove vertebral body add-on	ZZZ	\$699		
***		***	***	***		
63086		Remove vertebral body add-on	ZZZ	\$522		
***		***	***	***		
63088		Remove vertebral body add-on	ZZZ	\$691		
***		***	***	***		
63091		Remove vertebral body add-on	ZZZ	\$428		
63101		Removal of vertebral body demprn thrc	090	\$4,842		
63102		Removal of vertebral body demprn lmb	090	\$4,673		
63103		Remove vertebral body add-on	ZZZ	\$607		
***		***	***	***		
63295		Repair of laminectomy defect	ZZZ	\$692		
***		***	***	***		
63308		Remove vertebral body add-on	ZZZ	\$691		
***		***	***	***		
63620		Srs spinal lesion	090	\$2,311		
63621		Srs spinal lesion addl	ZZZ	\$520		
63650		Implant neuroelectrodes	010	\$1,059		
***		***	***	***		
63661		Remove spine eltrd perq aray	010		\$1,234	\$667
63662		Remove spine eltrd plate	090	\$1,626		
63663		Revise spine eltrd perq aray	010		\$1,754	\$973
63664		Revise spine eltrd plate	090	\$1,665		
63685		Insrt/redo spine n generator	010	\$1,073		
63688		Revise/remove neuroreceiver	010	\$871		
***		***	***	***		
64416		Njx aa&/strd brach plex nfs	000	\$98		
***		***	***	***		
64421		Njx aa&/strd ntrcost nrv ea	ZZZ	\$190		
***		***	***	***	***	***
64451		Njx aa&/strd nrv nrvtg si jt	000	\$344		
64454		Njx aa&/strd gncflr nrv brnch	000	\$343		
***		***	***	***	***	***
64461		Pvb thoracic single inj site	000	\$207		
64462		Pvb thoracic 2nd+ inj site	ZZZ	\$114		
64463		Pvb thoracic cont infusion	000	\$348		
64479		Njx aa&/strd tfrm epi c/t 1	000	\$412		
64480		Njx aa&/strd tfrm epi c/t ea	ZZZ	\$209		
64483		Njx aa&/strd tfrm epi l/s 1	000	\$384		
64484		Njx aa&/strd tfrm epi l/s ea	ZZZ	\$172		
64486		Tap block unil by injection	000	\$176		
64487		Tap block uni by infusion	000	\$323		
64488		Tap block bi injection	000	\$217		
64489		Tap block bi by infusion	000	\$517		
64490		Inj paravert f jnt c/t 1 lev	000	\$299		
64491		Inj paravert f jnt c/t 2 lev	ZZZ	\$151		
64492		Inj paravert f jnt c/t 3 lev	ZZZ	\$152		
64493		Inj paravert f jnt l/s 1 lev	000	\$275		
64494		Inj paravert f jnt l/s 2 lev	ZZZ	\$141		
64495		Inj paravert f jnt l/s 3 lev	ZZZ	\$141		
***		***	***	***	***	***
64561		Implant neuroelectrodes	010		\$1,629	\$813
***		***	***	***		
64568		Inc for vagus n elect impl	090	\$1,319		
64569		Revise/repl vagus n eltrd	090	\$1,441		
64570		Remove vagus n eltrd	090	\$1,160		
***		***	***	***		
64581		Implant neuroelectrodes	090	\$1,376		
***		***	***	***		
64611		Chemodenerv saliv glands	010		\$208	\$186
***		***	***	***		
64615		Chemodenerv musc migraine	010	\$237		
64616		Chemodenerv musc neck dyston	010	\$209		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
64617		Chemodener muscle larynx emg	010	\$251		
***		***	***	***		
64624		Dstrj nulyt agt gnclr nrv	010	\$637		
64625		Rf abltj nrv nrvtg si jt	010	\$776		
***		***	***	***		
64632		N block inj common digit	010	\$136		
64633		Destroy cerv/thor facet jnt	010	\$656		
64634		Destroy c/th facet jnt addl	ZZZ	\$296		
64635		Destroy lumb/sac facet jnt	010	\$650		
64636		Destroy l/s facet jnt addl	ZZZ	\$270		
***		***	***	***		
64642		Chemodenerv 1 extremity 1-4	000	\$230		
64643		Chemodenerv 1 extrem 1-4 ea	ZZZ	\$143		
64644		Chemodenerv 1 extrem 5/> mus	000	\$271		
64645		Chemodenerv 1 extrem 5/> ea	ZZZ	\$185		
64646		Chemodenerv trunk musc 1-5	000	\$242		
64647		Chemodenerv trunk musc 6/>	000	\$276		
***		***	***	***	***	***
64681		Injection treatment of nerve	010		\$774	\$408
***		***	***	***		
64727		Internal nerve revision	ZZZ	\$488		
***		***	***	***		
64778		Digit nerve surgery add-on	ZZZ	\$427		
***		***	***	***		
64783		Limb nerve surgery add-on	ZZZ	\$510		
***		***	***	***		
64787		Implant nerve end	ZZZ	\$593		
***		***	***	***		
64821		Remove sympathetic nerves	090	\$1,481		
64822		Remove sympathetic nerves	090	\$1,436		
64823		Sympathectomy supfc palmar	090	\$1,633		
***		***	***	***		
64832		Repair nerve add-on	ZZZ	\$548		
***		***	***	***		
64837		Repair nerve add-on	ZZZ	\$802		
***		***	***	***		
64859		Nerve surgery	ZZZ	\$574		
***		***	***	***		
64872		Subsequent repair of nerve	ZZZ	\$248		
64874		Repair and revise nerve add-on	ZZZ	\$351		
64876		Repair nerve; shorten bone	ZZZ	\$379		
***		***	***	***		
64901		Nerve graft add-on	ZZZ	\$1,442		
64902		Nerve graft add-on	ZZZ	\$1,685		
***		***	***	***		
64910		Nerve repair w/allograft	090	\$1,740		
64911		Neurorrhaphy w/vein autograft	090	\$2,185		
64912		Nrv rpr w/nrv algrft 1st	090	\$1,357		
64913		Nrv rpr w/nrv algrft ea addl	ZZZ	\$272		
64999		Nervous system surgery	YYY	BR		
***		***	***	***		
65756		Corneal trnspl endothelial	090	\$2,411		
65757		Prep corneal endo allograft	ZZZ	\$437		
65760		Revision of cornea	XXX	\$1,570		
65765		Revision of cornea	XXX	BR		
65767		Corneal tissue transplant	XXX	BR		
***		***	***	***		
65771		Radial keratotomy	XXX	BR		
***		***	***	***	***	***
65780		Ocular reconst transplant	090	\$1,849		
65781		Ocular reconst transplant	090	\$2,713		
65782		Ocular reconst transplant	090	\$2,470		
65785		Impltj ntrstrml crnl rng seg	090	\$3,670		
***		***	***	***		
65855		Trabeculoplasty laser surgery	010	\$985		
***		***	***	***		
66174		Trnslum dil eye canal	090	\$2,017		
66175		Trnslum dil eye canal w/stnt	090	\$2,276		
66179		Aqueous shunt eye w/o graft	090	\$1,632		
***		***	***	***		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
66183		Insert ant drainage device	090	\$1,558		
66184		Revision of aqueous shunt	090	\$1,194		
***		***	***	***		
66711		Ecp ciliary body destruction	090	\$1,295		
***		***	***	***		
66761		Revision of iris	010	\$854		
***		***	***	***		
66982		Xcapsl ctrc rmvl complex wo ecp	090	\$2,227		
***		***	***	***		
66987		Xcapsl ctrc rmvl cplx w/ecp	090	\$1,282		
66988		Xcapsl ctrc rmvl w/ecp	090	\$1,057		
66990		Ophthalmic endoscope add-on	ZZZ	\$184		
66999		Eye surgery procedure	YYY	BR		
***		***	***	***		
67041		Vit for macular pucker	090	\$2,778		
67042		Vit for macular hole	090	\$3,176		
67043		Vit for membrane dissect	090	\$3,396		
67101		Repair, detached retina crtx	010	\$1,340		
67105		Repair detached retina pc	010	\$1,201		
***		***	***	***		
67113		Repair retinal detach cplx	090	\$3,660		
***		***	***	***	***	***
67225		Eye photodynamic ther add-on	ZZZ		\$60	\$57
67227		Dstrj extensive retinopathy	010	\$1,120		
67228		Treatment x10sv retinopathy	010	\$1,576		
67229		Tr retinal les preterm inf	090	\$2,262		
***		***	***	***		
67299		Eye surgery procedure	YYY	BR		
***		***	***	***		
67320		Revise eye muscle(s) add-on	ZZZ	\$986		
67331		Eye surgery follow-up add-on	ZZZ	\$902		
67332		Rerevise eye muscles add-on	ZZZ	\$1,005		
67334		Revise eye muscle w/suture	ZZZ	\$746		
67335		Eye suture during surgery	ZZZ	\$412		
67340		Revise eye muscle add-on	ZZZ	\$929		
***		***	***	***		
67399		Unlisted px extraocular musc	YYY	BR		
***		***	***	***		
67599		Orbit surgery procedure	YYY	BR		
***		***	***	***		
67912		Correction eyelid w/implant	090		\$1,817	\$1,024
***		***	***	***		
67999		Revision of eyelid surgery procedure	YYY	BR		
***		***	***	***		
68371		Harvest eye tissue alograft	010	\$839		
68399		Eyelid lining surgery	YYY	BR		
***		***	***	***		
68816		Probe nl duct w/balloon	010		\$1,519	\$533
***		***	***	***		
68899		Tear duct system surgery	YYY	BR		
***		***	***	***		
69090		Pierce earlobes	XXX	BR		
***		***	***	***		
69209		Remove impacted ear wax uni	000	\$23		
***		***	***	***		
69300		Revise external ear	YYY		\$1,565	\$1,009
***		***	***	***		
69399		Outer ear surgery procedure	YYY	BR		
***		***	***	***		
69705		Nps surg dilat eust tube uni	000	\$4,669		
69706		Nps surg dilat eust tube bi	000	\$4,809		
69710		Implant/replace hearing aid	XXX	\$10,004		
***		***	***	***		
69714		Implant temple bone w/stimul	090	\$2,301		
69715		Temple bne implnt w/stimulat	090	\$2,844		
69717		Temple bone implant revision	090	\$2,420		
69718		Revise temple bone implant	090	\$2,874		
***		***	***	***		
69799		Middle ear surgery procedure	YYY	BR		
69801		Incise inner ear	000	\$1,388		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
***		***	***	***		
69949		Inner ear surgery procedure	YYY	BR		
***		***	***	***		
69979		Temporal bone surgery	YYY	BR		
69990		Microsurgery add-on	ZZZ	\$424		
70010		Contrast x-ray of brain	XXX	\$438		
70010	26	Contrast x-ray of brain	XXX	\$127		
70010	TC	Contrast x-ray of brain	XXX	\$311		
70015		Contrast x-ray of brain	XXX	\$224		
70015	26	Contrast x-ray of brain	XXX	\$127		
70015	TC	Contrast x-ray of brain	XXX	\$98		
70030		X-ray eye for foreign body	XXX	\$49		
70030	26	X-ray eye for foreign body	XXX	\$19		
70030	TC	X-ray eye for foreign body	XXX	\$31		
70100		X-ray exam of jaw <4views	XXX	\$58		
70100	26	X-ray exam of jaw <4views	XXX	\$20		
70100	TC	X-ray exam of jaw <4views	XXX	\$38		
70110		X-ray exam of jaw 4/> views	XXX	\$73		
70110	26	X-ray exam of jaw 4/> views	XXX	\$28		
70110	TC	X-ray exam of jaw 4/> views	XXX	\$45		
70120		X-ray exam of mastoids	XXX	\$65		
70120	26	X-ray exam of mastoids	XXX	\$20		
70120	TC	X-ray exam of mastoids	XXX	\$45		
70130		X-ray exam of mastoids	XXX	\$94		
70130	26	X-ray exam of mastoids	XXX	\$37		
70130	TC	X-ray exam of mastoids	XXX	\$57		
70134		X-ray exam of middle ear	XXX	\$90		
70134	26	X-ray exam of middle ear	XXX	\$37		
70134	TC	X-ray exam of middle ear	XXX	\$54		
70140		X-ray exam of facial bones	XXX	\$66		
70140	26	X-ray exam of facial bones	XXX	\$21		
70140	TC	X-ray exam of facial bones	XXX	\$45		
70150		X-ray exam of facial bones	XXX	\$85		
70150	26	X-ray exam of facial bones	XXX	\$28		
70150	TC	X-ray exam of facial bones	XXX	\$57		
70160		X-ray exam of nasal bones	XXX	\$56		
70160	26	X-ray exam of nasal bones	XXX	\$19		
70160	TC	X-ray exam of nasal bones	XXX	\$38		
70170		X-ray exam of tear duct	XXX	\$101		
70170	26	X-ray exam of tear duct	XXX	\$33		
70170	TC	X-ray exam of tear duct	XXX	\$68		
70190		X-ray exam of eye sockets	XXX	\$68		
70190	26	X-ray exam of eye sockets	XXX	\$23		
70190	TC	X-ray exam of eye sockets	XXX	\$45		
70200		X-ray exam of eye sockets	XXX	\$87		
70200	26	X-ray exam of eye sockets	XXX	\$31		
70200	TC	X-ray exam of eye sockets	XXX	\$57		
70210		X-ray exam of sinuses	XXX	\$63		
70210	26	X-ray exam of sinuses	XXX	\$19		
70210	TC	X-ray exam of sinuses	XXX	\$45		
70220		X-ray exam of sinuses	XXX	\$84		
70220	26	X-ray exam of sinuses	XXX	\$28		
70220	TC	X-ray exam of sinuses	XXX	\$57		
70240		X-ray exam pituitary saddle	XXX	\$51		
70240	26	X-ray exam pituitary saddle	XXX	\$21		
70240	TC	X-ray exam pituitary saddle	XXX	\$31		
70250		X-ray exam of skull	XXX	\$71		
70250	26	X-ray exam of skull	XXX	\$26		
70250	TC	X-ray exam of skull	XXX	\$45		
70260		X-ray exam of skull	XXX	\$101		
70260	26	X-ray exam of skull	XXX	\$37		
70260	TC	X-ray exam of skull	XXX	\$65		
70300		X-ray exam of teeth	XXX	\$31		
70300	26	X-ray exam of teeth	XXX	\$12		
70300	TC	X-ray exam of teeth	XXX	\$19		
70310		X-ray exam of teeth	XXX	\$47		
70310	26	X-ray exam of teeth	XXX	\$17		
70310	TC	X-ray exam of teeth	XXX	\$31		
70320		Full mouth x-ray of teeth	XXX	\$81		
70320	26	Full mouth x-ray of teeth	XXX	\$24		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
70320	TC	Full mouth x-ray of teeth	XXX	\$57		
70328		X-ray exam of jaw joint	XXX	\$56		
70328	26	X-ray exam of jaw joint	XXX	\$20		
70328	TC	X-ray exam of jaw joint	XXX	\$36		
70330		X-ray exam of jaw joints	XXX	\$87		
70330	26	X-ray exam of jaw joints	XXX	\$26		
70330	TC	X-ray exam of jaw joints	XXX	\$61		
70332		X-ray exam of jaw joint	XXX	\$210		
70332	26	X-ray exam of jaw joint	XXX	\$59		
70332	TC	X-ray exam of jaw joint	XXX	\$151		
70336		Magnetic image jaw joint	XXX	\$906		
70336	26	Magnetic image jaw joint	XXX	\$102		
70336	TC	Magnetic image jaw joint	XXX	\$804		
70350		X-ray head for orthodontia	XXX	\$45		
70350	26	X-ray head for orthodontia	XXX	\$19		
70350	TC	X-ray head for orthodontia	XXX	\$27		
70355		Panoramic x-ray of jaws	XXX	\$63		
70355	26	Panoramic x-ray of jaws	XXX	\$21		
70355	TC	Panoramic x-ray of jaws	XXX	\$42		
70360		X-ray exam of neck	XXX	\$49		
70360	26	X-ray exam of neck	XXX	\$19		
70360	TC	X-ray exam of neck	XXX	\$31		
70370		Throat x-ray & fluoroscopy	XXX	\$128		
70370	26	Throat x-ray & fluoroscopy	XXX	\$35		
70370	TC	Throat x-ray & fluoroscopy	XXX	\$94		
70371		Speech evaluation, complex	XXX	\$241		
70371	26	Speech evaluation, complex	XXX	\$91		
70371	TC	Speech evaluation, complex	XXX	\$151		
70380		X-ray exam of salivary gland	XXX	\$67		
70380	26	X-ray exam of salivary gland	XXX	\$19		
70380	TC	X-ray exam of salivary gland	XXX	\$49		
70390		X-ray exam of salivary duct	XXX	\$169		
70390	26	X-ray exam of salivary duct	XXX	\$41		
70390	TC	X-ray exam of salivary duct	XXX	\$129		
70450		Cat head/brain w/o dye	XXX	\$430		
70450	26	Cat head/brain w/o dye	XXX	\$91		
70450	TC	Cat head/brain w/o dye	XXX	\$339		
70460		Contrast cat scan of head	XXX	\$528		
70460	26	Contrast cat scan of head	XXX	\$122		
70460	TC	Contrast cat scan of head	XXX	\$406		
70470		Ct head/brain w/o & w/dye	XXX	\$643		
70470	26	Ct head/brain w/o & w/dye	XXX	\$136		
70470	TC	Ct head/brain w/o & w/dye	XXX	\$507		
70480		Ct orbit/ear/fossa w/o dye	XXX	\$476		
70480	26	Ct orbit/ear/fossa w/o dye	XXX	\$138		
70480	TC	Ct orbit/ear/fossa w/o dye	XXX	\$339		
70481		Contrast cat scan of skull	XXX	\$554		
70481	26	Contrast cat scan of skull	XXX	\$148		
70481	TC	Contrast cat scan of skull	XXX	\$406		
70482		Ct orbit/ear/fossa w/o&w/dye	XXX	\$663		
70482	26	Ct orbit/ear/fossa w/o&w/dye	XXX	\$156		
70482	TC	Ct orbit/ear/fossa w/o&w/dye	XXX	\$507		
70486		Cat scan of face, jaw	XXX	\$461		
70486	26	Cat scan of face, jaw	XXX	\$122		
70486	TC	Cat scan of face, jaw	XXX	\$339		
70487		Contrast car scan, face/jaw	XXX	\$545		
70487	26	Contrast car scan, face/jaw	XXX	\$139		
70487	TC	Contrast car scan, face/jaw	XXX	\$406		
70488		Ct maxillofacial w/o & w/dye	XXX	\$660		
70488	26	Ct maxillofacial w/o & w/dye	XXX	\$153		
70488	TC	Ct maxillofacial w/o & w/dye	XXX	\$507		
70490		Cat scan of neck tissue	XXX	\$476		
70490	26	Cat scan of neck tissue	XXX	\$138		
70490	TC	Cat scan of neck tissue	XXX	\$339		
70491		Contrast cat scan of neck tissue	XXX	\$554		
70491	26	Contrast cat scan of neck tissue	XXX	\$148		
70491	TC	Contrast cat scan of neck tissue	XXX	\$406		
70492		Ct sft tsue nck w/o & w/dye	XXX	\$663		
70492	26	Ct sft tsue nck w/o & w/dye	XXX	\$156		
70492	TC	Ct sft tsue nck w/o & w/dye	XXX	\$507		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
70496		Ct angiography head	XXX	\$1,055		
70496	26	Ct angiography head	XXX	\$174		
70496	TC	Ct angiography head	XXX	\$881		
70498		Ct angiography neck	XXX	\$1,093		
70498	26	Ct angiography neck	XXX	\$174		
70498	TC	Ct angiography neck	XXX	\$919		
70540		Magnetic image, face, neck w/o dye	XXX	\$963		
70540	26	Magnetic image, face, neck w/o dye	XXX	\$159		
70540	TC	Magnetic image, face, neck w/o dye	XXX	\$804		
70542		Mri orbit/face/neck w/dye	XXX	\$969		
70542	26	Mri orbit/face/neck w/dye	XXX	\$161		
70542	TC	Mri orbit/face/neck w/dye	XXX	\$807		
70543		Mri orbit/fac/nck w/o &w/dye	XXX	\$1,180		
70543	26	Mri orbit/fac/nck w/o &w/dye	XXX	\$213		
70543	TC	Mri orbit/fac/nck w/o &w/dye	XXX	\$966		
70544		Mri angiography head w/o dye	XXX	\$969		
70544	26	Mri angiography head w/o dye	XXX	\$120		
70544	TC	Mri angiography head w/o dye	XXX	\$849		
70545		Mri angiography head w/dye	XXX	\$948		
70545	26	Mri angiography head w/dye	XXX	\$119		
70545	TC	Mri angiography head w/dye	XXX	\$829		
70546		Mri angiograph head w/o&w/dye	XXX	\$1,461		
70546	26	Mri angiograph head w/o&w/dye	XXX	\$180		
70546	TC	Mri angiograph head w/o&w/dye	XXX	\$1,281		
70547		Mri angiography neck w/o dye	XXX	\$968		
70547	26	Mri angiography neck w/o dye	XXX	\$120		
70547	TC	Mri angiography neck w/o dye	XXX	\$849		
70548		Mri angiography neck w/dye	XXX	\$1,030		
70548	26	Mri angiography neck w/dye	XXX	\$120		
70548	TC	Mri angiography neck w/dye	XXX	\$910		
70549		Mri angiograph neck w/o&w/dye	XXX	\$1,465		
70549	26	Mri angiograph neck w/o&w/dye	XXX	\$179		
70549	TC	Mri angiograph neck w/o&w/dye	XXX	\$1,286		
70551		Mri brain stem w/o dye	XXX	\$963		
70551	26	Mri brain stem w/o dye	XXX	\$159		
70551	TC	Mri brain stem w/o dye	XXX	\$804		
70552		Mri brain stem w/dye	XXX	\$1,155		
70552	26	Mri brain stem w/dye	XXX	\$192		
70552	TC	Mri brain stem w/dye	XXX	\$964		
70553		Mri brain stem w/o & w/dye	XXX	\$2,039		
70553	26	Mri brain stem w/o & w/dye	XXX	\$255		
70553	TC	Mri brain stem w/o & w/dye	XXX	\$1,785		
70554		Fmri brain by tech	XXX	\$1,029		
70554	26	Fmri brain by tech	XXX	\$211		
70554	TC	Fmri brain by tech	XXX	\$818		
70555		Fmri brain by phys/psych	XXX	\$261		
70557		Mri brain w/o dye	XXX	\$348		
70558		Mri brain w/dye	XXX	\$327		
70559		Mri brain w/o & w/dye	XXX	\$330		
71045		X-ray exam chest 1 view	XXX	\$39		
71045	26	X-ray exam chest 1 view	XXX	\$14		
71045	TC	X-ray exam chest 1 view	XXX	\$26		
71046		X-ray exam chest 2 views	XXX	\$51		
71046	26	X-ray exam chest 2 views	XXX	\$16		
71046	TC	X-ray exam chest 2 views	XXX	\$35		
71047		X-ray exam chest 3 views	XXX	\$65		
71047	26	X-ray exam chest 3 views	XXX	\$20		
71047	TC	X-ray exam chest 3 views	XXX	\$44		
71048		X-ray exam chest 4+ views	XXX	\$70		
71048	26	X-ray exam chest 4+ views	XXX	\$24		
71048	TC	X-ray exam chest 4+ views	XXX	\$46		
71100		X-ray exam ribs uni 2 views	XXX	\$66		
71100	26	X-ray exam ribs uni 2 views	XXX	\$23		
71100	TC	X-ray exam ribs uni 2 views	XXX	\$43		
71101		X-ray exam unilat ribs/chest	XXX	\$73		
71101	26	X-ray exam unilat ribs/chest	XXX	\$28		
71101	TC	X-ray exam unilat ribs/chest	XXX	\$45		
71110		X-ray exam ribs bil 3 views	XXX	\$75		
71110	26	X-ray exam ribs bil 3 views	XXX	\$28		
71110	TC	X-ray exam ribs bil 3 views	XXX	\$47		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
71111		X-ray exam ribs/chest4/> vws	XXX	\$96		
71111	26	X-ray exam ribs/chest4/> vws	XXX	\$34		
71111	TC	X-ray exam ribs/chest4/> vws	XXX	\$62		
71120		X-ray exam breastbone 2/>vws	XXX	\$59		
71120	26	X-ray exam breastbone 2/>vws	XXX	\$21		
71120	TC	X-ray exam breastbone 2/>vws	XXX	\$39		
71130		X-ray strenoclavic jt 3/>vws	XXX	\$72		
71130	26	X-ray strenoclavic jt 3/>vws	XXX	\$23		
71130	TC	X-ray strenoclavic jt 3/>vws	XXX	\$49		
71250		Ct thorax dx w/o dye	XXX	\$363		
71250	26	Ct thorax dx w/o dye	XXX	\$104		
71250	TC	Ct thorax dx w/o dye	XXX	\$259		
71260		Ct thorax dx w/dye	XXX	\$461		
71260	26	Ct thorax dx w/dye	XXX	\$127		
71260	TC	Ct thorax dx w/dye	XXX	\$334		
71270		Ct thorax dx c-/c+	XXX	\$553		
71270	26	Ct thorax dx c-/c+	XXX	\$141		
71270	TC	Ct thorax dx c-/c+	XXX	\$413		
71271		Ct thorax lung cancer scr c-	XXX	\$226		
71271	26	Ct thorax lung cancer scr c-	XXX	\$80		
71271	TC	Ct thorax lung cancer scr c-	XXX	\$147		
71275		Ct angiography chest	XXX	\$836		
71550		Mri chest w/o dye	XXX	\$976		
71550	26	Mri chest w/o dye	XXX	\$173		
71550	TC	Mri chest w/o dye	XXX	\$804		
71551		Mri chest w/dye	XXX	\$1,117		
71551	26	Mri chest w/dye	XXX	\$173		
71551	TC	Mri chest w/dye	XXX	\$944		
71552		Mri chest w/o & w/dye	XXX	\$1,389		
71552	26	Mri chest w/o & w/dye	XXX	\$224		
71552	TC	Mri chest w/o & w/dye	XXX	\$1,165		
71555		Mri angio chest w or w/o dye	XXX	\$991		
72020		X-ray exam of spine 1 view	XXX	\$44		
72020	26	X-ray exam of spine 1 view	XXX	\$16		
72020	TC	X-ray exam of spine 1 view	XXX	\$29		
72040		X-ray exam neck spine 2-3 vw	XXX	\$66		
72040	26	X-ray exam neck spine 2-3 vw	XXX	\$23		
72040	TC	X-ray exam neck spine 2-3 vw	XXX	\$44		
72050		X-ray exam neck spine 4/5vws	XXX	\$90		
72050	26	X-ray exam neck spine 4/5vws	XXX	\$32		
72050	TC	X-ray exam neck spine 4/5vws	XXX	\$58		
72052		X-ray exam neck spine 6/>vws	XXX	\$113		
72052	26	X-ray exam neck spine 6/>vws	XXX	\$37		
72052	TC	X-ray exam neck spine 6/>vws	XXX	\$76		
72070		X-ray exam thorac spine 2vws	XXX	\$68		
72070	26	X-ray exam thorac spine 2vws	XXX	\$23		
72070	TC	X-ray exam thorac spine 2vws	XXX	\$45		
72072		X-ray exam thorac spine 3vws	XXX	\$69		
72072	26	X-ray exam thorac spine 3vws	XXX	\$22		
72072	TC	X-ray exam thorac spine 3vws	XXX	\$47		
72074		X-ray exam thorac spine4/>vw	XXX	\$79		
72074	26	X-ray exam thorac spine4/>vw	XXX	\$22		
72074	TC	X-ray exam thorac spine4/>vw	XXX	\$56		
72080		X-ray exam thoracolmb 2/> vws	XXX	\$61		
72080	26	X-ray exam thoracolmb 2/> vws	XXX	\$22		
72080	TC	X-ray exam thoracolmb 2/> vws	XXX	\$39		
72081		X-ray exam entire spi 1 vw	XXX	\$78		
72081	26	X-ray exam entire spi 1 vw	XXX	\$27		
72081	TC	X-ray exam entire spi 1 vw	XXX	\$51		
72082		X-ray exam entire spi 2/3 vw	XXX	\$125		
72082	26	X-ray exam entire spi 2/3 vw	XXX	\$33		
72082	TC	X-ray exam entire spi 2/3 vw	XXX	\$92		
72083		X-ray exam entire spi 4/5 vw	XXX	\$136		
72083	26	X-ray exam entire spi 4/5 vw	XXX	\$36		
72083	TC	X-ray exam entire spi 4/5 vw	XXX	\$100		
72084		X-ray exam entire spi 6/> vw	XXX	\$162		
72084	26	X-ray exam entire spi 6/> vw	XXX	\$41		
72084	TC	X-ray exam entire spi 6/> vw	XXX	\$121		
72100		X-ray exam l-s spine 2/3 vws	XXX	\$70		
72100	26	X-ray exam l-s spine 2/3 vws	XXX	\$23		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
72100	TC	X-ray exam l-s spine 2/3 vws	XXX	\$47		
72110		X-ray exam l-2 spine 4/>vws	XXX	\$98		
72110	26	X-ray exam l-2 spine 4/>vws	XXX	\$32		
72110	TC	X-ray exam l-2 spine 4/>vws	XXX	\$66		
72114		X-ray exam l-s spine bending	XXX	\$125		
72114	26	X-ray exam l-s spine bending	XXX	\$34		
72114	TC	X-ray exam l-s spine bending	XXX	\$92		
72120		X-ray bend only l-s spine	XXX	\$81		
72120	26	X-ray bend only l-s spine	XXX	\$23		
72120	TC	X-ray bend only l-s spine	XXX	\$58		
72125		Ct neck spine w/o dye	XXX	\$371		
72125	26	Ct neck spine w/o dye	XXX	\$109		
72125	TC	Ct neck spine w/o dye	XXX	\$262		
72126		Ct neck spine w/dye	XXX	\$460		
72126	26	Ct neck spine w/dye	XXX	\$124		
72126	TC	Ct neck spine w/dye	XXX	\$336		
72127		Ct neck spine w/o & w/dye	XXX	\$545		
72127	26	Ct neck spine w/o & w/dye	XXX	\$129		
72127	TC	Ct neck spine w/o & w/dye	XXX	\$415		
72128		Ct chest spine w/o dye	XXX	\$363		
72128	26	Ct chest spine w/o dye	XXX	\$102		
72128	TC	Ct chest spine w/o dye	XXX	\$260		
72129		Ct chest spine w/dye	XXX	\$461		
72129	26	Ct chest spine w/dye	XXX	\$124		
72129	TC	Ct chest spine w/dye	XXX	\$337		
72130		Ct chest spine w/o & w/dye	XXX	\$548		
72130	26	Ct chest spine w/o & w/dye	XXX	\$129		
72130	TC	Ct chest spine w/o & w/dye	XXX	\$419		
72131		Ct lumbar spine w/o dye	XXX	\$361		
72131	26	Ct lumbar spine w/o dye	XXX	\$102		
72131	TC	Ct lumbar spine w/o dye	XXX	\$259		
72132		Ct lumbar spine w/dye	XXX	\$460		
72132	26	Ct lumbar spine w/dye	XXX	\$124		
72132	TC	Ct lumbar spine w/dye	XXX	\$335		
72133		Ct lumbar spine w/o & w/dye	XXX	\$544		
72133	26	Ct lumbar spine w/o & w/dye	XXX	\$129		
72133	TC	Ct lumbar spine w/o & w/dye	XXX	\$415		
72141		Mri neck spine w/o dye	XXX	\$450		
72141	26	Mri neck spine w/o dye	XXX	\$152		
72141	TC	Mri neck spine w/o dye	XXX	\$299		
72142		Mri neck spine w/dye	XXX	\$654		
72142	26	Mri neck spine w/dye	XXX	\$183		
72142	TC	Mri neck spine w/dye	XXX	\$470		
72146		Mri chest spine w/o dye	XXX	\$450		
72146	26	Mri chest spine w/o dye	XXX	\$152		
72146	TC	Mri chest spine w/o dye	XXX	\$299		
72147		Mri chest spine w/dye	XXX	\$646		
72147	26	Mri chest spine w/dye	XXX	\$182		
72147	TC	Mri chest spine w/dye	XXX	\$465		
72148		Mri lumbar spine w/o dye	XXX	\$448		
72148	26	Mri lumbar spine w/o dye	XXX	\$152		
72148	TC	Mri lumbar spine w/o dye	XXX	\$297		
72149		Mri lumbar spine w/dye	XXX	\$646		
72149	26	Mri lumbar spine w/dye	XXX	\$183		
72149	TC	Mri lumbar spine w/dye	XXX	\$463		
72156		Mri neck spine w/o & w/dye	XXX	\$763		
72156	26	Mri neck spine w/o & w/dye	XXX	\$234		
72156	TC	Mri neck spine w/o & w/dye	XXX	\$529		
72157		Mri chest spine w/o & w/dye	XXX	\$764		
72157	26	Mri chest spine w/o & w/dye	XXX	\$234		
72157	TC	Mri chest spine w/o & w/dye	XXX	\$531		
72158		Mri lumbar spine w/o & w/dye	XXX	\$761		
72158	26	Mri lumbar spine w/o & w/dye	XXX	\$234		
72158	TC	Mri lumbar spine w/o & w/dye	XXX	\$528		
72159		Mri angio spine w/o & w/dye	XXX	\$838		
72159	26	Mri angio spine w/o & w/dye	XXX	\$184		
72159	TC	Mri angio spine w/o & w/dye	XXX	\$654		
72170		X-ray exam of pelvis	XXX	\$64		
72170	26	X-ray exam of pelvis	XXX	\$18		
72170	TC	X-ray exam of pelvis	XXX	\$46		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
72190		X-ray exam of pelvis	XXX	\$77		
72190	26	X-ray exam of pelvis	XXX	\$22		
72190	TC	X-ray exam of pelvis	XXX	\$54		
72191		Ct angiograph pelv w/o & w/dye	XXX	\$885		
72192		Ct pelvis w/o dye	XXX	\$540		
72192	26	Ct pelvis w/o dye	XXX	\$117		
72192	TC	Ct pelvis w/o dye	XXX	\$424		
72193		Ct pelvis w/dye	XXX	\$614		
72193	26	Ct pelvis w/dye	XXX	\$124		
72193	TC	Ct pelvis w/dye	XXX	\$490		
72194		Contrast cat scans of pelvis	XXX	\$738		
72194	26	Contrast cat scans of pelvis	XXX	\$130		
72194	TC	Contrast cat scans of pelvis	XXX	\$609		
72195		Mri pelvis w/o dye	XXX	\$896		
72195	26	Mri pelvis w/o dye	XXX	\$147		
72195	TC	Mri pelvis w/o dye	XXX	\$749		
72196		Mri pelvis w/dye	XXX	\$976		
72196	26	Mri pelvis w/dye	XXX	\$173		
72196	TC	Mri pelvis w/dye	XXX	\$804		
72197		Mri pelvis w/o & w/dye	XXX	\$1,211		
72197	26	Mri pelvis w/o & w/dye	XXX	\$224		
72197	TC	Mri pelvis w/o & w/dye	XXX	\$987		
72198		Mri angio pelvis w/o & w/dye	XXX	\$990		
72198	26	Mri angio pelvis w/o & w/dye	XXX	\$187		
72198	TC	Mri angio pelvis w/o & w/dye	XXX	\$804		
72200		X-ray exam sacroiliac joints	XXX	\$56		
72200	26	X-ray exam sacroiliac joints	XXX	\$19		
72200	TC	X-ray exam sacroiliac joints	XXX	\$38		
72202		X-ray exam si joints 3/> vws	XXX	\$66		
72202	26	X-ray exam si joints 3/> vws	XXX	\$21		
72202	TC	X-ray exam si joints 3/> vws	XXX	\$45		
72220		X-ray exam sacrum tailbone	XXX	\$60		
72220	26	X-ray exam sacrum tailbone	XXX	\$19		
72220	TC	X-ray exam sacrum tailbone	XXX	\$42		
72240		Myelography neck spine	XXX	\$438		
72240	26	Myelography neck spine	XXX	\$98		
72240	TC	Myelography neck spine	XXX	\$341		
72255		Myelography thoracic spine	XXX	\$409		
72255	26	Myelography thoracic spine	XXX	\$98		
72255	TC	Myelography thoracic spine	XXX	\$311		
72265		Myelography l-s spine	XXX	\$382		
72265	26	Myelography l-s spine	XXX	\$90		
72265	TC	Myelography l-s spine	XXX	\$292		
72270		Myelophy 2/> spine regions	XXX	\$579		
72270	26	Myelophy 2/> spine regions	XXX	\$143		
72270	TC	Myelophy 2/> spine regions	XXX	\$437		
72275		Epidurography	XXX	\$215		
72275	26	Epidurography	XXX	\$58		
72275	TC	Epidurography	XXX	\$156		
72285		Discography cerv/thor spine	XXX	\$712		
72285	26	Discography cerv/thor spine	XXX	\$87		
72285	TC	Discography cerv/thor spine	XXX	\$626		
72295		X-ray of lower spine disk	XXX	\$653		
72295	26	X-ray of lower spine disk	XXX	\$90		
72295	TC	X-ray of lower spine disk	XXX	\$563		
73000		X-ray exam of collar bone	XXX	\$55		
73000	26	X-ray exam of collar bone	XXX	\$17		
73000	TC	X-ray exam of collar bone	XXX	\$38		
73010		X-ray exam of shoulder blade	XXX	\$56		
73010	26	X-ray exam of shoulder blade	XXX	\$19		
73010	TC	X-ray exam of shoulder blade	XXX	\$38		
73020		X-ray exam of shoulder	XXX	\$51		
73020	26	X-ray exam of shoulder	XXX	\$17		
73020	TC	X-ray exam of shoulder	XXX	\$35		
73030		X-ray exam of shoulder	XXX	\$61		
73030	26	X-ray exam of shoulder	XXX	\$19		
73030	TC	X-ray exam of shoulder	XXX	\$42		
73040		Contrast x-ray of shoulder	XXX	\$210		
73040	26	Contrast x-ray of shoulder	XXX	\$59		
73040	TC	Contrast x-ray of shoulder	XXX	\$151		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
73050		X-ray exam of shoulders	XXX	\$70		
73050	26	X-ray exam of shoulders	XXX	\$21		
73050	TC	X-ray exam of shoulders	XXX	\$49		
73060		X-ray exam of humerus	XXX	\$60		
73060	26	X-ray exam of humerus	XXX	\$19		
73060	TC	X-ray exam of humerus	XXX	\$42		
73070		X-ray exam of elbow	XXX	\$54		
73070	26	X-ray exam of elbow	XXX	\$17		
73070	TC	X-ray exam of elbow	XXX	\$38		
73080		X-ray exam of elbow	XXX	\$60		
73080	26	X-ray exam of elbow	XXX	\$19		
73080	TC	X-ray exam of elbow	XXX	\$42		
73085		Contrast x-ray of elbow	XXX	\$210		
73085	26	Contrast x-ray of elbow	XXX	\$59		
73085	TC	Contrast x-ray of elbow	XXX	\$151		
73090		X-ray exam of forearm	XXX	\$55		
73090	26	X-ray exam of forearm	XXX	\$17		
73090	TC	X-ray exam of forearm	XXX	\$38		
73092		X-ray exam of arm, infant	XXX	\$53		
73092	26	X-ray exam of arm, infant	XXX	\$17		
73092	TC	X-ray exam of arm, infant	XXX	\$36		
73100		X-ray exam of wrist	XXX	\$53		
73100	26	X-ray exam of wrist	XXX	\$17		
73100	TC	X-ray exam of wrist	XXX	\$36		
73110		X-ray exam of wrist	XXX	\$57		
73110	26	X-ray exam of wrist	XXX	\$19		
73110	TC	X-ray exam of wrist	XXX	\$39		
73115		Contrast X-ray of wrist	XXX	\$173		
73115	26	Contrast X-ray of wrist	XXX	\$59		
73115	TC	Contrast X-ray of wrist	XXX	\$114		
73120		X-ray exam of hand	XXX	\$53		
73120	26	X-ray exam of hand	XXX	\$17		
73120	TC	X-ray exam of hand	XXX	\$36		
73130		X-ray exam of hand	XXX	\$57		
73130	26	X-ray exam of hand	XXX	\$19		
73130	TC	X-ray exam of hand	XXX	\$39		
73140		X-ray exam of finger(s)	XXX	\$45		
73140	26	X-ray exam of finger(s)	XXX	\$14		
73140	TC	X-ray exam of finger(s)	XXX	\$31		
73200		Ct upper extremity w/o dye	XXX	\$472		
73200	26	Ct upper extremity w/o dye	XXX	\$117		
73200	TC	Ct upper extremity w/o dye	XXX	\$356		
73201		Ct upper extremity w/dye	XXX	\$548		
73201	26	Ct upper extremity w/dye	XXX	\$124		
73201	TC	Ct upper extremity w/dye	XXX	\$424		
73202		Contrast cat scans of arm	XXX	\$663		
73202	26	Contrast cat scans of arm	XXX	\$130		
73202	TC	Contrast cat scans of arm	XXX	\$533		
73206		Ct angio upr extrm w/o&w/dye	XXX	\$757		
73206	26	Ct angio upr extrm w/o&w/dye	XXX	\$179		
73206	TC	Ct angio upr extrm w/o&w/dye	XXX	\$578		
73218		Mri upper extremity w/o dye	XXX	\$884		
73218	26	Mri upper extremity w/o dye	XXX	\$135		
73218	TC	Mri upper extremity w/o dye	XXX	\$749		
73219		Mri upper extremity w/dye	XXX	\$977		
73219	26	Mri upper extremity w/dye	XXX	\$162		
73219	TC	Mri upper extremity w/dye	XXX	\$815		
73220		Mri uppr extremity w/o&w/dye	XXX	\$963		
73220	26	Mri uppr extremity w/o&w/dye	XXX	\$159		
73220	TC	Mri uppr extremity w/o&w/dye	XXX	\$804		
73221		Mri joint of upr extrem w/o dye	XXX	\$906		
73221	26	Mri joint of upr extrem w/o dye	XXX	\$102		
73221	TC	Mri joint of upr extrem w/o dye	XXX	\$804		
73222		Mri joint upr extrem w/dye	XXX	\$911		
73222	26	Mri joint upr extrem w/dye	XXX	\$162		
73222	TC	Mri joint upr extrem w/dye	XXX	\$749		
73223		Mri joint upr extr w/o&w/dye	XXX	\$1,129		
73223	26	Mri joint upr extr w/o&w/dye	XXX	\$215		
73223	TC	Mri joint upr extr w/o&w/dye	XXX	\$914		
73225		Mri angio upr extr w/o&w/dye	XXX	\$980		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
73225	26	Mri angio upr extr w/o&w/dye	XXX	\$177		
73225	TC	Mri angio upr extr w/o&w/dye	XXX	\$804		
73501		X-ray exam of hip uni 1 view	XXX	\$49		
73501	26	X-ray exam of hip uni 1 view	XXX	\$14		
73501	TC	X-ray exam of hip uni 1 view	XXX	\$35		
73502		X-ray exam hip uni 2-3 views	XXX	\$71		
73502	26	X-ray exam hip uni 2-3 views	XXX	\$17		
73502	TC	X-ray exam hip uni 2-3 views	XXX	\$54		
73503		X-ray exam hip uni 4/> views	XXX	\$90		
73503	26	X-ray exam hip uni 4/> views	XXX	\$20		
73503	TC	X-ray exam hip uni 4/> views	XXX	\$69		
73521		X-ray exam hips bi 2 views	XXX	\$63		
73521	26	X-ray exam hips bi 2 views	XXX	\$17		
73521	TC	X-ray exam hips bi 2 views	XXX	\$46		
73522		X-ray exam hips bi 3-4 views	XXX	\$82		
73522	26	X-ray exam hips bi 3-4 views	XXX	\$22		
73522	TC	X-ray exam hips bi 3-4 views	XXX	\$60		
73523		X-ray exam hips bi 5/> views	XXX	\$94		
73523	26	X-ray exam hips bi 5/> views	XXX	\$23		
73523	TC	X-ray exam hips bi 5/> views	XXX	\$71		
73525		Contrast X-ray of hip	XXX	\$210		
73525	26	Contrast X-ray of hip	XXX	\$59		
73525	TC	Contrast X-ray of hip	XXX	\$151		
73551		X-ray exam of femur 1	XXX	\$45		
73551	26	X-ray exam of femur 1	XXX	\$13		
73551	TC	X-ray exam of femur 1	XXX	\$32		
73552		X-ray exam of femur 2/>	XXX	\$54		
73552	26	X-ray exam of femur 2/>	XXX	\$14		
73552	TC	X-ray exam of femur 2/>	XXX	\$40		
73560		X-ray exam of knee, 1 or 2	XXX	\$56		
73560	26	X-ray exam of knee, 1 or 2	XXX	\$18		
73560	TC	X-ray exam of knee, 1 or 2	XXX	\$39		
73562		X-ray exam of knee, 3	XXX	\$62		
73562	26	X-ray exam of knee, 3	XXX	\$20		
73562	TC	X-ray exam of knee, 3	XXX	\$43		
73564		X-ray exam knee, 4 or more	XXX	\$70		
73564	26	X-ray exam knee, 4 or more	XXX	\$24		
73564	TC	X-ray exam knee, 4 or more	XXX	\$46		
73565		X-ray exam of knees	XXX	\$54		
73565	26	X-ray exam of knees	XXX	\$18		
73565	TC	X-ray exam of knees	XXX	\$36		
73580		Contrast X-ray of knee joint	XXX	\$248		
73580	26	Contrast X-ray of knee joint	XXX	\$59		
73580	TC	Contrast X-ray of knee joint	XXX	\$189		
73590		X-ray exam of lower leg	XXX	\$56		
73590	26	X-ray exam of lower leg	XXX	\$18		
73590	TC	X-ray exam of lower leg	XXX	\$38		
73592		X-ray exam of leg, infant	XXX	\$53		
73592	26	X-ray exam of leg, infant	XXX	\$17		
73592	TC	X-ray exam of leg, infant	XXX	\$36		
73600		X-ray exam of ankle	XXX	\$53		
73600	26	X-ray exam of ankle	XXX	\$17		
73600	TC	X-ray exam of ankle	XXX	\$36		
73610		X-ray exam of ankle	XXX	\$57		
73610	26	X-ray exam of ankle	XXX	\$19		
73610	TC	X-ray exam of ankle	XXX	\$39		
73615		Contrast X-ray of ankle	XXX	\$210		
73615	26	Contrast X-ray of ankle	XXX	\$59		
73615	TC	Contrast X-ray of ankle	XXX	\$151		
73620		X-ray exam of foot	XXX	\$53		
73620	26	X-ray exam of foot	XXX	\$17		
73620	TC	X-ray exam of foot	XXX	\$36		
73630		X-ray exam of foot	XXX	\$57		
73630	26	X-ray exam of foot	XXX	\$19		
73630	TC	X-ray exam of foot	XXX	\$39		
73650		X-ray exam of heel	XXX	\$52		
73650	26	X-ray exam of heel	XXX	\$17		
73650	TC	X-ray exam of heel	XXX	\$35		
73660		X-ray exam of toe(s)	XXX	\$45		
73660	26	X-ray exam of toe(s)	XXX	\$14		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
73660	TC	X-ray exam of toe(s)	XXX	\$31		
73700		Cat scan of leg	XXX	\$472		
73700	26	Cat scan of leg	XXX	\$117		
73700	TC	Cat scan of leg	XXX	\$356		
73701		Contrast cat scan of leg	XXX	\$548		
73701	26	Contrast cat scan of leg	XXX	\$124		
73701	TC	Contrast cat scan of leg	XXX	\$424		
73702		Ct lwr extremity w/o&w/dye	XXX	\$663		
73702	26	Ct lwr extremity w/o&w/dye	XXX	\$130		
73702	TC	Ct lwr extremity w/o&w/dye	XXX	\$533		
73706		Ct angio lwr extr w/o&w/dye	XXX	\$845		
73706	26	Ct angio lwr extr w/o&w/dye	XXX	\$189		
73706	TC	Ct angio lwr extr w/o&w/dye	XXX	\$656		
73718		Mri lower extremity w/o dye	XXX	\$874		
73718	26	Mri lower extremity w/o dye	XXX	\$135		
73718	TC	Mri lower extremity w/o dye	XXX	\$739		
73719		Mri lower extremity w/dye	XXX	\$986		
73719	26	Mri lower extremity w/dye	XXX	\$162		
73719	TC	Mri lower extremity w/dye	XXX	\$824		
73720		Mri lwr extremity w/o&w/dye	XXX	\$963		
73720	26	Mri lwr extremity w/o&w/dye	XXX	\$159		
73720	TC	Mri lwr extremity w/o&w/dye	XXX	\$804		
73721		Mri joint of lwr extre w/o dye	XXX	\$906		
73721	26	Mri joint of lwr extre w/o dye	XXX	\$102		
73721	TC	Mri joint of lwr extre w/o dye	XXX	\$804		
73722		Mri joint of lwr extr w/dye	XXX	\$937		
73722	26	Mri joint of lwr extr w/dye	XXX	\$164		
73722	TC	Mri joint of lwr extr w/dye	XXX	\$774		
73723		Mri joint lwr extr w/o&w/dye	XXX	\$1,133		
73723	26	Mri joint lwr extr w/o&w/dye	XXX	\$214		
73723	TC	Mri joint lwr extr w/o&w/dye	XXX	\$919		
73725		MRI ang lwr ext w or w/o dye	XXX	\$987		
73725	26	MRI ang lwr ext w or w/o dye	XXX	\$183		
73725	TC	MRI ang lwr ext w or w/o dye	XXX	\$804		
74018		X-ray exam abdomen 1 view	XXX	\$46		
74018	26	X-ray exam abdomen 1 view	XXX	\$14		
74018	TC	X-ray exam abdomen 1 view	XXX	\$32		
74019		X-ray exam abdomen 2 views	XXX	\$57		
74019	26	X-ray exam abdomen 2 views	XXX	\$17		
74019	TC	X-ray exam abdomen 2 views	XXX	\$39		
74021		X-ray exam abdomen 3+ views	XXX	\$65		
74021	26	X-ray exam abdomen 3+ views	XXX	\$20		
74021	TC	X-ray exam abdomen 3+ views	XXX	\$46		
74022		X-ray exam complete abdomen	XXX	\$88		
74022	26	X-ray exam complete abdomen	XXX	\$35		
74022	TC	X-ray exam complete abdomen	XXX	\$54		
74150		Ct abdomen w/o dye	XXX	\$533		
74150	26	Ct abdomen w/o dye	XXX	\$127		
74150	TC	Ct abdomen w/o dye	XXX	\$406		
74160		Ct abdomen w/dye	XXX	\$626		
74160	26	Ct abdomen w/dye	XXX	\$136		
74160	TC	Ct abdomen w/dye	XXX	\$490		
74170		Contrast cat scans, abdomen	XXX	\$759		
74170	26	Contrast cat scans, abdomen	XXX	\$151		
74170	TC	Contrast cat scans, abdomen	XXX	\$609		
74174		Ct angio abd&pelv w/o&w/dye	XXX	\$1,156		
74174	26	Ct angio abd&pelv w/o&w/dye	XXX	\$220		
74174	TC	Ct angio abd&pelv w/o&w/dye	XXX	\$936		
74175		Ct angio abdom w/o & w/dye	XXX	\$941		
74175	26	Ct angio abdom w/o & w/dye	XXX	\$190		
74175	TC	Ct angio abdom w/o & w/dye	XXX	\$752		
74176		Ct abd & pelvis w/o contrast	XXX	\$467		
74176	26	Ct abd & pelvis w/o contrast	XXX	\$174		
74176	TC	Ct abd & pelvis w/o contrast	XXX	\$293		
74177		Ct abd & pelv w/contrast	XXX	\$736		
74177	26	Ct abd & pelv w/contrast	XXX	\$181		
74177	TC	Ct abd & pelv w/contrast	XXX	\$555		
74178		Ct abd & pelv 1/> regns	XXX	\$935		
74178	26	Ct abd & pelv 1/> regns	XXX	\$201		
74178	TC	Ct abd & pelv 1/> regns	XXX	\$733		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
74181		Mri abdomen w/o dye	XXX	\$976		
74181	26	Mri abdomen w/o dye	XXX	\$173		
74181	TC	Mri abdomen w/o dye	XXX	\$804		
74182		Mri abdomen w/dye	XXX	\$1,090		
74182	26	Mri abdomen w/dye	XXX	\$172		
74182	TC	Mri abdomen w/dye	XXX	\$918		
74183		Mri abdomen w/o & w/dye	XXX	\$1,215		
74183	26	Mri abdomen w/o & w/dye	XXX	\$224		
74183	TC	Mri abdomen w/o & w/dye	XXX	\$991		
74185		Mri angio abdom w or w/o dye	XXX	\$990		
74185	26	Mri angio abdom w or w/o dye	XXX	\$187		
74185	TC	Mri angio abdom w or w/o dye	XXX	\$804		
74190		X-ray exam of peritoneum	XXX	\$126		
74190	26	X-ray exam of peritoneum	XXX	\$33		
74190	TC	X-ray exam of peritoneum	XXX	\$94		
74210		X-ray exam of phrnx&/crv esoph c+	XXX	\$123		
74210	26	X-ray exam of phrnx&/crv esoph c+	XXX	\$38		
74210	TC	X-ray exam of phrnx&/crv esoph c+	XXX	\$85		
74220		X-ray exam, esophagus 1cntrst	XXX	\$135		
74220	26	X-ray exam, esophagus 1cntrst	XXX	\$50		
74220	TC	X-ray exam, esophagus 1cntrst	XXX	\$85		
74221		X-ray xm esophagus 2cntrst	XXX	\$174		
74221	26	X-ray xm esophagus 2cntrst	XXX	\$52		
74221	TC	X-ray xm esophagus 2cntrst	XXX	\$122		
74230		X-ray xm swlng funcj c+	XXX	\$152		
74230	26	X-ray xm swlng funcj c+	XXX	\$59		
74230	TC	X-ray xm swlng funcj c+	XXX	\$94		
74235		Remove esophagus obstruction	XXX	\$316		
74235	26	Remove esophagus obstruction	XXX	\$127		
74235	TC	Remove esophagus obstruction	XXX	\$189		
74240		X-ray exam upper gi tract 1cntrst	XXX	\$180		
74240	26	X-ray exam upper gi tract 1cntrst	XXX	\$75		
74240	TC	X-ray exam upper gi tract 1cntrst	XXX	\$105		
74246		X-ray xm upper gi tract 2cntrst	XXX	\$194		
74246	26	X-ray xm upper gi tract 2cntrst	XXX	\$75		
74246	TC	X-ray xm upper gi tract 2cntrst	XXX	\$119		
74248		X-ray sm int f-thru std	ZZZ	\$130		
74248	26	X-ray sm int f-thru std	ZZZ	\$52		
74248	TC	X-ray sm int f-thru std	ZZZ	\$79		
74250		X-ray exam of sm int 1cntrst std	XXX	\$144		
74250	26	X-ray exam of sm int 1cntrst std	XXX	\$51		
74250	TC	X-ray exam of sm int 1cntrst std	XXX	\$94		
74251		X-ray exam of sm int 2cntrst std	XXX	\$144		
74251	26	X-ray exam of sm int 2cntrst std	XXX	\$51		
74251	TC	X-ray exam of sm int 2cntrst std	XXX	\$94		
74261		Ct colonography dx	XXX	\$1,113		
74261	26	Ct colonography dx	XXX	\$239		
74261	TC	Ct colonography dx	XXX	\$874		
74262		Ct colonography dx w/dye	XXX	\$1,298		
74262	26	Ct colonography dx w/dye	XXX	\$254		
74262	TC	Ct colonography dx w/dye	XXX	\$1,045		
74263		Ct colonography screening	XXX	\$1,662		
74263	26	Ct colonography screening	XXX	\$236		
74263	TC	Ct colonography screening	XXX	\$1,426		
74270		X-ray exam of colon 1cntrst std	XXX	\$198		
74270	26	X-ray exam of colon 1cntrst std	XXX	\$75		
74270	TC	X-ray exam of colon 1cntrst std	XXX	\$123		
74280		X-ray exam of colon 2cntrst std	XXX	\$267		
74280	26	X-ray exam of colon 2cntrst std	XXX	\$107		
74280	TC	X-ray exam of colon 2cntrst std	XXX	\$161		
74283		Ther nma rdctj intus/obstrej	XXX	\$402		
74283	26	Ther nma rdctj intus/obstrej	XXX	\$210		
74283	TC	Ther nma rdctj intus/obstrej	XXX	\$192		
74290		Contrast x-ray, gallbladder	XXX	\$88		
74290	26	Contrast x-ray, gallbladder	XXX	\$35		
74290	TC	Contrast x-ray, gallbladder	XXX	\$54		
74300		X-ray bile ducts/pancreas	XXX	\$47		
74300	26	X-ray bile ducts/pancreas	XXX	\$39		
74300	TC	X-ray bile ducts/pancreas	XXX	\$79		
74301		X-rays at surgery add-on	ZZZ	\$62		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
74301	26	X-rays at surgery add-on	ZZZ	\$22		
74301	TC	X-rays at surgery add-on	ZZZ	\$46		
74328		X-ray bile duct endoscopy	XXX	\$301		
74328	26	X-ray bile duct endoscopy	XXX	\$76		
74328	TC	X-ray bile duct endoscopy	XXX	\$226		
74329		X-ray for pancreas endoscopy	XXX	\$301		
74329	26	X-ray for pancreas endoscopy	XXX	\$76		
74329	TC	X-ray for pancreas endoscopy	XXX	\$226		
74330		X-ray, bile/pancreas endoscopy	XXX	\$301		
74330	26	X-ray, bile/pancreas endoscopy	XXX	\$76		
74330	TC	X-ray, bile/pancreas endoscopy	XXX	\$226		
74340		X-ray guide for gi tube	XXX	\$248		
74340	26	X-ray guide for gi tube	XXX	\$59		
74340	TC	X-ray guide for gi tube	XXX	\$189		
74355		X-ray guide, intestinal tube	XXX	\$271		
74355	26	X-ray guide, intestinal tube	XXX	\$82		
74355	TC	X-ray guide, intestinal tube	XXX	\$189		
74360		X-ray guide, gi dilation	XXX	\$285		
74360	26	X-ray guide, gi dilation	XXX	\$59		
74360	TC	X-ray guide, gi dilation	XXX	\$226		
74363		X-ray, bile duct dilation	XXX	\$532		
74363	26	X-ray, bile duct dilation	XXX	\$95		
74363	TC	X-ray, bile duct dilation	XXX	\$437		
74400		Urography iv +-kub tomog	XXX	\$174		
74400	26	Urography iv +-kub tomog	XXX	\$53		
74400	TC	Urography iv +-kub tomog	XXX	\$122		
74410		Urography nfs drip&/bolus	XXX	\$193		
74410	26	Urography nfs drip&/bolus	XXX	\$53		
74410	TC	Urography nfs drip&/bolus	XXX	\$140		
74415		Urography nfs drip&/bls w/nf	XXX	\$205		
74415	26	Urography nfs drip&/bls w/nf	XXX	\$53		
74415	TC	Urography nfs drip&/bls w/nf	XXX	\$152		
74420		Urography rtrgr +-kub	XXX	\$227		
74420	26	Urography rtrgr +-kub	XXX	\$38		
74420	TC	Urography rtrgr +-kub	XXX	\$189		
74425		Urography antegrade rs&i	XXX	\$131		
74425	26	Urography antegrade rs&i	XXX	\$38		
74425	TC	Urography antegrade rs&i	XXX	\$94		
74430		Contrast X-ray of bladder	XXX	\$110		
74430	26	Contrast X-ray of bladder	XXX	\$35		
74430	TC	Contrast X-ray of bladder	XXX	\$76		
74440		X-ray exam male genital tract	XXX	\$122		
74440	26	X-ray exam male genital tract	XXX	\$41		
74440	TC	X-ray exam male genital tract	XXX	\$82		
74445		X-ray exam of penis	XXX	\$203		
74445	26	X-ray exam of penis	XXX	\$122		
74445	TC	X-ray exam of penis	XXX	\$82		
74450		X-ray exam urethra/bladder	XXX	\$140		
74450	26	X-ray exam urethra/bladder	XXX	\$35		
74450	TC	X-ray exam urethra/bladder	XXX	\$105		
74455		X-ray urethra/bladder	XXX	\$149		
74455	26	X-ray urethra/bladder	XXX	\$35		
74455	TC	X-ray urethra/bladder	XXX	\$114		
74470		X-ray exam of kidney lesion	XXX	\$149		
74470	26	X-ray exam of kidney lesion	XXX	\$59		
74470	TC	X-ray exam of kidney lesion	XXX	\$90		
74485		Dilation urtr/urt rs&i	XXX	\$285		
74485	26	Dilation urtr/urt rs&i	XXX	\$59		
74485	TC	Dilation urtr/urt rs&i	XXX	\$226		
74710		X-ray measurement of pelvis	XXX	\$112		
74710	26	X-ray measurement of pelvis	XXX	\$37		
74710	TC	X-ray measurement of pelvis	XXX	\$76		
74712		Mri fetal sngl/1st gestation	XXX	\$705		
74712	26	Mri fetal sngl/1st gestation	XXX	\$221		
74712	TC	Mri fetal sngl/1st gestation	XXX	\$484		
74713		Mri fetal ea addl gestation	ZZZ	\$341		
74713	26	Mri fetal ea addl gestation	ZZZ	\$137		
74713	TC	Mri fetal ea addl gestation	ZZZ	\$204		
74740		X-ray female genital tract	XXX	\$134		
74740	26	X-ray female genital tract	XXX	\$41		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
74740	TC	X-ray female genital tract	XXX	\$94		
74742		X-ray fallopian tube	XXX	\$290		
74742	26	X-ray fallopian tube	XXX	\$64		
74742	TC	X-ray fallopian tube	XXX	\$226		
74775		X-ray exam of perineum	XXX	\$173		
74775	26	X-ray exam of perineum	XXX	\$68		
74775	TC	X-ray exam of perineum	XXX	\$105		
75557		Cardiac mri for morph	XXX	\$768		
75557	26	Cardiac mri for morph	XXX	\$234		
75557	TC	Cardiac mri for morph	XXX	\$534		
75559		Cardiac mri w/stress img	XXX	\$1,062		
75559	26	Cardiac mri w/stress img	XXX	\$291		
75559	TC	Cardiac mri w/stress img	XXX	\$770		
75561		Cardiac mri for morph w/dye	XXX	\$1,026		
75561	26	Cardiac mri for morph w/dye	XXX	\$258		
75561	TC	Cardiac mri for morph w/dye	XXX	\$768		
75563		Card mri w/stress img & dye	XXX	\$1,214		
75563	26	Card mri w/stress img & dye	XXX	\$298		
75563	TC	Card mri w/stress img & dye	XXX	\$916		
75565		Card mri veloc flow mapping	ZZZ	\$136		
75565	26	Card mri veloc flow mapping	ZZZ	\$25		
75565	TC	Card mri veloc flow mapping	ZZZ	\$111		
75571		Ct hrt w/o dye w/ca test	XXX	\$235		
75571	26	Ct hrt w/o dye w/ca test	XXX	\$57		
75571	TC	Ct hrt w/o dye w/ca test	XXX	\$179		
75572		Ct hrt w/3d image	XXX	\$645		
75572	26	Ct hrt w/3d image	XXX	\$172		
75572	TC	Ct hrt w/3d image	XXX	\$473		
75573		Ct hrt w/3d image congen	XXX	\$886		
75573	26	Ct hrt w/3d image congen	XXX	\$252		
75573	TC	Ct hrt w/3d image congen	XXX	\$634		
75574		Ct angio hrt w/3d image	XXX	\$956		
75574	26	Ct angio hrt w/3d image	XXX	\$237		
75574	TC	Ct angio hrt w/3d image	XXX	\$719		
75600		Contrast X-ray exam of thoracic aorta	XXX	\$956		
75600	26	Contrast X-ray exam of thoracic aorta	XXX	\$53		
75600	TC	Contrast X-ray exam of thoracic aorta	XXX	\$903		
75605		Contrast X-ray exam of thoracic aorta	XXX	\$1,025		
75605	26	Contrast X-ray exam of thoracic aorta	XXX	\$122		
75605	TC	Contrast X-ray exam of thoracic aorta	XXX	\$903		
75625		Contrast X-ray exam of abdominal aorta	XXX	\$1,025		
75625	26	Contrast X-ray exam of abdominal aorta	XXX	\$122		
75625	TC	Contrast X-ray exam of abdominal aorta	XXX	\$903		
75630		X-ray aorta, leg arteries	XXX	\$1,082		
75630	26	X-ray aorta, leg arteries	XXX	\$140		
75630	TC	X-ray aorta, leg arteries	XXX	\$942		
75635		Ct angio abdominal arteries	XXX	\$927		
75635	26	Ct angio abdominal arteries	XXX	\$238		
75635	TC	Ct angio abdominal arteries	XXX	\$689		
75705		Artery X-rays, spine	XXX	\$1,137		
75705	26	Artery X-rays, spine	XXX	\$234		
75705	TC	Artery X-rays, spine	XXX	\$903		
75710		Artery X-rays, arm/leg	XXX	\$1,025		
75710	26	Artery X-rays, arm/leg	XXX	\$122		
75710	TC	Artery X-rays, arm/leg	XXX	\$903		
75716		Artery X-rays, arms/legs	XXX	\$1,043		
75716	26	Artery X-rays, arms/legs	XXX	\$140		
75716	TC	Artery X-rays, arms/legs	XXX	\$903		
75726		Artery X-rays, abdomen	XXX	\$1,025		
75726	26	Artery X-rays, abdomen	XXX	\$122		
75726	TC	Artery X-rays, abdomen	XXX	\$903		
75731		Artery X-rays, adrenal gland	XXX	\$1,025		
75731	26	Artery X-rays, adrenal gland	XXX	\$122		
75731	TC	Artery X-rays, adrenal gland	XXX	\$903		
75733		Artery X-rays adrenals	XXX	\$1,043		
75733	26	Artery X-rays adrenals	XXX	\$140		
75733	TC	Artery X-rays adrenals	XXX	\$903		
75736		Artery X-rays, pelvis	XXX	\$1,025		
75736	26	Artery X-rays, pelvis	XXX	\$122		
75736	TC	Artery X-rays, pelvis	XXX	\$903		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
75741		Artery X-rays, lung	XXX	\$1,043		
75741	26	Artery X-rays, lung	XXX	\$140		
75741	TC	Artery X-rays, lung	XXX	\$903		
75743		Artery X-rays, lungs	XXX	\$1,081		
75743	26	Artery X-rays, lungs	XXX	\$178		
75743	TC	Artery X-rays, lungs	XXX	\$903		
75746		Artery X-rays, lung	XXX	\$1,025		
75746	26	Artery X-rays, lung	XXX	\$122		
75746	TC	Artery X-rays, lung	XXX	\$903		
75756		Artery X-rays, chest	XXX	\$1,025		
75756	26	Artery X-rays, chest	XXX	\$122		
75756	TC	Artery X-rays, chest	XXX	\$903		
75774		Artery X-ray, each vessel	ZZZ	\$977		
75774	26	Artery X-ray, each vessel	ZZZ	\$37		
75774	TC	Artery X-ray, each vessel	ZZZ	\$940		
75801		Lymph vessel X-ray, arm/leg	XXX	\$476		
75801	26	Lymph vessel X-ray, arm/leg	XXX	\$87		
75801	TC	Lymph vessel X-ray, arm/leg	XXX	\$389		
75803		Lymph vessel X-ray, arms/legs	XXX	\$514		
75803	26	Lymph vessel X-ray, arms/legs	XXX	\$125		
75803	TC	Lymph vessel X-ray, arms/legs	XXX	\$389		
75805		Lymph vessel X-ray, trunk	XXX	\$524		
75805	26	Lymph vessel X-ray, trunk	XXX	\$87		
75805	TC	Lymph vessel X-ray, trunk	XXX	\$437		
75807		Lymph vessel X-ray, trunk	XXX	\$562		
75807	26	Lymph vessel X-ray, trunk	XXX	\$125		
75807	TC	Lymph vessel X-ray, trunk	XXX	\$437		
75809		Nonvascular shunt, X-ray	XXX	\$106		
75809	26	Nonvascular shunt, X-ray	XXX	\$49		
75809	TC	Nonvascular shunt, X-ray	XXX	\$57		
75810		Vein X-ray, spleen/liver	XXX	\$1,025		
75810	26	Vein X-ray, spleen/liver	XXX	\$122		
75810	TC	Vein X-ray, spleen/liver	XXX	\$903		
75820		Vein X-ray, arm/leg	XXX	\$144		
75820	26	Vein X-ray, arm/leg	XXX	\$76		
75820	TC	Vein X-ray, arm/leg	XXX	\$68		
75822		Vein X-ray, arms/legs	XXX	\$220		
75822	26	Vein X-ray, arms/legs	XXX	\$114		
75822	TC	Vein X-ray, arms/legs	XXX	\$107		
75825		Vein X-ray, trunk	XXX	\$1,025		
75825	26	Vein X-ray, trunk	XXX	\$122		
75825	TC	Vein X-ray, trunk	XXX	\$903		
75827		Vein X-ray, chest	XXX	\$1,025		
75827	26	Vein X-ray, chest	XXX	\$122		
75827	TC	Vein X-ray, chest	XXX	\$903		
75831		Vein X-ray, kidney	XXX	\$1,025		
75831	26	Vein X-ray, kidney	XXX	\$122		
75831	TC	Vein X-ray, kidney	XXX	\$903		
75833		Vein X-ray, kidneys	XXX	\$1,063		
75833	26	Vein X-ray, kidneys	XXX	\$160		
75833	TC	Vein X-ray, kidneys	XXX	\$903		
75840		Vein X-ray, adrenal gland	XXX	\$1,025		
75840	26	Vein X-ray, adrenal gland	XXX	\$122		
75840	TC	Vein X-ray, adrenal gland	XXX	\$903		
75842		Vein X-ray, adrenal glands	XXX	\$1,063		
75842	26	Vein X-ray, adrenal glands	XXX	\$160		
75842	TC	Vein X-ray, adrenal glands	XXX	\$903		
75860		Vein X-ray, neck	XXX	\$1,025		
75860	26	Vein X-ray, neck	XXX	\$122		
75860	TC	Vein X-ray, neck	XXX	\$903		
75870		Vein X-ray, skull	XXX	\$1,025		
75870	26	Vein X-ray, skull	XXX	\$122		
75870	TC	Vein X-ray, skull	XXX	\$903		
75872		Vein X-ray, skull epidural	XXX	\$1,025		
75872	26	Vein X-ray, skull epidural	XXX	\$122		
75872	TC	Vein X-ray, skull epidural	XXX	\$903		
75880		Vein X-ray, eye socket	XXX	\$144		
75880	26	Vein X-ray, eye socket	XXX	\$76		
75880	TC	Vein X-ray, eye socket	XXX	\$68		
75885		Vein X-ray, liver w/hemodynam	XXX	\$1,058		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
75885	26	Vein X-ray, liver w/hemodynam	XXX	\$155		
75885	TC	Vein X-ray, liver w/hemodynam	XXX	\$903		
75887		Vein X-ray, liver w/o hemodyn	XXX	\$1,058		
75887	26	Vein X-ray, liver w/o hemodyn	XXX	\$155		
75887	TC	Vein X-ray, liver w/o hemodyn	XXX	\$903		
75889		Vein X-ray, liver w/hemodynam	XXX	\$1,025		
75889	26	Vein X-ray, liver w/hemodynam	XXX	\$122		
75889	TC	Vein X-ray, liver w/hemodynam	XXX	\$903		
75891		Vein X-ray, liver	XXX	\$1,025		
75891	26	Vein X-ray, liver	XXX	\$122		
75891	TC	Vein X-ray, liver	XXX	\$903		
75893		Venous sampling by catheter	XXX	\$962		
75893	26	Venous sampling by catheter	XXX	\$59		
75893	TC	Venous sampling by catheter	XXX	\$903		
75894		X-rays, transcatheter therapy	XXX	\$1,871		
75894	26	X-rays, transcatheter therapy	XXX	\$140		
75894	TC	X-rays, transcatheter therapy	XXX	\$1,731		
75898		Follow-up angiogram	XXX	\$253		
75898	26	Follow-up angiogram	XXX	\$178		
75898	TC	Follow-up angiogram	XXX	\$76		
75901		Remove cva device obstruct	XXX	\$370		
75901	26	Remove cva device obstruct	XXX	\$49		
75901	TC	Remove cva device obstruct	XXX	\$321		
75902		Remove cva lumen obstruct	XXX	\$160		
75902	26	Remove cva lumen obstruct	XXX	\$40		
75902	TC	Remove cva lumen obstruct	XXX	\$121		
75956		X-ray endovasc thor ao repr	XXX	\$741		
75957		X-ray endovasc thor ao repr	XXX	\$635		
75958		X-ray place prox ext thor ao	XXX	\$424		
75959		X-ray place dist ext thor ao	XXX	\$368		
75970		Vascular biopsy	XXX	\$917		
75970	26	Vascular biopsy	XXX	\$90		
75970	TC	Vascular biopsy	XXX	\$828		
75984		X-ray control catheter change	XXX	\$218		
75984	26	X-ray control catheter change	XXX	\$78		
75984	TC	X-ray control catheter change	XXX	\$140		
75989		Abscess drainage under X-ray	XXX	\$358		
75989	26	Abscess drainage under X-ray	XXX	\$122		
75989	TC	Abscess drainage under X-ray	XXX	\$235		
76000		Fluoroscope <1 hr phys/qhp	XXX	\$115		
76000	26	Fluoroscope <1 hr phys/qhp	XXX	\$18		
76000	TC	Fluoroscope <1 hr phys/qhp	XXX	\$97		
76010		X-ray, nose to rectum	XXX	\$57		
76010	26	X-ray, nose to rectum	XXX	\$19		
76010	TC	X-ray, nose to rectum	XXX	\$38		
76080		X-ray exam of fistula	XXX	\$135		
76080	26	X-ray exam of fistula	XXX	\$57		
76080	TC	X-ray exam of fistula	XXX	\$79		
76098		X-ray exam, surgical specimen	XXX	\$47		
76098	26	X-ray exam, surgical specimen	XXX	\$17		
76098	TC	X-ray exam, surgical specimen	XXX	\$31		
76100		X-ray exam of body section	XXX	\$153		
76100	26	X-ray exam of body section	XXX	\$63		
76100	TC	X-ray exam of body section	XXX	\$90		
76101		Complex body section X-ray	XXX	\$165		
76101	26	Complex body section X-ray	XXX	\$63		
76101	TC	Complex body section X-ray	XXX	\$102		
76102		Complex body section X-rays	XXX	\$188		
76102	26	Complex body section X-rays	XXX	\$63		
76102	TC	Complex body section X-rays	XXX	\$125		
76120		Cine/video X-rays	XXX	\$117		
76120	26	Cine/video X-rays	XXX	\$41		
76120	TC	Cine/video X-rays	XXX	\$76		
76125		Cine/video X-rays add-on	ZZZ	\$87		
76125	26	Cine/video X-rays add-on	ZZZ	\$29		
76125	TC	Cine/video X-rays add-on	ZZZ	\$59		
76140		X-ray consultation	XXX	BR		
76145		Med physic dos eval rad exps	XXX	\$1,272		
76376		3d render w/intrp postprocess	XXX	\$122		
76376	26	3d render w/intrp postprocess	XXX	\$20		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
76376	TC	3d render w/intrp postprocess	XXX	\$103		
76377		3d rendering w/intrp postprocess	XXX	\$164		
76377	26	3d rendering w/intrp postprocess	XXX	\$79		
76377	TC	3d rendering w/intrp postprocess	XXX	\$85		
76380		Cat scan follow-up study	XXX	\$357		
76380	26	Cat scan follow-up study	XXX	\$105		
76380	TC	Cat scan follow-up study	XXX	\$252		
76390		Mri spectroscopy	XXX	\$986		
76390	26	Mri spectroscopy	XXX	\$150		
76390	TC	Mri spectroscopy	XXX	\$836		
76391		Mri elastography	XXX	\$351		
76391	26	Mri elastography	XXX	\$81		
76391	TC	Mri elastography	XXX	\$270		
76496		Fluoroscopic procedure	XXX	BR		
76496	26	Fluoroscopic procedure	XXX	BR		
76496	TC	Fluoroscopic procedure	XXX	BR		
76497		Ct procedure	XXX	BR		
76497	26	Ct procedure	XXX	BR		
76497	TC	Ct procedure	XXX	BR		
76498		Mri procedure	XXX	BR		
76498	26	Mri procedure	XXX	BR		
76498	TC	Mri procedure	XXX	BR		
76499		Radiographic procedure	XXX	BR		
76499	26	Radiographic procedure	XXX	BR		
76499	TC	Radiographic procedure	XXX	BR		
76506		Echo exam of head	XXX	\$170		
76506	26	Echo exam of head	XXX	\$68		
76506	TC	Echo exam of head	XXX	\$102		
76510		Ophth us dx b-scan&quant a-scan	XXX	\$361		
76510	26	Ophth us dx b-scan&quant a-scan	XXX	\$197		
76510	TC	Ophth us dx b-scan&quant a-scan	XXX	\$164		
76511		Oph us dx quan a-scan only	XXX	\$177		
76511	26	Oph us dx quan a-scan only	XXX	\$87		
76511	TC	Oph us dx quan a-scan only	XXX	\$90		
76512		Oph us dx b-scan	XXX	\$182		
76512	26	Oph us dx b-scan	XXX	\$72		
76512	TC	Oph us dx b-scan	XXX	\$110		
76513		Echo exam of eye, water bath	XXX	\$186		
76513	26	Echo exam of eye, water bath	XXX	\$72		
76513	TC	Echo exam of eye, water bath	XXX	\$114		
76514		Echo exam of eye thickness	XXX	\$31		
76514	26	Echo exam of eye thickness	XXX	\$20		
76514	TC	Echo exam of eye thickness	XXX	\$11		
76516		Echo exam of eye	XXX	\$149		
76516	26	Echo exam of eye	XXX	\$59		
76516	TC	Echo exam of eye	XXX	\$90		
76519		Echo exam of eye	XXX	\$149		
76519	26	Echo exam of eye	XXX	\$59		
76519	TC	Echo exam of eye	XXX	\$90		
76529		Echo exam of eye	XXX	\$160		
76529	26	Echo exam of eye	XXX	\$62		
76529	TC	Echo exam of eye	XXX	\$98		
76536		Us exam of head and neck	XXX	\$163		
76536	26	Us exam of head and neck	XXX	\$61		
76536	TC	Us exam of head and neck	XXX	\$102		
76604		Us exam chest	XXX	\$154		
76604	26	Us exam chest	XXX	\$61		
76604	TC	Us exam chest	XXX	\$94		
76641		Ultrasound breast complete	XXX	\$163		
76641	26	Ultrasound breast complete	XXX	\$54		
76641	TC	Ultrasound breast complete	XXX	\$109		
76642		Ultrasound breast limited	XXX	\$135		
76642	26	Ultrasound breast limited	XXX	\$51		
76642	TC	Ultrasound breast limited	XXX	\$84		
76700		Us exam of abdom complete	XXX	\$229		
76700	26	Us exam of abdom complete	XXX	\$87		
76700	TC	Us exam of abdom complete	XXX	\$142		
76705		Echo exam of abdomen	XXX	\$166		
76705	26	Echo exam of abdomen	XXX	\$64		
76705	TC	Echo exam of abdomen	XXX	\$102		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
76706		Us abdl aorta screen aaa	XXX	\$169		
76706	26	Us abdl aorta screen aaa	XXX	\$41		
76706	TC	Us abdl aorta screen aaa	XXX	\$127		
76770		Us exam abdomen back wall comp	XXX	\$222		
76770	26	Us exam abdomen back wall comp	XXX	\$80		
76770	TC	Us exam abdomen back wall comp	XXX	\$142		
76775		Us exam abdomen back wall lim	XXX	\$165		
76775	26	Us exam abdomen back wall lim	XXX	\$63		
76775	TC	Us exam abdomen back wall lim	XXX	\$102		
76776		Us exam k transpl w/doppler	XXX	\$321		
76776	26	Us exam k transpl w/doppler	XXX	\$76		
76776	TC	Us exam k transpl w/doppler	XXX	\$245		
76800		Us exam spinal canal	XXX	\$223		
76800	26	Us exam spinal canal	XXX	\$122		
76800	TC	Us exam spinal canal	XXX	\$102		
76801		Ob us < 14 wks single fetus	XXX	\$266		
76801	26	Ob us < 14 wks single fetus	XXX	\$99		
76801	TC	Ob us < 14 wks single fetus	XXX	\$167		
76802		Ob us < 14 wks addl fetus	ZZZ	\$140		
76802	26	Ob us < 14 wks addl fetus	ZZZ	\$84		
76802	TC	Ob us < 14 wks addl fetus	ZZZ	\$56		
76805		Ob us >= 14 wks snl fetus	XXX	\$257		
76805	26	Ob us >= 14 wks snl fetus	XXX	\$107		
76805	TC	Ob us >= 14 wks snl fetus	XXX	\$151		
76810		Ob us >= 14 wks addl fetus	ZZZ	\$511		
76810	26	Ob us >= 14 wks addl fetus	ZZZ	\$211		
76810	TC	Ob us >= 14 wks addl fetus	ZZZ	\$301		
76811		Ob us detailed snl fetus	XXX	\$390		
76811	26	Ob us detailed snl fetus	XXX	\$196		
76811	TC	Ob us detailed snl fetus	XXX	\$194		
76812		Ob us detailed addl fetus	ZZZ	\$446		
76812	26	Ob us detailed addl fetus	ZZZ	\$184		
76812	TC	Ob us detailed addl fetus	ZZZ	\$262		
76813		Ob us nuchal meas 1 gest	XXX	\$261		
76813	26	Ob us nuchal meas 1 gest	XXX	\$123		
76813	TC	Ob us nuchal meas 1 gest	XXX	\$138		
76814		Ob us nuchal meas add-on	XXX	\$170		
76814	26	Ob us nuchal meas add-on	XXX	\$103		
76814	TC	Ob us nuchal meas add-on	XXX	\$67		
76815		Ob us limited fetus(s)	XXX	\$175		
76815	26	Ob us limited fetus(s)	XXX	\$69		
76815	TC	Ob us limited fetus(s)	XXX	\$106		
76816		Ob us follow-up per fetus	XXX	\$142		
76816	26	Ob us follow-up per fetus	XXX	\$62		
76816	TC	Ob us follow-up per fetus	XXX	\$80		
76817		Transvaginal us obstetric	XXX	\$215		
76817	26	Transvaginal us obstetric	XXX	\$77		
76817	TC	Transvaginal us obstetric	XXX	\$138		
76818		Fetal biophysical profile w/nst	XXX	\$199		
76818	26	Fetal biophysical profile w/nst	XXX	\$83		
76818	TC	Fetal biophysical profile w/nst	XXX	\$117		
76819		Fetal biophys profil w/o nst	XXX	\$187		
76819	26	Fetal biophys profil w/o nst	XXX	\$79		
76819	TC	Fetal biophys profil w/o nst	XXX	\$108		
76820		Umbilical artery echo	XXX	\$85		
76820	26	Umbilical artery echo	XXX	\$52		
76820	TC	Umbilical artery echo	XXX	\$33		
76821		Middle cerebral artery echo	XXX	\$203		
76821	26	Middle cerebral artery echo	XXX	\$74		
76821	TC	Middle cerebral artery echo	XXX	\$129		
76825		Echo exam of fetal heart	XXX	\$239		
76825	26	Echo exam of fetal heart	XXX	\$98		
76825	TC	Echo exam of fetal heart	XXX	\$142		
76826		Echo exam of fetal heart	XXX	\$162		
76826	26	Echo exam of fetal heart	XXX	\$111		
76826	TC	Echo exam of fetal heart	XXX	\$52		
76827		Echo exam of fetal heart	XXX	\$220		
76827	26	Echo exam of fetal heart	XXX	\$94		
76827	TC	Echo exam of fetal heart	XXX	\$126		
76828		Echo exam of fetal heart	XXX	\$143		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
76828	26	Echo exam of fetal heart	XXX	\$61		
76828	TC	Echo exam of fetal heart	XXX	\$82		
76830		Transvaginal us non-ob	XXX	\$185		
76830	26	Transvaginal us non-ob	XXX	\$75		
76830	TC	Transvaginal us non-ob	XXX	\$110		
76831		Echo exam, uterus	XXX	\$189		
76831	26	Echo exam, uterus	XXX	\$75		
76831	TC	Echo exam, uterus	XXX	\$114		
76856		Us exam of pelvis complete	XXX	\$185		
76856	26	Us exam of pelvis complete	XXX	\$75		
76856	TC	Us exam of pelvis complete	XXX	\$110		
76857		Us exam of pelvis limited	XXX	\$117		
76857	26	Us exam of pelvis limited	XXX	\$41		
76857	TC	Us exam of pelvis limited	XXX	\$76		
76870		Us exam of scrotum	XXX	\$179		
76870	26	Us exam of scrotum	XXX	\$69		
76870	TC	Us exam of scrotum	XXX	\$110		
76872		Us transrectal	XXX	\$187		
76872	26	Us transrectal	XXX	\$73		
76872	TC	Us transrectal	XXX	\$114		
76873		Echograp trans r, pros study	XXX	\$358		
76873	26	Echograp trans r, pros study	XXX	\$157		
76873	TC	Echograp trans r, pros study	XXX	\$200		
76881		Us complete joint r-t w/img	XXX	\$254		
76881	26	Us complete joint r-t w/img	XXX	\$63		
76881	TC	Us complete joint r-t w/img	XXX	\$190		
76882		Us lmtd jt/non-vasc xtr strux	XXX	\$72		
76882	26	Us lmtd jt/non-vasc xtr strux	XXX	\$50		
76882	TC	Us lmtd jt/non-vasc xtr strux	XXX	\$22		
76885		Us exam, infant hips dynamic	XXX	\$190		
76885	26	Us exam, infant hips dynamic	XXX	\$76		
76885	TC	Us exam, infant hips dynamic	XXX	\$114		
76886		Us exam, infant hips static	XXX	\$170		
76886	26	Us exam, infant hips static	XXX	\$64		
76886	TC	Us exam, infant hips static	XXX	\$106		
76932		Echo guide for heart biopsy	YYY	\$183		
76932	26	Echo guide for heart biopsy	YYY	\$73		
76932	TC	Echo guide for heart biopsy	YYY	\$110		
76936		Echo guide for artery repair	XXX	\$600		
76936	26	Echo guide for artery repair	XXX	\$153		
76936	TC	Echo guide for artery repair	XXX	\$447		
76937		Us guide vascular access	ZZZ	\$72		
76937	26	Us guide vascular access	ZZZ	\$30		
76937	TC	Us guide vascular access	ZZZ	\$42		
76940		Us guide tissue ablation	YYY	\$213		
76941		Echo guide for transfusion	XXX	\$252		
76941	26	Echo guide for transfusion	XXX	\$144		
76941	TC	Echo guide for transfusion	XXX	\$109		
76942		Echo guide for biopsy	XXX	\$183		
76942	26	Echo guide for biopsy	XXX	\$73		
76942	TC	Echo guide for biopsy	XXX	\$110		
76945		Echo guide, villus sampling	XXX	\$205		
76945	26	Echo guide, villus sampling	XXX	\$97		
76945	TC	Echo guide, villus sampling	XXX	\$109		
76946		Echo guide for amniocentesis	XXX	\$151		
76946	26	Echo guide for amniocentesis	XXX	\$41		
76946	TC	Echo guide for amniocentesis	XXX	\$110		
76948		Echo guide, ova aspiration	XXX	\$151		
76948	26	Echo guide, ova aspiration	XXX	\$41		
76948	TC	Echo guide, ova aspiration	XXX	\$110		
76965		Echo guidance radiotherapy	XXX	\$611		
76965	26	Echo guidance radiotherapy	XXX	\$195		
76965	TC	Echo guidance radiotherapy	XXX	\$416		
76975		Gi endoscopic ultrasound	XXX	\$195		
76975	26	Gi endoscopic ultrasound	XXX	\$85		
76975	TC	Gi endoscopic ultrasound	XXX	\$110		
76977		Us bone density measure	XXX	\$85		
76977	26	Us bone density measure	XXX	\$22		
76977	TC	Us bone density measure	XXX	\$62		
76978		Us trgt dyn mbubb 1st les	XXX	\$486		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
76978	26	Us trgt dyn mbubb 1st les	XXX	\$120		
76978	TC	Us trgt dyn mbubb 1st les	XXX	\$366		
76979		Us trgt dyn mbubb ea addl	ZZZ	\$331		
76979	26	Us trgt dyn mbubb ea addl	ZZZ	\$63		
76979	TC	Us trgt dyn mbubb ea addl	ZZZ	\$269		
76981		Use parenchyma	XXX	\$164		
76981	26	Use parenchyma	XXX	\$44		
76981	TC	Use parenchyma	XXX	\$120		
76982		Use 1st target lesion	XXX	\$153		
76982	26	Use 1st target lesion	XXX	\$44		
76982	TC	Use 1st target lesion	XXX	\$108		
76983		Use ea addl target lesion	ZZZ	\$96		
76983	26	Use ea addl target lesion	ZZZ	\$38		
76983	TC	Use ea addl target lesion	ZZZ	\$58		
76998		Us guide intraop	XXX	\$134		
76999		Echo examination procedure	XXX	BR		
76999	26	Echo examination procedure	XXX	BR		
76999	TC	Echo examination procedure	XXX	BR		
77001		Fluoroguide for vein device	ZZZ	\$248		
77001	26	Fluoroguide for vein device	ZZZ	\$38		
77001	TC	Fluoroguide for vein device	ZZZ	\$210		
77002		Needle localization by x-ray	ZZZ	\$163		
77002	26	Needle localization by x-ray	ZZZ	\$57		
77002	TC	Needle localization by x-ray	ZZZ	\$107		
77003		Fluoroguide for spine inject	ZZZ	\$136		
77003	26	Fluoroguide for spine inject	ZZZ	\$64		
77003	TC	Fluoroguide for spine inject	ZZZ	\$73		
77011		Ct scan for localization	XXX	\$482		
77011	26	Ct scan for localization	XXX	\$125		
77011	TC	Ct scan for localization	XXX	\$357		
77012		Ct scan for needle biopsy	XXX	\$265		
77012	26	Ct scan for needle biopsy	XXX	\$113		
77012	TC	Ct scan for needle biopsy	XXX	\$151		
77013		Ct guide for tissue ablation	XXX	\$405		
77014		Ct scan for therapy guide	XXX	\$257		
77014	26	Ct scan for therapy guide	XXX	\$86		
77014	TC	Ct scan for therapy guide	XXX	\$171		
77021		Mri guidance needle place rs&i	XXX	\$810		
77021	26	Mri guidance needle place rs&i	XXX	\$151		
77021	TC	Mri guidance needle place rs&i	XXX	\$659		
77022		Mri gdn parnchyma tiss abltj	XXX	\$427		
77046		Mri breast c- unilateral	XXX	\$365		
77046	26	Mri breast c- unilateral	XXX	\$106		
77046	TC	Mri breast c- unilateral	XXX	\$259		
77047		Mri breast c- bilateral	XXX	\$375		
77047	26	Mri breast c- bilateral	XXX	\$117		
77047	TC	Mri breast c- bilateral	XXX	\$258		
77048		Mri breast c-+ w/cad uni	XXX	\$581		
77048	26	Mri breast c-+ w/cad uni	XXX	\$155		
77048	TC	Mri breast c-+ w/cad uni	XXX	\$426		
77049		Mri breast c-+ w/cad bi	XXX	\$594		
77049	26	Mri breast c-+ w/cad bi	XXX	\$170		
77049	TC	Mri breast c-+ w/cad bi	XXX	\$424		
77053		X-ray of mammary duct	XXX	\$121		
77053	26	X-ray of mammary duct	XXX	\$35		
77053	TC	X-ray of mammary duct	XXX	\$85		
77054		X-ray of mammary ducts	XXX	\$164		
77054	26	X-ray of mammary ducts	XXX	\$45		
77054	TC	X-ray of mammary ducts	XXX	\$119		
77061		Breast tomosynthesis uni	XXX	\$97		
77061	26	Breast tomosynthesis uni	XXX	\$97		
77061	TC	Breast tomosynthesis uni	XXX	\$97		
77062		Breast tomosynthesis bi	XXX	\$97		
77062	26	Breast tomosynthesis bi	XXX	\$97		
77062	TC	Breast tomosynthesis bi	XXX	\$97		
77063		Breast tomosynthesis bi	ZZZ	\$83		
77063	26	Breast tomosynthesis bi	ZZZ	\$45		
77063	TC	Breast tomosynthesis bi	ZZZ	\$38		
77065		Dx mammo incl cad uni	XXX	\$197		
77065	26	Dx mammo incl cad uni	XXX	\$60		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
77065	TC	Dx mammo incl cad uni	XXX	\$137		
77066		Dx mammo incl cad bi	XXX	\$249		
77066	26	Dx mammo incl cad bi	XXX	\$74		
77066	TC	Dx mammo incl cad bi	XXX	\$175		
77067		Scr mammo bi incl cad	XXX	\$202		
77067	26	Scr mammo bi incl cad	XXX	\$57		
77067	TC	Scr mammo bi incl cad	XXX	\$145		
77071		X-ray stress view	XXX	\$109		
77072		X-rays for bone age	XXX	\$48		
77072	26	X-rays for bone age	XXX	\$19		
77072	TC	X-rays for bone age	XXX	\$29		
77073		X-rays bone length studies	XXX	\$81		
77073	26	X-rays bone length studies	XXX	\$30		
77073	TC	X-rays bone length studies	XXX	\$51		
77074		X-rays bone survey limited	XXX	\$144		
77074	26	X-rays bone survey limited	XXX	\$45		
77074	TC	X-rays bone survey limited	XXX	\$98		
77075		X-rays bone survey complete	XXX	\$216		
77075	26	X-rays bone survey complete	XXX	\$54		
77075	TC	X-rays bone survey complete	XXX	\$162		
77076		X-rays bone survey infant	XXX	\$232		
77076	26	X-rays bone survey infant	XXX	\$72		
77076	TC	X-rays bone survey infant	XXX	\$160		
77077		Joint survey single view	XXX	\$85		
77077	26	Joint survey single view	XXX	\$35		
77077	TC	Joint survey single view	XXX	\$51		
77078		Ct bone density axial	XXX	\$281		
77078	26	Ct bone density axial	XXX	\$25		
77078	TC	Ct bone density axial	XXX	\$256		
77080		Dxa bone density axial	XXX	\$105		
77080	26	Dxa bone density axial	XXX	\$21		
77080	TC	Dxa bone density axial	XXX	\$84		
77081		Dxa bone density/peripheral	XXX	\$58		
77081	26	Dxa bone density/peripheral	XXX	\$23		
77081	TC	Dxa bone density/peripheral	XXX	\$35		
77084		Magnetic image bone marrow	XXX	\$916		
77084	26	Magnetic image bone marrow	XXX	\$160		
77084	TC	Magnetic image bone marrow	XXX	\$756		
77085		Dxa bone density study	XXX	\$80		
77085	26	Dxa bone density study	XXX	\$23		
77085	TC	Dxa bone density study	XXX	\$58		
77086		Fracture assessment via dxa	XXX	\$51		
77086	26	Fracture assessment via dxa	XXX	\$13		
77086	TC	Fracture assessment via dxa	XXX	\$39		
77261		Radiation therapy planning	XXX	\$150		
77262		Radiation therapy planning	XXX	\$226		
77263		Radiation therapy planning	XXX	\$336		
77280		Set radiation therapy field	XXX	\$325		
77280	26	Set radiation therapy field	XXX	\$76		
77280	TC	Set radiation therapy field	XXX	\$250		
77285		Set radiation therapy field	XXX	\$512		
77285	26	Set radiation therapy field	XXX	\$112		
77285	TC	Set radiation therapy field	XXX	\$400		
77290		Set radiation therapy field	XXX	\$635		
77290	26	Set radiation therapy field	XXX	\$168		
77290	TC	Set radiation therapy field	XXX	\$467		
77293		Respirator motion mgmt simul	ZZZ	\$683		
77293	26	Respirator motion mgmt simul	ZZZ	\$160		
77293	TC	Respirator motion mgmt simul	ZZZ	\$523		
77295		3-d radiotherapy plan	XXX	\$2,558		
77295	26	3-d radiotherapy plan	XXX	\$472		
77295	TC	3-d radiotherapy plan	XXX	\$2,086		
77299		Radiation therapy planning	XXX	BR		
77299	26	Radiation therapy planning	XXX	BR		
77299	TC	Radiation therapy planning	XXX	BR		
77300		Radiation therapy dose plan	XXX	\$163		
77300	26	Radiation therapy dose plan	XXX	\$67		
77300	TC	Radiation therapy dose plan	XXX	\$96		
77301		Radiotherapy dose plan imrt	XXX	\$3,813		
77301	26	Radiotherapy dose plan imrt	XXX	\$815		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
77301	TC	Radiotherapy dose plan imrt	XXX	\$2,998		
77306		Teletx isodose plan simple	XXX	\$226		
77306	26	Teletx isodose plan simple	XXX	\$111		
77306	TC	Teletx isodose plan simple	XXX	\$115		
77307		Teletx isodose plan cplx	XXX	\$439		
77307	26	Teletx isodose plan cplx	XXX	\$231		
77307	TC	Teletx isodose plan cplx	XXX	\$208		
77316		Brachytx isodose plan simple	XXX	\$355		
77316	26	Brachytx isodose plan simple	XXX	\$111		
77316	TC	Brachytx isodose plan simple	XXX	\$244		
77317		Brachytx isodose intermed	XXX	\$466		
77317	26	Brachytx isodose intermed	XXX	\$145		
77317	TC	Brachytx isodose intermed	XXX	\$321		
77318		Brachytx isodose complex	XXX	\$664		
77318	26	Brachytx isodose complex	XXX	\$230		
77318	TC	Brachytx isodose complex	XXX	\$433		
77321		Special teletx port plan	XXX	\$391		
77321	26	Special teletx port plan	XXX	\$102		
77321	TC	Special teletx port plan	XXX	\$290		
77331		Special radiation dosimetry	XXX	\$130		
77331	26	Special radiation dosimetry	XXX	\$94		
77331	TC	Special radiation dosimetry	XXX	\$37		
77332		Radiation treatment aid(s)	XXX	\$155		
77332	26	Radiation treatment aid(s)	XXX	\$59		
77332	TC	Radiation treatment aid(s)	XXX	\$96		
77333		Radiation treatment aid(s)	XXX	\$227		
77333	26	Radiation treatment aid(s)	XXX	\$91		
77333	TC	Radiation treatment aid(s)	XXX	\$137		
77334		Radiation treatment aid(s)	XXX	\$364		
77334	26	Radiation treatment aid(s)	XXX	\$132		
77334	TC	Radiation treatment aid(s)	XXX	\$233		
77336		Radiation physics consult	XXX	\$223		
77338		Design mlc device for imrt	XXX	\$1,014		
77338	26	Design mlc device for imrt	XXX	\$438		
77338	TC	Design mlc device for imrt	XXX	\$576		
77370		Radiation physics consult	XXX	\$251		
77371		Srs multisource	XXX	\$903		
77372		Srs linear based	XXX	\$1,651		
77373		Sbrt delivery	XXX	\$3,176		
77385		Ntsty modul rad tx dlvr smpl	XXX	\$837		
77386		Ntsty modul rad tx dlvr cplx	XXX	\$1,156		
77387		Guidance for radj tx dlvr	XXX	\$147		
77399		External radiation dosimetry	XXX	BR		
77399	26	External radiation dosimetry	XXX	BR		
77399	TC	External radiation dosimetry	XXX	BR		
77401		Radiation treatment delivery	XXX	\$128		
77402		Radiation treatment delivery	XXX	\$128		
77407		Radiation treatment delivery	XXX	\$150		
77412		Radiation treatment delivery	XXX	\$168		
77417		Radiology port images(s)	XXX	\$43		
77423		Neutron beam tx complex	XXX	\$541		
77424		Io rad tx delivery by x-ray	XXX	BR		
77425		Io rad tx deliver by elctrms	XXX	BR		
77427		Radiation tx management, x5	XXX	\$366		
77431		Radiation therapy management	XXX	\$194		
77432		Stereotactic radiation trmt	XXX	\$939		
77435		Sbrt management	XXX	\$1,246		
77469		Io radiation tx management	XXX	\$618		
77470		Special radiation treatment	XXX	\$1,022		
77470	26	Special radiation treatment	XXX	\$224		
77470	TC	Special radiation treatment	XXX	\$799		
77499		Radiation therapy management	XXX	BR		
77499	26	Radiation therapy management	XXX	BR		
77499	TC	Radiation therapy management	XXX	BR		
77520		Proton trmt simple w/o comp	XXX	\$1,310		
77522		Proton trmt simple w/comp	XXX	\$1,310		
77523		Proton trmt intermediate	XXX	\$1,504		
77525		Proton treatment complex	XXX	\$1,698		
77600		Hyperthermia treatment	XXX	\$386		
77600	26	Hyperthermia treatment	XXX	\$168		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
77600	TC	Hyperthermia treatment	XXX	\$218		
77605		Hyperthermia treatment	XXX	\$515		
77605	26	Hyperthermia treatment	XXX	\$224		
77605	TC	Hyperthermia treatment	XXX	\$292		
77610		Hyperthermia treatment	XXX	\$386		
77610	26	Hyperthermia treatment	XXX	\$168		
77610	TC	Hyperthermia treatment	XXX	\$218		
77615		Hyperthermia treatment	XXX	\$515		
77615	26	Hyperthermia treatment	XXX	\$224		
77615	TC	Hyperthermia treatment	XXX	\$292		
77620		Hyperthermia treatment	XXX	\$386		
77620	26	Hyperthermia treatment	XXX	\$168		
77620	TC	Hyperthermia treatment	XXX	\$218		
***		***	***	***		
77761		Radioelement application simple	090	\$562		
77761	26	Radioelement application simple	090	\$381		
77761	TC	Radioelement application simple	090	\$181		
77762		Radioelement application interm	090	\$832		
77762	26	Radioelement application interm	090	\$573		
77762	TC	Radioelement application interm	090	\$259		
77763		Radioelement application compl	090	\$1,179		
77763	26	Radioelement application compl	090	\$857		
77763	TC	Radioelement application compl	090	\$322		
77767		Hdr rdnc1 skn surf brachytx	XXX	\$378		
77767	26	Hdr rdnc1 skn surf brachytx	XXX	\$84		
77767	TC	Hdr rdnc1 skn surf brachytx	XXX	\$294		
77768		Hdr rdnc1 skn surf brachytx	XXX	\$558		
77768	26	Hdr rdnc1 skn surf brachytx	XXX	\$111		
77768	TC	Hdr rdnc1 skn surf brachytx	XXX	\$447		
77770		Hdr rdnc1 ntrstl/icav brchtx	XXX	\$530		
77770	26	Hdr rdnc1 ntrstl/icav brchtx	XXX	\$154		
77770	TC	Hdr rdnc1 ntrstl/icav brchtx	XXX	\$376		
77771		Hdr rdnc1 ntrstl/icav brchtx	XXX	\$924		
77771	26	Hdr rdnc1 ntrstl/icav brchtx	XXX	\$301		
77771	TC	Hdr rdnc1 ntrstl/icav brchtx	XXX	\$623		
77772		Hdr rdnc1 ntrstl/icav brchtx	XXX	\$1,382		
77772	26	Hdr rdnc1 ntrstl/icav brchtx	XXX	\$425		
77772	TC	Hdr rdnc1 ntrstl/icav brchtx	XXX	\$957		
77778		Apply interstit radiat compl	000	\$1,488		
77778	26	Apply interstit radiat compl	000	\$1,120		
77778	TC	Apply interstit radiat compl	000	\$368		
77789		Apply surf ldr radionuclide	000	\$145		
77789	26	Apply surf ldr radionuclide	000	\$112		
77789	TC	Apply surf ldr radionuclide	000	\$33		
77790		Radiation handling	XXX	\$149		
77790	26	Radiation handling	XXX	\$112		
77790	TC	Radiation handling	XXX	\$37		
77799		Radium/radioisotope therapy	XXX	BR		
77799	26	Radium/radioisotope therapy	XXX	BR		
77799	TC	Radium/radioisotope therapy	XXX	BR		
78012		Thyroid uptake measurement	XXX	\$126		
78012	26	Thyroid uptake measurement	XXX	\$14		
78012	TC	Thyroid uptake measurement	XXX	\$112		
78013		Thyroid imaging w/blood flow	XXX	\$301		
78013	26	Thyroid imaging w/blood flow	XXX	\$27		
78013	TC	Thyroid imaging w/blood flow	XXX	\$274		
78014		Thyroid imaging w/blood flow	XXX	\$368		
78014	26	Thyroid imaging w/blood flow	XXX	\$36		
78014	TC	Thyroid imaging w/blood flow	XXX	\$332		
78015		Thyroid met imaging	XXX	\$258		
78015	26	Thyroid met imaging	XXX	\$73		
78015	TC	Thyroid met imaging	XXX	\$185		
78016		Thyroid met imaging/studies	XXX	\$339		
78016	26	Thyroid met imaging/studies	XXX	\$89		
78016	TC	Thyroid met imaging/studies	XXX	\$250		
78018		Thyroid, met imaging, body	XXX	\$491		
78018	26	Thyroid, met imaging, body	XXX	\$102		
78018	TC	Thyroid, met imaging, body	XXX	\$390		
78020		Thyroid met uptake	ZZZ	\$60		
78020	26	Thyroid met uptake	ZZZ	\$45		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
78020	TC	Thyroid met uptake	ZZZ	\$15		
78070		Parathyroid planar imaging	XXX	\$186		
78070	26	Parathyroid planar imaging	XXX	\$56		
78070	TC	Parathyroid planar imaging	XXX	\$131		
78071		Parathyrd planar w/wo subtrj	XXX	\$542		
78071	26	Parathyrd planar w/wo subtrj	XXX	\$86		
78071	TC	Parathyrd planar w/wo subtrj	XXX	\$456		
78072		Parathyrd planar w/spect&ct	XXX	\$683		
78072	26	Parathyrd planar w/spect&ct	XXX	\$113		
78072	TC	Parathyrd planar w/spect&ct	XXX	\$570		
78075		Adrenal cortex & medulla imaging	XXX	\$469		
78075	26	Adrenal cortex & medulla imaging	XXX	\$80		
78075	TC	Adrenal cortex & medulla imaging	XXX	\$390		
78099		Endocrine nuclear procedure	XXX	BR		
78099	26	Endocrine nuclear procedure	XXX	BR		
78099	TC	Endocrine nuclear procedure	XXX	BR		
78102		Bone marrow imaging, ltd	XXX	\$206		
78102	26	Bone marrow imaging, ltd	XXX	\$60		
78102	TC	Bone marrow imaging, ltd	XXX	\$147		
78103		Bone marrow imaging, mult	XXX	\$308		
78103	26	Bone marrow imaging, mult	XXX	\$81		
78103	TC	Bone marrow imaging, mult	XXX	\$227		
78104		Bone marrow imaging, body	XXX	\$378		
78104	26	Bone marrow imaging, body	XXX	\$87		
78104	TC	Bone marrow imaging, body	XXX	\$292		
78110		Plasma volume, single	XXX	\$91		
78110	26	Plasma volume, single	XXX	\$20		
78110	TC	Plasma volume, single	XXX	\$71		
78111		Plasma volume, multiple	XXX	\$209		
78111	26	Plasma volume, multiple	XXX	\$24		
78111	TC	Plasma volume, multiple	XXX	\$185		
78120		Red cell mass, single	XXX	\$150		
78120	26	Red cell mass, single	XXX	\$26		
78120	TC	Red cell mass, single	XXX	\$125		
78121		Red cell mass, multiple	XXX	\$243		
78121	26	Red cell mass, multiple	XXX	\$35		
78121	TC	Red cell mass, multiple	XXX	\$208		
78122		Blood volume	XXX	\$391		
78122	26	Blood volume	XXX	\$47		
78122	TC	Blood volume	XXX	\$344		
78130		Red cell survival study	XXX	\$271		
78130	26	Red cell survival study	XXX	\$66		
78130	TC	Red cell survival study	XXX	\$205		
78140		Red cell sequestration	XXX	\$348		
78140	26	Red cell sequestration	XXX	\$66		
78140	TC	Red cell sequestration	XXX	\$283		
78185		Spleen imaging	XXX	\$213		
78185	26	Spleen imaging	XXX	\$43		
78185	TC	Spleen imaging	XXX	\$170		
78191		Platelet survival	XXX	\$592		
78191	26	Platelet survival	XXX	\$66		
78191	TC	Platelet survival	XXX	\$526		
78195		Lymph system imaging	XXX	\$368		
78195	26	Lymph system imaging	XXX	\$76		
78195	TC	Lymph system imaging	XXX	\$292		
78199		Blood/lymph nuclear exam	XXX	BR		
78199	26	Blood/lymph nuclear exam	XXX	BR		
78199	TC	Blood/lymph nuclear exam	XXX	BR		
78201		Liver imaging	XXX	\$216		
78201	26	Liver imaging	XXX	\$47		
78201	TC	Liver imaging	XXX	\$170		
78202		Liver imaging with flow	XXX	\$262		
78202	26	Liver imaging with flow	XXX	\$56		
78202	TC	Liver imaging with flow	XXX	\$207		
78215		Liver and spleen imaging	XXX	\$263		
78215	26	Liver and spleen imaging	XXX	\$53		
78215	TC	Liver and spleen imaging	XXX	\$210		
78216		Liver & spleen image/flow	XXX	\$312		
78216	26	Liver & spleen image/flow	XXX	\$62		
78216	TC	Liver & spleen image/flow	XXX	\$250		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
78226		Hepatobiliary system imaging	XXX	\$674		
78226	26	Hepatobiliary system imaging	XXX	\$73		
78226	TC	Hepatobiliary system imaging	XXX	\$601		
78227		Hepatobil syst image w/drug	XXX	\$923		
78227	26	Hepatobil syst image w/drug	XXX	\$88		
78227	TC	Hepatobil syst image w/drug	XXX	\$835		
78230		Salivary gland imaging	XXX	\$206		
78230	26	Salivary gland imaging	XXX	\$49		
78230	TC	Salivary gland imaging	XXX	\$157		
78231		Serial salivary imaging	XXX	\$284		
78231	26	Serial salivary imaging	XXX	\$57		
78231	TC	Serial salivary imaging	XXX	\$227		
78232		Salivary gland function exam	XXX	\$305		
78232	26	Salivary gland function exam	XXX	\$52		
78232	TC	Salivary gland function exam	XXX	\$254		
78258		Esophageal motility study	XXX	\$287		
78258	26	Esophageal motility study	XXX	\$80		
78258	TC	Esophageal motility study	XXX	\$207		
78261		Gastric mucosa imaging	XXX	\$369		
78261	26	Gastric mucosa imaging	XXX	\$75		
78261	TC	Gastric mucosa imaging	XXX	\$294		
78262		Gastroesophageal reflux exam	XXX	\$378		
78262	26	Gastroesophageal reflux exam	XXX	\$74		
78262	TC	Gastroesophageal reflux exam	XXX	\$305		
78264		Gastric emptying imag study	XXX	\$380		
78264	26	Gastric emptying imag study	XXX	\$84		
78264	TC	Gastric emptying imag study	XXX	\$296		
78265		Gastric emptying imag study	XXX	\$603		
78265	26	Gastric emptying imag study	XXX	\$71		
78265	TC	Gastric emptying imag study	XXX	\$533		
78266		Gastric emptying imag study	XXX	\$670		
78266	26	Gastric emptying imag study	XXX	\$74		
78266	TC	Gastric emptying imag study	XXX	\$596		
78267		Breath tst attain/anal c-14	XXX	BR		
78268		Breath test analysis, c-14	XXX	BR		
78278		Acute gi blood loss imaging	XXX	\$456		
78278	26	Acute gi blood loss imaging	XXX	\$107		
78278	TC	Acute gi blood loss imaging	XXX	\$350		
78282		Gi protein loss exam	XXX	\$108		
78282	26	Gi protein loss exam	XXX	\$41		
78282	TC	Gi protein loss exam	XXX	\$83		
78290		Meckel's divert exam	XXX	\$292		
78290	26	Meckel's divert exam	XXX	\$74		
78290	TC	Meckel's divert exam	XXX	\$218		
78291		Leveen/shunt patency exam	XXX	\$313		
78291	26	Leveen/shunt patency exam	XXX	\$94		
78291	TC	Leveen/shunt patency exam	XXX	\$220		
78299		Gi nuclear procedure	XXX	BR		
78299	26	Gi nuclear procedure	XXX	BR		
78299	TC	Gi nuclear procedure	XXX	BR		
78300		Bone imaging, limited area	XXX	\$247		
78300	26	Bone imaging, limited area	XXX	\$68		
78300	TC	Bone imaging, limited area	XXX	\$180		
78305		Bone imaging, multiple areas	XXX	\$353		
78305	26	Bone imaging, multiple areas	XXX	\$90		
78305	TC	Bone imaging, multiple areas	XXX	\$263		
78306		Bone imaging, whole body	XXX	\$399		
78306	26	Bone imaging, whole body	XXX	\$93		
78306	TC	Bone imaging, whole body	XXX	\$307		
78315		Bone imaging, 3 phase	XXX	\$452		
78315	26	Bone imaging, 3 phase	XXX	\$110		
78315	TC	Bone imaging, 3 phase	XXX	\$343		
78350		Bone mineral, single photon	XXX	\$80		
78350	26	Bone mineral, single photon	XXX	\$24		
78350	TC	Bone mineral, single photon	XXX	\$57		
78351		Bone mineral, dual photon	XXX	\$55		
78399		Musculoskeletal nuclear exam	XXX	BR		
78399	26	Musculoskeletal nuclear exam	XXX	BR		
78399	TC	Musculoskeletal nuclear exam	XXX	BR		
78414		Non-imaging heart function	XXX	BR		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
78414	26	Non-imaging heart function	XXX	\$48		
78414	TC	Non-imaging heart function	XXX	BR		
78428		Cardiac shunt imaging	XXX	\$246		
78428	26	Cardiac shunt imaging	XXX	\$84		
78428	TC	Cardiac shunt imaging	XXX	\$162		
78429		Myocrd img pet 1 std w/ct	XXX	\$2,181		
78429	26	Myocrd img pet 1 std w/ct	XXX	\$122		
78429	TC	Myocrd img pet 1 std w/ct	XXX	\$2,059		
78430		Myocrd img pet rst/strs w/ct	XXX	\$2,175		
78430	26	Myocrd img pet rst/strs w/ct	XXX	\$116		
78430	TC	Myocrd img pet rst/strs w/ct	XXX	\$2,059		
78431		Myocrd img pet rst&strs ct	XXX	\$3,264		
78431	26	Myocrd img pet rst&strs ct	XXX	\$134		
78431	TC	Myocrd img pet rst&strs ct	XXX	\$3,130		
78432		Myocrd img pet 2rtracer	XXX	\$3,969		
78432	26	Myocrd img pet 2rtracer	XXX	\$144		
78432	TC	Myocrd img pet 2rtracer	XXX	\$3,825		
78433		Myocrd img pet 2rtracer ct	XXX	\$3,981		
78433	26	Myocrd img pet 2rtracer ct	XXX	\$156		
78433	TC	Myocrd img pet 2rtracer ct	XXX	\$3,825		
78434		Aqmbf pet rest & rx stress	ZZZ	\$262		
78434	26	Aqmbf pet rest & rx stress	ZZZ	\$45		
78434	TC	Aqmbf pet rest & rx stress	ZZZ	\$217		
78445		Vascular flow imaging	XXX	\$191		
78445	26	Vascular flow imaging	XXX	\$52		
78445	TC	Vascular flow imaging	XXX	\$139		
78451		Ht muscle image spect sing	XXX	\$742		
78451	26	Ht muscle image spect sing	XXX	\$136		
78451	TC	Ht muscle image spect sing	XXX	\$606		
78452		Ht muscle image spect mult	XXX	\$1,035		
78452	26	Ht muscle image spect mult	XXX	\$160		
78452	TC	Ht muscle image spect mult	XXX	\$875		
78453		Ht muscle image planar sing	XXX	\$639		
78453	26	Ht muscle image planar sing	XXX	\$99		
78453	TC	Ht muscle image planar sing	XXX	\$541		
78454		Ht musc image planar mult	XXX	\$913		
78454	26	Ht musc image planar mult	XXX	\$131		
78454	TC	Ht musc image planar mult	XXX	\$782		
78456		Acute venous thrombus image	XXX	\$797		
78456	26	Acute venous thrombus image	XXX	\$100		
78456	TC	Acute venous thrombus image	XXX	\$697		
78457		Venous thrombosis imaging	XXX	\$279		
78457	26	Venous thrombosis imaging	XXX	\$80		
78457	TC	Venous thrombosis imaging	XXX	\$199		
78458		Ven thrombosis images, bilat	XXX	\$384		
78458	26	Ven thrombosis images, bilat	XXX	\$96		
78458	TC	Ven thrombosis images, bilat	XXX	\$288		
78459		Myocrd imaging (PET) single study	XXX	\$1,928		
78459	26	Myocrd imaging (PET) single study	XXX	\$225		
78459	TC	Myocrd imaging (PET) single study	XXX	\$1,816		
78466		Heart infarct image	XXX	\$264		
78466	26	Heart infarct image	XXX	\$75		
78466	TC	Heart infarct image	XXX	\$189		
78468		Heart infarct image, (ef)	XXX	\$348		
78468	26	Heart infarct image, (ef)	XXX	\$86		
78468	TC	Heart infarct image, (ef)	XXX	\$263		
78469		Heart infarct image (3D)	XXX	\$486		
78469	26	Heart infarct image (3D)	XXX	\$96		
78469	TC	Heart infarct image (3D)	XXX	\$390		
78472		Gated heart, planar, single	XXX	\$515		
78472	26	Gated heart, planar, single	XXX	\$103		
78472	TC	Gated heart, planar, single	XXX	\$413		
78473		Gated heart, multiple	XXX	\$770		
78473	26	Gated heart, multiple	XXX	\$154		
78473	TC	Gated heart, multiple	XXX	\$616		
78481		Heart first pass, single	XXX	\$493		
78481	26	Heart first pass, single	XXX	\$103		
78481	TC	Heart first pass, single	XXX	\$390		
78483		Heart first pass, multiple	XXX	\$743		
78483	26	Heart first pass, multiple	XXX	\$155		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
78483	TC	Heart first pass, multiple	XXX	\$588		
78491		Myocrd img (PET) 1std rst/strs	XXX	\$2,167		
78491	26	Myocrd img (PET) 1std rst/strs	XXX	\$196		
78491	TC	Myocrd img (PET) 1std rst/strs	XXX	\$2,059		
78492		Myocrd img (PET) mlt rst&strs	XXX	\$2,186		
78492	26	Myocrd img (PET) mlt rst&strs	XXX	\$224		
78492	TC	Myocrd img (PET) mlt rst&strs	XXX	\$2,059		
78494		Heart image, spect	XXX	\$525		
78494	26	Heart image, spect	XXX	\$112		
78494	TC	Heart image, spect	XXX	\$413		
78496		Heart first pass add-on	ZZZ	\$183		
78496	26	Heart first pass add-on	ZZZ	\$52		
78496	TC	Heart first pass add-on	ZZZ	\$131		
78499		Cardiovascular nuclear exam	XXX	BR		
78499	26	Cardiovascular nuclear exam	XXX	BR		
78499	TC	Cardiovascular nuclear exam	XXX	BR		
78579		Lung ventilation imaging	XXX	\$359		
78579	26	Lung ventilation imaging	XXX	\$48		
78579	TC	Lung ventilation imaging	XXX	\$310		
78580		Lung perfusion imaging	XXX	\$327		
78580	26	Lung perfusion imaging	XXX	\$80		
78580	TC	Lung perfusion imaging	XXX	\$247		
78582		Lung ventilat&perfus imaging	XXX	\$662		
78582	26	Lung ventilat&perfus imaging	XXX	\$104		
78582	TC	Lung ventilat&perfus imaging	XXX	\$557		
78597		Lung perfusion differential	XXX	\$404		
78597	26	Lung perfusion differential	XXX	\$72		
78597	TC	Lung perfusion differential	XXX	\$333		
78598		Lung perf&ventilat differentl	XXX	\$621		
78598	26	Lung perf&ventilat differentl	XXX	\$82		
78598	TC	Lung perf&ventilat differentl	XXX	\$539		
78599		Respiratory nuclear exam	XXX	BR		
78599	26	Respiratory nuclear exam	XXX	BR		
78599	TC	Respiratory nuclear exam	XXX	BR		
78600		Brain image, < 4 views	XXX	\$254		
78600	26	Brain image, < 4 views	XXX	\$47		
78600	TC	Brain image, < 4 views	XXX	\$207		
78601		Brain image w/flow < 4 views	XXX	\$332		
78601	26	Brain image w/flow < 4 views	XXX	\$37		
78601	TC	Brain image w/flow < 4 views	XXX	\$296		
78605		Brain image, 4+ views	XXX	\$302		
78605	26	Brain image, 4+ views	XXX	\$59		
78605	TC	Brain image, 4+ views	XXX	\$244		
78606		Brain imaging w/flow 4 + views	XXX	\$346		
78606	26	Brain imaging w/flow 4 + views	XXX	\$69		
78606	TC	Brain imaging w/flow 4 + views	XXX	\$278		
78608		Brain imaging (pet)	XXX	\$145		
78609		Brain imaging (pet)	XXX	\$156		
78610		Brain flow imaging only	XXX	\$146		
78610	26	Brain flow imaging only	XXX	\$33		
78610	TC	Brain flow imaging only	XXX	\$114		
78630		Cerebrospinal fluid scan	XXX	\$435		
78630	26	Cerebrospinal fluid scan	XXX	\$74		
78630	TC	Cerebrospinal fluid scan	XXX	\$362		
78635		Csf ventriculography	XXX	\$249		
78635	26	Csf ventriculography	XXX	\$66		
78635	TC	Csf ventriculography	XXX	\$183		
78645		Csf shunt evaluation	XXX	\$308		
78645	26	Csf shunt evaluation	XXX	\$62		
78645	TC	Csf shunt evaluation	XXX	\$247		
78650		Csf leakage imaging	XXX	\$399		
78650	26	Csf leakage imaging	XXX	\$66		
78650	TC	Csf leakage imaging	XXX	\$333		
78660		Nuclear exam of tear flow	XXX	\$214		
78660	26	Nuclear exam of tear flow	XXX	\$56		
78660	TC	Nuclear exam of tear flow	XXX	\$158		
78699		Nervous system nuclear exam	XXX	BR		
78699	26	Nervous system nuclear exam	XXX	BR		
78699	TC	Nervous system nuclear exam	XXX	BR		
78700		Kidney imaging, morphol	XXX	\$266		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
78700	26	Kidney imaging, morphol	XXX	\$48		
78700	TC	Kidney imaging, morphol	XXX	\$218		
78701		Kidney imaging with flow	XXX	\$308		
78701	26	Kidney imaging with flow	XXX	\$53		
78701	TC	Kidney imaging with flow	XXX	\$255		
78707		K flow/function image w/o drug	XXX	\$433		
78707	26	K flow/function image w/o drug	XXX	\$99		
78707	TC	K flow/function image w/o drug	XXX	\$334		
78708		K flow/function image w/drug	XXX	\$452		
78708	26	K flow/function image w/drug	XXX	\$118		
78708	TC	K flow/function image w/drug	XXX	\$334		
78709		K flow/function image multiple	XXX	\$467		
78709	26	K flow/function image multiple	XXX	\$133		
78709	TC	Kflow/function image multiple	XXX	\$334		
78725		Kidney function study	XXX	\$172		
78725	26	Kidney function study	XXX	\$39		
78725	TC	Kidney function study	XXX	\$133		
78730		Urinary bladder retention	ZZZ	\$143		
78730	26	Urinary bladder retention	ZZZ	\$38		
78730	TC	Urinary bladder retention	ZZZ	\$105		
78740		Ureteral reflux study	XXX	\$217		
78740	26	Ureteral reflux study	XXX	\$59		
78740	TC	Ureteral reflux study	XXX	\$158		
78761		Testicular imaging w/flow	XXX	\$306		
78761	26	Testicular imaging w/flow	XXX	\$77		
78761	TC	Testicular imaging w/flow	XXX	\$229		
78799		Genitourinary nuclear exam	XXX	BR		
78799	26	Genitourinary nuclear exam	XXX	BR		
78799	TC	Genitourinary nuclear exam	XXX	BR		
78800		Rp loclzj tum 1 area 1 d img	XXX	\$323		
78800	26	Rp loclzj tum 1 area 1 d img	XXX	\$69		
78800	TC	Rp loclzj tum 1 area 1 d img	XXX	\$254		
78801		Rp loclzj tum 2+area 1+d img	XXX	\$388		
78801	26	Rp loclzj tum 2+area 1+d img	XXX	\$85		
78801	TC	Rp loclzj tum 2+area 1+d img	XXX	\$304		
78802		Rp loclzj tum whbdy 1 d img	XXX	\$490		
78802	26	Rp loclzj tum whbdy 1 d img	XXX	\$93		
78802	TC	Rp loclzj tum whbdy 1 d img	XXX	\$397		
78803		Rp loclzj tum spect 1 area	XXX	\$602		
78803	26	Rp loclzj tum spect 1 area	XXX	\$113		
78803	TC	Rp loclzj tum spect 1 area	XXX	\$490		
78804		Rp loclzj tum whbdy 2+d img	XXX	\$1,188		
78804	26	Rp loclzj tum whbdy 2+d img	XXX	\$103		
78804	TC	Rp loclzj tum whbdy 2+d img	XXX	\$1,085		
78808		Iv inj ra drug dx study	XXX	\$84		
78811		Pet image ltd area	XXX	\$158		
78812		Pet image skull-thigh	XXX	\$192		
78813		Pet image full body	XXX	\$201		
78814		Pet image w/ct lmtd	XXX	\$221		
78815		Pet image w/ct skull-thigh	XXX	\$243		
78816		Pet image w/ct full body	XXX	\$245		
78830		Rp loclzj tum spect w/ct 1	XXX	\$757		
78830	26	Rp loclzj tum spect w/ct 1	XXX	\$105		
78830	TC	Rp loclzj tum spect w/ct 1	XXX	\$652		
78831		Rp loclzj tum spect 2 areas	XXX	\$1,092		
78831	26	Rp loclzj tum spect 2 areas	XXX	\$128		
78831	TC	Rp loclzj tum spect 2 areas	XXX	\$964		
78832		Rp loclzj tum spect w/ct 2	XXX	\$1,423		
78832	26	Rp loclzj tum spect w/ct 2	XXX	\$151		
78832	TC	Rp loclzj tum spect w/ct 2	XXX	\$1,272		
78835		Rp quan meas single area	ZZZ	\$157		
78835	26	Rp quan meas single area	ZZZ	\$33		
78835	TC	Rp quan meas single area	ZZZ	\$124		
78999		Nuclear diagnostic exam	XXX	BR		
78999	26	Nuclear diagnostic exam	XXX	BR		
78999	TC	Nuclear diagnostic exam	XXX	BR		
79005		Nuclear rx oral admin	XXX	\$271		
79005	26	Nuclear rx oral admin	XXX	\$176		
79005	TC	Nuclear rx oral admin	XXX	\$95		
79101		Nuclear rx iv admin	XXX	\$306		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
79101	26	Nuclear rx iv admin	XXX	\$204		
79101	TC	Nuclear rx iv admin	XXX	\$102		
79200		Nuclear rx intracav admin	XXX	\$403		
79200	26	Nuclear rx intracav admin	XXX	\$214		
79200	TC	Nuclear rx intracav admin	XXX	\$189		
79300		Nuclear rx interstit colloid	XXX	BR		
79300	26	Nuclear rx interstit colloid	XXX	\$172		
79300	TC	Nuclear rx interstit colloid	XXX	BR		
79403		Hematopoietic nuclear tx	XXX	\$374		
79403	26	Hematopoietic nuclear tx	XXX	\$218		
79403	TC	Hematopoietic nuclear tx	XXX	\$156		
79440		Nuclear rx intra-articular	XXX	\$403		
79440	26	Nuclear rx intra-articular	XXX	\$214		
79440	TC	Nuclear rx intra-articular	XXX	\$189		
79445		Nuclear rx intra-arterial	XXX	\$236		
79999		Nuclear medicine therapy	XXX	BR		
79999	26	Nuclear medicine therapy	XXX	BR		
79999	TC	Nuclear medicine therapy	XXX	BR		
80047		Metabolic panel ionized ca	XXX	\$21		
80048		Metabolic panel total ca	XXX	\$13		
80050		General health panel	XXX	BR		
80050	26	General health panel	XXX	BR		
80050	TC	General health panel	XXX	BR		
80051		Electrolyte panel	XXX	\$11		
80053		Comprehen metabolic panel	XXX	\$16		
80055		Obstetric panel	XXX	\$106		
80055	26	Obstetric panel	XXX	\$43		
80055	TC	Obstetric panel	XXX	\$63		
80061		Lipid panel	XXX	\$88		
80061	26	Lipid panel	XXX	\$43		
80061	TC	Lipid panel	XXX	\$45		
80069		Renal function panel..	XXX	\$13		
80074		Acute hepatitis panel	XXX	\$71		
80076		Hepatic function panel	XXX	\$12		
80081		Obstetric panel	XXX	\$112		
80143		Drug assay acetaminophen	XXX	\$28		
80145		Drug assay adalimumab	XXX	\$58		
80150		Assay of amikacin	XXX	\$75		
80150	26	Assay of amikacin	XXX	\$24		
80150	TC	Assay of amikacin	XXX	\$51		
80151		Drug assay amiodarone	XXX	\$28		
80155		Drug assay caffeine	XXX	\$58		
80156		Assay carbamazepine total	XXX	\$65		
80156	26	Assay carbamazepine total	XXX	\$20		
80156	TC	Assay carbamazepine total	XXX	\$45		
80157		Assay carbamazepine free	XXX	\$20		
80158		Drug assay cyclosporine	XXX	\$27		
80158	26	Drug assay cyclosporine	XXX	BR		
80158	TC	Drug assay cyclosporine	XXX	BR		
80159		Drug assay clozapine	XXX	\$30		
80161		Asy carbamazepin 10,11-epoxid	XXX	\$28		
80162		Assay of digoxin total	XXX	\$61		
80162	26	Assay of digoxin total	XXX	\$18		
80162	TC	Assay of digoxin total	XXX	\$43		
80163		Assay of digoxin free	XXX	\$20		
80164		Assay, dipropylacetic acid tot	XXX	\$20		
80164	26	Assay, dipropylacetic acid tot	XXX	BR		
80164	TC	Assay, dipropylacetic acid tot	XXX	BR		
80165		Dipropylacetic acid free	XXX	\$20		
80167		Drug assay felbamate	XXX	\$28		
80168		Assay of ethosuximide	XXX	\$82		
80168	26	Assay of ethosuximide	XXX	\$33		
80168	TC	Assay of ethosuximide	XXX	\$49		
80169		Drug assay everolimus	XXX	\$21		
80170		Assay of gentamicin	XXX	\$84		
80170	26	Assay of gentamicin	XXX	\$29		
80170	TC	Assay of gentamicin	XXX	\$55		
80171		Drug screen quant gabapentin	XXX	\$33		
80173		Assay of haloperidol	XXX	\$24		
80175		Drug screen quan lamotrigine	XXX	\$20		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
80176		Assay of lidocaine	XXX	\$65		
80176	26	Assay of lidocaine	XXX	\$20		
80176	TC	Assay of lidocaine	XXX	\$45		
80177		Drug scrn quan levetiracetam	XXX	\$20		
80178		Assay of lithium	XXX	\$32		
80178	26	Assay of lithium	XXX	\$12		
80178	TC	Assay of lithium	XXX	\$20		
80179		Drug assay salicylate	XXX	\$28		
80180		Drug scrn quan mycophenolate	XXX	\$27		
80181		Drug assay flecainide	XXX	\$28		
80183		Drug scrn quant oxcarbazepin	XXX	\$20		
80184		Assay of phenobarbital	XXX	\$23		
80184	26	Assay of phenobarbital	XXX	BR		
80184	TC	Assay of phenobarbital	XXX	BR		
80185		Assay of phenytoin total	XXX	\$67		
80185	26	Assay of phenytoin total	XXX	\$18		
80185	TC	Assay of phenytoin total	XXX	\$49		
80186		Assay of phenytoin, free	XXX	\$21		
80186	26	Assay of phenytoin, free	XXX	BR		
80186	TC	Assay of phenytoin, free	XXX	BR		
80187		Drug assay posaconazole	XXX	\$41		
80188		Assay of primidone	XXX	\$65		
80188	26	Assay of primidone	XXX	\$20		
80188	TC	Assay of primidone	XXX	\$45		
80189		Drug assay itraconazole	XXX	\$41		
80190		Assay of procainamide	XXX	\$77		
80190	26	Assay of procainamide	XXX	\$24		
80190	TC	Assay of procainamide	XXX	\$53		
80192		Assay of procainamide	XXX	BR \$25		
80192	26	Assay of procainamide	XXX	BR		
80192	TC	Assay of procainamide	XXX	BR		
80193		Drug assay leflunomide	XXX	\$58		
80194		Assay of quinidine	XXX	\$61		
80194	26	Assay of quinidine	XXX	\$18		
80194	TC	Assay of quinidine	XXX	\$43		
80195		Assay of sirolimus	XXX	\$21		
80197		Assay of tacrolimus	XXX	\$21		
80198		Assay of theophylline	XXX	\$51		
80198	26	Assay of theophylline	XXX	\$12		
80198	TC	Assay of theophylline	XXX	\$39		
80199		Drug screen quant tiagabine	XXX	\$41		
80200		Assay of tobramycin	XXX	\$79		
80200	26	Assay of tobramycin	XXX	\$26		
80200	TC	Assay of tobramycin	XXX	\$53		
80201		Assay of topiramate	XXX	\$18		
80202		Assay of vancomycin	XXX	\$20		
80202	26	Assay of vancomycin	XXX	BR		
80202	TC	Assay of vancomycin	XXX	BR		
80203		Drug screen quant zonisamide	XXX	\$20		
80204		Drug assay methotrexate	XXX	\$58		
80210		Drug assay rifinamide	XXX	\$41		
80230		Drug assay infliximab	XXX	\$58		
80235		Drug assay lacosamide	XXX	\$41		
80280		Drug assay vedolizumab	XXX	\$58		
80285		Drug assay voriconazole	XXX	\$41		
80299		Quantitative assay drug	XXX	BR		
80299	26	Quantitative assay drug	XXX	BR		
80299	TC	Quantitative assay drug	XXX	BR		
80305		Drug test prsmv dir opt obs	XXX	\$19		
80306		Drug test prsmv instrmnt	XXX	\$26		
80307		Drug test prsmv chem analyzr	XXX	\$93		
80320		Drug screen quantalcohols	XXX	\$0		
80321		Alcohols biomarkers 1or 2	XXX	\$0		
80322		Alcohols biomarkers 3/more	XXX	\$0		
80323		Alkaloids nos	XXX	\$0		
80324		Drug screen amphetamines 1/2	XXX	\$0		
80325		Amphetamines 3or 4	XXX	\$0		
80326		Amphetamines 5 or more	XXX	\$0		
80327		Anabolic steroid 1 or 2	XXX	\$0		
80328		Anabolic steroid 3 or more	XXX	\$0		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
80329		Analgesics non-opioid 1 or 2	XXX	\$0		
80330		Analgesics non-opioid 3-5	XXX	\$0		
80331		Analgesics non-opioid 6/more	XXX	\$0		
80332		Antidepressants class 1 or 2	XXX	\$0		
80333		Antidepressants class 3-5	XXX	\$0		
80334		Antidepressants class 6/more	XXX	\$0		
80335		Antidepressant tricyclic 1/2	XXX	\$0		
80336		Antidepressant tricyclic 3-5	XXX	\$0		
80337		Tricyclic & cyclicals 6/more	XXX	\$0		
80338		Antidepressant not specified	XXX	\$0		
80339		Antiepileptics nos 1-3	XXX	\$0		
80340		Antiepileptics nos 4-6	XXX	\$0		
80341		Antiepileptics nos 7/more	XXX	\$0		
80342		Antipsychotics nos 1-3	XXX	\$0		
80343		Antipsychotics nos 4-6	XXX	\$0		
80344		Antipsychotics nos 7/more	XXX	\$0		
80345		Drug screening barbiturates	XXX	\$0		
80346		Benzodiazepines 1-12	XXX	\$0		
80347		Benzodiazepines 13 or more	XXX	\$0		
80348		Drug screening buprenorphine	XXX	\$0		
80349		Cannabinoids natural	XXX	\$0		
80350		Cannabinoids synthetic 1-3	XXX	\$0		
80351		Cannabinoids synthetic 4-6	XXX	\$0		
80352		Cannabinoid synthetic 7/more	XXX	\$0		
80353		Drug screening cocaine	XXX	\$0		
80354		Drug screening fentanyl	XXX	\$0		
80355		Gabapentin non-blood	XXX	\$0		
80356		Heroin metabolite	XXX	\$0		
80357		Ketamine and norketamine	XXX	\$0		
80358		Drug screening methadone	XXX	\$0		
80359		Methylenedioxyamphetamines	XXX	\$0		
80360		Methylphenidate	XXX	\$0		
80361		Opiates 1 or more	XXX	\$0		
80362		Opioids & opiate analogs 1/2	XXX	\$0		
80363		Opioids & opiate analogs 3/4	XXX	\$0		
80364		Opioid & opiate analog 5/more	XXX	\$0		
80365		Drug screening oxycodone	XXX	\$0		
80366		Drug screening pregabalin	XXX	\$0		
80367		Drug screening propoxyphene	XXX	\$0		
80368		Sedative hypnotics	XXX	\$0		
80369		Skeletal muscle relaxant 1/2	XXX	\$0		
80370		Skel musc relaxant 3 or more	XXX	\$0		
80371		Stimulants synthetic	XXX	\$0		
80372		Drug screening tapentadol	XXX	\$0		
80373		Drug screening tramadol	XXX	\$0		
80374		Stereoisomer analysis	XXX	\$0		
80375		Drug/substance nos 1-3	XXX	\$0		
80376		Drug/substance nos 4-6	XXX	\$0		
80377		Drug/substance nos 7/more	XXX	\$0		
80400		Acth stimulation panel	XXX	\$141		
80400	26	Acth stimulation panel	XXX	\$41		
80400	TC	Acth stimulation panel	XXX	\$100		
80402		Acth stimulation panel	XXX	\$254		
80402	26	Acth stimulation panel	XXX	\$79		
80402	TC	Acth stimulation panel	XXX	\$175		
80406		Acth stimulation panel	XXX	\$254		
80406	26	Acth stimulation panel	XXX	\$79		
80406	TC	Acth stimulation panel	XXX	\$175		
80408		Aldosterone suppression eval	XXX	\$312		
80408	26	Aldosterone suppression eval	XXX	\$102		
80408	TC	Aldosterone suppression eval	XXX	\$210		
80410		Calcitonin stim panel	XXX	\$289		
80410	26	Calcitonin stim panel	XXX	\$92		
80410	TC	Calcitonin stim panel	XXX	\$197		
80412		CRH stimulation panel	XXX	\$570		
80412	26	CRH stimulation panel	XXX	\$163		
80412	TC	CRH stimulation panel	XXX	\$407		
80414		Testosterone response panel	XXX	\$306		
80414	26	Testosterone response panel	XXX	\$98		
80414	TC	Testosterone response panel	XXX	\$208		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
80415		Tot estradiol response panel	XXX	\$252		
80415	26	Tot estradiol response panel	XXX	\$61		
80415	TC	Tot estradiol response panel	XXX	\$191		
80416		Renin stimulation panel	XXX	\$314		
80417		Renin stimulation panel	XXX	\$66		
80418		Pituitary evaluation panel	XXX	\$1,303		
80418	26	Pituitary evaluation panel	XXX	\$350		
80418	TC	Pituitary evaluation panel	XXX	\$953		
80420		Dexamethasone panel	XXX	\$197		
80420	26	Dexamethasone panel	XXX	\$61		
80420	TC	Dexamethasone panel	XXX	\$136		
80422		Glucagon tolerance panel	XXX	\$116		
80422	26	Glucagon tolerance panel	XXX	\$35		
80422	TC	Glucagon tolerance panel	XXX	\$81		
80424		Glucagon tolerance panel	XXX	\$173		
80424	26	Glucagon tolerance panel	XXX	\$51		
80424	TC	Glucagon tolerance panel	XXX	\$122		
80426		Gonadotropin hormone panel	XXX	\$269		
80426	26	Gonadotropin hormone panel	XXX	\$53		
80426	TC	Gonadotropin hormone panel	XXX	\$216		
80428		Growth hormone panel	XXX	\$171		
80428	26	Growth hormone panel	XXX	\$37		
80428	TC	Growth hormone panel	XXX	\$134		
80430		Growth hormone panel	XXX	\$183		
80430	26	Growth hormone panel	XXX	\$47		
80430	TC	Growth hormone panel	XXX	\$136		
80432		Insulin suppression panel	XXX	\$448		
80432	26	Insulin suppression panel	XXX	\$106		
80432	TC	Insulin suppression panel	XXX	\$342		
80434		Insulin tolerance panel	XXX	\$214		
80434	26	Insulin tolerance panel	XXX	\$61		
80434	TC	Insulin tolerance panel	XXX	\$153		
80435		Insulin tolerance panel	XXX	\$220		
80435	26	Insulin tolerance panel	XXX	\$61		
80435	TC	Insulin tolerance panel	XXX	\$159		
80436		Metyrapone panel	XXX	\$222		
80436	26	Metyrapone panel	XXX	\$65		
80436	TC	Metyrapone panel	XXX	\$157		
80438		TRH stimulation panel	XXX	\$89		
80438	26	TRH stimulation panel	XXX	\$22		
80438	TC	TRH stimulation panel	XXX	\$67		
80439		TRH stimulation panel	XXX	\$119		
80439	26	TRH stimulation panel	XXX	\$29		
80439	TC	TRH stimulation panel	XXX	\$90		
80500		Lab pathology consultation	XXX	\$63		
80500	26	Lab pathology consultation	XXX	\$63		
80500	TC	Lab pathology consultation	XXX	\$0		
80502		Lab pathology consultation	XXX	\$132		
80502	26	Lab pathology consultation	XXX	\$132		
80502	TC	Lab pathology consultation	XXX	\$0		
81000		Urinalysis, nonauto w/scope	XXX	\$16		
81000	26	Urinalysis, nonauto w/scope	XXX	\$7		
81000	TC	Urinalysis, nonauto w/scope	XXX	\$9		
81001		Urinalysis, auto w/scope	XXX	\$16		
81001	26	Urinalysis, auto w/scope	XXX	\$7		
81001	TC	Urinalysis, auto w/scope	XXX	\$9		
81002		Urinalysis nonauto w/o scope	XXX	\$14		
81002	26	Urinalysis nonauto w/o scope	XXX	\$7		
81002	TC	Urinalysis nonauto w/o scope	XXX	\$7		
81003		Urinalysis, auto, w/o scope	XXX	\$10		
81003	26	Urinalysis, auto, w/o scope	XXX	\$4		
81003	TC	Urinalysis, auto, w/o scope	XXX	\$6		
81005		Urinalysis	XXX	\$6		
81005	26	Urinalysis	XXX	\$2		
81005	TC	Urinalysis	XXX	\$4		
81007		Urine screen for bacteria	XXX	\$6		
81007	26	Urine screen for bacteria	XXX	\$2		
81007	TC	Urine screen for bacteria	XXX	\$4		
81015		Microscopic exam of urine	XXX	\$10		
81015	26	Microscopic exam of urine	XXX	\$4		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
81015	TC	Microscopic exam of urine	XXX	\$6		
81020		Urinalysis, glass test	XXX	\$7		
81025		Urine pregnancy test	XXX	\$8		
81025	26	Urine pregnancy test	XXX	\$4		
81025	TC	Urine pregnancy test	XXX	\$4		
81050		Urinalysis volume measure	XXX	\$5		
81050	26	Urinalysis volume measure	XXX	BR		
81050	TC	Urinalysis volume measure	XXX	BR		
81099		Urinalysis test procedure	XXX	BR		
81099	26	Urinalysis test procedure	XXX	BR		
81099	TC	Urinalysis test procedure	XXX	BR		
81105		Hpa-1 genotyping	XXX	\$183		
81106		Hpa-2 genotyping	XXX	\$183		
81107		Hpa-3 genotyping	XXX	\$183		
81108		Hpa-4 genotyping	XXX	\$183		
81109		Hpa-5 genotyping	XXX	\$183		
81110		Hpa-6 genotyping	XXX	\$183		
81111		Hpa-9 genotyping	XXX	\$183		
81112		Hpa-15 genotyping	XXX	\$183		
81120		Idh1 common variants	XXX	\$290		
81121		Idh2 common variants	XXX	\$444		
81161		Dmd dup/delet analysis	XXX	\$419		
81162		Brcal&2 gen full seq dup/del	XXX	\$2,737		
81163		Brcal&2 gene full seq alys	XXX	\$702		
81164		Brcal&2 gen ful dup/del alys	XXX	\$876		
81165		Brcal gene full seq alys	XXX	\$424		
81166		Brcal gene full dup/del alys	XXX	\$452		
81167		Brcal2 gene full dup/del alys	XXX	\$424		
81168		Ccnd1/igh translocation alys	XXX	\$311		
81170		Abl1 gene	XXX	\$450		
81171		Aff2 gene detc abnor alleles	XXX	\$206		
81172		Aff2 gene charac alleles	XXX	\$412		
81173		Ar gene full gene sequence	XXX	\$452		
81174		Ar gene known famil variant	XXX	\$278		
81175		Asxl1 full gene sequence	XXX	\$1,015		
81176		Asxl1 gene target seq alys	XXX	\$363		
81177		Atn1 gene detc abnor alleles	XXX	\$206		
81178		Atxn1 gene detc abnor allele	XXX	\$206		
81179		Atxn2 gene detc abnor allele	XXX	\$206		
81180		Atxn3 gene detc abnor allele	XXX	\$206		
81181		Atxn7 gene detc abnor allele	XXX	\$206		
81182		Atxn8os gen detc abnor allele	XXX	\$206		
81183		Atxn10 gene detc abnor allele	XXX	\$206		
81184		Cacna1a gen detc abnor allele	XXX	\$206		
81185		Cacna1a gene full gene seq	XXX	\$1,269		
81186		Cacna1a gen known famil vrnt	XXX	\$278		
81187		Cnbp gene detc abnor allele	XXX	\$206		
81188		Cstb gene detc abnor allele	XXX	\$206		
81189		Cstb gene full gene sequence	XXX	\$412		
81190		Cstb gene known famil vrnt	XXX	\$278		
81191		Ntrk1 translocation analysis	XXX	\$311		
81192		Ntrk2 translocation analysis	XXX	\$311		
81193		Ntrk3 translocation analysis	XXX	\$311		
81194		Ntrk translocation analysis	XXX	\$777		
81200		Aspa gene	XXX	\$71		
81201		Apc gene full sequence	XXX	\$1,170		
81202		Apc gene known fam variants	XXX	\$420		
81203		Apc gene dup/delet variants	XXX	\$300		
81204		Ar gene charac alleles	XXX	\$206		
81205		Bckdhd gene	XXX	\$142		
81206		Bcr/abl1 gene major bp	XXX	\$246		
81207		Bcr/abl1 gene minor bp	XXX	\$217		
81208		Bcr/abl1 gene other bp	XXX	\$322		
81209		Blm gene	XXX	\$59		
81210		Braf gene	XXX	\$263		
81212		Brcal&2 185&5385&6174 vrnt	XXX	\$660		
81215		Brcal gene known famil vrnt	XXX	\$563		
81216		Brcal2 gene full seq alys	XXX	\$278		
81217		Brcal2 gene known famil vrnt	XXX	\$563		
81218		Cebpa gene full sequence	XXX	\$363		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
81219		Calr gene com variants	XXX	\$182		
81220		Cftr gene com variants	XXX	\$835		
81221		Cftr gene known fam variants	XXX	\$146		
81222		Cftr gene dup/delet variants	XXX	\$653		
81223		Cftr gene full sequence	XXX	\$749		
81224		Cftr gene intron poly t	XXX	\$253		
81225		Cyp2c19 gene com variants	XXX	\$437		
81226		Cyp2d6 gene com variants	XXX	\$676		
81227		Cyp2c9 gene com variants	XXX	\$262		
81228		Cytogen micrarray copy nmbr	XXX	\$1,350		
81229		Cytogen m array copy no&snp	XXX	\$1,740		
81230		Cyp3a4 gene common variants	XXX	\$262		
81231		Cyp3a5 gene common variants	XXX	\$262		
81232		Dpyd gene common variants	XXX	\$262		
81233		Btk gene common variants	XXX	\$263		
81234		Dmpk gene detc abnor allele	XXX	\$206		
81235		Egfr gene com variants	XXX	\$487		
81236		Ezh2 gene full gene sequence	XXX	\$424		
81237		Ezh2 gene common variants	XXX	\$263		
81238		F9 full gene sequence	XXX	\$900		
81239		Dmpk gene charac alleles	XXX	\$412		
81240		F2 gene	XXX	\$99		
81241		F5 gene	XXX	\$110		
81242		Fance gene	XXX	\$55		
81243		Fmr1 gene detection	XXX	\$86		
81244		Fmr1 gene charac alleles	XXX	\$67		
81245		Flt3 gene	XXX	\$248		
81246		Flt3 gene analysis	XXX	\$125		
81247		G6pd gene alys cmn variant	XXX	\$262		
81248		G6pd known familial variant	XXX	\$563		
81249		G6pd full gene sequence	XXX	\$900		
81250		G6pc gene	XXX	\$88		
81251		Gba gene	XXX	\$71		
81252		Gjb2 gene full sequence	XXX	\$152		
81253		Gjb2 gene known fam variants	XXX	\$92		
81254		Gjb6 gene com variants	XXX	\$53		
81255		Hexa gene	XXX	\$77		
81256		Hfe gene	XXX	\$98		
81257		Hba1/hba2 gene	XXX	\$153		
81258		Hba1/hba2 gene fam vrnt	XXX	\$563		
81259		Hba1/hba2 full gene sequence	XXX	\$900		
81260		Ikbkap gene	XXX	\$59		
81261		Igh gene rearrange amp meth	XXX	\$297		
81262		Igh gene rearrang dir probe	XXX	\$103		
81263		Igh vari regional mutation	XXX	\$442		
81264		Igk rearrangeabn clonal pop	XXX	\$259		
81265		Str markers specimen anal	XXX	\$350		
81266		Str markers spec anal addl	XXX	\$457		
81267		Chimerism anal no cell selec	XXX	\$311		
81268		Chimerism anal w/cell select	XXX	\$391		
81269		Hba1/hba2 gene dup/del vrnts	XXX	\$304		
81270		Jak2 gene	XXX	\$137		
81271		Htt gene detc abnor alleles	XXX	\$206		
81272		Kit gene targeted seq analys	XXX	\$494		
81273		Kit gene analys d816 variant	XXX	\$187		
81274		Htt gene charac alleles	XXX	\$412		
81275		Kras gene variants exon 2	XXX	\$290		
81276		Kras gene addl variants	XXX	\$290		
81277		Cytogenomic neo microra alys	XXX	\$1,740		
81278		Igh@/bc12 translocation alys	XXX	\$311		
81279		Jak2 gene trgt sequence alys	XXX	\$278		
81283		Ifnl3 gene	XXX	\$110		
81284		Fxn gene detc abnor alleles	XXX	\$206		
81285		Fxn gene charac alleles	XXX	\$412		
81286		Fxn gene full gene sequence	XXX	\$412		
81287		Mgmt gene prmtr mthyltn alys	XXX	\$187		
81288		Mlh1 gene	XXX	\$288		
81289		Fxn gene known famil variant	XXX	\$278		
81290		Mcoln1 gene	XXX	\$59		
81291		Mthfr gene	XXX	\$98		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
81292		Mlh1 gene full seq	XXX	\$1,013		
81293		Mlh1 gene known variants	XXX	\$497		
81294		Mlh1 gene dup/delete variant	XXX	\$304		
81295		Msh2 gene full seq	XXX	\$573		
81296		Msh2 gene known variants	XXX	\$507		
81297		Msh2 gene dup/delete variant	XXX	\$320		
81298		Msh6 gene full seq	XXX	\$963		
81299		Msh6 gene known variants	XXX	\$462		
81300		Msh6 gene dup/delete variant	XXX	\$357		
81301		Microsatellite instability	XXX	\$523		
81302		Mecp2 gene full seq	XXX	\$792		
81303		Mecp2 gene known variant	XXX	\$180		
81304		Mecp2 gene dup/delet variant	XXX	\$225		
81305		Myd88 gene p.leu265pro vrnt	XXX	\$263		
81306		Nudt15 gene common variants	XXX	\$437		
81307		Palb2 gene full gene seq	XXX	\$1,015		
81308		Palb2 gene known famil vrnt	XXX	\$452		
81309		Pik3ca gene trgt seq alys	XXX	\$412		
81310		Npm1 gene	XXX	\$370		
81311		Nras gene variants exon 2&3	XXX	\$444		
81312		Pabpn1 gene detc abnor allele	XXX	\$206		
81313		Pca3/klk3 antigen	XXX	\$383		
81314		Pdgfra gene	XXX	\$494		
81315		Pml/raralpha com breakpoints	XXX	\$311		
81316		Pml/raralpha 1 breakpoint	XXX	\$311		
81317		Pms2 gene full seq analysis	XXX	\$1,015		
81318		Pms2 known familial variants	XXX	\$497		
81319		Pms2 gene dup/delet variants	XXX	\$305		
81320		Plcg2 gene common variants	XXX	\$437		
81321		Pten gene full sequence	XXX	\$900		
81322		Pten gene known fam variant	XXX	\$70		
81323		Pten gene dup/delet variant	XXX	\$450		
81324		Pmp22 gene dup/delet	XXX	\$1,138		
81325		Pmp22 gene full sequence	XXX	\$1,154		
81326		Pmp22 gene known fam variant	XXX	\$70		
81327		Sept9 gen prmtr mthyltn alys	XXX	\$288		
81328		Sleo1b1 gene com variants	XXX	\$262		
81329		Smn1 gene dos/deletion alys	XXX	\$206		
81330		Smpd1 gene common variants	XXX	\$71		
81331		Snrpn/tube3a gene	XXX	\$77		
81332		Serpina1 gene	XXX	\$65		
81333		Tgfb1 gene common variants	XXX	\$206		
81334		Runx1 gene targeted seq alys	XXX	\$494		
81335		Tpmt gene com variants	XXX	\$262		
81336		Smn1 gene full gene sequence	XXX	\$452		
81337		Smn1 gen nown famil seq vrnt	XXX	\$278		
81338		Mpl gene common variants	XXX	\$225		
81339		Mpl gene seq alys exon 10	XXX	\$278		
81340		Trb@ gene rearrange amplify	XXX	\$313		
81341		Trb@ gene rearrange dirprobe	XXX	\$74		
81342		Trg gene rearrangement anal	XXX	\$302		
81343		Ppp2r2b gen detc abnor allele	XXX	\$206		
81344		Tbp gene detc abnor alleles	XXX	\$206		
81345		Tert gene targeted seq alys	XXX	\$278		
81346		Tyms gene com variants	XXX	\$262		
81347		Sf3b1 gene common variants	XXX	\$290		
81348		Srsf2 gene common variants	XXX	\$263		
81350		Ugt1a1 gene common variants	XXX	\$351		
81351		Tp53 gene full gene sequence	XXX	\$963		
81352		Tp53 gene trgt sequence alys	XXX	\$494		
81353		Tp53 gene known famil vrnt	XXX	\$462		
81355		Vkorc1 gene	XXX	\$132		
81357		U2af1 gene common variants	XXX	\$290		
81360		Zrsr2 gene common variants	XXX	\$290		
81361		Hbb gene com variants	XXX	\$262		
81362		Hbb gene known fam variant	XXX	\$563		
81363		Hbb gene dup/del variants	XXX	\$304		
81364		Hbb full gene sequence	XXX	\$487		
81370		Hla i & ii typing lr	XXX	\$603		
81371		Hla i & ii type verify lr	XXX	\$607		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
81372		Hla i typing complete lr	XXX	\$605		
81373		Hla i typing 1 locus lr	XXX	\$191		
81374		Hla i typing 1 antigen lr	XXX	\$111		
81375		Hla ii typing ag equiv lr	XXX	\$331		
81376		Hla ii typing 1 locus lr	XXX	\$183		
81377		Hla ii type 1 ag equiv lr	XXX	\$142		
81378		Hla i & ii typing hr	XXX	\$518		
81379		Hla i typing complete hr	XXX	\$503		
81380		Hla i typing 1 locus hr	XXX	\$266		
81381		Hla i typing 1 allele hr	XXX	\$255		
81382		Hla ii typing 1 loc hr	XXX	\$186		
81383		Hla ii typing 1 allele hr	XXX	\$164		
81400		Mopath procedure level 1	XXX	\$96		
81401		Mopath procedure level 2	XXX	\$206		
81402		Mopath procedure level 3	XXX	\$225		
81403		Mopath procedure level 4	XXX	\$278		
81404		Mopath procedure level 5	XXX	\$412		
81405		Mopath procedure level 6	XXX	\$452		
81406		Mopath procedure level 7	XXX	\$424		
81407		Mopath procedure level 8	XXX	\$1,269		
81408		Mopath procedure level 9	XXX	\$3,000		
81410		Aortic dysfunction/dilation	XXX	\$756		
81411		Aortic dysfunction/dilation	XXX	\$2,025		
81412		Ashkenazi jewish assoc dis	XXX	\$3,673		
81413		Car ion chnnpth inc 10 gns	XXX	\$877		
81414		Car ion chnnpth inc 2 gns	XXX	\$877		
81415		Exome sequence analysis	XXX	\$7,170		
81416		Exome sequence analysis	XXX	\$18,000		
81417		Exome re-evaluation	XXX	\$480		
81419		Epilepsy gen seq alyns panel	XXX	\$3,673		
81420		Fetal chrmmoml aneuploidy	XXX	\$1,139		
81422		Fetal chrmmoml microdeljt	XXX	\$1,139		
81425		Genome sequence analysis	XXX	\$7,547		
81426		Genome sequence analysis	XXX	\$4,065		
81427		Genome re-evaluation	XXX	\$3,506		
81430		Hearing loss sequence analys	XXX	\$2,438		
81431		Hearing loss dup/del analys	XXX	\$1,019		
81432		Hrdtry brst ca-rlatd dsordrs	XXX	\$1,019		
81433		Hrdtry brst ca-rlatd dsordrs	XXX	\$658		
81434		Hereditary retinal disorders	XXX	\$897		
81435		Hereditary colon ca dsordrs	XXX	\$877		
81436		Hereditary colon ca dsordrs	XXX	\$877		
81437		Heredtry nurondern tum dsrd	XXX	\$658		
81438		Heredtry nurondcrn tum dsrd	XXX	\$658		
81439		Hrdtry cardmypy gene panel	XXX	\$877		
81440		Mitochondrial gene	XXX	\$4,986		
81442		Noonan spectrum disorders	XXX	\$3,215		
81443		Genetic tstg severe inh cond	XXX	\$3,673		
81445		Targeted genomic seq analys	XXX	\$897		
81448		Hrdtry perph neurphy panel	XXX	\$877		
81450		Targeted genomic seq analys	XXX	\$1,139		
81455		Targeted genomic seq analys	XXX	\$4,379		
81460		Whole mitochondrial genome	XXX	\$1,931		
81465		Whole mitochondrial genome	XXX	\$1,404		
81470		X-linked intellectual dblt	XXX	\$1,371		
81471		X-linked intellectual dblt	XXX	\$1,371		
81479		Unlisted molecular pathology	XXX	BR		
81490		Autoimmune rheumatoid arthr	XXX	\$1,261		
81493		Cor artery disease mrna	XXX	\$1,575		
81500		Onco (ovar) two proteins	XXX	\$391		
81503		Onco (ovar) five proteins	XXX	\$1,346		
81504		Oncology tissue of origin	XXX	\$780		
81506		Endo assay seven anal	XXX	\$103		
81507		Fetal aneuploidy trisom risk	XXX	\$1,193		
81508		Ftl cgen abnor two proteins	XXX	\$81		
81509		Ftl cgen abnor 3 proteins	XXX	\$2,231		
81510		Ftl cgen abnor three anal	XXX	\$83		
81511		Ftl cgen abnor four anal	XXX	\$230		
81512		Ftl cgen abnor five anal	XXX	\$104		
81513		Nfct ds bv rna vag flu alg	XXX	\$214		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
81514		Nfct ds bv&vaginitis dna alg	XXX	\$394		
81518		Onc brst mrna 11 genes	XXX	\$5,810		
81519		Oncology breast mrna	XXX	\$5,810		
81520		Onc breast mrna 58 genes	XXX	\$3,765		
81521		Onc breast mrna 70 genes	XXX	\$5,810		
81522		Onc breast mrna 12 genes	XXX	\$5,810		
81525		Oncology colon mrna	XXX	\$4,674		
81528		Oncology colorectal scr	XXX	\$763		
81529		Onc cutan mlnma mrna 31 gene	XXX	\$10,790		
81535		Oncology gynecologic	XXX	\$869		
81536		Oncology gynecologic	XXX	\$266		
81538		Oncology lung	XXX	\$4,307		
81539		Oncology prostate prob score	XXX	\$1,140		
81540		Oncology tum unknown origin	XXX	\$5,625		
81541		Onc prostate mrna 46 genes	XXX	\$5,810		
81542		Onc prostate mrna 22 cnt gen	XXX	\$5,810		
81546		Onc thyr mrna 10,196 gen alg	XXX	\$5,400		
81551		Onc prostate 3 genes	XXX	\$3,045		
81552		Onc uveal mlnma mrna 15 gene	XXX	\$11,664		
81554		Pulm ds ipf mrna 190 gen alg	XXX	\$8,250		
81595		Cardiology hrt trnspl mrna	XXX	\$4,860		
81596		Nfct ds chrnc hcv 6 assays	XXX	\$108		
81599		Unlisted maaa	XXX	BR		
82009		Test for acetone/ketones	XXX	\$18		
82009	26	Test for acetone/ketones	XXX	\$6		
82009	TC	Test for acetone/ketones	XXX	\$12		
82010		Acetone assay	XXX	\$43		
82010	26	Acetone assay	XXX	\$14		
82010	TC	Acetone assay	XXX	\$29		
82013		Acetylcholinesterase assay	XXX	\$47		
82013	26	Acetylcholinesterase assay	XXX	\$14		
82013	TC	Acetylcholinesterase assay	XXX	\$33		
82016		Acylcarnitines, qual..	XXX	\$25		
82017		Acylcarnitines, quant	XXX	\$25		
82024		Assay of ACTH	XXX	\$143		
82024	26	Assay of ACTH	XXX	\$43		
82024	TC	Assay of ACTH	XXX	\$100		
82030		Assay of ADP & AMP	XXX	\$82		
82030	26	Assay of ADP & AMP	XXX	\$33		
82030	TC	Assay of ADP & AMP	XXX	\$49		
82040		Assay of serum albumin	XXX	\$20		
82040	26	Assay of serum albumin	XXX	\$6		
82040	TC	Assay of serum albumin	XXX	\$14		
82042		Other source albumin quan ea	XXX	\$22		
82042	26	Other source albumin quan ea	XXX	\$6		
82042	TC	Other source albumin quan ea	XXX	\$16		
82043		Ur albumin, quantitative	XXX	\$9		
82043	26	Ur albumin, quantitative	XXX	BR		
82043	TC	Ur albumin, quantitative	XXX	BR		
82044		Ur albumin, semiquantitative	XXX	\$9		
82044	26	Ur albumin, semiquantitative	XXX	BR		
82044	TC	Ur albumin, semiquantitative	XXX	BR		
82045		Albumin ischemia modified	XXX	\$51		
82075		Assay of breath ethanol	XXX	\$59		
82075	26	Assay of breath ethanol	XXX	\$18		
82075	TC	Assay of breath ethanol	XXX	\$41		
82077		Assay spec xcp ur&breath ia	XXX	\$26		
82085		Assay of aldolase	XXX	\$47		
82085	26	Assay of aldolase	XXX	\$14		
82085	TC	Assay of aldolase	XXX	\$33		
82088		Assay of aldosterone	XXX	\$169		
82088	26	Assay of aldosterone	XXX	\$53		
82088	TC	Assay of aldosterone	XXX	\$116		
82103		Alpha-1-antitrypsin, total	XXX	\$20		
82103	26	Alpha-1-antitrypsin, total	XXX	BR		
82103	TC	Alpha-1-antitrypsin, total	XXX	BR		
82104		Alpha-1-antitrypsin, pheno	XXX	\$22		
82104	26	Alpha-1-antitrypsin, pheno	XXX	BR		
82104	TC	Alpha-1-antitrypsin, pheno	XXX	BR		
82105		Alpha-fetoprotein, serum	XXX	\$25		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
82105	26	Alpha-fetoprotein, serum	XXX	BR		
82105	TC	Alpha-fetoprotein, serum	XXX	BR		
82106		Alpha-fetoprotein amniotic	XXX	\$26		
82106	26	Alpha-fetoprotein amniotic	XXX	BR		
82106	TC	Alpha-fetoprotein amniotic	XXX	BR		
82107		Alpha-fetoprotein l3	XXX	\$97		
82108		Assay of aluminum	XXX	\$85		
82108	26	Assay of aluminum	XXX	\$26		
82108	TC	Assay of aluminum	XXX	\$59		
82120		Amines, vaginal fluid qual	XXX	\$9		
82127		Amino acid, single qual	XXX	\$54		
82127	26	Amino acid, single qual	XXX	\$14		
82127	TC	Amino acid, single qual	XXX	\$40		
82128		Amino acids, mult qual	XXX	\$54		
82128	26	Amino acids, mult qual	XXX	\$14		
82128	TC	Amino acids, mult qual	XXX	\$40		
82131		Amino acids, single quant	XXX	\$34		
82131	26	Amino acids, single quant	XXX	BR		
82131	TC	Amino acids, single quant	XXX	BR		
82135		Assay, aminolevulinic acid	XXX	\$77		
82135	26	Assay, aminolevulinic acid	XXX	\$24		
82135	TC	Assay, aminolevulinic acid	XXX	\$53		
82136		Amino acids, quant, 2-5	XXX	\$29		
82136	26	Amino acids, quant, 2-5	XXX	BR		
82136	TC	Amino acids, quant, 2-5	XXX	BR		
82139		Amino acids, quan, 6 or more	XXX	\$25		
82139	26	Amino acids, quan, 6 or more	XXX	BR		
82139	TC	Amino acids, quan, 6 or more	XXX	BR		
82140		Assay of ammonia	XXX	\$75		
82140	26	Assay of ammonia	XXX	\$22		
82140	TC	Assay of ammonia	XXX	\$53		
82143		Amniotic fluid scan	XXX	\$53		
82143	26	Amniotic fluid scan	XXX	\$16		
82143	TC	Amniotic fluid scan	XXX	\$37		
82150		Assay of amylase	XXX	\$30		
82150	26	Assay of amylase	XXX	\$10		
82150	TC	Assay of amylase	XXX	\$20		
82154		Androstenediol glucuronide	XXX	\$43		
82154	26	Androstenediol glucuronide	XXX	BR		
82154	TC	Androstenediol glucuronide	XXX	BR		
82157		Assay of androstenedione	XXX	\$108		
82157	26	Assay of androstenedione	XXX	\$33		
82157	TC	Assay of androstenedione	XXX	\$75		
82160		Androsterone assay	XXX	\$122		
82160	26	Androsterone assay	XXX	\$41		
82160	TC	Androsterone assay	XXX	\$81		
82163		Assay of angiotensin II	XXX	\$79		
82163	26	Assay of angiotensin II	XXX	\$22		
82163	TC	Assay of angiotensin II	XXX	\$57		
82164		Angiotensin I enzyme test	XXX	\$59		
82164	26	Angiotensin I enzyme test	XXX	\$18		
82164	TC	Angiotensin I enzyme test	XXX	\$41		
82172		Assay of apolipoprotein	XXX	\$65		
82172	26	Assay of apolipoprotein	XXX	\$20		
82172	TC	Assay of apolipoprotein	XXX	\$45		
82175		Assay of arsenic	XXX	\$90		
82175	26	Assay of arsenic	XXX	\$29		
82175	TC	Assay of arsenic	XXX	\$61		
82180		Assay of ascorbic acid	XXX	\$49		
82180	26	Assay of ascorbic acid	XXX	\$16		
82180	TC	Assay of ascorbic acid	XXX	\$33		
82190		Atomic absorption	XXX	\$24		
82190	26	Atomic absorption	XXX	BR		
82190	TC	Atomic absorption	XXX	BR		
82232		Assay of beta-2 protein	XXX	\$81		
82232	26	Assay of beta-2 protein	XXX	\$26		
82232	TC	Assay of beta-2 protein	XXX	\$55		
82239		Bile acids, total	XXX	\$26		
82239	26	Bile acids, total	XXX	BR		
82239	TC	Bile acids, total	XXX	BR		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
82240		Bile acids, cholyglycine	XXX	\$92		
82240	26	Bile acids, cholyglycine	XXX	\$29		
82240	TC	Bile acids, cholyglycine	XXX	\$63		
82247		Bilirubin, total	XXX	\$8		
82247	26	Bilirubin, total	XXX	BR		
82247	TC	Bilirubin, total	XXX	BR		
82248		Bilirubin, direct	XXX	\$8		
82248	26	Bilirubin, direct	XXX	BR		
82248	TC	Bilirubin, direct	XXX	BR		
82252		Fecal bilirubin test	XXX	\$20		
82252	26	Fecal bilirubin test	XXX	\$6		
82252	TC	Fecal bilirubin test	XXX	\$14		
82261		Assay of biotinidase	XXX	\$25		
82270		Occult blood, feces	XXX	\$12		
82270	26	Occult blood, feces	XXX	\$5		
82270	TC	Occult blood, feces	XXX	\$7		
82271		Occult blood other sources	XXX	\$8		
82272		Occult bld feces 1-3 tests	XXX	\$6		
82274		Assay test for blood fecal	XXX	\$24		
82286		Assay of bradykinin	XXX	\$22		
82286	26	Assay of bradykinin	XXX	\$6		
82286	TC	Assay of bradykinin	XXX	\$16		
82300		Assay of cadmium	XXX	\$90		
82300	26	Assay of cadmium	XXX	\$29		
82300	TC	Assay of cadmium	XXX	\$61		
82306		Vitamin D 25 hydroxy	XXX	\$147		
82306	26	Vitamin D 25 hydroxy	XXX	\$49		
82306	TC	Vitamin D 25 hydroxy	XXX	\$98		
82308		Assay of calcitonin	XXX	\$116		
82308	26	Assay of calcitonin	XXX	\$35		
82308	TC	Assay of calcitonin	XXX	\$81		
82310		Assay of calcium	XXX	\$20		
82310	26	Assay of calcium	XXX	\$6		
82310	TC	Assay of calcium	XXX	\$14		
82330		Assay of calcium	XXX	\$69		
82330	26	Assay of calcium	XXX	\$20		
82330	TC	Assay of calcium	XXX	\$49		
82331		Calcium infusion test	XXX	\$26		
82331	26	Calcium infusion test	XXX	\$8		
82331	TC	Calcium infusion test	XXX	\$18		
82340		Assay of calcium in urine	XXX	\$24		
82340	26	Assay of calcium in urine	XXX	\$8		
82340	TC	Assay of calcium in urine	XXX	\$16		
82355		Calculus (stone) analysis qual	XXX	\$57		
82355	26	Calculus (stone) analysis qual	XXX	\$18		
82355	TC	Calculus (stone) analysis qual	XXX	\$39		
82360		Calculus (stone) assay quant	XXX	\$57		
82360	26	Calculus (stone) assay quant	XXX	\$18		
82360	TC	Calculus (stone) assay quant	XXX	\$39		
82365		Calculus spectroscopy	XXX	\$57		
82365	26	Calculus spectroscopy	XXX	\$16		
82365	TC	Calculus spectroscopy	XXX	\$41		
82370		X-ray assay, calculus	XXX	\$43		
82370	26	X-ray assay, calculus	XXX	\$14		
82370	TC	X-ray assay, calculus	XXX	\$29		
82373		Assay c-d transfer measure	XXX	\$27		
82374		Assay blood carbon dioxide	XXX	\$18		
82374	26	Assay blood carbon dioxide	XXX	\$6		
82374	TC	Assay blood carbon dioxide	XXX	\$12		
82375		Assay carboxyhb quant	XXX	\$63		
82375	26	Assay carboxyhb quant	XXX	\$18		
82375	TC	Assay carboxyhb quant	XXX	\$45		
82376		Assay carboxyhb qual	XXX	\$20		
82376	26	Assay carboxyhb qual	XXX	\$6		
82376	TC	Assay carboxyhb qual	XXX	\$14		
82378		Carcinoembryonic antigen	XXX	\$28		
82378	26	Carcinoembryonic antigen	XXX	BR		
82378	TC	Carcinoembryonic antigen	XXX	BR		
82379		Assay of carnitine	XXX	\$25		
82380		Assay of carotene	XXX	\$41		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
82380	26	Assay of carotene	XXX	\$12		
82380	TC	Assay of carotene	XXX	\$29		
82382		Assay urine catecholamines	XXX	\$71		
82382	26	Assay urine catecholamines	XXX	\$22		
82382	TC	Assay urine catecholamines	XXX	\$49		
82383		Assay blood catecholamines	XXX	\$116		
82383	26	Assay blood catecholamines	XXX	\$35		
82383	TC	Assay blood catecholamines	XXX	\$81		
82384		Assay three catecholamines	XXX	\$116		
82384	26	Assay three catecholamines	XXX	\$35		
82384	TC	Assay three catecholamines	XXX	\$81		
82387		Assay of cathepsin-D	XXX	\$27		
82387	26	Assay of cathepsin-D	XXX	BR		
82387	TC	Assay of cathepsin-D	XXX	BR		
82390		Assay of ceruloplasmin	XXX	\$47		
82390	26	Assay of ceruloplasmin	XXX	\$14		
82390	TC	Assay of ceruloplasmin	XXX	\$33		
82397		Chemiluminescent assay	XXX	\$21		
82397	26	Chemiluminescent assay	XXX	BR		
82397	TC	Chemiluminescent assay	XXX	BR		
82415		Assay of chloramphenicol	XXX	\$53		
82415	26	Assay of chloramphenicol	XXX	\$16		
82415	TC	Assay of chloramphenicol	XXX	\$37		
82435		Assay of blood chloride	XXX	\$16		
82435	26	Assay of blood chloride	XXX	\$4		
82435	TC	Assay of blood chloride	XXX	\$12		
82436		Assay of urine chloride	XXX	\$26		
82436	26	Assay of urine chloride	XXX	\$8		
82436	TC	Assay of urine chloride	XXX	\$18		
82438		Assay other fluid chlorides	XXX	\$24		
82438	26	Assay other fluid chlorides	XXX	\$8		
82438	TC	Assay other fluid chlorides	XXX	\$16		
82441		Test for chlorohydrocarbons	XXX	\$30		
82441	26	Test for chlorohydrocarbons	XXX	\$10		
82441	TC	Test for chlorohydrocarbons	XXX	\$20		
82465		Assay bld/serum cholesterol	XXX	\$16		
82465	26	Assay bld/serum cholesterol	XXX	\$4		
82465	TC	Assay bld/serum cholesterol	XXX	\$12		
82480		Assay serum cholinesterase	XXX	\$45		
82480	26	Assay serum cholinesterase	XXX	\$12		
82480	TC	Assay serum cholinesterase	XXX	\$33		
82482		Assay rbc cholinesterase	XXX	\$53		
82482	26	Assay rbc cholinesterase	XXX	\$16		
82482	TC	Assay rbc cholinesterase	XXX	\$37		
82485		Assay chondroitin sulfate	XXX	\$69		
82485	26	Assay chondroitin sulfate	XXX	\$16		
82485	TC	Assay chondroitin sulfate	XXX	\$53		
82495		Assay of chromium	XXX	\$90		
82495	26	Assay of chromium	XXX	\$31		
82495	TC	Assay of chromium	XXX	\$59		
82507		Assay of citrate	XXX	\$104		
82507	26	Assay of citrate	XXX	\$31		
82507	TC	Assay of citrate	XXX	\$73		
82523		Collagen crosslinks	XXX	\$28		
82525		Assay of copper	XXX	\$63		
82525	26	Assay of copper	XXX	\$18		
82525	TC	Assay of copper	XXX	\$45		
82528		Assay of corticosterone	XXX	\$75		
82528	26	Assay of corticosterone	XXX	\$24		
82528	TC	Assay of corticosterone	XXX	\$51		
82530		Cortisol, free	XXX	\$25		
82530	26	Cortisol, free	XXX	BR		
82530	TC	Cortisol, free	XXX	BR		
82533		Total cortisol	XXX	\$65		
82533	26	Total cortisol	XXX	\$18		
82533	TC	Total cortisol	XXX	\$47		
82540		Assay of creatine	XXX	\$18		
82540	26	Assay of creatine	XXX	\$6		
82540	TC	Assay of creatine	XXX	\$12		
82542		Column chromatography, qual/quant	XXX	\$36		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
82550		Assay of CK (CPK)	XXX	\$30		
82550	26	Assay of CK (CPK)	XXX	\$8		
82550	TC	Assay of CK (CPK)	XXX	\$22		
82552		Assay of CPK in blood	XXX	\$61		
82552	26	Assay of CPK in blood	XXX	\$18		
82552	TC	Assay of CPK in blood	XXX	\$43		
82553		Creatine, MB fraction	XXX	\$17		
82553	26	Creatine, MB fraction	XXX	BR		
82553	TC	Creatine, MB fraction	XXX	BR		
82554		Creatine, isoforms	XXX	\$18		
82554	26	Creatine, isoforms	XXX	BR		
82554	TC	Creatine, isoforms	XXX	BR		
82565		Assay of creatinine	XXX	\$24		
82565	26	Assay of creatinine	XXX	\$4		
82565	TC	Assay of creatinine	XXX	\$20		
82570		Assay of urine creatinine	XXX	\$24		
82570	26	Assay of urine creatinine	XXX	\$6		
82570	TC	Assay of urine creatinine	XXX	\$18		
82575		Creatinine clearance test	XXX	\$49		
82575	26	Creatinine clearance test	XXX	\$16		
82575	TC	Creatinine clearance test	XXX	\$33		
82585		Assay of cryofibrinogen	XXX	\$28		
82585	26	Assay of cryofibrinogen	XXX	\$6		
82585	TC	Assay of cryofibrinogen	XXX	\$22		
82595		Assay of cryoglobulin	XXX	\$32		
82595	26	Assay of cryoglobulin	XXX	\$10		
82595	TC	Assay of cryoglobulin	XXX	\$22		
82600		Assay of cyanide	XXX	\$75		
82600	26	Assay of cyanide	XXX	\$22		
82600	TC	Assay of cyanide	XXX	\$53		
82607		Vitamin B-12	XXX	\$77		
82607	26	Vitamin B-12	XXX	\$22		
82607	TC	Vitamin B-12	XXX	\$55		
82608		B-12 binding capacity	XXX	\$75		
82608	26	B-12 binding capacity	XXX	\$24		
82608	TC	B-12 binding capacity	XXX	\$51		
82610		Cystatin C	XXX	\$28		
82615		Test for urine cystines	XXX	\$32		
82615	26	Test for urine cystines	XXX	\$10		
82615	TC	Test for urine cystines	XXX	\$22		
82626		Dehydroepiandrosterone	XXX	\$112		
82626	26	Dehydroepiandrosterone	XXX	\$37		
82626	TC	Dehydroepiandrosterone	XXX	\$75		
82627		Dehydroepiandrosterone	XXX	\$33		
82627	26	Dehydroepiandrosterone	XXX	BR		
82627	TC	Dehydroepiandrosterone	XXX	BR		
82633		Desoxycorticosterone	XXX	\$151		
82633	26	Desoxycorticosterone	XXX	\$45		
82633	TC	Desoxycorticosterone	XXX	\$106		
82634		Deoxycortisol	XXX	\$151		
82634	26	Deoxycortisol	XXX	\$45		
82634	TC	Deoxycortisol	XXX	\$106		
82638		Assay of dibucaine number	XXX	\$45		
82638	26	Assay of dibucaine number	XXX	\$14		
82638	TC	Assay of dibucaine number	XXX	\$31		
82642		Dihydrotestosterone	XXX	\$44		
82652		Assay, Vit d 1 25-dihydroxy	XXX	\$165		
82652	26	Assay, Vit d 1 25-dihydroxy	XXX	\$49		
82652	TC	Assay, Vit d 1 25-dihydroxy	XXX	\$116		
82656		Pancreatic elastase fecal	XXX	\$17		
82657		Enzyme cell activity	XXX	\$33		
82658		Enzyme cell activity, ra.	XXX	\$66		
82664		Electrophoretic test	XXX	\$75		
82664	26	Electrophoretic test	XXX	\$24		
82664	TC	Electrophoretic test	XXX	\$51		
82668		Assay of erythropoietin	XXX	\$85		
82668	26	Assay of erythropoietin	XXX	\$26		
82668	TC	Assay of erythropoietin	XXX	\$59		
82670		Assay of total estradiol	XXX	\$114		
82670	26	Assay of total estradiol	XXX	\$35		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
82670	TC	Assay of total estradiol	XXX	\$79		
82671		Assay of estrogens	XXX	\$114		
82671	26	Assay of estrogens	XXX	\$33		
82671	TC	Assay of estrogens	XXX	\$81		
82672		Assay of estrogen	XXX	\$108		
82672	26	Assay of estrogen	XXX	\$31		
82672	TC	Assay of estrogen	XXX	\$77		
82677		Assay of estriol	XXX	\$98		
82677	26	Assay of estriol	XXX	\$33		
82677	TC	Assay of estriol	XXX	\$65		
82679		Assay of estrone	XXX	\$129		
82679	26	Assay of estrone	XXX	\$39		
82679	TC	Assay of estrone	XXX	\$90		
82681		Assay dir meas fr estradiol	XXX	\$42		
82693		Assay of ethylene glycol	XXX	\$22		
82693	26	Assay of ethylene glycol	XXX	BR		
82693	TC	Assay of ethylene glycol	XXX	BR		
82696		Assay of etiocholanolone	XXX	\$108		
82696	26	Assay of etiocholanolone	XXX	\$37		
82696	TC	Assay of etiocholanolone	XXX	\$71		
82705		Fats/lipids, feces, qual	XXX	\$26		
82705	26	Fats/lipids, feces, qual	XXX	\$10		
82705	TC	Fats/lipids, feces, qual	XXX	\$16		
82710		Fats/lipids, feces, quant	XXX	\$79		
82710	26	Fats/lipids, feces, quant	XXX	\$24		
82710	TC	Fats/lipids, feces, quant	XXX	\$55		
82715		Assay of fecal fat	XXX	\$61		
82715	26	Assay of fecal fat	XXX	\$20		
82715	TC	Assay of fecal fat	XXX	\$41		
82725		Assay of blood fatty acids	XXX	\$53		
82725	26	Assay of blood fatty acids	XXX	\$16		
82725	TC	Assay of blood fatty acids	XXX	\$37		
82726		Long chain fatty acids	XXX	\$30		
82728		Assay of ferritin	XXX	\$47		
82728	26	Assay of ferritin	XXX	\$14		
82728	TC	Assay of ferritin	XXX	\$33		
82731		Assay of fetal fibronectin.	XXX	\$97		
82735		Assay of fluoride	XXX	\$67		
82735	26	Assay of fluoride	XXX	\$22		
82735	TC	Assay of fluoride	XXX	\$45		
82746		Assay of folic acid serum	XXX	\$73		
82746	26	Assay of folic acid serum	XXX	\$24		
82746	TC	Assay of folic acid serum	XXX	\$49		
82747		Assay of folic acid, RBC	XXX	\$26		
82747	26	Assay of folic acid, RBC	XXX	BR		
82747	TC	Assay of folic acid, RBC	XXX	BR		
82757		Assay of semen fructose	XXX	\$67		
82757	26	Assay of semen fructose	XXX	\$20		
82757	TC	Assay of semen fructose	XXX	\$47		
82759		Assay of RBC galactokinase	XXX	\$71		
82759	26	Assay of RBC galactokinase	XXX	\$22		
82759	TC	Assay of RBC galactokinase	XXX	\$49		
82760		Assay of galactose	XXX	\$51		
82760	26	Assay of galactose	XXX	\$16		
82760	TC	Assay of galactose	XXX	\$35		
82775		Assay galactose transferase	XXX	\$87		
82775	26	Assay galactose transferase	XXX	\$26		
82775	TC	Assay galactose transferase	XXX	\$61		
82776		Galactose transferase test	XXX	\$26		
82776	26	Galactose transferase test	XXX	\$6		
82776	TC	Galactose transferase test	XXX	\$20		
82777		Galectin-3	XXX	\$66		
82784		Assay iga/igd/igg/igm each	XXX	\$28		
82784	26	Assay iga/igd/igg/igm each	XXX	\$8		
82784	TC	Assay iga/igd/igg/igm each	XXX	\$20		
82785		Assay of ige	XXX	\$61		
82785	26	Assay of ige	XXX	\$20		
82785	TC	Assay of ige	XXX	\$41		
82787		IgG 1, 2, 3 or 4 each	XXX	\$12		
82787	26	IgG 1, 2, 3 or 4 each	XXX	BR		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
82787	TC	IgG 1, 2, 3 or 4 each	XXX	BR		
82800		Blood pH	XXX	\$43		
82800	26	Blood pH	XXX	\$12		
82800	TC	Blood pH	XXX	\$31		
82803		Blood gases: any combination	XXX	\$100		
82803	26	Blood gases: any combination	XXX	\$31		
82803	TC	Blood gases: any combination	XXX	\$69		
82805		Blood gases w/O2 saturation	XXX	\$53		
82805	26	Blood gases w/O2 saturation	XXX	\$16		
82805	TC	Blood gases w/O2 saturation	XXX	\$37		
82810		Blood gases, O2 sat only	XXX	\$53		
82810	26	Blood gases, O2 sat only	XXX	\$16		
82810	TC	Blood gases, O2 sat only	XXX	\$37		
82820		Hemoglobin-oxygen affinity	XXX	\$20		
82820	26	Hemoglobin-oxygen affinity	XXX	BR		
82820	TC	Hemoglobin-oxygen affinity	XXX	BR		
82930		Gastric analy w/ph ea spec	XXX	\$10		
82938		Gastrin test	XXX	\$90		
82938	26	Gastrin test	XXX	\$31		
82938	TC	Gastrin test	XXX	\$59		
82941		Assay of gastrin	XXX	\$88		
82941	26	Assay of gastrin	XXX	\$29		
82941	TC	Assay of gastrin	XXX	\$59		
82943		Assay of glucagon	XXX	\$71		
82943	26	Assay of glucagon	XXX	\$22		
82943	TC	Assay of glucagon	XXX	\$49		
82945		Glucose other fluid	XXX	\$6		
82946		Glucagon tolerance test	XXX	\$55		
82946	26	Glucagon tolerance test	XXX	\$14		
82946	TC	Glucagon tolerance test	XXX	\$41		
82947		Assay glucose blood quantitative	XXX	\$20		
82947	26	Assay glucose blood quantitative	XXX	\$6		
82947	TC	Assay glucose blood quantitative	XXX	\$14		
82948		Reagent strip/blood glucose	XXX	\$10		
82948	26	Reagent strip/blood glucose	XXX	\$4		
82948	TC	Reagent strip/blood glucose	XXX	\$6		
82950		Glucose test	XXX	\$22		
82950	26	Glucose test	XXX	\$8		
82950	TC	Glucose test	XXX	\$14		
82951		Glucose tolerance test (gtt)	XXX	\$43		
82951	26	Glucose tolerance test (gtt)	XXX	\$14		
82951	TC	Glucose tolerance test (gtt)	XXX	\$29		
82952		GTT-added samples	XXX	\$20		
82952	26	GTT-added samples	XXX	\$6		
82952	TC	GTT-added samples	XXX	\$14		
82955		Assay of G6PD enzyme	XXX	\$49		
82955	26	Assay of G6PD enzyme	XXX	\$14		
82955	TC	Assay of G6PD enzyme	XXX	\$35		
82960		Test for G6PD enzyme	XXX	\$26		
82960	26	Test for G6PD enzyme	XXX	\$8		
82960	TC	Test for G6PD enzyme	XXX	\$18		
82962		Glucose blood test	XXX	\$5		
82962	26	Glucose blood test	XXX	BR		
82962	TC	Glucose blood test	XXX	BR		
82963		Assay of glucosidase	XXX	\$102		
82963	26	Assay of glucosidase	XXX	\$33		
82963	TC	Assay of glucosidase	XXX	\$69		
82965		Assay of GDH enzyme	XXX	\$36		
82965	26	Assay of GDH enzyme	XXX	\$12		
82965	TC	Assay of GDH enzyme	XXX	\$24		
82977		Assay of GGT	XXX	\$30		
82977	26	Assay of GGT	XXX	\$8		
82977	TC	Assay of GGT	XXX	\$22		
82978		Assay of glutathione	XXX	\$49		
82978	26	Assay of glutathione	XXX	\$14		
82978	TC	Assay of glutathione	XXX	\$35		
82979		Assay RBC glutathione	XXX	\$34		
82979	26	Assay RBC glutathione	XXX	\$10		
82979	TC	Assay RBC glutathione	XXX	\$24		
82985		Assay of glycated protein	XXX	\$77		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
82985	26	Assay of glyated protein	XXX	\$22		
82985	TC	Assay of glyated protein	XXX	\$55		
83001		Assay of gonadotropin (FSH)	XXX	\$75		
83001	26	Assay of gonadotropin (fsh)	XXX	\$22		
83001	TC	Assay of gonadotropin (fsh)	XXX	\$53		
83002		Assay of gonadotropin (LH)	XXX	\$79		
83002	26	Assay of gonadotropin (LH)	XXX	\$24		
83002	TC	Assay of gonadotropin (LH)	XXX	\$55		
83003		Assay growth hormone (HGH)	XXX	\$67		
83003	26	Assay growth hormone (HGH)	XXX	\$18		
83003	TC	Assay growth hormone (HGH)	XXX	\$49		
83006		Growth stimulation gene 2	XXX	\$113		
83009		H pylori (c-13) blood	XXX	\$101		
83010		Assay of haptoglobin quant	XXX	\$51		
83010	26	Assay of haptoglobin quant	XXX	\$16		
83010	TC	Assay of haptoglobin quant	XXX	\$35		
83012		Assay of haptoglobins	XXX	\$67		
83012	26	Assay of haptoglobins	XXX	\$26		
83012	TC	Assay of haptoglobins	XXX	\$41		
83013		H pylori (c-13) breath	XXX	\$101		
83014		H pylori drug admin/collect	XXX	\$12		
83015		Heavy metal qual any anal	XXX	\$96		
83015	26	Heavy metal qual any anal	XXX	\$29		
83015	TC	Heavy metal qual any anal	XXX	\$67		
83018		Heavy metal quant each nes	XXX	\$106		
83018	26	Heavy metal quant each nes	XXX	\$31		
83018	TC	Heavy metal quant each nes	XXX	\$75		
83020		Hemoglobin electrophoresis	XXX	\$78		
83020	26	Hemoglobin electrophoresis	XXX	\$40		
83020	TC	Hemoglobin electrophoresis	XXX	\$38		
83021		Hemoglobin chromatography	XXX	\$27		
83026		Hemoglobin, copper sulfate	XXX	\$6		
83026	26	Hemoglobin, copper sulfate	XXX	BR		
83026	TC	Hemoglobin, copper sulfate	XXX	BR		
83030		Fetal hemoglobin chemical	XXX	\$34		
83030	26	Fetal hemoglobin chemical	XXX	\$12		
83030	TC	Fetal hemoglobin chemical	XXX	\$22		
83033		Fetal hemoglobin assay qual	XXX	\$28		
83033	26	Fetal hemoglobin assay qual	XXX	\$8		
83033	TC	Fetal hemoglobin assay qual	XXX	\$20		
83036		Glycosylated hemoglobin test	XXX	\$28		
83036	26	Glycosylated hemoglobin test	XXX	\$10		
83036	TC	Glycosylated hemoglobin test	XXX	\$18		
83037		Glycosylated hb home device	XXX	\$15		
83045		Blood methemoglobin test	XXX	\$24		
83045	26	Blood methemoglobin test	XXX	\$8		
83045	TC	Blood methemoglobin test	XXX	\$16		
83050		Blood methemoglobin assay	XXX	\$36		
83050	26	Blood methemoglobin assay	XXX	\$12		
83050	TC	Blood methemoglobin assay	XXX	\$24		
83051		Assay of plasma hemoglobin	XXX	\$36		
83051	26	Assay of plasma hemoglobin	XXX	\$12		
83051	TC	Assay of plasma hemoglobin	XXX	\$24		
83060		Blood sulfhemoglobin assay	XXX	\$43		
83060	26	Blood sulfhemoglobin assay	XXX	\$12		
83060	TC	Blood sulfhemoglobin assay	XXX	\$31		
83065		Assay of hemoglobin heat	XXX	\$34		
83065	26	Assay of hemoglobin heat	XXX	\$12		
83065	TC	Assay of hemoglobin heat	XXX	\$22		
83068		Hemoglobin stability screen	XXX	\$39		
83068	26	Hemoglobin stability screen	XXX	\$10		
83068	TC	Hemoglobin stability screen	XXX	\$29		
83069		Assay of urine hemoglobin	XXX	\$20		
83069	26	Assay of urine hemoglobin	XXX	\$6		
83069	TC	Assay of urine hemoglobin	XXX	\$14		
83070		Assay of hemosiderin qual	XXX	\$24		
83070	26	Assay of hemosiderin qual	XXX	\$8		
83070	TC	Assay of hemosiderin qual	XXX	\$16		
83080		Assay of b hexosaminidase	XXX	\$25		
83088		Assay of histamine	XXX	\$112		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
83088	26	Assay of histamine	XXX	\$35		
83088	TC	Assay of histamine	XXX	\$77		
83090		Assay of homocystine	XXX	\$27		
83150		Assay of homovanillic acid	XXX	\$92		
83150	26	Assay of homovanillic acid	XXX	\$31		
83150	TC	Assay of homovanillic acid	XXX	\$61		
83491		Assay of corticosteroids 17	XXX	\$69		
83491	26	Assay of corticosteroids 17	XXX	\$20		
83491	TC	Assay of corticosteroids 17	XXX	\$49		
83497		Assay of 5-HIAA	XXX	\$65		
83497	26	Assay of 5-HIAA	XXX	\$20		
83497	TC	Assay of 5-HIAA	XXX	\$45		
83498		Assay of progesterone 17-d	XXX	\$116		
83498	26	Assay of progesterone 17-d	XXX	\$39		
83498	TC	Assay of progesterone 17-d	XXX	\$77		
83500		Assay free hydroxyproline	XXX	\$127		
83500	26	Assay free hydroxyproline	XXX	\$41		
83500	TC	Assay free hydroxyproline	XXX	\$86		
83505		Assay total hydroxyproline	XXX	\$143		
83505	26	Assay total hydroxyproline	XXX	\$41		
83505	TC	Assay total hydroxyproline	XXX	\$102		
83516		Immunoassay, nonantibody	XXX	\$17		
83518		Immunoassay, dipstick	XXX	\$14		
83518	26	Immunoassay, dipstick	XXX	BR		
83518	TC	Immunoassay, dipstick	XXX	BR		
83519		Ria nonantibody	XXX	\$28		
83519	26	Ria nonantibody	XXX	BR		
83519	TC	Ria nonantibody	XXX	BR		
83520		Immunoassay, quant nos nonab	XXX	\$26		
83520	26	Immunoassay, quant nos nonab	XXX	BR		
83520	TC	Immunoassay, quant nos nonab	XXX	BR		
83525		Assay of insulin	XXX	\$57		
83525	26	Assay of insulin	XXX	\$16		
83525	TC	Assay of insulin	XXX	\$41		
83527		Assay of insulin	XXX	\$65		
83527	26	Assay of insulin	XXX	\$20		
83527	TC	Assay of insulin	XXX	\$45		
83528		Assay of intrinsic factor	XXX	\$81		
83528	26	Assay of intrinsic factor	XXX	\$26		
83528	TC	Assay of intrinsic factor	XXX	\$55		
83540		Assay of iron	XXX	\$32		
83540	26	Assay of iron	XXX	\$8		
83540	TC	Assay of iron	XXX	\$24		
83550		Iron binding test	XXX	\$39		
83550	26	Iron binding test	XXX	\$10		
83550	TC	Iron binding test	XXX	\$29		
83570		Assay of IDH enzyme	XXX	\$45		
83570	26	Assay of IDH enzyme	XXX	\$14		
83570	TC	Assay of IDH enzyme	XXX	\$31		
83582		Assay of ketogenic steroids	XXX	\$63		
83582	26	Assay of ketogenic steroids	XXX	\$16		
83582	TC	Assay of ketogenic steroids	XXX	\$47		
83586		Assay 17- ketosteroids	XXX	\$71		
83586	26	Assay 17- ketosteroids	XXX	\$24		
83586	TC	Assay 17- ketosteroids	XXX	\$47		
83593		Fractionation ketosteroids	XXX	\$112		
83593	26	Fractionation ketosteroids	XXX	\$35		
83593	TC	Fractionation ketosteroids	XXX	\$77		
83605		Assay of lactic acid	XXX	\$36		
83605	26	Assay of lactic acid	XXX	\$12		
83605	TC	Assay of lactic acid	XXX	\$24		
83615		Lactate (LD) (LDH) enzyme	XXX	\$30		
83615	26	Lactate (LD) (LDH) enzyme	XXX	\$10		
83615	TC	Lactate (LD) (LDH) enzyme	XXX	\$20		
83625		Assay of LDH enzymes	XXX	\$45		
83625	26	Assay of LDH enzymes	XXX	\$12		
83625	TC	Assay of LDH enzymes	XXX	\$33		
83630		Lactoferrin fecal (qual)	XXX	\$30		
83631		Lactoferrin fecal (quant)	XXX	\$29		
83632		Placental lactogen	XXX	\$79		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
83632	26	Placental lactogen	XXX	\$26		
83632	TC	Placental lactogen	XXX	\$53		
83633		Test urine for lactose	XXX	\$28		
83633	26	Test urine for lactose	XXX	\$8		
83633	TC	Test urine for lactose	XXX	\$20		
83655		Assay of lead	XXX	\$57		
83655	26	Assay of lead	XXX	\$16		
83655	TC	Assay of lead	XXX	\$41		
83661		L/S ratio fetal lung	XXX	\$32		
83661	26	L/S ratio fetal lung	XXX	\$10		
83661	TC	L/S ratio fetal lung	XXX	\$22		
83662		Foam stability fetal lung	XXX	\$28		
83662	26	Foam stability fetal lung	XXX	BR		
83662	TC	Foam stability fetal lung	XXX	BR		
83663		Fluoro polarize fetal lung	XXX	\$28		
83664		Lamellar bdy fetal lung	XXX	\$29		
83670		Assay of LAP enzyme	XXX	\$34		
83670	26	Assay of LAP enzyme	XXX	\$10		
83670	TC	Assay of LAP enzyme	XXX	\$24		
83690		Assay of lipase	XXX	\$34		
83690	26	Assay of lipase	XXX	\$12		
83690	TC	Assay of lipase	XXX	\$22		
83695		Assay of lipoprotein(a)	XXX	\$21		
83698		Assay lipoprotein pla2	XXX	\$69		
83700		Lipopro bld electrophoretic	XXX	\$17		
83701		Lipoprotein bld hr fraction	XXX	\$51		
83704		Lipoprotein bld quan part	XXX	\$51		
83718		Assay of lipoprotein	XXX	\$36		
83718	26	Assay of lipoprotein	XXX	\$10		
83718	TC	Assay of lipoprotein	XXX	\$26		
83719		Assay of blood lipoprotein	XXX	\$51		
83719	26	Assay of blood lipoprotein	XXX	\$17		
83719	TC	Assay of blood lipoprotein	XXX	\$34		
83721		Assay of blood lipoprotein	XXX	\$16		
83721	26	Assay of blood lipoprotein	XXX	BR		
83721	TC	Assay of blood lipoprotein	XXX	BR		
83722		Lipoprtn dir meas sd ldl chl	XXX	\$51		
83727		Assay of LRH hormone	XXX	\$81		
83727	26	Assay of LRH hormone	XXX	\$26		
83727	TC	Assay of LRH hormone	XXX	\$55		
83735		Assay of magnesium	XXX	\$28		
83735	26	Assay of magnesium	XXX	\$10		
83735	TC	Assay of magnesium	XXX	\$18		
83775		Assay of malate dehydrogenase	XXX	\$32		
83775	26	Assay of malate dehydrogenase	XXX	\$10		
83775	TC	Assay of malate dehydrogenase	XXX	\$22		
83785		Assay of manganese	XXX	\$110		
83785	26	Assay of manganese	XXX	\$33		
83785	TC	Assay of manganese	XXX	\$77		
83789		Mass spectrometry qual/quant	XXX	\$36		
83825		Assay of mercury	XXX	\$63		
83825	26	Assay of mercury	XXX	\$20		
83825	TC	Assay of mercury	XXX	\$43		
83835		Assay of metanephrines	XXX	\$77		
83835	26	Assay of metanephrines	XXX	\$22		
83835	TC	Assay of metanephrines	XXX	\$55		
83857		Assay of methemalbumin	XXX	\$51		
83857	26	Assay of methemalbumin	XXX	\$16		
83857	TC	Assay of methemalbumin	XXX	\$35		
83861		Microfluid analy tears	XXX	\$34		
83864		Mucopolysaccharides	XXX	\$59		
83864	26	Mucopolysaccharides	XXX	\$16		
83864	TC	Mucopolysaccharides	XXX	\$43		
83872		Assay synovial fluid mucin	XXX	\$24		
83872	26	Assay synovial fluid mucin	XXX	\$8		
83872	TC	Assay synovial fluid mucin	XXX	\$16		
83873		Assay of CSF protein	XXX	\$102		
83873	26	Assay of CSF protein	XXX	\$35		
83873	TC	Assay of CSF protein	XXX	\$67		
83874		Assay of myoglobin	XXX	\$49		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
83874	26	Assay of myoglobin	XXX	\$16		
83874	TC	Assay of myoglobin	XXX	\$33		
83876		Assay myeloperoxidase	XXX	\$76		
83880		Assay of natriuretic peptide	XXX	\$59		
83883		Assay nephelometry, not spec	XXX	\$20		
83883	26	Assay nephelometry, not spec	XXX	BR		
83883	TC	Assay nephelometry, not spec	XXX	BR		
83885		Assay of nickel	XXX	\$85		
83885	26	Assay of nickel	XXX	\$26		
83885	TC	Assay of nickel	XXX	\$59		
83915		Assay of nucleotidase	XXX	\$57		
83915	26	Assay of nucleotidase	XXX	\$18		
83915	TC	Assay of nucleotidase	XXX	\$39		
83916		Oligoclonal bands	XXX	\$102		
83916	26	Oligoclonal bands	XXX	\$35		
83916	TC	Oligoclonal bands	XXX	\$67		
83918		Organic acids total quant	XXX	\$67		
83918	26	Organic acids total quant	XXX	\$19		
83918	TC	Organic acids total quant	XXX	\$48		
83919		Organic acids qual each	XXX	\$25		
83921		Organic acid single quant	XXX	\$32		
83930		Assay of blood osmolality	XXX	\$32		
83930	26	Assay of blood osmolality	XXX	\$10		
83930	TC	Assay of blood osmolality	XXX	\$22		
83935		Assay of urine osmolality	XXX	\$32		
83935	26	Assay of urine osmolality	XXX	\$10		
83935	TC	Assay of urine osmolality	XXX	\$22		
83937		Assay of osteocalcin	XXX	\$45		
83937	26	Assay of osteocalcin	XXX	BR		
83937	TC	Assay of osteocalcin	XXX	BR		
83945		Assay of oxalate	XXX	\$22		
83950		Oncoprotein her-2/neu	XXX	\$97		
83951		Oncoprotein dcp	XXX	\$97		
83970		Assay of parathormone	XXX	\$173		
83970	26	Assay of parathormone	XXX	\$57		
83970	TC	Assay of parathormone	XXX	\$116		
83986		Assay pH body fluid nos	XXX	\$16		
83986	26	Assay pH body fluid nos	XXX	\$6		
83986	TC	Assay pH body fluid nos	XXX	\$10		
83987		Exhaled breath condensate	XXX	\$5		
83992		Assay for phencyclidine	XXX	\$75		
83992	26	Assay for phencyclidine	XXX	\$22		
83992	TC	Assay for phencyclidine	XXX	\$53		
83993		Assay for calprotectin fecal	XXX	\$29		
84030		Assay of blood PKU	XXX	\$20		
84030	26	Assay of blood PKU	XXX	\$6		
84030	TC	Assay of blood PKU	XXX	\$14		
84035		Assay of phenylketones	XXX	\$22		
84035	26	Assay of phenylketones	XXX	\$6		
84035	TC	Assay of phenylketones	XXX	\$16		
84060		Assay acid phosphatase	XXX	\$67		
84060	26	Assay acid phosphatase	XXX	\$22		
84060	TC	Assay acid phosphatase	XXX	\$45		
84066		Assay prostate phosphatase	XXX	\$34		
84066	26	Assay prostate phosphatase	XXX	\$12		
84066	TC	Assay prostate phosphatase	XXX	\$22		
84075		Assay alkaline phosphatase	XXX	\$22		
84075	26	Assay alkaline phosphatase	XXX	\$6		
84075	TC	Assay alkaline phosphatase	XXX	\$16		
84078		Assay alkaline phosphatase	XXX	\$36		
84078	26	Assay alkaline phosphatase	XXX	\$10		
84078	TC	Assay alkaline phosphatase	XXX	\$26		
84080		Assay alkaline phosphatases	XXX	\$67		
84080	26	Assay alkaline phosphatases	XXX	\$20		
84080	TC	Assay alkaline phosphatases	XXX	\$47		
84081		Assay phosphatidylglycerol	XXX	\$86		
84081	26	Assay phosphatidylglycerol	XXX	\$29		
84081	TC	Assay phosphatidylglycerol	XXX	\$57		
84085		Assay of RBC PG6D enzyme	XXX	\$28		
84085	26	Assay of RBC PG6D enzyme	XXX	\$10		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
84085	TC	Assay of RBC PG6D enzyme	XXX	\$18		
84087		Assay phosphohexose enzymes	XXX	\$49		
84087	26	Assay phosphohexose enzymes	XXX	\$14		
84087	TC	Assay phosphohexose enzymes	XXX	\$35		
84100		Assay of phosphorus	XXX	\$20		
84100	26	Assay of phosphorus	XXX	\$6		
84100	TC	Assay of phosphorus	XXX	\$14		
84105		Assay of urine phosphorus	XXX	\$20		
84105	26	Assay of urine phosphorus	XXX	\$6		
84105	TC	Assay of urine phosphorus	XXX	\$14		
84106		Test for porphobilinogen	XXX	\$18		
84106	26	Test for porphobilinogen	XXX	\$4		
84106	TC	Test for porphobilinogen	XXX	\$14		
84110		Assay of porphobilinogen	XXX	\$41		
84110	26	Assay of porphobilinogen	XXX	\$12		
84110	TC	Assay of porphobilinogen	XXX	\$29		
84112		Eval amniotic fluid protein	XXX	\$147		
84119		Test urine for porphyrins	XXX	\$41		
84119	26	Test urine for porphyrins	XXX	\$12		
84119	TC	Test urine for porphyrins	XXX	\$29		
84120		Assay of urine porphyrins	XXX	\$71		
84120	26	Assay of urine porphyrins	XXX	\$20		
84120	TC	Assay of urine porphyrins	XXX	\$51		
84126		Assay of feces porphyrins	XXX	\$131		
84126	26	Assay of feces porphyrins	XXX	\$39		
84126	TC	Assay of feces porphyrins	XXX	\$92		
84132		Assay of serum potassium	XXX	\$20		
84132	26	Assay of serum potassium	XXX	\$6		
84132	TC	Assay of serum potassium	XXX	\$14		
84133		Assay of urine potassium	XXX	\$20		
84133	26	Assay of urine potassium	XXX	\$6		
84133	TC	Assay of urine potassium	XXX	\$14		
84134		Assay of prealbumin	XXX	\$22		
84134	26	Assay of prealbumin	XXX	BR		
84134	TC	Assay of prealbumin	XXX	BR		
84135		Assay of pregnanediol	XXX	\$108		
84135	26	Assay of pregnanediol	XXX	\$37		
84135	TC	Assay of pregnanediol	XXX	\$71		
84138		Assay of pregnanetriol	XXX	\$106		
84138	26	Assay of pregnanetriol	XXX	\$35		
84138	TC	Assay of pregnanetriol	XXX	\$71		
84140		Assay of pregnenolone	XXX	\$77		
84140	26	Assay of pregnenolone	XXX	\$16		
84140	TC	Assay of pregnenolone	XXX	\$61		
84143		Assay of 17-hydroxypregнено	XXX	\$116		
84143	26	Assay of 17-hydroxypregнено	XXX	\$39		
84143	TC	Assay of 17-hydroxypregнено	XXX	\$77		
84144		Assay of progesterone	XXX	\$71		
84144	26	Assay of progesterone	XXX	\$14		
84144	TC	Assay of progesterone	XXX	\$57		
84145		Procalcitonin (pct)	XXX	\$41		
84146		Assay of prolactin	XXX	\$100		
84146	26	Assay of prolactin	XXX	\$33		
84146	TC	Assay of prolactin	XXX	\$67		
84150		Assay of prostaglandin	XXX	\$127		
84150	26	Assay of prostaglandin	XXX	\$39		
84150	TC	Assay of prostaglandin	XXX	\$88		
84152		Assay of psa complexed	XXX	\$28		
84153		Assay of psa, total	XXX	\$28		
84153	26	Assay of psa, total	XXX	BR		
84153	TC	Assay of psa, total	XXX	BR		
84154		Assay of psa, free	XXX	\$28		
84155		Assay of protein serum	XXX	\$22		
84155	26	Assay of protein serum	XXX	\$8		
84155	TC	Assay of protein serum	XXX	\$14		
84156		Assay of protein urine	XXX	\$6		
84157		Assay of protein other	XXX	\$6		
84160		Assay of protein any source	XXX	\$22		
84160	26	Assay of protein any source	XXX	\$8		
84160	TC	Assay of protein any source	XXX	\$14		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
84163		Pappa serum	XXX	\$23		
84165		Proteins e-phoresis serum	XXX	\$47		
84165	26	Proteins e-phoresis serum	XXX	\$16		
84165	TC	Proteins e-phoresis serum	XXX	\$31		
84166		Protein e-phoresis/urine/csf	XXX	\$28		
84166	26	Protein e-phoresis/urine/csf	XXX	BR		
84166	TC	Protein e-phoresis/urine/csf	XXX	BR		
84181		Western blot test	XXX	\$40		
84181	26	Western blot test	XXX	BR		
84181	TC	Western blot test	XXX	BR		
84182		Protein, western blot test	XXX	\$37		
84182	26	Protein, western blot test	XXX	BR		
84182	TC	Protein, western blot test	XXX	BR		
84202		Assay RBC protoporphyrin	XXX	\$73		
84202	26	Assay RBC protoporphyrin	XXX	\$24		
84202	TC	Assay RBC protoporphyrin	XXX	\$49		
84203		Test RBC protoporphyrin	XXX	\$30		
84203	26	Test RBC protoporphyrin	XXX	\$10		
84203	TC	Test RBC protoporphyrin	XXX	\$20		
84206		Assay of proinsulin	XXX	\$59		
84206	26	Assay of proinsulin	XXX	\$18		
84206	TC	Assay of proinsulin	XXX	\$41		
84207		Assay of vitamin B-6	XXX	\$102		
84207	26	Assay of vitamin B-6	XXX	\$31		
84207	TC	Assay of vitamin B-6	XXX	\$71		
84210		Assay of pyruvate	XXX	\$47		
84210	26	Assay of pyruvate	XXX	\$18		
84210	TC	Assay of pyruvate	XXX	\$29		
84220		Assay of pyruvate kinase	XXX	\$49		
84220	26	Assay of pyruvate kinase	XXX	\$16		
84220	TC	Assay of pyruvate kinase	XXX	\$33		
84228		Assay of quinine	XXX	\$59		
84228	26	Assay of quinine	XXX	\$18		
84228	TC	Assay of quinine	XXX	\$41		
84233		Assay of estrogen	XXX	\$216		
84233	26	Assay of estrogen	XXX	\$65		
84233	TC	Assay of estrogen	XXX	\$151		
84234		Assay of progesterone	XXX	\$216		
84234	26	Assay of progesterone	XXX	\$65		
84234	TC	Assay of progesterone	XXX	\$151		
84235		Assay of endocrine hormone	XXX	\$212		
84235	26	Assay of endocrine hormone	XXX	\$63		
84235	TC	Assay of endocrine hormone	XXX	\$149		
84238		Assay non-endocrine receptor	XXX	\$179		
84238	26	Assay non-endocrine receptor	XXX	\$59		
84238	TC	Assay non-endocrine receptor	XXX	\$120		
84244		Assay of renin	XXX	\$96		
84244	26	Assay of renin	XXX	\$33		
84244	TC	Assay of renin	XXX	\$63		
84252		Assay of vitamin B-2	XXX	\$87		
84252	26	Assay of vitamin B-2	XXX	\$26		
84252	TC	Assay of vitamin B-2	XXX	\$61		
84255		Assay of selenium	XXX	\$110		
84255	26	Assay of selenium	XXX	\$33		
84255	TC	Assay of selenium	XXX	\$77		
84260		Assay of serotonin	XXX	\$102		
84260	26	Assay of serotonin	XXX	\$31		
84260	TC	Assay of serotonin	XXX	\$71		
84270		Assay of sex hormone globulin	XXX	\$33		
84270	26	Assay of sex hormone globulin	XXX	BR		
84270	TC	Assay of sex hormone globulin	XXX	BR		
84275		Assay of sialic acid	XXX	\$69		
84275	26	Assay of sialic acid	XXX	\$20		
84275	TC	Assay of sialic acid	XXX	\$49		
84285		Assay of silica	XXX	\$112		
84285	26	Assay of silica	XXX	\$33		
84285	TC	Assay of silica	XXX	\$79		
84295		Assay of serum sodium	XXX	\$18		
84295	26	Assay of serum sodium	XXX	\$6		
84295	TC	Assay of serum sodium	XXX	\$12		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
84300		Assay of urine sodium	XXX	\$18		
84300	26	Assay of urine sodium	XXX	\$6		
84300	TC	Assay of urine sodium	XXX	\$12		
84302		Assay of sweat sodium	XXX	\$7		
84305		Assay of somatomedin	XXX	\$32		
84305	26	Assay of somatomedin	XXX	BR		
84305	TC	Assay of somatomedin	XXX	BR		
84307		Assay of somatostatin	XXX	\$27		
84307	26	Assay of somatostatin	XXX	BR		
84307	TC	Assay of somatostatin	XXX	BR		
84311		Spectrophotometry	XXX	\$12		
84311	26	Spectrophotometry	XXX	BR		
84311	TC	Spectrophotometry	XXX	BR		
84315		Body fluid specific gravity	XXX	\$10		
84315	26	Body fluid specific gravity	XXX	\$4		
84315	TC	Body fluid specific gravity	XXX	\$6		
84375		Chromatogram assay, sugars	XXX	\$69		
84375	26	Chromatogram assay, sugars	XXX	\$20		
84375	TC	Chromatogram assay, sugars	XXX	\$49		
84376		Sugars, single, qual..	XXX	\$8		
84377		Sugars, multiple, qual	XXX	\$8		
84378		Sugars single quant...	XXX	\$17		
84379		Sugars multiple quant	XXX	\$17		
84392		Assay of urine sulfate	XXX	\$8		
84392	26	Assay of urine sulfate	XXX	BR		
84392	TC	Assay of urine sulfate	XXX	BR		
84402		Assay of free testosterone	XXX	\$38		
84402	26	Assay of free testosterone	XXX	BR		
84402	TC	Assay of free testosterone	XXX	BR		
84403		Assay of total testosterone	XXX	\$123		
84403	26	Assay of total testosterone	XXX	\$37		
84403	TC	Assay of total testosterone	XXX	\$86		
84410		Testosterone bioavailable	XXX	\$77		
84425		Assay of vitamin B-1	XXX	\$102		
84425	26	Assay of vitamin B-1	XXX	\$33		
84425	TC	Assay of vitamin B-1	XXX	\$69		
84430		Assay of thiocyanate	XXX	\$57		
84430	26	Assay of thiocyanate	XXX	\$18		
84430	TC	Assay of thiocyanate	XXX	\$39		
84431		Thromboxane urine	XXX	\$53		
84432		Assay of thyroglobulin	XXX	\$24		
84432	26	Assay of thyroglobulin	XXX	BR		
84432	TC	Assay of thyroglobulin	XXX	BR		
84436		Assay, of total thyroxine	XXX	\$26		
84436	26	Assay, of total thyroxine	XXX	\$6		
84436	TC	Assay, of total thyroxine	XXX	\$20		
84437		Assay of neonatal thyroxine	XXX	\$24		
84437	26	Assay of neonatal thyroxine	XXX	\$8		
84437	TC	Assay of neonatal thyroxine	XXX	\$16		
84439		Assay of free thyroxine	XXX	\$30		
84439	26	Assay of free thyroxine	XXX	\$8		
84439	TC	Assay of free thyroxine	XXX	\$22		
84442		Assay of thyroid activity (TBG)	XXX	\$49		
84442	26	Assay of thyroid activity (TBG)	XXX	\$12		
84442	TC	Assay of thyroid activity (TBG)	XXX	\$37		
84443		Assay thyroid stim hormone	XXX	\$59		
84443	26	Assay thyroid stim hormone	XXX	\$14		
84443	TC	Assay thyroid stim hormone	XXX	\$45		
84445		Assay of tsi globulin	XXX	\$181		
84445	26	Assay of tsi globulin	XXX	\$55		
84445	TC	Assay of tsi globulin	XXX	\$126		
84446		Assay of vitamin E	XXX	\$65		
84446	26	Assay of vitamin E	XXX	\$20		
84446	TC	Assay of vitamin E	XXX	\$45		
84449		Assay of transcortin	XXX	\$27		
84449	26	Assay of transcortin	XXX	BR		
84449	TC	Assay of transcortin	XXX	BR		
84450		Transferase (AST) (SGOT)	XXX	\$20		
84450	26	Transferase (AST) (SGOT)	XXX	\$6		
84450	TC	Transferase (AST) (SGOT)	XXX	\$14		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
84460		Alanine amino (ALT) (SGPT)	XXX	\$24		
84460	26	Alanine amino (ALT) (SGPT)	XXX	\$8		
84460	TC	Alanine amino (ALT) (SGPT)	XXX	\$16		
84466		Assay of transferrin	XXX	\$19		
84466	26	Assay of transferrin	XXX	BR		
84466	TC	Assay of transferrin	XXX	BR		
84478		Assay of triglycerides	XXX	\$22		
84478	26	Assay of triglycerides	XXX	\$6		
84478	TC	Assay of triglycerides	XXX	\$16		
84479		Assay of thyroid (t3 or t4).	XXX	\$30		
84479	26	Assay of thyroid (t3 or t4).	XXX	\$11		
84479	TC	Assay of thyroid (t3 or t4).	XXX	\$19		
84480		Assay triiodothyronine (t3)	XXX	\$47		
84480	26	Assay triiodothyronine (t3)	XXX	\$16		
84480	TC	Assay triiodothyronine (t3)	XXX	\$31		
84481		Free assay (FT-3)	XXX	\$88		
84481	26	Free assay (FT-3)	XXX	\$29		
84481	TC	Free assay (FT-3)	XXX	\$59		
84482		T3 reverse	XXX	\$24		
84482	26	T3 reverse	XXX	BR		
84482	TC	T3 reverse	XXX	BR		
84484		Assay of troponin, quant.	XXX	\$19		
84485		Assay duodenal fluid trypsin	XXX	\$28		
84485	26	Assay duodenal fluid trypsin	XXX	\$8		
84485	TC	Assay duodenal fluid trypsin	XXX	\$20		
84488		Test feces for trypsin	XXX	\$28		
84488	26	Test feces for trypsin	XXX	\$8		
84488	TC	Test feces for trypsin	XXX	\$20		
84490		Assay of feces for trypsin	XXX	\$28		
84490	26	Assay of feces for trypsin	XXX	\$8		
84490	TC	Assay of feces for trypsin	XXX	\$20		
84510		Assay of tyrosine	XXX	\$51		
84510	26	Assay of tyrosine	XXX	\$16		
84510	TC	Assay of tyrosine	XXX	\$35		
84512		Assay of troponin, qual.	XXX	\$15		
84520		Assay of urea nitrogen	XXX	\$22		
84520	26	Assay of urea nitrogen	XXX	\$6		
84520	TC	Assay of urea nitrogen	XXX	\$16		
84525		Urea nitrogen semi-quant	XXX	\$14		
84525	26	Urea nitrogen semi-quant	XXX	\$4		
84525	TC	Urea nitrogen semi-quant	XXX	\$10		
84540		Assay of urine/urea-N	XXX	\$24		
84540	26	Assay of urine/urea-N	XXX	\$8		
84540	TC	Assay of urine/urea-N	XXX	\$16		
84545		Urea-N clearance test	XXX	\$34		
84545	26	Urea-N clearance test	XXX	\$10		
84545	TC	Urea-N clearance test	XXX	\$24		
84550		Assay of blood/uric acid	XXX	\$22		
84550	26	Assay of blood/uric acid	XXX	\$8		
84550	TC	Assay of blood/uric acid	XXX	\$14		
84560		Assay of urine/uric acid	XXX	\$22		
84560	26	Assay of urine/uric acid	XXX	\$6		
84560	TC	Assay of urine/uric acid	XXX	\$16		
84577		Assay of feces/urobilinogen	XXX	\$63		
84577	26	Assay of feces/urobilinogen	XXX	\$20		
84577	TC	Assay of feces/urobilinogen	XXX	\$43		
84578		Test urine urobilinogen	XXX	\$14		
84578	26	Test urine urobilinogen	XXX	\$4		
84578	TC	Test urine urobilinogen	XXX	\$10		
84580		Assay of urine urobilinogen	XXX	\$32		
84580	26	Assay of urine urobilinogen	XXX	\$10		
84580	TC	Assay of urine urobilinogen	XXX	\$22		
84583		Assay of urine urobilinogen	XXX	\$20		
84583	26	Assay of urine urobilinogen	XXX	\$6		
84583	TC	Assay of urine urobilinogen	XXX	\$14		
84585		Assay of urine VMA	XXX	\$67		
84585	26	Assay of urine VMA	XXX	\$20		
84585	TC	Assay of urine VMA	XXX	\$47		
84586		Assay of VIP	XXX	\$53		
84586	26	Assay of VIP	XXX	BR		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
84586	TC	Assay of VIP	XXX	BR		
84588		Assay of vasopressin	XXX	\$108		
84588	26	Assay of vasopressin	XXX	\$37		
84588	TC	Assay of vasopressin	XXX	\$71		
84590		Assay of vitamin-A	XXX	\$61		
84590	26	Assay of vitamin-A	XXX	\$20		
84590	TC	Assay of vitamin-A	XXX	\$41		
84591		Assay of nos vitamin	XXX	\$26		
84597		Assay of vitamin-K	XXX	\$69		
84597	26	Assay of vitamin-K	XXX	\$20		
84597	TC	Assay of vitamin-K	XXX	\$49		
84600		Assay of volatiles	XXX	\$81		
84600	26	Assay of volatiles	XXX	\$24		
84600	TC	Assay of volatiles	XXX	\$57		
84620		Xylose tolerance test	XXX	\$55		
84620	26	Xylose tolerance test	XXX	\$16		
84620	TC	Xylose tolerance test	XXX	\$39		
84630		Assay of zinc	XXX	\$51		
84630	26	Assay of zinc	XXX	\$16		
84630	TC	Assay of zinc	XXX	\$35		
84681		Assay of C-peptide	XXX	\$98		
84681	26	Assay of C-peptide	XXX	\$33		
84681	TC	Assay of C-peptide	XXX	\$65		
84702		Chorionic gonadotropin test	XXX	\$75		
84702	26	Chorionic gonadotropin test	XXX	\$24		
84702	TC	Chorionic gonadotropin test	XXX	\$51		
84703		Chorionic gonadotropin assay	XXX	\$71		
84703	26	Chorionic gonadotropin assay	XXX	\$22		
84703	TC	Chorionic gonadotropin assay	XXX	\$49		
84704		Hcg free betachain test	XXX	\$23		
84830		Ovulation tests	XXX	\$19		
84830	26	Ovulation tests	XXX	BR		
84830	TC	Ovulation tests	XXX	BR		
84999		Clinical chemistry test	XXX	BR		
84999	26	Clinical chemistry test	XXX	BR		
84999	TC	Clinical chemistry test	XXX	BR		
85002		Bleeding time test	XXX	\$18		
85002	26	Bleeding time test	XXX	\$6		
85002	TC	Bleeding time test	XXX	\$12		
85004		Automated diff wbc count	XXX	\$10		
85007		Bl smear w/differential WBC count	XXX	\$12		
85007	26	Bl smear w/differential WBC count	XXX	\$4		
85007	TC	Bl smear w/differential WBC count	XXX	\$8		
85008		Bl smear w/o diff WBC count	XXX	\$5		
85008	26	Bl smear w/o diff WBC count	XXX	BR		
85008	TC	Bl smear w/o diff WBC count	XXX	BR		
85009		Manual differential WBC count b-coat	XXX	\$16		
85009	26	Manual differential WBC count b-coat	XXX	\$6		
85009	TC	Manual differential WBC count b-coat	XXX	\$10		
85013		Spun microhematocrit	XXX	\$11		
85013	26	Spun microhematocrit	XXX	BR		
85013	TC	Spun microhematocrit	XXX	BR		
85014		Hematocrit	XXX	\$8		
85014	26	Hematocrit	XXX	\$2		
85014	TC	Hematocrit	XXX	\$6		
85018		Hemoglobin	XXX	\$10		
85018	26	Hemoglobin	XXX	\$4		
85018	TC	Hemoglobin	XXX	\$6		
85025		Complete cbc w/auto diff wbc	XXX	\$41		
85025	26	Complete cbc w/auto diff wbc	XXX	\$12		
85025	TC	Complete cbc w/auto diff wbc	XXX	\$29		
85027		Complete cbc automated	XXX	\$36		
85027	26	Complete cbc automated	XXX	\$12		
85027	TC	Complete cbc automated	XXX	\$24		
85032		Manual cell count each	XXX	\$6		
85041		Automated RBC count	XXX	\$14		
85041	26	Automated RBC count	XXX	\$6		
85041	TC	Automated RBC count	XXX	\$8		
85044		Manual reticulocyte count	XXX	\$18		
85044	26	Manual reticulocyte count	XXX	\$6		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
85044	TC	Manual reticulocyte count	XXX	\$12		
85045		Automated reticulocyte count	XXX	\$6		
85045	26	Automated reticulocyte count	XXX	BR		
85045	TC	Automated reticulocyte count	XXX	BR		
85046		Reticyte/hgb concentrate	XXX	\$8		
85048		Automated leukocyte count	XXX	\$14		
85048	26	Automated leukocyte count	XXX	\$6		
85048	TC	Automated leukocyte count	XXX	\$8		
85049		Automated platelet count	XXX	\$7		
85055		Reticulated platelet assay	XXX	\$54		
85060		Blood smear interpretation	XXX	\$49		
85060	26	Blood smear interpretation	XXX	\$14		
85060	TC	Blood smear interpretation	XXX	\$35		
85097		Bone marrow interpretation	XXX	\$112		
85097	26	Bone marrow interpretation	XXX	\$112		
85097	TC	Bone marrow interpretation	XXX	\$0		
85130		Chromogenic substrate assay	XXX	\$18		
85130	26	Chromogenic substrate assay	XXX	BR		
85130	TC	Chromogenic substrate assay	XXX	BR		
85170		Blood clot retraction	XXX	\$18		
85170	26	Blood clot retraction	XXX	\$6		
85170	TC	Blood clot retraction	XXX	\$12		
85175		Blood clot lysis time	XXX	\$18		
85175	26	Blood clot lysis time	XXX	\$6		
85175	TC	Blood clot lysis time	XXX	\$12		
85210		Clot factor II prothrom spec	XXX	\$57		
85210	26	Clot factor II prothrom spec	XXX	\$16		
85210	TC	Clot factor II prothrom spec	XXX	\$41		
85220		Blood clot factor V test	XXX	\$88		
85220	26	Blood clot factor V test	XXX	\$29		
85220	TC	Blood clot factor V test	XXX	\$59		
85230		Clot factor VII proconvertin	XXX	\$87		
85230	26	Clot factor VII proconvertin	XXX	\$26		
85230	TC	Clot factor VII proconvertin	XXX	\$61		
85240		Clot factor VIII ahg 1 stage	XXX	\$90		
85240	26	Clot factor VIII ahg 1 stage	XXX	\$29		
85240	TC	Clot factor VIII ahg 1 stage	XXX	\$61		
85244		Clot factor VIII reltd antgn	XXX	\$102		
85244	26	Clot factor VIII reltd antgn	XXX	\$35		
85244	TC	Clot factor VIII reltd antgn	XXX	\$67		
85245		Clot factor VIII vw ristoctn	XXX	\$34		
85245	26	Clot factor VIII vw ristoctn	XXX	BR		
85245	TC	Clot factor VIII vw ristoctn	XXX	BR		
85246		Clot factor VIII vw antigen	XXX	\$34		
85246	26	Clot factor VIII vw antigen	XXX	BR		
85246	TC	Clot factor VIII vw antigen	XXX	BR		
85247		Clot factor VIII multimetrix	XXX	\$34		
85247	26	Clot factor VIII multimetrix	XXX	BR		
85247	TC	Clot factor VIII multimetrix	XXX	BR		
85250		Clot factor IX pte/chrstmas	XXX	\$91		
85250	26	Clot factor IX pte/chrstmas	XXX	\$26		
85250	TC	Clot factor IX pte/chrstmas	XXX	\$65		
85260		Clot factor X stuart-power	XXX	\$91		
85260	26	Clot factor X stuart-power	XXX	\$26		
85260	TC	Clot factor X stuart-power	XXX	\$65		
85270		Clot factor XI pta	XXX	\$91		
85270	26	Clot factor XI pta	XXX	\$26		
85270	TC	Clot factor XI pta	XXX	\$65		
85280		Clot factor XII hageman	XXX	\$91		
85280	26	Clot factor XII hageman	XXX	\$26		
85280	TC	Clot factor XII hageman	XXX	\$65		
85290		Clot factor XIII fibrin stab	XXX	\$83		
85290	26	Clot factor XIII fibrin stab	XXX	\$24		
85290	TC	Clot factor XIII fibrin stab	XXX	\$59		
85291		Clot factor XIII fibrin scrm	XXX	\$38		
85291	26	Clot factor XIII fibrin scrm	XXX	\$12		
85291	TC	Clot factor XIII fibrin scrm	XXX	\$26		
85292		Clot factor fletcher fact	XXX	\$96		
85292	26	Clot factor fletcher fact	XXX	\$33		
85292	TC	Clot factor fletcher fact	XXX	\$63		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
85293		Clot factor wght kininogen	XXX	\$96		
85293	26	Clot factor wght kininogen	XXX	\$33		
85293	TC	Clot factor wght kininogen	XXX	\$63		
85300		Antithrombin III activity	XXX	\$55		
85300	26	Antithrombin III activity	XXX	\$18		
85300	TC	Antithrombin III activity	XXX	\$37		
85301		Antithrombin III antigen	XXX	\$55		
85301	26	Antithrombin III antigen	XXX	\$18		
85301	TC	Antithrombin III antigen	XXX	\$37		
85302		Clot inhibitor prot c antigen	XXX	\$61		
85302	26	Clot inhibitor prot c antigen	XXX	\$20		
85302	TC	Clot inhibitor prot c antigen	XXX	\$41		
85303		Clot inhibitor prot c activity	XXX	\$21		
85303	26	Clot inhibitor prot c activity	XXX	BR		
85303	TC	Clot inhibitor prot c activity	XXX	BR		
85305		Clot inhibitor prot s total	XXX	\$17		
85305	26	Clot inhibitor prot s total	XXX	BR		
85305	TC	Clot inhibitor prot s total	XXX	BR		
85306		Clot inhibitor prot s free	XXX	\$23		
85306	26	Clot inhibitor prot s free	XXX	BR		
85306	TC	Clot inhibitor prot s free	XXX	BR		
85307		Assay activated protein c	XXX	\$23		
85335		Factor inhibitor test	XXX	\$19		
85335	26	Factor inhibitor test	XXX	BR		
85335	TC	Factor inhibitor test	XXX	BR		
85337		Thrombomodulin	XXX	\$26		
85337	26	Thrombomodulin	XXX	BR		
85337	TC	Thrombomodulin	XXX	BR		
85345		Coagulation time lee & white	XXX	\$22		
85345	26	Coagulation time lee & white	XXX	\$6		
85345	TC	Coagulation time lee & white	XXX	\$16		
85347		Coagulation time activated	XXX	\$16		
85347	26	Coagulation time activated	XXX	\$4		
85347	TC	Coagulation time activated	XXX	\$12		
85348		Coagulation time otr method	XXX	\$18		
85348	26	Coagulation time otr method	XXX	\$6		
85348	TC	Coagulation time otr method	XXX	\$12		
85360		Euglobulin lysis	XXX	\$30		
85360	26	Euglobulin lysis	XXX	\$8		
85360	TC	Euglobulin lysis	XXX	\$22		
85362		Fibrin degradation products	XXX	\$34		
85362	26	Fibrin degradation products	XXX	\$14		
85362	TC	Fibrin degradation products	XXX	\$20		
85366		Fibrinogen test	XXX	\$121		
85366	26	Fibrinogen test	XXX	BR		
85366	TC	Fibrinogen test	XXX	BR		
85370		Fibrinogen test	XXX	\$19		
85370	26	Fibrinogen test	XXX	BR		
85370	TC	Fibrinogen test	XXX	BR		
85378		Fibrin degradation semiquant	XXX	\$15		
85378	26	Fibrin degradation semiquant	XXX	BR		
85378	TC	Fibrin degradation semiquant	XXX	BR		
85379		Fibrin degradation quant	XXX	\$15		
85379	26	Fibrin degradation quant	XXX	BR		
85379	TC	Fibrin degradation quant	XXX	BR		
85380		Fibrin degradj d-dimer	XXX	\$15		
85384		Fibrinogen activity	XXX	\$15		
85384	26	Fibrinogen activity	XXX	BR		
85384	TC	Fibrinogen activity	XXX	BR		
85385		Fibrinogen antigen	XXX	\$22		
85385	26	Fibrinogen antigen	XXX	BR		
85385	TC	Fibrinogen antigen	XXX	BR		
85390		Fibrinolysins screen i&r	XXX	\$18		
85390	26	Fibrinolysins screen i&r	XXX	\$4		
85390	TC	Fibrinolysins screen i&r	XXX	\$14		
85396		Clotting assay whole blood	XXX	\$40		
85397		Clotting funct activity	XXX	\$46		
85400		Fibrinolytic plasmin	XXX	\$22		
85400	26	Fibrinolytic plasmin	XXX	\$6		
85400	TC	Fibrinolytic plasmin	XXX	\$16		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
85410		Fibrinolytic antiplasmin	XXX	\$22		
85410	26	Fibrinolytic antiplasmin	XXX	\$6		
85410	TC	Fibrinolytic antiplasmin	XXX	\$16		
85415		Fibrinolytic plasminogen	XXX	\$26		
85415	26	Fibrinolytic plasminogen	XXX	BR		
85415	TC	Fibrinolytic plasminogen	XXX	BR		
85420		Fibrinolytic plasminogen	XXX	\$32		
85420	26	Fibrinolytic plasminogen	XXX	\$8		
85420	TC	Fibrinolytic plasminogen	XXX	\$24		
85421		Fibrinolytic plasminogen	XXX	\$73		
85421	26	Fibrinolytic plasminogen	XXX	\$22		
85421	TC	Fibrinolytic plasminogen	XXX	\$51		
85441		Heinz bodies; direct	XXX	\$14		
85441	26	Heinz bodies; direct	XXX	\$4		
85441	TC	Heinz bodies; direct	XXX	\$10		
85445		Heinz bodies; induced	XXX	\$30		
85445	26	Heinz bodies; induced	XXX	\$10		
85445	TC	Heinz bodies; induced	XXX	\$20		
85460		Hemoglobin, fetal	XXX	\$32		
85460	26	Hemoglobin, fetal	XXX	\$9		
85460	TC	Hemoglobin, fetal	XXX	\$23		
85461		Hemoglobin fetal	XXX	\$14		
85475		Hemolysin acid	XXX	\$13		
85475	26	Hemolysin acid	XXX	BR		
85475	TC	Hemolysin acid	XXX	BR		
85520		Heparin assay	XXX	\$43		
85520	26	Heparin assay	XXX	\$12		
85520	TC	Heparin assay	XXX	\$31		
85525		Heparin neutralization	XXX	\$18		
85525	26	Heparin neutralization	XXX	BR		
85525	TC	Heparin neutralization	XXX	BR		
85530		Heparin-protamine tolerance	XXX	\$73		
85530	26	Heparin-protamine tolerance	XXX	\$22		
85530	TC	Heparin-protamine tolerance	XXX	\$51		
85536		Iron stain peripheral blood	XXX	\$10		
85540		Wbc alkaline phosphatase	XXX	\$43		
85540	26	Wbc alkaline phosphatase	XXX	\$12		
85540	TC	Wbc alkaline phosphatase	XXX	\$31		
85547		RBC mechanical fragility	XXX	\$45		
85547	26	RBC mechanical fragility	XXX	\$12		
85547	TC	RBC mechanical fragility	XXX	\$33		
85549		Muramidase	XXX	\$86		
85549	26	Muramidase	XXX	\$29		
85549	TC	Muramidase	XXX	\$57		
85555		RBC osmotic fragility	XXX	\$32		
85555	26	RBC osmotic fragility	XXX	\$10		
85555	TC	RBC osmotic fragility	XXX	\$22		
85557		RBC osmotic fragility	XXX	\$63		
85557	26	RBC osmotic fragility	XXX	\$18		
85557	TC	RBC osmotic fragility	XXX	\$45		
85576		Blood platelet aggregation	XXX	\$41		
85576	26	Blood platelet aggregation	XXX	\$10		
85576	TC	Blood platelet aggregation	XXX	\$31		
85597		Phospholipid platelet neutralization	XXX	\$27		
85597	26	Phospholipid platelet neutralization	XXX	BR		
85597	TC	Phospholipid platelet neutralization	XXX	BR		
85598		Hexagonal phosph pltl neutrl	XXX	\$27		
85610		Prothrombin time	XXX	\$12		
85610	26	Prothrombin time	XXX	\$4		
85610	TC	Prothrombin time	XXX	\$8		
85611		Prothrombin test	XXX	\$6		
85611	26	Prothrombin test	XXX	BR		
85611	TC	Prothrombin test	XXX	BR		
85612		Viper venom prothrombin time	XXX	\$43		
85612	26	Viper venom prothrombin time	XXX	\$12		
85612	TC	Viper venom prothrombin time	XXX	\$31		
85613		Russell viper venom, diluted	XXX	\$14		
85613	26	Russell viper venom, diluted	XXX	BR		
85613	TC	Russell viper venom, diluted	XXX	BR		
85635		Reptilase test	XXX	\$51		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
85635	26	Reptilase test	XXX	\$16		
85635	TC	Reptilase test	XXX	\$35		
85651		Rbc sed rate, nonautomated	XXX	\$15		
85651	26	Rbc sed rate, nonautomated	XXX	\$3		
85651	TC	Rbc sed rate, nonautomated	XXX	\$10		
85652		Rbc sed rate, automated	XXX	\$4		
85660		RBC sickle cell test	XXX	\$18		
85660	26	RBC sickle cell test	XXX	\$6		
85660	TC	RBC sickle cell test	XXX	\$12		
85670		Thrombin time, plasma	XXX	\$24		
85670	26	Thrombin time, plasma	XXX	\$6		
85670	TC	Thrombin time, plasma	XXX	\$18		
85675		Thrombin time, titer	XXX	\$24		
85675	26	Thrombin time, titer	XXX	\$8		
85675	TC	Thrombin time, titer	XXX	\$16		
85705		Thromboplastin inhibition	XXX	\$14		
85705	26	Thromboplastin inhibition	XXX	BR		
85705	TC	Thromboplastin inhibition	XXX	BR		
85730		Thromboplastin time, partial	XXX	\$20		
85730	26	Thromboplastin time, partial	XXX	\$6		
85730	TC	Thromboplastin time, partial	XXX	\$14		
85732		Thromboplastin time, partial	XXX	\$32		
85732	26	Thromboplastin time, partial	XXX	\$10		
85732	TC	Thromboplastin time, partial	XXX	\$22		
85810		Blood viscosity examination	XXX	\$37		
85810	26	Blood viscosity examination	XXX	\$8		
85810	TC	Blood viscosity examination	XXX	\$29		
85999		Hematology procedure	XXX	BR		
85999	26	Hematology procedure	XXX	BR		
85999	TC	Hematology procedure	XXX	BR		
86000		Agglutinins; febrile antigen	XXX	\$34		
86000	26	Agglutinins; febrile antigen	XXX	\$12		
86000	TC	Agglutinins; febrile antigen	XXX	\$22		
86001		Allergen specific ige	XXX	\$12		
86003		Allergen specific IgE crude xtrc ea	XXX	\$8		
86003	26	Allergen specific IgE crude xtrc ea	XXX	BR		
86003	TC	Allergen specific IgE crude xtrc ea	XXX	BR		
86005		Allergen specific IgE multiallg scr	XXX	\$12		
86005	26	Allergen specific IgE multiallg scr	XXX	BR		
86005	TC	Allergen specific IgE multiallg scr	XXX	BR		
86008		Allg spec ige recomb ea	XXX	\$27		
86021		WBC antibody identification	XXX	\$77		
86021	26	WBC antibody identification	XXX	\$22		
86021	TC	WBC antibody identification	XXX	\$55		
86022		Platelet antibodies	XXX	\$108		
86022	26	Platelet antibodies	XXX	\$35		
86022	TC	Platelet antibodies	XXX	\$73		
86023		Immunoglobulin assay	XXX	\$53		
86023	26	Immunoglobulin assay	XXX	\$18		
86023	TC	Immunoglobulin assay	XXX	\$35		
86038		Antinuclear antibodies	XXX	\$63		
86038	26	Antinuclear antibodies	XXX	\$20		
86038	TC	Antinuclear antibodies	XXX	\$43		
86039		Antinuclear antibodies (ana)	XXX	\$17		
86039	26	Antinuclear antibodies (ana)	XXX	BR		
86039	TC	Antinuclear antibodies (ana)	XXX	BR		
86060		Antistreptolysin O titer	XXX	\$24		
86060	26	Antistreptolysin O titer	XXX	\$6		
86060	TC	Antistreptolysin O titer	XXX	\$18		
86063		Antistreptolysin O screen	XXX	\$41		
86063	26	Antistreptolysin O screen	XXX	\$12		
86063	TC	Antistreptolysin O screen	XXX	\$29		
86077		Physician blood bank serv xmatch	XXX	\$169		
86077	26	Physician blood bank serv xmatch	XXX	\$51		
86077	TC	Physician blood bank serv xmatch	XXX	\$118		
86078		Physician blood bank serv reactj	XXX	\$169		
86078	26	Physician blood bank serv reactj	XXX	\$51		
86078	TC	Physician blood bank serv reactj	XXX	\$118		
86079		Physician blood bank serv authrj	XXX	\$147		
86079	26	Physician blood bank serv authrj	XXX	\$49		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
86079	TC	Physician blood bank serv authrj	XXX	\$98		
86140		C-reactive protein	XXX	\$26		
86140	26	C-reactive protein	XXX	\$8		
86140	TC	C-reactive protein	XXX	\$18		
86141		C-reactive protein hs	XXX	\$19		
86146		Beta-2 glycoprotein antibody	XXX	\$38		
86147		Cardiolipin antibody ea ig	XXX	\$38		
86147	26	Cardiolipin antibody ea ig	XXX	BR		
86147	TC	Cardiolipin antibody ea ig	XXX	BR		
86148		Anti-phospholipid antibody	XXX	\$24		
86152		Cell enumeration & id	XXX	\$376		
86153	26	Cell enumeration phys interp	XXX	\$52		
86155		Chemotaxis assay	XXX	\$51		
86155	26	Chemotaxis assay	XXX	\$16		
86155	TC	Chemotaxis assay	XXX	\$35		
86156		Cold agglutinin screen	XXX	\$12		
86156	26	Cold agglutinin screen	XXX	BR		
86156	TC	Cold agglutinin screen	XXX	BR		
86157		Cold agglutinin, titer	XXX	\$12		
86157	26	Cold agglutinin, titer	XXX	BR		
86157	TC	Cold agglutinin, titer	XXX	BR		
86160		Complement, antigen	XXX	\$18		
86160	26	Complement, antigen	XXX	BR		
86160	TC	Complement, antigen	XXX	BR		
86161		Complement/function activity	XXX	\$18		
86161	26	Complement/function activity	XXX	BR		
86161	TC	Complement/function activity	XXX	BR		
86162		Complement, total (CH50)	XXX	\$102		
86162	26	Complement, total (CH50)	XXX	\$35		
86162	TC	Complement, total (CH50)	XXX	\$67		
86171		Complement fixation, each	XXX	\$49		
86171	26	Complement fixation, each	XXX	\$14		
86171	TC	Complement fixation, each	XXX	\$35		
86200		Cep antibody	XXX	\$19		
86215		Deoxyribonuclease, antibody	XXX	\$67		
86215	26	Deoxyribonuclease, antibody	XXX	\$22		
86215	TC	Deoxyribonuclease, antibody	XXX	\$45		
86225		DNA antibody native	XXX	\$67		
86225	26	DNA antibody native	XXX	\$20		
86225	TC	DNA antibody native	XXX	\$47		
86226		DNA antibody, single strand	XXX	\$18		
86226	26	DNA antibody, single strand	XXX	BR		
86226	TC	DNA antibody, single strand	XXX	BR		
86235		Nuclear antigen antibody	XXX	\$61		
86235	26	Nuclear antigen antibody	XXX	\$18		
86235	TC	Nuclear antigen antibody	XXX	\$43		
86255		Fluorescent antibody, screen	XXX	\$76		
86255	26	Fluorescent antibody, screen	XXX	\$41		
86255	TC	Fluorescent antibody, screen	XXX	\$35		
86256		Fluorescent antibody, titer	XXX	\$49		
86256	26	Fluorescent antibody, titer	XXX	\$16		
86256	TC	Fluorescent antibody, titer	XXX	\$33		
86277		Growth hormone antibody	XXX	\$77		
86277	26	Growth hormone antibody	XXX	\$26		
86277	TC	Growth hormone antibody	XXX	\$51		
86280		Hemagglutination inhibition	XXX	\$28		
86280	26	Hemagglutination inhibition	XXX	\$6		
86280	TC	Hemagglutination inhibition	XXX	\$22		
86294		Immunoassay tumor qual	XXX	\$38		
86300		Immunoassay tumor ca 15-3	XXX	\$31		
86301		Immunoassay tumor ca 19-9	XXX	\$31		
86304		Immunoassay tumor ca 125	XXX	\$31		
86305		Human epididymis protein 4	XXX	\$31		
86308		Heterophile antibodies screen	XXX	\$8		
86308	26	Heterophile antibodies screen	XXX	BR		
86308	TC	Heterophile antibodies screen	XXX	BR		
86309		Heterophile antibodies titer	XXX	\$10		
86309	26	Heterophile antibodies titer	XXX	BR		
86309	TC	Heterophile antibodies titer	XXX	BR		
86310		Heterophile antibodies absrbj	XXX	\$36		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
86310	26	Heterophile antibodies absrbj	XXX	\$12		
86310	TC	Heterophile antibodies absrbj	XXX	\$24		
86316		Immunoassay, tumor other	XXX	\$69		
86316	26	Immunoassay, tumor other	XXX	\$20		
86316	TC	Immunoassay, tumor other	XXX	\$49		
86317		Immunoassay, infectious agent	XXX	\$64		
86317	26	Immunoassay, infectious agent	XXX	\$20		
86317	TC	Immunoassay, infectious agent	XXX	\$44		
86318		Immunoassay, infectious agent antibody	XXX	\$64		
86318	26	Immunoassay, infectious agent antibody	XXX	\$26		
86318	TC	Immunoassay, infectious agent antibody	XXX	\$38		
86320		Serum immunoelectrophoresis	XXX	\$92		
86320	26	Serum immunoelectrophoresis	XXX	\$37		
86320	TC	Serum immunoelectrophoresis	XXX	\$55		
86325		Other immunoelectrophoresis	XXX	\$92		
86325	26	Other immunoelectrophoresis	XXX	\$31		
86325	TC	Other immunoelectrophoresis	XXX	\$61		
86327		Immunoelectrophoresis assay	XXX	\$116		
86327	26	Immunoelectrophoresis assay	XXX	\$37		
86327	TC	Immunoelectrophoresis assay	XXX	\$79		
86328		Infectious Agt Antibody SARS-COV-2 COVID-19	XXX	\$90		
86329		Immunodiffusion nes	XXX	\$69		
86329	26	Immunodiffusion nes	XXX	\$22		
86329	TC	Immunodiffusion nes	XXX	\$47		
86331		Immunodiffusion ouchterlony	XXX	\$61		
86331	26	Immunodiffusion ouchterlony	XXX	\$18		
86331	TC	Immunodiffusion ouchterlony	XXX	\$43		
86332		Immune complex assay	XXX	\$102		
86332	26	Immune complex assay	XXX	\$35		
86332	TC	Immune complex assay	XXX	\$67		
86334		Immunofixation e-phoresis serum	XXX	\$121		
86334	26	Immunofixation e-phoresis serum	XXX	\$35		
86334	TC	Immunofixation e-phoresis serum	XXX	\$86		
86335		Immunfix e-phorsis/urine/csf	XXX	\$40		
86336		Inhibin a	XXX	\$23		
86337		Insulin antibodies	XXX	\$102		
86337	26	Insulin antibodies	XXX	\$35		
86337	TC	Insulin antibodies	XXX	\$67		
86340		Intrinsic factor antibody	XXX	\$73		
86340	26	Intrinsic factor antibody	XXX	\$24		
86340	TC	Intrinsic factor antibody	XXX	\$49		
86341		Islet cell antibody	XXX	\$35		
86341	26	Islet cell antibody	XXX	BR		
86341	TC	Islet cell antibody	XXX	BR		
86343		Leukocyte histamine release	XXX	\$61		
86343	26	Leukocyte histamine release	XXX	\$20		
86343	TC	Leukocyte histamine release	XXX	\$41		
86344		Leukocyte phagocytosis	XXX	\$40		
86344	26	Leukocyte phagocytosis	XXX	\$14		
86344	TC	Leukocyte phagocytosis	XXX	\$26		
86352		Cell function assay w/stim	XXX	\$204		
86353		Lymphocyte transformation	XXX	\$189		
86353	26	Lymphocyte transformation	XXX	\$57		
86353	TC	Lymphocyte transformation	XXX	\$132		
86355		B cells total count	XXX	\$57		
86356		Mononuclear cell antigen	XXX	\$40		
86357		Nk cells total count	XXX	\$57		
86359		T cells, total count	XXX	\$57		
86359	26	T cells, total count	XXX	BR		
86359	TC	T cells, total count	XXX	BR		
86360		T cell, absolute count/ratio	XXX	\$70		
86360	26	T cell, absolute count/ratio	XXX	BR		
86360	TC	T cell, absolute count/ratio	XXX	BR		
86361		T cell, absolute count	XXX	\$40		
86367		Stem cells total count	XXX	\$117		
86376		Microsomal antibody each	XXX	\$65		
86376	26	Microsomal antibody each	XXX	\$20		
86376	TC	Microsomal antibody each	XXX	\$45		
86382		Neutralization test, viral	XXX	\$85		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
86382	26	Neutralization test, viral	XXX	\$26		
86382	TC	Neutralization test, viral	XXX	\$59		
86384		Nitroblue tetrazolium dye	XXX	\$47		
86384	26	Nitroblue tetrazolium dye	XXX	\$16		
86384	TC	Nitroblue tetrazolium dye	XXX	\$31		
86386		Nuclear matrix protein 22	XXX	\$33		
86403		Particle agglut antbdy scrn	XXX	\$38		
86403	26	Particle agglut antbdy scrn	XXX	\$8		
86403	TC	Particle agglut antbdy scrn	XXX	\$30		
86406		Particle agglutination antbdy titr	XXX	\$16		
86408		Neutrlzng antb sarscov2 scr	XXX	\$63		
86409		Neutrlzng antb sarscov2 titer	XXX	\$158		
86413		Sars-cov-2 antb quantitative	XXX	\$63		
86430		Rheumatoid factor test qual	XXX	\$24		
86430	26	Rheumatoid factor test qual	XXX	\$8		
86430	TC	Rheumatoid factor test qual	XXX	\$16		
86431		Rheumatoid factor, quant	XXX	\$32		
86431	26	Rheumatoid factor, quant	XXX	\$12		
86431	TC	Rheumatoid factor, quant	XXX	\$20		
86480		Tb test cell immun measure	XXX	\$93		
86481		Tb ag response t-cell susp	XXX	\$150		
86485		Skin test, candida	XXX	BR		
86485	26	Skin test, candida	XXX	BR		
86485	TC	Skin test, candida	XXX	BR		
86486		Skin test nos antigen	XXX	BR		
86490		Coccidioidomycosis skin test	XXX	\$32		
86490	26	Coccidioidomycosis skin test	XXX	\$10		
86490	TC	Coccidioidomycosis skin test	XXX	\$22		
86510		Histoplasmosis skin test	XXX	\$24		
86510	26	Histoplasmosis skin test	XXX	\$8		
86510	TC	Histoplasmosis skin test	XXX	\$16		
86580		TB intradermal test	XXX	\$24		
86580	26	TB intradermal test	XXX	\$8		
86580	TC	TB intradermal test	XXX	\$16		
86590		Streptokinase, antibody	XXX	\$34		
86590	26	Streptokinase, antibody	XXX	\$12		
86590	TC	Streptokinase, antibody	XXX	\$22		
86592		Syphilis test non-trep quality	XXX	\$16		
86592	26	Syphilis test non-trep quality	XXX	\$4		
86592	TC	Syphilis test non-trep quality	XXX	\$12		
86593		Syphilis test non-trep quantity	XXX	\$20		
86593	26	Syphilis test non-trep quantity	XXX	\$6		
86593	TC	Syphilis test non-trep quantity	XXX	\$14		
86602		Antinomyces antibody	XXX	\$15		
86602	26	Antinomyces antibody	XXX	BR		
86602	TC	Antinomyces antibody	XXX	BR		
86603		Adenovirus, antibody	XXX	\$19		
86603	26	Adenovirus, antibody	XXX	BR		
86603	TC	Adenovirus, antibody	XXX	BR		
86606		Aspergillus antibody	XXX	\$23		
86606	26	Aspergillus antibody	XXX	BR		
86606	TC	Aspergillus antibody	XXX	BR		
86609		Bacterium, antibody	XXX	\$19		
86609	26	Bacterium, antibody	XXX	BR		
86609	TC	Bacterium, antibody	XXX	BR		
86611		Bartonella antibody	XXX	\$15		
86612		Blastomyces, antibody	XXX	\$19		
86612	26	Blastomyces, antibody	XXX	BR		
86612	TC	Blastomyces, antibody	XXX	BR		
86615		Bordetella antibody	XXX	\$20		
86615	26	Bordetella antibody	XXX	BR		
86615	TC	Bordetella antibody	XXX	BR		
86617		Lyme disease antibody	XXX	\$23		
86618		Lyme disease antibody	XXX	\$26		
86618	26	Lyme disease antibody	XXX	BR		
86618	TC	Lyme disease antibody	XXX	BR		
86619		Borrelia antibody	XXX	\$20		
86619	26	Borrelia antibody	XXX	BR		
86619	TC	Borrelia antibody	XXX	BR		
86622		Brucella, antibody	XXX	\$13		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
86622	26	Brucella, antibody	XXX	BR		
86622	TC	Brucella, antibody	XXX	BR		
86625		Campylobacter, antibody	XXX	\$20		
86625	26	Campylobacter, antibody	XXX	BR		
86625	TC	Campylobacter, antibody	XXX	BR		
86628		Candida, antibody	XXX	\$18		
86628	26	Candida, antibody	XXX	BR		
86628	TC	Candida, antibody	XXX	BR		
86631		Chlamydia, antibody	XXX	\$18		
86631	26	Chlamydia, antibody	XXX	BR		
86631	TC	Chlamydia, antibody	XXX	BR		
86632		Chlamydia, IgM, antibody	XXX	\$19		
86632	26	Chlamydia, IgM, antibody	XXX	BR		
86632	TC	Chlamydia, IgM, antibody	XXX	BR		
86635		Coccidioides, antibody	XXX	\$17		
86635	26	Coccidioides, antibody	XXX	BR		
86635	TC	Coccidioides, antibody	XXX	BR		
86638		Q fever antibody	XXX	\$18		
86638	26	Q fever antibody	XXX	BR		
86638	TC	Q fever antibody	XXX	BR		
86641		Cryptococcus antibody	XXX	\$22		
86641	26	Cryptococcus antibody	XXX	BR		
86641	TC	Cryptococcus antibody	XXX	BR		
86644		CMV antibody	XXX	\$22		
86644	26	CMV antibody	XXX	BR		
86644	TC	CMV antibody	XXX	BR		
86645		CMV antibody, IgM	XXX	\$25		
86645	26	CMV antibody, IgM	XXX	BR		
86645	TC	CMV antibody, IgM	XXX	BR		
86648		Diphtheria antibody	XXX	\$23		
86648	26	Diphtheria antibody	XXX	BR		
86648	TC	Diphtheria antibody	XXX	BR		
86651		Encephalitis californ antibody	XXX	\$20		
86651	26	Encephalitis californ antibody	XXX	BR		
86651	TC	Encephalitis californ antibody	XXX	BR		
86652		Encephalitis east eqne antibody	XXX	\$20		
86652	26	Encephalitis east eqne antibody	XXX	BR		
86652	TC	Encephalitis east eqne antibody	XXX	BR		
86653		Encephalitis, st louis antibody	XXX	\$20		
86653	26	Encephalitis, st louis antibody	XXX	BR		
86653	TC	Encephalitis, st louis antibody	XXX	BR		
86654		Encephalitis, west eqne antibody	XXX	\$20		
86654	26	Encephalitis, west eqne antibody	XXX	BR		
86654	TC	Encephalitis, west eqne antibody	XXX	BR		
86658		Enterovirus, antibody	XXX	\$20		
86658	26	Enterovirus, antibody	XXX	BR		
86658	TC	Enterovirus, antibody	XXX	BR		
86663		Epstein-barr antibody	XXX	\$20		
86663	26	Epstein-barr antibody	XXX	BR		
86663	TC	Epstein-barr antibody	XXX	BR		
86664		Epstein-barr nuclear antigen	XXX	\$23		
86664	26	Epstein-barr nuclear antigen	XXX	BR		
86664	TC	Epstein-barr nuclear antigen	XXX	BR		
86665		Epstein-barr, capsid vca	XXX	\$27		
86665	26	Epstein-barr, capsid vca	XXX	BR		
86665	TC	Epstein-barr, capsid vca	XXX	BR		
86666		Ehrlichia antibody	XXX	\$15		
86668		Francisella tularensis	XXX	\$21		
86668	26	Francisella tularensis	XXX	BR		
86668	TC	Francisella tularensis	XXX	BR		
86671		Fungus, nes antibody	XXX	\$18		
86671	26	Fungus, nes antibody	XXX	BR		
86671	TC	Fungus, nes antibody	XXX	BR		
86674		Giardia lamblia antibody	XXX	\$22		
86674	26	Giardia lamblia antibody	XXX	BR		
86674	TC	Giardia lamblia antibody	XXX	BR		
86677		Helicobacter pylori antibody	XXX	\$25		
86677	26	Helicobacter pylori antibody	XXX	BR		
86677	TC	Helicobacter pylori antibody	XXX	BR		
86682		Helminth, antibody	XXX	\$20		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
86682	26	Helminth, antibody	XXX	BR		
86682	TC	Helminth, antibody	XXX	BR		
86684		Hemophilus influenza antibody	XXX	\$24		
86684	26	Hemophilus influenza antibody	XXX	BR		
86684	TC	Hemophilus influenza antibody	XXX	BR		
86687		HTLV-I antibody	XXX	\$20		
86687	26	HTLV-I antibody	XXX	\$6		
86687	TC	HTLV-I antibody	XXX	\$14		
86688		HTLV-II antibody	XXX	\$21		
86688	26	HTLV-II antibody	XXX	BR		
86688	TC	HTLV-II antibody	XXX	BR		
86689		HTLV/HIV confirm antibody	XXX	\$20		
86689	26	HTLV/HIV confirm antibody	XXX	\$6		
86689	TC	HTLV/HIV confirm antibody	XXX	\$14		
86692		Hepatitis, delta agent antibody	XXX	\$26		
86692	26	Hepatitis, delta agent antibody	XXX	BR		
86692	TC	Hepatitis, delta agent antibody	XXX	BR		
86694		Herpes simplex nes antibody	XXX	\$22		
86694	26	Herpes simplex nes antibody	XXX	BR		
86694	TC	Herpes simplex nes antibody	XXX	BR		
86695		Herpes simplex type 1 test	XXX	\$20		
86695	26	Herpes simplex type 1 test	XXX	BR		
86695	TC	Herpes simplex type 1 test	XXX	BR		
86696		Herpes simplex type 2 test	XXX	\$29		
86698		Histoplasma antibody	XXX	\$21		
86698	26	Histoplasma antibody	XXX	BR		
86698	TC	Histoplasma antibody	XXX	BR		
86701		HIV-1 antibody	XXX	\$13		
86701	26	HIV-1 antibody	XXX	BR		
86701	TC	HIV-1 antibody	XXX	BR		
86702		HIV-2 antibody	XXX	\$20		
86702	26	HIV-2 antibody	XXX	BR		
86702	TC	HIV-2 antibody	XXX	BR		
86703		HIV-1/HIV-2, single assay	XXX	\$21		
86703	26	HIV-1/HIV-2, single assay	XXX	BR		
86703	TC	HIV-1/HIV-2, single assay	XXX	BR		
86704		Hep b core antibody, total	XXX	\$18		
86705		Hep b core antibody, igm	XXX	\$18		
86706		Hep b surface antibody	XXX	\$16		
86707		Hepatitis be antibody	XXX	\$17		
86708		Hepatitis a antibody, igg/igm	XXX	\$19		
86709		Hepatitis a antibody, igm	XXX	\$17		
86710		Influenza virus antibody	XXX	\$20		
86710	26	Influenza virus antibody	XXX	BR		
86710	TC	Influenza virus antibody	XXX	BR		
86711		John cunningham antibody	XXX	\$25		
86713		Legionella antibody	XXX	\$23		
86713	26	Legionella antibody	XXX	BR		
86713	TC	Legionella antibody	XXX	BR		
86717		Leishmania antibody	XXX	\$18		
86717	26	Leishmania antibody	XXX	BR		
86717	TC	Leishmania antibody	XXX	BR		
86720		Leptospira antibody	XXX	\$24		
86720	26	Leptospira antibody	XXX	BR		
86720	TC	Leptospira antibody	XXX	BR		
86723		Listeria monocytogenes	XXX	\$20		
86723	26	Listeria monocytogenes	XXX	BR		
86723	TC	Listeria monocytogenes	XXX	BR		
86727		Lymph choriomeningitis ab	XXX	\$19		
86727	26	Lymph choriomeningitis ab	XXX	BR		
86727	TC	Lymph choriomeningitis ab	XXX	BR		
86732		Mucormycosis antibody	XXX	\$23		
86732	26	Mucormycosis antibody	XXX	BR		
86732	TC	Mucormycosis antibody	XXX	BR		
86735		Mumps antibody	XXX	\$24		
86735	26	Mumps antibody	XXX	\$8		
86735	TC	Mumps antibody	XXX	\$16		
86738		Mycoplasma antibody	XXX	\$20		
86738	26	Mycoplasma antibody	XXX	BR		
86738	TC	Mycoplasma antibody	XXX	BR		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
86741		Neisseria meningitidis	XXX	\$20		
86741	26	Neisseria meningitidis	XXX	BR		
86741	TC	Neisseria meningitidis	XXX	BR		
86744		Nocardia antibody	XXX	\$24		
86744	26	Nocardia antibody	XXX	BR		
86744	TC	Nocardia antibody	XXX	BR		
86747		Parvovirus antibody	XXX	\$23		
86747	26	Parvovirus antibody	XXX	BR		
86747	TC	Parvovirus antibody	XXX	BR		
86750		Malaria antibody	XXX	\$20		
86750	26	Malaria antibody	XXX	BR		
86750	TC	Malaria antibody	XXX	BR		
86753		Protozoa, antibody nos	XXX	\$19		
86753	26	Protozoa, antibody nos	XXX	BR		
86753	TC	Protozoa, antibody nos	XXX	BR		
86756		Respiratory virus antibody	XXX	\$24		
86756	26	Respiratory virus antibody	XXX	BR		
86756	TC	Respiratory virus antibody	XXX	BR		
86757		Rickettsia antibody	XXX	\$29		
86759		Rotavirus antibody	XXX	\$27		
86759	26	Rotavirus antibody	XXX	BR		
86759	TC	Rotavirus antibody	XXX	BR		
86762		Rubella antibody	XXX	\$22		
86762	26	Rubella antibody	XXX	BR		
86762	TC	Rubella antibody	XXX	BR		
86765		Rubeola antibody	XXX	\$19		
86765	26	Rubeola antibody	XXX	BR		
86765	TC	Rubeola antibody	XXX	BR		
86768		Salmonella antibody	XXX	\$20		
86768	26	Salmonella antibody	XXX	BR		
86768	TC	Salmonella antibody	XXX	BR		
86769		Sars-cov-2 covid-19 antibody	XXX	\$84		
86771		Shigella antibody	XXX	\$37		
86771	26	Shigella antibody	XXX	BR		
86771	TC	Shigella antibody	XXX	BR		
86774		Tetanus antibody	XXX	\$22		
86774	26	Tetanus antibody	XXX	BR		
86774	TC	Tetanus antibody	XXX	BR		
86777		Toxoplasma antibody	XXX	\$22		
86777	26	Toxoplasma antibody	XXX	BR		
86777	TC	Toxoplasma antibody	XXX	BR		
86778		Toxoplasma, antibody IgM	XXX	\$22		
86778	26	Toxoplasma, antibody IgM	XXX	BR		
86778	TC	Toxoplasma, antibody IgM	XXX	BR		
86780		Treponema pallidum	XXX	\$20		
86784		Trichinella antibody	XXX	\$19		
86784	26	Trichinella antibody	XXX	BR		
86784	TC	Trichinella antibody	XXX	BR		
86787		Varicella-zoster antibody	XXX	\$19		
86787	26	Varicella-zoster antibody	XXX	BR		
86787	TC	Varicella-zoster antibody	XXX	BR		
86788		West nile virus ab igm	XXX	\$25		
86789		West nile virus antibody	XXX	\$22		
86790		Virus, antibody nos	XXX	\$19		
86790	26	Virus, antibody nos	XXX	BR		
86790	TC	Virus, antibody nos	XXX	BR		
86793		Yersinia antibody	XXX	\$20		
86793	26	Yersinia antibody	XXX	BR		
86793	TC	Yersinia antibody	XXX	BR		
86794		Zika virus igm antibody	XXX	\$25		
86800		Thyroglobulin antibody	XXX	\$79		
86800	26	Thyroglobulin antibody	XXX	\$26		
86800	TC	Thyroglobulin antibody	XXX	\$53		
86803		Hepatitis c ab test	XXX	\$21		
86804		Hep c ab test, confirm	XXX	\$23		
86805		Lymphocytotoxicity assay	XXX	\$179		
86805	26	Lymphocytotoxicity assay	XXX	\$61		
86805	TC	Lymphocytotoxicity assay	XXX	\$118		
86806		Lymphocytotoxicity assay	XXX	\$161		
86806	26	Lymphocytotoxicity assay	XXX	\$53		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
86806	TC	Lymphocytotoxicity assay	XXX	\$108		
86807		Cytotoxic antibody screening	XXX	\$137		
86807	26	Cytotoxic antibody screening	XXX	\$41		
86807	TC	Cytotoxic antibody screening	XXX	\$96		
86808		Cytotoxic antibody screening	XXX	\$98		
86808	26	Cytotoxic antibody screening	XXX	\$29		
86808	TC	Cytotoxic antibody screening	XXX	\$69		
86812		HLA typing, A, B, or C	XXX	\$244		
86812	26	HLA typing, A, B, or C	XXX	\$73		
86812	TC	HLA typing, A, B, or C	XXX	\$171		
86813		HLA typing, A, B, or C	XXX	\$187		
86813	26	HLA typing, A, B, or C	XXX	\$57		
86813	TC	HLA typing, A, B, or C	XXX	\$130		
86816		HLA typing, DR/DQ	XXX	\$119		
86816	26	HLA typing, DR/DQ	XXX	\$35		
86816	TC	HLA typing, DR/DQ	XXX	\$84		
86817		HLA typing, DR/DQ	XXX	\$246		
86817	26	HLA typing, DR/DQ	XXX	\$73		
86817	TC	HLA typing, DR/DQ	XXX	\$173		
86821		Lymphocyte culture, mixed	XXX	\$226		
86821	26	Lymphocyte culture, mixed	XXX	\$67		
86821	TC	Lymphocyte culture, mixed	XXX	\$159		
86825		HLA x-math non-cytotoxic	XXX	\$164		
86826		HLA x-match noncytotoxic addl	XXX	\$55		
86828		HLA class I & II antibody qual	XXX	\$96		
86829		HLA class I/II antibody qual	XXX	\$96		
86830		HLA class I phenotype qual	XXX	\$143		
86831		HLA class II phenotype qual	XXX	\$123		
86832		HLA class I high defin qual	XXX	\$486		
86833		HLA class II high defin qual	XXX	\$489		
86834		HLA class I semiquant panel	XXX	\$536		
86835		HLA class II semiquant panel	XXX	\$484		
86849		Immunology procedure	XXX	BR		
86849	26	Immunology procedure	XXX	BR		
86849	TC	Immunology procedure	XXX	BR		
86850		RBC antibody screen	XXX	\$22		
86850	26	RBC antibody screen	XXX	\$8		
86850	TC	RBC antibody screen	XXX	\$14		
86860		RBC antibody elution	XXX	\$84		
86860	26	RBC antibody elution	XXX	\$29		
86860	TC	RBC antibody elution	XXX	\$55		
86870		RBC antibody identification	XXX	BR		
86870	26	RBC antibody identification	XXX	BR		
86870	TC	RBC antibody identification	XXX	BR		
86880		Coombs test direct	XXX	\$24		
86880	26	Coombs test direct	XXX	\$8		
86880	TC	Coombs test direct	XXX	\$16		
86885		Coombs test indirect qual	XXX	\$9		
86885	26	Coombs test indirect qual	XXX	BR		
86885	TC	Coombs test indirect qual	XXX	BR		
86886		Coombs test indirect titer	XXX	\$26		
86886	26	Coombs test indirect titer	XXX	\$8		
86886	TC	Coombs test indirect titer	XXX	\$18		
86890		Autologous blood process	XXX	BR		
86890	26	Autologous blood process	XXX	BR		
86890	TC	Autologous blood process	XXX	BR		
86891		Autologous blood, op salvage	XXX	\$169		
86891	26	Autologous blood op salvage	XXX	\$51		
86891	TC	Autologous blood op salvage	XXX	\$118		
86900		Blood typing, serologic ABO	XXX	\$20		
86900	26	Blood typing, serologic ABO	XXX	\$6		
86900	TC	Blood typing, serologic ABO	XXX	\$14		
86901		Blood typing, serologic Rh(D)	XXX	\$22		
86901	26	Blood typing, serologic Rh(D)	XXX	\$8		
86901	TC	Blood typing, serologic Rh(D)	XXX	\$14		
86902		Blood type antigen donor ea	XXX	\$10		
86904		Blood typing, patient serum	XXX	\$36		
86904	26	Blood typing, patient serum	XXX	\$12		
86904	TC	Blood typing, patient serum	XXX	\$24		
86905		Blood typing, RBC antigens	XXX	\$16		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
86905	26	Blood typing, RBC antigens	XXX	\$4		
86905	TC	Blood typing, RBC antigens	XXX	\$12		
86906		Blood typing, serologic Rh pheno	XXX	\$12		
86906	26	Blood typing, serologic Rh pheno	XXX	BR		
86906	TC	Blood typing, serologic Rh pheno	XXX	BR		
86910		Blood typing, paternity test	XXX	\$155		
86910	26	Blood typing, paternity test	XXX	\$47		
86910	TC	Blood typing, paternity test	XXX	\$108		
86911		Blood typing, antigen system	XXX	BR		
86911	26	Blood typing, antigen system	XXX	BR		
86911	TC	Blood typing, antigen system	XXX	BR		
86920		Compatibility test spin	XXX	\$39		
86920	26	Compatibility test spin	XXX	\$8		
86920	TC	Compatibility test spin	XXX	\$31		
86921		Compatibility test incubate	XXX	\$45		
86921	26	Compatibility test incubate	XXX	\$14		
86921	TC	Compatibility test incubate	XXX	\$31		
86922		Compatibility test antiglob	XXX	\$45		
86922	26	Compatibility test antiglob	XXX	\$14		
86922	TC	Compatibility test antiglob	XXX	\$31		
86923		Compatibility test electric	XXX	\$111		
86927		Plasma, fresh frozen	XXX	BR		
86927	26	Plasma, fresh frozen	XXX	BR		
86927	TC	Plasma, fresh frozen	XXX	BR		
86930		Frozen blood prep	XXX	\$286		
86930	26	Frozen blood prep	XXX	\$86		
86930	TC	Frozen blood prep	XXX	\$200		
86931		Frozen blood thaw	XXX	\$286		
86931	26	Frozen blood thaw	XXX	\$86		
86931	TC	Frozen blood thaw	XXX	\$200		
86932		Frozen blood, freeze/thaw	XXX	\$296		
86932	26	Frozen blood, freeze/thaw	XXX	\$90		
86932	TC	Frozen blood, freeze/thaw	XXX	\$206		
86940		Hemolysins/agglutinins, auto	XXX	\$34		
86940	26	Hemolysins/agglutinins, auto	XXX	\$10		
86940	TC	Hemolysins/agglutinins, auto	XXX	\$24		
86941		Hemolysins/agglutinins	XXX	\$57		
86941	26	Hemolysins/agglutinins	XXX	\$16		
86941	TC	Hemolysins/agglutinins	XXX	\$41		
86945		Blood product/irradiation	XXX	\$65		
86945	26	Blood product/irradiation	XXX	\$20		
86945	TC	Blood product/irradiation	XXX	\$45		
86950		Leukocyte transfusion	XXX	\$183		
86950	26	Leukocyte transfusion	XXX	\$55		
86950	TC	Leukocyte transfusion	XXX	\$128		
86960		Vol reduction of blood/prod	XXX	\$74		
86965		Pooling blood platelets	XXX	\$49		
86965	26	Pooling blood platelets	XXX	\$14		
86965	TC	Pooling blood platelets	XXX	\$35		
86970		RBC pretreatment incubatj w/chemicl	XXX	\$77		
86970	26	RBC pretreatment incubatj w/chemicl	XXX	\$22		
86970	TC	RBC pretreatment incubatj w/chemicl	XXX	\$55		
86971		RBC pretreatment incubatj w/enzymes	XXX	\$39		
86971	26	RBC pretreatment incubatj w/enzymes	XXX	\$10		
86971	TC	RBC pretreatment incubatj w/enzymes	XXX	\$29		
86972		RBC pretreatment incubatj w/density	XXX	\$38		
86972	26	RBC pretreatment incubatj w/density	XXX	\$12		
86972	TC	RBC pretreatment incubatj w/density	XXX	\$26		
86975		RBC pretreatment, serum incubj drugs	XXX	\$100		
86975	26	RBC pretreatment, serum incubj drugs	XXX	\$31		
86975	TC	RBC pretreatment, serum incubj drugs	XXX	\$69		
86976		RBC pretreatment, serum id dilution	XXX	\$100		
86976	26	RBC pretreatment, serum id dilution	XXX	\$31		
86976	TC	RBC pretreatment, serum id dilution	XXX	\$69		
86977		RBC pretreatment, serum incubj/inhib	XXX	\$100		
86977	26	RBC pretreatment, serum incubj/inhib	XXX	\$31		
86977	TC	RBC pretreatment, serum incubj/inhib	XXX	\$69		
86978		RBC pretreatment, serum	XXX	\$121		
86978	26	RBC pretreatment, serum	XXX	\$37		
86978	TC	RBC pretreatment, serum	XXX	\$84		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
86985		Split blood or products	XXX	BR		
86985	26	Split blood or products	XXX	BR		
86985	TC	Split blood or products	XXX	BR		
86999		Transfusion procedure	XXX	BR		
86999	26	Transfusion procedure	XXX	BR		
86999	TC	Transfusion procedure	XXX	BR		
87003		Small animal inoculation	XXX	\$75		
87003	26	Small animal inoculation	XXX	\$24		
87003	TC	Small animal inoculation	XXX	\$51		
87015		Specimen infect agnt concentration	XXX	\$30		
87015	26	Specimen infect agnt concentration	XXX	\$10		
87015	TC	Specimen infect agnt concentration	XXX	\$20		
87040		Blood culture for bacteria	XXX	\$34		
87040	26	Blood culture for bacteria	XXX	\$12		
87040	TC	Blood culture for bacteria	XXX	\$22		
87045		Feces culture aerobic bact	XXX	\$43		
87045	26	Feces culture aerobic bact	XXX	\$14		
87045	TC	Feces culture aerobic bact	XXX	\$29		
87046		Stool cultr aerobic bact ea	XXX	\$14		
87070		Culture othr specimen, aerobic	XXX	\$26		
87070	26	Culture othr specimen, aerobic	XXX	\$8		
87070	TC	Culture othr specimen, aerobic	XXX	\$18		
87071		Culture aerobic quant other	XXX	\$15		
87073		Culture bacteria anaerobic	XXX	\$14		
87075		Culture bacteria except blood	XXX	\$34		
87075	26	Culture bacteria except blood	XXX	\$12		
87075	TC	Culture bacteria except blood	XXX	\$22		
87076		Culture anaerobe ident each	XXX	\$47		
87076	26	Culture anaerobe ident each	XXX	\$16		
87076	TC	Culture anaerobe ident each	XXX	\$31		
87077		Culture aerobic identify	XXX	\$12		
87081		Culture screen only	XXX	\$22		
87081	26	Culture screen only	XXX	\$6		
87081	TC	Culture screen only	XXX	\$16		
87084		Culture of specimen by kit	XXX	\$45		
87084	26	Culture of specimen by kit	XXX	\$14		
87084	TC	Culture of specimen by kit	XXX	\$31		
87086		Urine culture/colony count	XXX	\$26		
87086	26	Urine culture/colony count	XXX	\$6		
87086	TC	Urine culture/colony count	XXX	\$20		
87088		Urine bacteria culture	XXX	\$34		
87088	26	Urine bacteria culture	XXX	\$12		
87088	TC	Urine bacteria culture	XXX	\$22		
87101		Skin fungus culture	XXX	\$38		
87101	26	Skin fungus culture	XXX	\$12		
87101	TC	Skin fungus culture	XXX	\$26		
87102		Fungus isolation culture	XXX	\$38		
87102	26	Fungus isolation culture	XXX	\$12		
87102	TC	Fungus isolation culture	XXX	\$26		
87103		Blood fungus culture	XXX	\$59		
87103	26	Blood fungus culture	XXX	\$20		
87103	TC	Blood fungus culture	XXX	\$39		
87106		Fungi identification yeast	XXX	\$49		
87106	26	Fungi identification yeast	XXX	\$14		
87106	TC	Fungi identification yeast	XXX	\$35		
87107		Fungi identification mold	XXX	\$15		
87109		Mycoplasma culture	XXX	\$51		
87109	26	Mycoplasma culture	XXX	\$16		
87109	TC	Mycoplasma culture	XXX	\$35		
87110		Culture, chlamydia	XXX	\$61		
87110	26	Culture, chlamydia	XXX	\$18		
87110	TC	Culture, chlamydia	XXX	\$43		
87116		Mycobacteria culture	XXX	\$49		
87116	26	Mycobacteria culture	XXX	\$14		
87116	TC	Mycobacteria culture	XXX	\$35		
87118		Mycobacteric identification	XXX	\$49		
87118	26	Mycobacteric identification	XXX	\$14		
87118	TC	Mycobacteric identification	XXX	\$35		
87140		Culture typing, immunofluoresc	XXX	\$47		
87140	26	Culture typing, immunofluoresc	XXX	\$14		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
87140	TC	Culture typing, immunofluoresc	XXX	\$33		
87143		Culture typing, GLC/hplc	XXX	\$63		
87143	26	Culture typing, GLC/hplc	XXX	\$20		
87143	TC	Culture typing, GLC/hplc	XXX	\$43		
87147		Culture typing, immunologic	XXX	\$51		
87147	26	Culture typing, immunologic	XXX	\$16		
87147	TC	Culture typing, immunologic	XXX	\$35		
87149		Dna/rna direct probe	XXX	\$30		
87150		Dna/rna amplified probe	XXX	\$53		
87152		Culture type pulse field gel	XXX	\$12		
87153		Dna/rna sequencing	XXX	\$173		
87158		Culture typing, added method	XXX	\$18		
87158	26	Culture typing, added method	XXX	\$4		
87158	TC	Culture typing, added method	XXX	\$14		
87164		Dark field examination	XXX	\$47		
87164	26	Dark field examination	XXX	\$16		
87164	TC	Dark field examination	XXX	\$31		
87166		Dark field examination	XXX	\$47		
87166	26	Dark field examination	XXX	\$14		
87166	TC	Dark field examination	XXX	\$33		
87168		Macroscopic exam arthropod	XXX	\$6		
87169		Macroscopic exam parasite	XXX	\$6		
87172		Pinworm exam	XXX	\$6		
87176		Tissue homogenization cultr	XXX	\$30		
87176	26	Tissue homogenization cultr	XXX	\$10		
87176	TC	Tissue homogenization cultr	XXX	\$20		
87177		Ova and parasites smears	XXX	\$34		
87177	26	Ova and parasites smears	XXX	\$12		
87177	TC	Ova and parasites smears	XXX	\$22		
87181		Microbe susceptible diffuse	XXX	\$24		
87181	26	Microbe susceptible diffuse	XXX	\$8		
87181	TC	Microbe susceptible diffuse	XXX	\$16		
87184		Microbe susceptible disk	XXX	\$27		
87184	26	Microbe susceptible disk	XXX	\$7		
87184	TC	Microbe susceptible disk	XXX	\$20		
87185		Microbe susceptible enzyme	XXX	\$7		
87186		Microbe susceptible mic	XXX	\$30		
87186	26	Microbe susceptible mic	XXX	\$8		
87186	TC	Microbe susceptible mic	XXX	\$22		
87187		Microbe susceptible mlc	XXX	\$39		
87187	26	Microbe susceptible mlc	XXX	\$6		
87187	TC	Microbe susceptible mlc	XXX	\$33		
87188		Microbe suscept macrobroth	XXX	\$34		
87188	26	Microbe suscept macrobroth	XXX	\$10		
87188	TC	Microbe suscept macrobroth	XXX	\$24		
87190		Microbe suscept mycobacteri	XXX	\$14		
87190	26	Microbe suscept mycobacteri	XXX	\$4		
87190	TC	Microbe suscept mycobacteri	XXX	\$10		
87197		Bactericidal level, serum	XXX	\$55		
87197	26	Bactericidal level, serum	XXX	\$18		
87197	TC	Bactericidal level, serum	XXX	\$37		
87205		Smear gram stain	XXX	\$20		
87205	26	Smear gram stain	XXX	\$6		
87205	TC	Smear gram stain	XXX	\$14		
87206		Smear fluorescent/acid stain	XXX	\$28		
87206	26	Smear fluorescent/acid stain	XXX	\$6		
87206	TC	Smear fluorescent/acid stain	XXX	\$22		
87207		Smear special stain	XXX	\$18		
87207	26	Smear special stain	XXX	\$6		
87207	TC	Smear special stain	XXX	\$12		
87209		Smear complex stain	XXX	\$27		
87210		Smear, wet mount saline/ink	XXX	\$16		
87210	26	Smear, wet mount saline/ink	XXX	\$4		
87210	TC	Smear, wet mount saline/ink	XXX	\$12		
87220		Tissue exam for fungi	XXX	\$22		
87220	26	Tissue exam for fungi	XXX	\$8		
87220	TC	Tissue exam for fungi	XXX	\$14		
87230		Assay, toxin or antitoxin	XXX	\$65		
87230	26	Assay, toxin or antitoxin	XXX	\$20		
87230	TC	Assay, toxin or antitoxin	XXX	\$45		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
87250		Virus inoculate eggs/animal	XXX	\$61		
87250	26	Virus inoculate eggs/animal	XXX	\$24		
87250	TC	Virus inoculate eggs/animal	XXX	\$37		
87252		Virus inoculation tissue	XXX	\$83		
87252	26	Virus inoculation tissue	XXX	\$26		
87252	TC	Virus inoculation tissue	XXX	\$57		
87253		Virus inoculate tissue addl	XXX	\$61		
87253	26	Virus inoculate tissue addl	XXX	\$18		
87253	TC	Virus inoculate tissue addl	XXX	\$43		
87254		Virus inoculation shell via	XXX	\$29		
87255		Genet virus isolate hsv	XXX	\$51		
87260		Adenovirus ag, if	XXX	\$22		
87265		Pertussis ag, if	XXX	\$18		
87267		Enterovirus antibody dfa	XXX	\$20		
87269		Giardia ag if	XXX	\$20		
87270		Chlamydia trachomatis ag, if	XXX	\$18		
87271		Cytomegalovirus dfa	XXX	\$20		
87272		Cryptosporidium ag, if	XXX	\$18		
87273		Herpes simplex 2 ag if	XXX	\$18		
87274		Herpes simplex 1 ag, if	XXX	\$18		
87275		Influenza b ag if	XXX	\$18		
87276		Influenza a ag, if	XXX	\$24		
87278		Legion pneumophilia ag, if	XXX	\$23		
87279		Parainfluenza ag if	XXX	\$25		
87280		Respiratory syncytial ag, if	XXX	\$20		
87281		Pneumocystis carinii ag if	XXX	\$18		
87283		Rubeola ag if	XXX	\$91		
87285		Treponema pallidum ag, if	XXX	\$18		
87290		Varicella zoster ag, if	XXX	\$20		
87299		Antibody detection nos, if	XXX	BR		
87300		Ag detection polyval if	XXX	\$18		
87301		Adenovirus ag, ia	XXX	\$18		
87305		Aspergillus ag ia	XXX	\$18		
87320		Chylmd trach ag, ia	XXX	\$23		
87324		Clostridium ag, ia	XXX	\$18		
87327		Cryptococcus neoform ag ia	XXX	\$20		
87328		Cryptosporidium ag, ia	XXX	\$21		
87329		Giardia ag ia	XXX	\$18		
87332		Cytomegalovirus ag, ia	XXX	\$18		
87335		E coli 0157 ag, ia	XXX	\$19		
87336		Entamoeb hist dispr ag ia	XXX	\$24		
87337		Entamoeb hist group ag ia	XXX	\$18		
87338		Hpylori, stool, ag ia	XXX	\$22		
87339		H pylori ag ia	XXX	\$24		
87340		Hepatitis b surface ag, ia	XXX	\$15		
87341		Hepatitis b surface ag ia	XXX	\$15		
87350		Hepatitis be ag, ia	XXX	\$17		
87380		Hepatitis delta agent ag, ia	XXX	\$28		
87385		Histoplasma capsul ag, ia	XXX	\$20		
87389		HIV-1 ag w/HIV-1&2 ab ag ia	XXX	\$36		
87390		HIV-1 ag, ia	XXX	\$36		
87391		HIV-2 ag, ia	XXX	\$33		
87400		Influenza a/b each ag ia	XXX	\$21		
87420		Resp syncytial virus ag, ia	XXX	\$21		
87425		Rotavirus ag, ia	XXX	\$18		
87426		Sarscov coronavirus ag ia	XXX	\$68		
87427		Shiga-like toxin ag ia	XXX	\$18		
87428		Sarscov & inf vir a&b ag ia	XXX	\$110		
87430		Strep a ag, ia	XXX	\$25		
87449		Nos each organism ag ia	XXX	\$18		
87451		Polyvalent mult org ea ag ia	XXX	\$16		
87471		Bartonella, dna, amp probe	XXX	\$53		
87472		Bartonella, dna, quant	XXX	\$64		
87475		Lyme dis, dna, dir probe	XXX	\$30		
87476		Lyme dis, dna, amp probe	XXX	\$53		
87480		Candida, dna, dir probe	XXX	\$30		
87481		Candida, dna, amp probe	XXX	\$53		
87482		Candida, dna, quant	XXX	\$84		
87483		Cns dna amp probe type 12-25	XXX	\$625		
87485		Chylmd pneum, dna, dir probe	XXX	\$30		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
87486		Chylmd pneum, dna, amp probe	XXX	\$53		
87487		Chylmd pneum, dna, quant	XXX	\$64		
87490		Chylmd trach, dna, dir probe	XXX	\$34		
87491		Chylmd trach, dna, amp probe	XXX	\$53		
87492		Chylmd trach, dna, quant	XXX	\$80		
87493		C diff amplified probe	XXX	\$56		
87495		Cytomeg, dna, dir probe	XXX	\$45		
87496		Cytomeg, dna, amp probe	XXX	\$53		
87497		Cytomeg, dna, quant	XXX	\$64		
87498		Enterovirus probe&revrs trns	XXX	\$53		
87500		Vanomycin dna amp probe	XXX	\$53		
87501		Influenza dna amp prob 1+	XXX	\$77		
87502		Influenza dna amp probe	XXX	\$144		
87503		Influenza dna amp prob addl	XXX	\$44		
87505		Nfct agent detection gi	XXX	\$192		
87506		Iadna-dna/rna probe tq 6-11	XXX	\$394		
87507		Iadna-dna/rna probe tq 12-25	XXX	\$625		
87510		Gardner vag, dna, dir probe	XXX	\$30		
87511		Gardner vag, dna, amp probe	XXX	\$53		
87512		Gardner vag, dna, quant	XXX	\$63		
87516		Hepatitis b, dna, amp probe	XXX	\$53		
87517		Hepatitis b, dna, quant	XXX	\$64		
87520		Hepatitis c, rna, dir probe	XXX	\$47		
87521		Hepatitis c, probe&rvrs trnsc	XXX	\$53		
87522		Hepatitis c, revrs trnscrpj	XXX	\$64		
87525		Hepatitis g, dna, dir probe	XXX	\$45		
87526		Hepatitis g, dna, amp probe	XXX	\$59		
87527		Hepatitis g, dna, quant	XXX	\$63		
87528		Hsv, dna, dir probe	XXX	\$30		
87529		Hsv, dna, amp probe	XXX	\$53		
87530		Hsv, dna, quant	XXX	\$64		
87531		Hhv-6, dna, dir probe	XXX	\$87		
87532		Hhv-6, dna, amp probe	XXX	\$53		
87533		Hhv-6, dna, quant	XXX	\$63		
87534		Hiv-1, dna dir probe	XXX	\$33		
87535		Hiv-1, probe&reverse trnscrpj	XXX	\$53		
87536		Hiv-1, quant&revrse trnscrpj	XXX	\$128		
87537		Hiv-2, dna dir probe	XXX	\$33		
87538		Hiv-2, probe&revrse trnscrpj	XXX	\$53		
87539		Hiv-2, quant&revrse trnscrpj	XXX	\$88		
87540		Legion pneumo, dna, dir prob	XXX	\$30		
87541		Legion pneumo, dna, amp prob	XXX	\$53		
87542		Legion pneumo, dna, quant	XXX	\$63		
87550		Mycobacteria, dna, dir probe	XXX	\$30		
87551		Mycobacteria, dna, amp probe	XXX	\$72		
87552		Mycobacteria, dna, quant	XXX	\$64		
87555		M.tuberculo, dna, dir probe	XXX	\$40		
87556		M.tuberculo, dna, amp probe	XXX	\$63		
87557		M.tuberculo, dna, quant.	XXX	\$64		
87560		M.avium-intra, dna, dir probe	XXX	\$41		
87561		M.avium-intra, dna, amp probe	XXX	\$53		
87562		M.avium-intra, dna, quant	XXX	\$64		
87563		M. genitalium amp probe	XXX	\$53		
87580		M.pneumon, dna, dir probe	XXX	\$30		
87581		M.pneumon, dna, amp probe	XXX	\$53		
87582		M.pneumon, dna, quant	XXX	\$454		
87590		N.gonorrhoeae, dna, dir prob	XXX	\$40		
87591		N.gonorrhoeae, dna, amp prob	XXX	\$53		
87592		N.gonorrhoeae, dna, quant	XXX	\$64		
87623		Hpv low-risk types	XXX	\$53		
87624		Hpv high-risk types	XXX	\$53		
87625		Hpv types 16 & 18 only	XXX	\$61		
87631		Resp virus 3-5 targets	XXX	\$214		
87632		Resp virus 6-11 targets	XXX	\$327		
87633		Resp virus 12-25 targets	XXX	\$625		
87634		Rsv dna/rna amp probe	XXX	\$105		
87635		IADNA Sars-cov-2 covid-19 amplified probe TQ	XXX	\$103		
87636		Sarscov2 & inf a&b amp prb	XXX	\$214		
87637		Sarscov2&inf a&b&rsv amp prb	XXX	\$214		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
87640		Staph a dna amp probe	XXX	\$53		
87641		Mr-staph dna amp probe	XXX	\$53		
87650		Strep a, dna, dir probe	XXX	\$30		
87651		Strep a, dna, amp probe	XXX	\$53		
87652		Strep a, dna, quant	XXX	\$63		
87653		Strep b, dna, amp probe	XXX	\$53		
87660		Trichomonas vagin dir probe	XXX	\$30		
87661		Trichomonas vaginalis amplif	XXX	\$53		
87662		Zika virus dna/rna amp probe	XXX	\$77		
87797		Detect agent nos, dna, dir	XXX	\$45		
87798		Detect agent nos, dna, amp	XXX	BR		
87799		Detect agent nos, dna, quant	XXX	BR		
87800		Detect agent mult, dna direc	XXX	\$66		
87801		Detect agent mult, dna ampli	XXX	\$105		
87802		Strep b, assay w/optic	XXX	\$19		
87803		Clostridium toxin a w/optic	XXX	\$24		
87804		Influenza assay w/optic	XXX	\$25		
87806		HIV w/HIV-1&2 antb w/optic	XXX	\$49		
87807		Rsv assay w/optic	XXX	\$20		
87808		Trichomonas assay w/optic	XXX	\$23		
87809		Adenovirus assay w/optic	XXX	\$33		
87810		Chylmd trach assay w/optic	XXX	\$53		
87811		Sars-cov-2 covid19 w/optic	XXX	\$62		
87850		N. gonorrhoeae assay w/optic	XXX	\$37		
87880		Strep a assay w/optic	XXX	\$25		
87899		Agent nos assay w/optic	XXX	BR		
87900		Phenotype infect agent drug	XXX	\$196		
87901		Genotype dna hiv reverse t	XXX	\$386		
87902		Genotype dna/rna hep c	XXX	\$386		
87903		Phenotype dna hiv w/culture	XXX	\$733		
87904		Phenotype dna hiv w/clt add	XXX	\$39		
87905		Sialidase enzyme assay	XXX	\$18		
87906		Genotype dna/rna hiv	XXX	\$193		
87910		Genotype cytomegalovirus	XXX	\$386		
87912		Genotype dna hepatitis b	XXX	\$386		
87999		Microbiology procedure	XXX	BR		
87999	26	Microbiology procedure	XXX	BR		
87999	TC	Microbiology procedure	XXX	BR		
88000		Autopsy (necropsy), gross	XXX	\$815		
88000	26	Autopsy (necropsy), gross	XXX	\$815		
88000	TC	Autopsy (necropsy), gross	XXX	\$0		
88005		Autopsy (necropsy), gross	XXX	\$917		
88005	26	Autopsy (necropsy), gross	XXX	\$917		
88005	TC	Autopsy (necropsy), gross	XXX	\$0		
88007		Autopsy (necropsy), gross	XXX	\$1,019		
88007	26	Autopsy (necropsy), gross	XXX	\$1,019		
88007	TC	Autopsy (necropsy), gross	XXX	\$0		
88012		Autopsy (necropsy), gross	XXX	\$856		
88012	26	Autopsy (necropsy), gross	XXX	\$856		
88012	TC	Autopsy (necropsy), gross	XXX	\$0		
88014		Autopsy (necropsy), gross	XXX	\$856		
88014	26	Autopsy (necropsy), gross	XXX	\$856		
88014	TC	Autopsy (necropsy), gross	XXX	\$0		
88016		Autopsy (necropsy), gross	XXX	\$815		
88016	26	Autopsy (necropsy), gross	XXX	\$815		
88016	TC	Autopsy (necropsy), gross	XXX	\$0		
88020		Autopsy (necropsy), complete	XXX	\$1,019		
88020	26	Autopsy (necropsy), complete	XXX	\$1,019		
88020	TC	Autopsy (necropsy), complete	XXX	\$0		
88025		Autopsy (necropsy), complete	XXX	\$1,120		
88025	26	Autopsy (necropsy), complete	XXX	\$1,120		
88025	TC	Autopsy (necropsy), complete	XXX	\$0		
88027		Autopsy (necropsy), complete	XXX	\$1,222		
88027	26	Autopsy (necropsy), complete	XXX	\$1,222		
88027	TC	Autopsy (necropsy), complete	XXX	\$0		
88028		Autopsy (necropsy), complete	XXX	\$1,059		
88028	26	Autopsy (necropsy), complete	XXX	\$1,059		
88028	TC	Autopsy (necropsy), complete	XXX	\$0		
88029		Autopsy (necropsy), complete	XXX	\$1,059		
88029	26	Autopsy (necropsy), complete	XXX	\$1,059		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
88029	TC	Autopsy (necropsy), complete	XXX	\$0		
88036		Limited autopsy	XXX	\$876		
88036	26	Limited autopsy	XXX	\$876		
88036	TC	Limited autopsy	XXX	\$0		
88037		Limited autopsy	XXX	\$713		
88037	26	Limited autopsy	XXX	\$713		
88037	TC	Limited autopsy	XXX	\$0		
88040		Forensic autopsy (necropsy)	XXX	\$2,648		
88040	26	Forensic autopsy (necropsy)	XXX	\$2,648		
88040	TC	Forensic autopsy (necropsy)	XXX	\$0		
88045		Coroner's autopsy (necropsy)	XXX	BR		
88045	26	Coroner's autopsy (necropsy)	XXX	BR		
88045	TC	Coroner's autopsy (necropsy)	XXX	BR		
88099		Necropsy (autopsy) procedure	XXX	BR		
88099	26	Necropsy (autopsy) procedure	XXX	BR		
88099	TC	Necropsy (autopsy) procedure	XXX	BR		
88104		Cytopathology, fluid nongyn smears	XXX	\$73		
88104	26	Cytopathology, fluid nongyn smears	XXX	\$57		
88104	TC	Cytopathology, fluid nongyn smears	XXX	\$16		
88106		Cytopath fl nongyn filter	XXX	\$102		
88106	26	Cytopath fl nongyn filter	XXX	\$31		
88106	TC	Cytopath fl nongyn filter	XXX	\$71		
88108		Cytopath, concentrate tech	XXX	\$77		
88108	26	Cytopath, concentrate tech	XXX	\$59		
88108	TC	Cytopath, concentrate tech	XXX	\$19		
88112		Cytopath cell enhance tech	XXX	\$208		
88112	26	Cytopath cell enhance tech	XXX	\$117		
88112	TC	Cytopath cell enhance tech	XXX	\$91		
88120		Cytp urine 3-5 probes ea spec	XXX	\$973		
88120	26	Cytp urine 3-5 probes ea spec	XXX	\$108		
88120	TC	Cytp urine 3-5 probes ea spec	XXX	\$865		
88121		Cytp urine 3-5 probes cmptr	XXX	\$838		
88121	26	Cytp urine 3-5 probes cmptr	XXX	\$96		
88121	TC	Cytp urine 3-5 probes cmptr	XXX	\$742		
88125		Forensic cytopathology	XXX	\$129		
88125	26	Forensic cytopathology	XXX	\$39		
88125	TC	Forensic cytopathology	XXX	\$90		
88130		Sex chromatin identification	XXX	\$49		
88130	26	Sex chromatin identification	XXX	\$14		
88130	TC	Sex chromatin identification	XXX	\$35		
88140		Sex chromatin identification	XXX	\$34		
88140	26	Sex chromatin identification	XXX	\$10		
88140	TC	Sex chromatin identification	XXX	\$24		
88141		Cytopath, c/v, interpret	XXX	\$70		
88142		Cytopath, c/v, thin layer	XXX	\$30		
88143		Cytopath c/v thin layer redo	XXX	\$35		
88147		Cytopath, c/v, automated	XXX	\$76		
88148		Cytopath, c/v, auto rescreen	XXX	\$24		
88150		Cytopath, c/v, manual	XXX	\$23		
88150	26	Cytopath, c/v, manual	XXX	\$8		
88150	TC	Cytopath, c/v, manual	XXX	\$15		
88152		Cytopath, c/v, auto redo	XXX	\$41		
88153		Cytopath, c/v, redo	XXX	\$36		
88155		Cytopath, c/v, index add-on	XXX	\$25		
88155	26	Cytopath, c/v, index add-on	XXX	\$7		
88155	TC	Cytopath, c/v, index add-on	XXX	\$18		
88160		Cytopath smear, other source	XXX	\$73		
88160	26	Cytopath smear, other source	XXX	\$22		
88160	TC	Cytopath smear, other source	XXX	\$51		
88161		Cytopath smear, other source	XXX	\$102		
88161	26	Cytopath smear, other source	XXX	\$31		
88161	TC	Cytopath smear, other source	XXX	\$71		
88162		Cytopath smear, other	XXX	\$143		
88162	26	Cytopath smear, other	XXX	\$43		
88162	TC	Cytopath smear, other	XXX	\$100		
88164		Cytopath tbs, c/v, manual	XXX	\$23		
88165		Cytopath tbs, c/v, redo	XXX	\$63		
88166		Cytopath tbs, c/v, auto redo	XXX	\$23		
88167		Cytopath tbs, c/v, select	XXX	\$23		
88172		Cytp dx eval fna 1st ea site	XXX	\$128		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
88172	26	Cytp dx eval fna 1st ea site	XXX	\$102		
88172	TC	Cytp dx eval fna 1st ea site	XXX	\$26		
88173		Cytopath eval fna report	XXX	\$128		
88173	26	Cytopath eval fna report	XXX	\$128		
88173	TC	Cytopath eval fna report	XXX	\$0		
88174		Cytopath c/v auto in fluid	XXX	\$38		
88175		Cytopath c/v auto fluid redo	XXX	\$40		
88177		Cytp fna eval ea addl	ZZZ	\$57		
88177	26	Cytp fna eval ea addl	ZZZ	\$43		
88177	TC	Cytp fna eval ea addl	ZZZ	\$14		
88182		Cell marker study	XXX	\$163		
88182	26	Cell marker study	XXX	\$61		
88182	TC	Cell marker study	XXX	\$102		
88184		Flowcytometry/ tc 1 marker	XXX	\$165		
88185		Flowcytometry/tc add-on	ZZZ	\$100		
88187		Flowcytometry/read 2-8	XXX	\$139		
88188		Flowcytometry/read 9-15	XXX	\$176		
88189		Flowcytometry/read 16 & >	XXX	\$213		
88199		Cytopathology procedure	XXX	BR		
88199	26	Cytopathology procedure	XXX	BR		
88199	TC	Cytopathology procedure	XXX	BR		
88230		Tissue culture, lymphocyte	XXX	\$482		
88230	26	Tissue culture, lymphocyte	XXX	\$143		
88230	TC	Tissue culture, lymphocyte	XXX	\$339		
88233		Tissue culture, skin/biopsy	XXX	\$448		
88233	26	Tissue culture, skin/biopsy	XXX	\$134		
88233	TC	Tissue culture, skin/biopsy	XXX	\$314		
88235		Tissue culture, placenta	XXX	\$469		
88235	26	Tissue culture, placenta	XXX	\$141		
88235	TC	Tissue culture, placenta	XXX	\$328		
88237		Tissue culture, bone marrow	XXX	\$526		
88237	26	Tissue culture, bone marrow	XXX	\$158		
88237	TC	Tissue culture, bone marrow	XXX	\$368		
88239		Tissue culture, tumor	XXX	\$613		
88239	26	Tissue culture, tumor	XXX	\$184		
88239	TC	Tissue culture, tumor	XXX	\$429		
88240		Cell cryopreserve/storage	XXX	\$20		
88241		Frozen cell preparation	XXX	\$18		
88245		Chromosome analysis, 20-25	XXX	\$617		
88245	26	Chromosome analysis, 20-25	XXX	\$184		
88245	TC	Chromosome analysis, 20-25	XXX	\$433		
88248		Chromosome analysis 50-100	XXX	\$721		
88248	26	Chromosome analysis 50-100	XXX	\$217		
88248	TC	Chromosome analysis 50-100	XXX	\$504		
88249		Chromosome analysis, 100	XXX	\$260		
88261		Chromosome analysis, 5	XXX	\$736		
88261	26	Chromosome analysis, 5	XXX	\$221		
88261	TC	Chromosome analysis, 5	XXX	\$515		
88262		Chromosome analysis, 15-20	XXX	\$580		
88262	26	Chromosome analysis, 15-20	XXX	\$175		
88262	TC	Chromosome analysis, 15-20	XXX	\$405		
88263		Chromosome analysis 45	XXX	\$489		
88263	26	Chromosome analysis 45	XXX	\$147		
88263	TC	Chromosome analysis 45	XXX	\$342		
88264		Chromosome analysis, 20-25	XXX	\$217		
88267		Chromosome analysis: placenta	XXX	\$890		
88267	26	Chromosome analysis: placenta	XXX	\$267		
88267	TC	Chromosome analysis: placenta	XXX	\$623		
88269		Chromosome analysis: amniotic	XXX	\$489		
88269	26	Chromosome analysis: amniotic	XXX	\$163		
88269	TC	Chromosome analysis: amniotic	XXX	\$326		
88271		Cytogenetics, dna probe	XXX	\$32		
88272		Cytogenetics, 3-5.....	XXX	\$61		
88273		Cytogenetics, 10-30...	XXX	\$52		
88274		Cytogenetics, 25-99...	XXX	\$64		
88275		Cytogenetics, 100-300	XXX	\$77		
88280		Chromosome karyotype study	XXX	\$114		
88280	26	Chromosome karyotype study	XXX	\$35		
88280	TC	Chromosome karyotype study	XXX	\$79		
88283		Chromosome banding study	XXX	\$224		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
88283	26	Chromosome banding study	XXX	\$67		
88283	TC	Chromosome banding study	XXX	\$157		
88285		Chromosome count: additional	XXX	\$61		
88285	26	Chromosome count: additional	XXX	\$18		
88285	TC	Chromosome count: additional	XXX	\$43		
88289		Chromosome study: additional	XXX	\$114		
88289	26	Chromosome study: additional	XXX	\$35		
88289	TC	Chromosome study: additional	XXX	\$79		
88291		Cyto/molecular report	XXX	\$52		
88299		Cytogenetic study	XXX	BR		
88299	26	Cytogenetic study	XXX	BR		
88299	TC	Cytogenetic study	XXX	BR		
88300		Surgical path, gross	XXX	\$47		
88300	26	Surgical path, gross	XXX	\$37		
88300	TC	Surgical path, gross	XXX	\$10		
88302		Tissue exam by pathologist	XXX	\$99		
88302	26	Tissue exam by pathologist	XXX	\$79		
88302	TC	Tissue exam by pathologist	XXX	\$20		
88304		Tissue exam by pathologist	XXX	\$128		
88304	26	Tissue exam by pathologist	XXX	\$102		
88304	TC	Tissue exam by pathologist	XXX	\$26		
88305		Tissue exam by pathologist	XXX	\$130		
88305	26	Tissue exam by pathologist	XXX	\$91		
88305	TC	Tissue exam by pathologist	XXX	\$39		
88307		Tissue exam by pathologist	XXX	\$229		
88307	26	Tissue exam by pathologist	XXX	\$170		
88307	TC	Tissue exam by pathologist	XXX	\$59		
88309		Tissue exam by pathologist	XXX	\$591		
88309	26	Tissue exam by pathologist	XXX	\$473		
88309	TC	Tissue exam by pathologist	XXX	\$118		
88311		Decalcify tissue	XXX	\$45		
88311	26	Decalcify tissue	XXX	\$37		
88311	TC	Decalcify tissue	XXX	\$8		
88312		Special stains group 1	XXX	\$45		
88312	26	Special stains group 1	XXX	\$14		
88312	TC	Special stains group 1	XXX	\$31		
88313		Special stains group 2	XXX	\$45		
88313	26	Special stains group 2	XXX	\$14		
88313	TC	Special stains group 2	XXX	\$31		
88314		Histochemical stains add-on	XXX	\$41		
88314	26	Histochemical stains add-on	XXX	\$12		
88314	TC	Histochemical stains add-on	XXX	\$29		
88319		Enzyme histochemistry	XXX	\$50		
88319	26	Enzyme histochemistry	XXX	\$24		
88319	TC	Enzyme histochemistry	XXX	\$26		
88321		Microslide consultation	XXX	\$81		
88323		Microslide consultation	XXX	\$143		
88323	26	Microslide consultation	XXX	\$143		
88323	TC	Microslide consultation	XXX	\$0		
88325		Comprehensive review of data	XXX	\$102		
88325	26	Comprehensive review of data	XXX	\$102		
88325	TC	Comprehensive review of data	XXX	\$0		
88329		Pathology consult introp	XXX	\$96		
88329	26	Pathology consult introp	XXX	\$96		
88329	TC	Pathology consult introp	XXX	\$0		
88331		Pathology consult intraop 1 bloc	XXX	\$189		
88331	26	Pathology consult intraop 1 bloc	XXX	\$128		
88331	TC	Pathology consult intraop 1 bloc	XXX	\$61		
88332		Pathology consult intraop addl	XXX	\$100		
88332	26	Pathology consult intraop addl	XXX	\$67		
88332	TC	Pathology consult intraop addl	XXX	\$33		
88333		Intraop cyto path consult 1	XXX	\$144		
88333	26	Intraop cyto path consult 1	XXX	\$94		
88333	TC	Intraop cyto path consult 1	XXX	\$51		
88334		Intraop cyto path consult 2	ZZZ	\$126		
88334	26	Intraop cyto path consult 2	ZZZ	\$77		
88334	TC	Intraop cyto path consult 2	ZZZ	\$49		
88341		Immunohisto antb addl slide	ZZZ	\$141		
88341	26	Immunohisto antb addl slide	ZZZ	\$43		
88341	TC	Immunohisto antb addl slide	ZZZ	\$98		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
88342		Immunohisto antb 1st stain	XXX	\$100		
88342	26	Immunohisto antb 1st stain	XXX	\$67		
88342	TC	Immunohisto antb 1st stain	XXX	\$33		
88344		Immunohisto antibody slide	XXX	\$267		
88344	26	Immunohisto antibody slide	XXX	\$58		
88344	TC	Immunohisto antibody slide	XXX	\$210		
88346		Immunofluorescent antb 1st stain	XXX	\$204		
88346	26	Immunofluorescent antb 1st stain	XXX	\$143		
88346	TC	Immunofluorescent antb 1st stain	XXX	\$61		
88348		Electron microscopy	XXX	\$351		
88348	26	Electron microscopy	XXX	\$267		
88348	TC	Electron microscopy	XXX	\$84		
88350		Immunofluor antb addl stain	ZZZ	\$166		
88350	26	Immunofluor antb addl stain	ZZZ	\$44		
88350	TC	Immunofluor antb addl stain	ZZZ	\$122		
88355		Analysis, skeletal muscle	XXX	\$200		
88355	26	Analysis, skeletal muscle	XXX	\$149		
88355	TC	Analysis, skeletal muscle	XXX	\$51		
88356		Analysis, nerve	XXX	\$200		
88356	26	Analysis, nerve	XXX	\$149		
88356	TC	Analysis, nerve	XXX	\$51		
88358		Analysis, tumor	XXX	\$200		
88358	26	Analysis, tumor	XXX	\$149		
88358	TC	Analysis, tumor	XXX	\$51		
88360		Tumor immunohistochem/manual	XXX	\$245		
88360	26	Tumor immunohistochem/manual	XXX	\$106		
88360	TC	Tumor immunohistochem/manual	XXX	\$139		
88361		Tumor immunohistochem/comput	XXX	\$306		
88361	26	Tumor immunohistochem/comput	XXX	\$116		
88361	TC	Tumor immunohistochem/comput	XXX	\$190		
88362		Nerve teasing preparations	XXX	\$635		
88362	26	Nerve teasing preparations	XXX	\$224		
88362	TC	Nerve teasing preparations	XXX	\$412		
88363		Xm archive tissue molec anal	XXX		\$73	\$32
88364		Insitu hybridization (fish)	ZZZ	\$217		
88364	26	Insitu hybridization (fish)	ZZZ	\$52		
88364	TC	Insitu hybridization (fish)	ZZZ	\$164		
88365		Insitu hybridization (fish)	XXX	\$47		
88365	26	Insitu hybridization (fish)	XXX	\$47		
88365	TC	Insitu hybridization (fish)	XXX	\$0		
88366		Insitu hybridization (fish)	XXX	\$440		
88366	26	Insitu hybridization (fish)	XXX	\$94		
88366	TC	Insitu hybridization (fish)	XXX	\$346		
88367		Insitu hybridization auto	XXX	\$544		
88367	26	Insitu hybridization auto	XXX	\$126		
88367	TC	Insitu hybridization auto	XXX	\$419		
88368		Insitu hybridization manual	XXX	\$451		
88368	26	Insitu hybridization manual	XXX	\$126		
88368	TC	Insitu hybridization manual	XXX	\$324		
88369		M/phmtrc alyshquant/semiq	ZZZ	\$177		
88369	26	M/phmtrc alyshquant/semiq	ZZZ	\$49		
88369	TC	M/phmtrc alyshquant/semiq	ZZZ	\$129		
88371		Protein, western blot tissue	XXX	BR		
88371	26	Protein western blot tissue	XXX	\$39		
88371	TC	Protein western blot tissue	XXX	BR		
88372		Protein analysis w/probe	XXX	BR		
88372	26	Protein analysis w/probe	XXX	\$33		
88372	TC	Protein analysis w/probe	XXX	BR		
88373		M/phmtrc alyshquant/semiq	ZZZ	\$110		
88373	26	M/phmtrc alyshquant/semiq	ZZZ	\$39		
88373	TC	M/phmtrc alyshquant/semiq	ZZZ	\$71		
88374		M/phmtrc alyshquant/semiq	XXX	\$529		
88374	26	M/phmtrc alyshquant/semiq	XXX	\$66		
88374	TC	M/phmtrc alyshquant/semiq	XXX	\$463		
88375		Optical endomicroscopy interp	XXX	\$74		
88377		M/phmtrc alyshquant/semiq	XXX	\$637		
88377	26	M/phmtrc alyshquant/semiq	XXX	\$97		
88377	TC	M/phmtrc alyshquant/semiq	XXX	\$540		
88380		Microdissection laser	XXX	\$359		
88380	26	Microdissection laser	XXX	\$155		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
88380	TC	Microdissection laser	XXX	\$204		
88381		Microdissection manual	XXX	\$284		
88381	26	Microdissection manual	XXX	\$102		
88381	TC	Microdissection manual	XXX	\$183		
88387		Tiss exam molecular study	XXX	\$72		
88387	26	Tiss exam molecular study	XXX	\$13		
88387	TC	Tiss exam molecular study	XXX	\$59		
88388		Tiss ex molecul study add-on	XXX	\$63		
88388	26	Tiss ex molecul study add-on	XXX	\$47		
88388	TC	Tiss ex molecul study add-on	XXX	\$17		
88399		Surgical pathology procedure	XXX	BR		
88399	26	Surgical pathology procedure	XXX	BR		
88399	TC	Surgical pathology procedure	XXX	BR		
88720		Bilirubin total transcut	XXX	\$8		
88738		Hgb quant transcutaneous	XXX	\$8		
88740		Transcutaneous carboxyhb	XXX	\$14		
88741		Transcutaneous methb	XXX	\$14		
88749		In vivo lab service	XXX	BR		
89049		Chct for mal hyperthermia	XXX	\$545		
89050		Body fluid cell count	XXX	\$18		
89050	26	Body fluid cell count	XXX	\$6		
89050	TC	Body fluid cell count	XXX	\$12		
89051		Body fluid cell count	XXX	\$24		
89051	26	Body fluid cell count	XXX	\$8		
89051	TC	Body fluid cell count	XXX	\$16		
89055		Leukocyte assessment fecal	XXX	\$6		
89060		Exam, synovial fluid crystals	XXX	\$24		
89060	26	Exam, synovial fluid crystals	XXX	\$8		
89060	TC	Exam, synovial fluid crystals	XXX	\$16		
89125		Specimen fat stain	XXX	\$26		
89125	26	Specimen fat stain	XXX	\$8		
89125	TC	Specimen fat stain	XXX	\$18		
89160		Exam feces for meat fibers	XXX	\$12		
89160	26	Exam feces for meat fibers	XXX	\$4		
89160	TC	Exam feces for meat fibers	XXX	\$8		
89190		Nasal smear for eosinophils	XXX	\$18		
89190	26	Nasal smear for eosinophils	XXX	\$6		
89190	TC	Nasal smear for eosinophils	XXX	\$12		
89220		Sputum specimen collection	XXX	\$33		
89230		Collect sweat for test	XXX	\$5		
89240		Pathology lab procedure	XXX	BR		
89250		Fertilization of oocyte/embryo <4 days	XXX	\$0		
89251		Cultr oocyte/embryos <4 days	XXX	\$0		
89253		Embryo hatching	XXX	\$0		
89254		Oocyte identification	XXX	\$0		
89255		Prepare embryo for transfer	XXX	\$0		
89257		Sperm identification	XXX	\$0		
89258		Cryopreservation, embryo(s)	XXX	\$0		
89259		Cryopreservation, sperm	XXX	\$0		
89260		Sperm isolation, simple	XXX	\$0		
89261		Sperm isolation, complex	XXX	\$0		
89264		Identify sperm tissue	XXX	\$0		
89268		Insemination of oocytes	XXX	\$0		
89272		Extended culture of oocytes	XXX	\$0		
89280		Assist oocyte fertilization	XXX	\$0		
89281		Assist oocyte fertilization	XXX	\$0		
89290		Biopsy oocyte polar body	XXX	\$0		
89291		Biopsy oocyte polar body	XXX	\$0		
89300		Semen analysis w/huhner	XXX	\$39		
89300	26	Semen analysis w/huhner	XXX	\$13		
89300	TC	Semen analysis w/huhner	XXX	\$26		
89310		Semen analysis w/count	XXX	\$36		
89310	26	Semen analysis w/count	XXX	\$10		
89310	TC	Semen analysis w/count	XXX	\$26		
89320		Semen analysis vol/count/mot	XXX	\$43		
89320	26	Semen analysis vol/count/mot	XXX	\$12		
89320	TC	Semen analysis vol/count/mot	XXX	\$31		
89321		Semen anal sperm detection	XXX	\$18		
89322		Semen anal strict criteria	XXX	\$23		
89325		Sperm antibody test	XXX	\$36		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
89325	26	Sperm antibody test	XXX	\$10		
89325	TC	Sperm antibody test	XXX	\$26		
89329		Sperm evaluation test	XXX	\$128		
89329	26	Sperm evaluation test	XXX	\$47		
89329	TC	Sperm evaluation test	XXX	\$81		
89330		Evaluation, cervical mucus	XXX	\$36		
89330	26	Evaluation, cervical mucus	XXX	\$10		
89330	TC	Evaluation, cervical mucus	XXX	\$26		
89331		Retrograde ejaculation anal	XXX	\$0		
89335		Cryopreserve testicular tiss	XXX	\$0		
89337		Cryopreservation oocyte(s)	XXX	\$0		
89342		Storage/year embryo(s)	XXX	\$0		
89343		Storage/year sperm/semen	XXX	\$0		
89344		Storage/year reprod tissue	XXX	\$0		
89346		Storage/year oocyte(s)	XXX	\$0		
89352		Thawing cryopresrved embryo	XXX	\$0		
89353		Thawing cryopresrved sperm	XXX	\$0		
89354		Thaw cryoprsrvd reprod tiss	XXX	\$0		
89356		Thawing cryopresrved oocyte	XXX	\$0		
89398		Unlisted reprod med lab proc	XXX	BR		
90281		Human ig, im	XXX	\$55		
90283		Human ig, iv	XXX	\$27		
90284		Human ig, sc	XXX	BR		
90287		Botulinum antitoxin	XXX	\$101		
90288		Botulism ig, iv	XXX	BR		
90291		Cmv ig, iv	XXX	\$104		
90296		Diphtheria antitoxin	XXX	BR		
90371		Hep b ig, im	XXX	\$198		
90375		Rabies ig, im/sc	XXX	\$447		
90376		Rabies ig, heat treated.	XXX	\$464		
90377		Rabies ig ht&sol human im/sc	XXX	BR		
90378		Rsv mab im 50mg	XXX	\$1,307		
90384		Rh ig, full-dose, im	XXX	\$107		
90385		Rh ig, minidose, im	XXX	\$38		
90386		Rh ig, iv	XXX	\$82		
90389		Tetanus ig, im	XXX	\$38		
90393		Vaccina ig, im	XXX	BR		
90396		Varicella-zoster ig, im	XXX	\$126		
90399		Immune globulin	XXX	BR		
90460		Im admin 1st/only component	XXX	\$50		
90461		Im admin each addl component	ZZZ	\$26		
90471		Immunization admin	XXX	\$51		
90472		Immunization admin, each add	ZZZ	\$26		
90473		Immune admin oral/nasal	XXX	\$50		
90474		Immune admin oral/nasal addl	ZZZ	\$26		
90476		Adenovirus vaccine, type 4	XXX	\$55		
90477		Adenovirus vaccine, type 7	XXX	\$27		
90581		Anthrax vaccine, sc or im	XXX	BR		
90585		Bcg vaccine, precut	XXX	\$8		
90586		Bcg vaccine, intravesical	XXX	\$214		
90587		Dengue vacc quad 3 dose subq	XXX	BR		
90619		Menacwy-tt vaccine im	XXX	\$117		
90620		Menb-4c vacc 2 dose im	XXX	\$138		
90621		Menb-fhbp vacc 2/3 dose im	XXX	\$121		
90625		Cholera vaccine live oral	XXX	\$170		
90630		Flu vacc iiv4 no preserv id	XXX	\$23		
90632		Hep a vaccine, adult im	XXX	\$94		
90633		Hep a vacc, ped/adol, 2 dose im	XXX	\$38		
90634		Hep a vacc, ped/adol, 3 dose	XXX	\$47		
90636		Hep a/hep b vacc, adult im	XXX	\$87		
90644		Hib-mency vacc 6wk-18m0 im	XXX	\$55		
90647		Hib vaccine, prp-omp, 3 dose im	XXX	\$30		
90648		Hib vaccine, prp-t, 4 dose im	XXX	\$28		
90649		4vhpv vaccine 3 dose im	XXX	\$137		
90650		2vhpv vaccine 3 dose im	XXX	\$139		
90651		9vhpv vaccine 2/3 dose im	XXX	\$166		
90653		Iiv adjuvant vaccine im	XXX	\$89		
90654		Flu vacc iiv3 no preserv id	XXX	\$25		
90655		Iiv3 vacc no prsv 0.25 ml im	XXX	\$18		
90656		Iiv3 vacc no prsv 0.5 ml im	XXX	\$22		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
90657		liv3 vaccine, spl 0.25 ml im	XXX	\$19		
90658		liv3 vaccine, spl 0.5 ml im	XXX	\$17		
90660		Laiv3 vaccine, intranasal	XXX	\$27		
90661		Cciiv3 vac no prsv 0.5 ml im	XXX	\$24		
90662		liv no prsv increased ag im	XXX	\$91		
90664		Laiv vacc pandemic intranasl	XXX	\$30		
90666		Flu vac pandem prsrv free im	XXX	\$20		
90667		liv vacc pandemic adjvnt im	XXX	\$8		
90668		liv vaccine pandemic im	XXX	\$46		
90670		Pcv13 vaccine im	XXX	\$362		
90672		Laiv4 vaccine intranasal	XXX	\$40		
90673		Riv3 vaccine no preserv im	XXX	\$28		
90674		Cciiv4 vac no prsv 0.5 ml im	XXX	\$44		
90675		Rabies vaccine, im	XXX	\$490		
90676		Rabies vaccine, id	XXX	\$148		
90680		Rv5 vacc 3 dose live oral	XXX	\$76		
90681		Rv1 vacc 2 dose live oral	XXX	\$102		
90682		Riv4 vacc recombinant dna im	XXX	\$91		
90685		liv4 vacc no prsv 0.25 ml im	XXX	\$32		
90686		liv4 vacc no prsv 0.5 ml im	XXX	\$29		
90687		liv4 vaccine spl 0.25 ml im	XXX	\$14		
90688		liv4 vaccine spl 0.5 ml im	XXX	\$29		
90689		Vacc iiv4 no prsrv 0.25ml im	XXX	\$27		
90690		Typhoid vaccine, oral	XXX	\$52		
90691		Typhoid vaccine, im	XXX	\$77		
90694		Vacc aiv4 no prsrv 0.5ml im	XXX	\$92		
90696		Dtap-ipv vaccine 4-6 yrs im	XXX	\$58		
90697		Dtap-ipv-hib-hepb vaccine im	XXX	\$33		
90698		Dtap-ipv/hib vaccine im	XXX	\$82		
90700		Dtap vaccine, < 7 yrs im	XXX	\$31		
90702		Dt vaccine, under 7 yrs im	XXX	\$35		
90707		Mmr vaccine, sc	XXX	\$60		
90710		Mmrv vaccine, sc	XXX	\$164		
90713		Poliovirus, ipv, sc/im	XXX	\$33		
90714		Td vacc no presv 7 yrs+ im	XXX	\$42		
90715		Tdap vaccine 7 yrs/> im	XXX	\$53		
90716		Var vaccine, live subq	XXX	\$100		
90717		Yellow fever vaccine, subq	XXX	\$131		
90723		Dtap-hep b-ipv vaccine im	XXX	\$77		
90732		Ppsv23 vacc, 2 yrs+ subq/im	XXX	\$189		
90733		Mpsv4 vaccine, subq	XXX	\$106		
90734		Menacwyd/menacwycrm vacc im	XXX	\$105		
90736		Hzv vaccine live subq	XXX	\$146		
90738		Inactivated je vacc im	XXX	\$204		
90739		Hepb vacc 2 dose adult im	XXX	\$216		
90740		Hepb vacc 3 dose immunosup im	XXX	\$211		
90743		Hepb vacc 2 dose adolesc im	XXX	\$48		
90744		Hep b vaccine, 3 dose ped/adol, im	XXX	\$42		
90746		Hep b vaccine, 3 dose adult, im	XXX	\$104		
90747		Hep b vaccine, 4 dose immunosup im	XXX	\$211		
90748		Hep b/Hib vaccine, im	XXX	\$47		
90749		Vaccine toxoid	XXX	BR		
90750		Hzv vacc recombinant im	XXX	\$115		
90756		Cciiv4 vacc abx free im	XXX	\$42		
90785		Psytx complex interactive	ZZZ	\$23		
90791		Psychiatric Diagnostic Evaluation	XXX	\$271		
90792		Psych diag eval w/med services	XXX	\$303		
90832		Psytx w/patient 30 minutes	XXX	\$117		
90833		Psytx w/patient with E&M Srvc 30 min	ZZZ	\$107		
90834		Psytx w/patient 45 minutes	XXX	\$155		
90836		Psytx w/patient with E&M Srvc 45 min	ZZZ	\$135		
90837		Psytx w/patient 60 minutes	XXX	\$229		
90838		Psytx w/patient with E&M Srvc 60 min	ZZZ	\$179		
90839		Psytx crisis initial 60 min	XXX	\$218		
90840		Psytx crisis ea addl 30 min	ZZZ	\$103		
90845		Psychoanalysis	XXX	\$162		
90846		Family psytx w/o pt 50 min	XXX	\$180		
90847		Family psytx w/pt 50 min	XXX	\$206		
90849		Multiple family group psytx	XXX	\$63		
90853		Group psychotherapy	XXX	\$63		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
90863		Pharmacologic mgmt w/psytch	XXX	\$39		
90865		Narcosynthesis	XXX	\$307		
***		***	***	***	***	***
90875		Psychophysiological therapy	XXX	\$135		
90876		Psychophysiological therapy	XXX	\$204		
90880		Hypnotherapy	XXX	\$208		
90882		Environmental manipulation	XXX	BR		
90885		Psy evaluation of records	XXX	\$94		
90887		Consultation with family	XXX	\$131		
90889		Preparation of report	XXX	BR		
90899		Psychiatric service/therapy	XXX	BR		
***		***	***	***		
90912		Bfb training 1st 15 min	000	\$125		
90913		Bfb training ea addl 15 min	ZZZ	\$49		
***		***	***	***		
90940		Hemodialysis access study	XXX	\$36		
***		***	***	***		
90951		Esrd serv 4 visits p mo <2yr	XXX	\$1,902		
90952		Esrd serv 2-3 vsts p mo <2yr	XXX	\$726		
90953		Esrd serv 1 visit p mo <2yrs	XXX	\$517		
90954		Esrd serv 4 vsts p mo 2-11	XXX	\$1,650		
90955		Esrd srv 2-3 vsts p mo 2-11	XXX	\$930		
90956		Esrd srv 1 visit p mo 2-11	XXX	\$646		
90957		Esrd srv 4 vsts p mo 12-19	XXX	\$1,313		
90958		Esrd srv 2-3 vsts p mo 12-19	XXX	\$890		
90959		Esrd serv 1 vst p mo 12-19	XXX	\$603		
90960		Esrd srv 4 visits p mo 20+	XXX	\$581		
90961		Esrd srv 2-3 vsts p mo 20+	XXX	\$488		
90962		Esrd serv 1 visit p mo 20+	XXX	\$378		
90963		Esrd home pt serv p mo <2yrs	XXX	\$1,109		
90964		Esrd home pt serv p mo 2-11	XXX	\$967		
90965		Esrd home pt serv p mo 12-19	XXX	\$922		
90966		Esrd home pt serv p mo 20+	XXX	\$488		
90967		Esrd home pt serv p day <2	XXX	\$36		
90968		Esrd home pt srv p day 2-11	XXX	\$31		
90969		Esrd home pt srv p day 12-19	XXX	\$30		
90970		Esrd home pt serv p day 20+	XXX	\$16		
90989		Dialysis training/complete	XXX	BR		
90993		Dialysis training/incomplete	XXX	BR		
***		***	***	***		
90999		Dialysis procedure	XXX	BR		
***		***	***	***		
91013		Esophgl motil w/stim/perfus	ZZZ	\$50		
91013	26	Esophgl motil w/stim/perfus	ZZZ	\$20		
91013	TC	Esophgl motil w/stim/perfus	ZZZ	\$30		
***		***	***	***		
91022		Duodenal motility study	000	\$364		
91022	26	Duodenal motility study	000	\$160		
91022	TC	Duodenal motility study	000	\$204		
***		***	***	***		
91034		Gastroesophageal reflux test	000	\$400		
91034	26	Gastroesophageal reflux test	000	\$106		
91034	TC	Gastroesophageal reflux test	000	\$294		
91035		G-esoph reflx tst w/electrod	000	\$1,026		
91035	26	G-esoph reflx tst w/electrod	000	\$175		
91035	TC	G-esoph reflx tst w/electrod	000	\$851		
91037		Esoph imped function test	000	\$343		
91037	26	Esoph imped function test	000	\$109		
91037	TC	Esoph imped function test	000	\$234		
91038		Esoph imped funct test > 1hr	000	\$988		
91038	26	Esoph imped funct test > 1hr	000	\$122		
91038	TC	Esoph imped funct test > 1hr	000	\$867		
91040		Esoph balloon distension tst	000	\$592		
91040	26	Esoph balloon distension tst	000	\$96		
91040	TC	Esoph balloon distension tst	000	\$496		
91065		Breath hydrogen/methane test	000	\$94		
91065	26	Breath hydrogen/methane test	000	\$69		
91065	TC	Breath hydrogen/methane test	000	\$26		
91110		Gi tract capsule endoscopy	XXX	\$1,900		
91110	26	Gi tract capsule endoscopy	XXX	\$405		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
91110	TC	Gi tract capsule endoscopy	XXX	\$1,495		
91111		Esophageal capsule endoscopy	XXX	\$1,556		
91111	26	Esophageal capsule endoscopy	XXX	\$110		
91111	TC	Esophageal capsule endoscopy	XXX	\$1,445		
91112		Gi wireless capsule measure	XXX	\$2,576		
91112	26	Gi wireless capsule measure	XXX	\$162		
91112	TC	Gi wireless capsule measure	XXX	\$2,414		
***		***	***		***	***
91120		Rectal sensation test	XXX	\$824		
91120	26	Rectal sensation test	XXX	\$105		
91120	TC	Rectal sensation test	XXX	\$719		
***		***	***	***		
91132		Electrogastrography	XXX	\$328		
91132	26	Electrogastrography	XXX	\$58		
91132	TC	Electrogastrography	XXX	\$270		
91133		Electrogastrography w/test	XXX	\$381		
91133	26	Electrogastrography w/test	XXX	\$74		
91133	TC	Electrogastrography w/test	XXX	\$307		
91200		Liver elastography	XXX	\$49		
91200	26	Liver elastography	XXX	\$17		
91200	TC	Liver elastography	XXX	\$32		
91299		Gastroenterology procedure	XXX	BR		
91299	26	Gastroenterology procedure	XXX	BR		
91299	TC	Gastroenterology procedure	XXX	BR		
91300		Sarscov2 vac 30mcg/0.3ml im	XXX	\$0		
91301		Sarscov2 vac 100mcg/0.5ml im	XXX	\$0		
92002		Eye exam, new patient	XXX	\$108		
92004		Eye exam, new patient	XXX	\$157		
92012		Eye exam establish pt	XXX	\$91		
92014		Eye exam & tx estab pt 1/>vst	XXX	\$115		
92015		Determine refractive state	XXX		\$41	\$39
92018		New eye exam & treatment	XXX	\$143		
92019		Eye exam & treatment	XXX	\$129		
92020		Special eye evaluation	XXX	\$52		
92025		Corneal topography	XXX	\$78		
92025	26	Corneal topography	XXX	\$41		
92025	TC	Corneal topography	XXX	\$37		
92060		Special eye evaluation	XXX	\$81		
92060	26	Special eye evaluation	XXX	\$66		
92060	TC	Special eye evaluation	XXX	\$14		
92065		Orthoptic/pleoptic training	XXX	\$52		
92065	26	Orthoptic/pleoptic training	XXX	\$41		
92065	TC	Orthoptic/pleoptic training	XXX	\$12		
92071		Contact lens fitting for tx	XXX		\$77	\$69
92072		Fit contact lens for management	XXX		\$246	\$197
92081		Visual field examination(s)	XXX	\$49		
92081	26	Visual field examination(s)	XXX	\$38		
92081	TC	Visual field examination(s)	XXX	\$11		
92082		Visual field examination(s)	XXX	\$67		
92082	26	Visual field examination(s)	XXX	\$53		
92082	TC	Visual field examination(s)	XXX	\$14		
92083		Visual field examination(s)	XXX	\$98		
92083	26	Visual field examination(s)	XXX	\$77		
92083	TC	Visual field examination(s)	XXX	\$21		
92100		Serial tonometry exam(s)	XXX	\$91		
92132		Cmptr ophth dx img ant segmt	XXX	\$77		
92132	26	Cmptr ophth dx img ant segmt	XXX	\$42		
92132	TC	Cmptr ophth dx img ant segmt	XXX	\$34		
92133		Cmptr ophth img optic nerve	XXX	\$93		
92133	26	Cmptr ophth img optic nerve	XXX	\$59		
92133	TC	Cmptr ophth img optic nerve	XXX	\$33		
92134		Cptr ophth dx img post segmt	XXX	\$93		
92134	26	Cptr ophth dx img post segmt	XXX	\$59		
92134	TC	Cptr ophth dx img post segmt	XXX	\$33		
92136		Ophthalmic biometry	XXX	\$183		
92136	26	Ophthalmic biometry	XXX	\$64		
92136	TC	Ophthalmic biometry	XXX	\$119		
92145		Corneal hysteresis deter	XXX	\$20		
92145	26	Corneal hysteresis deter	XXX	\$9		
92145	TC	Corneal hysteresis deter	XXX	\$11		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
92201		Opscopy extnd rta draw uni/bi	XXX	\$38		
92202		Opscopy extnd on/mac draw	XXX	\$24		
92227		Imaging rta detcj/mntr ds staff	XXX	\$25		
92228		Img rta detc/mntr ds phy/qhp	XXX	\$71		
92228	26	Img rta detc/mntr ds phy/qhp	XXX	\$43		
92228	TC	Img rta detc/mntr ds phy/qhp	XXX	\$28		
92229		Img rta detc/mntr ds poc aly	XXX	\$0		
92230		Eye exam with photos	XXX	\$119		
92235		Fluorescein angrph uni/bi	XXX	\$175		
92235	26	Fluorescein angrph uni/bi	XXX	\$98		
92235	TC	Fluorescein angrph uni/bi	XXX	\$77		
92240		Icg angiography uni/bi	XXX	\$199		
92240	26	Icg angiography uni/bi	XXX	\$121		
92240	TC	Icg angiography uni/bi	XXX	\$77		
92242		Fluorescein icg angiography	XXX	\$385		
92242	26	Fluorescein icg angiography	XXX	\$82		
92242	TC	Fluorescein icg angiography	XXX	\$303		
92250		Eye exam with photos	XXX	\$63		
92250	26	Eye exam with photos	XXX	\$49		
92250	TC	Eye exam with photos	XXX	\$13		
92260		Ophthalmoscopy/dynamometry	XXX	\$77		
92265		Eye muscle evaluation	XXX	\$83		
92265	26	Eye muscle evaluation	XXX	\$65		
92265	TC	Eye muscle evaluation	XXX	\$18		
92270		Electro-oculography	XXX	\$109		
92270	26	Electro-oculography	XXX	\$84		
92270	TC	Electro-oculography	XXX	\$24		
92273		Full field erg w/i&r	XXX	\$200		
92273	26	Full field erg w/i&r	XXX	\$55		
92273	TC	Full field erg w/i&r	XXX	\$145		
92274		Multifocal erg w/i&r	XXX	\$136		
92274	26	Multifocal erg w/i&r	XXX	\$49		
92274	TC	Multifocal erg w/i&r	XXX	\$87		
92283		Color vision examination	XXX	\$40		
92283	26	Color vision examination	XXX	\$31		
92283	TC	Color vision examination	XXX	\$9		
92284		Dark adaptation eye exam	XXX	\$47		
92284	26	Dark adaptation eye exam	XXX	\$34		
92284	TC	Dark adaptation eye exam	XXX	\$13		
92285		Eye photography	XXX	\$35		
92285	26	Eye photography	XXX	\$26		
92285	TC	Eye photography	XXX	\$8		
92286		Internal eye photography	XXX	\$131		
92286	26	Internal eye photography	XXX	\$101		
92286	TC	Internal eye photography	XXX	\$30		
92287		Internal eye photography	XXX	\$171		
92310		Contact lens fitting	XXX	BR		
92311		Contact lens fitting	XXX	\$143		
92312		Contact lens fitting	XXX	\$173		
92313		Contact lens fitting	XXX	\$130		
92314		Prescription of contact lens	XXX	BR		
92315		Rx of contact lens aphakia 1 eye	XXX	\$82		
92316		Rx of contact lens aphakia 2 eye	XXX	\$119		
92317		Rx of contact lens corneoscleral	XXX	\$61		
92325		Modification of contact lens	XXX	\$28		
92326		Replacement of contact lens	XXX	\$115		
92340		Fitting of spectacles monofocal	XXX		\$71	\$38
92341		Fitting of spectacles bifocal	XXX		\$81	\$48
92342		Fitting of spectacles multifocal	XXX		\$88	\$55
92352		Fit aphakia spectacles monofocl	XXX	\$48		
92353		Fit aphakia spectacles multifoc	XXX	\$65		
92354		Fit spectacles single system	XXX	\$605		
92355		Fit spectacles compound lens	XXX	\$294		
92358		Aphakia prosthesis service temp	XXX	\$69		
92370		Repair & adjust spectacles	XXX		\$63	\$34
92371		Repair & adjust spectacles	XXX	\$44		
92499		Eye service or procedure	XXX	BR		
92499	26	Eye service or procedure	XXX	BR		
92499	TC	Eye service or procedure	XXX	BR		
***		***	***	***		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
92504		Ear microscopy examination	XXX	\$33		
92507		Speech/hearing therapy	XXX	\$72		
92508		Speech/hearing therapy	XXX	\$41		
***		***	***	***		
92512		Nasal function studies	XXX	\$77		
92516		Facial nerve function test	XXX	\$66		
92517		Vemp test i&r cervical	XXX	\$131		
92518		Vemp test i&r ocular	XXX	\$122		
92519		Vemp tst i&r cervical&ocular	XXX	\$203		
92520		Laryngeal function studies	XXX	\$96		
92521		Evaluation Of Speech Fluency (Stutter Clutter)	XXX	\$205		
92522		Evaluate speech production	XXX	\$172		
92523		Eval speech sound language comprehen	XXX	\$353		
92524		Behavioral & qualit analysis voice & resonance	XXX	\$168		
92526		Oral function therapy	XXX	\$86		
92531		Spontaneous nystagmus study	XXX	BR		
92532		Positional nystagmus test	XXX	BR		
92533		Caloric vestibular test	XXX	BR		
92534		Optokinetic nystagmus test	XXX	BR		
92537		Caloric vstblr test w/rec	XXX	\$64		
92537	26	Caloric vstblr test w/rec	XXX	\$48		
92537	TC	Caloric vstblr test w/rec	XXX	\$16		
92538		Caloric vstblr test w/rec	XXX	\$35		
92538	26	Caloric vstblr test w/rec	XXX	\$24		
92538	TC	Caloric vstblr test w/rec	XXX	\$10		
92540		Basic vestibular evaluation	XXX	\$168		
92540	26	Basic vestibular evaluation	XXX	\$119		
92540	TC	Basic vestibular evaluation	XXX	\$49		
92541		Spontaneous nystagmus test	XXX	\$81		
92541	26	Spontaneous nystagmus test	XXX	\$64		
92541	TC	Spontaneous nystagmus test	XXX	\$17		
92542		Positional nystagmus test	XXX	\$71		
92542	26	Positional nystagmus test	XXX	\$52		
92542	TC	Positional nystagmus test	XXX	\$20		
92544		Optokinetic nystagmus test	XXX	\$55		
92544	26	Optokinetic nystagmus test	XXX	\$40		
92544	TC	Optokinetic nystagmus test	XXX	\$16		
92545		Oscillating tracking test	XXX	\$47		
92545	26	Oscillating tracking test	XXX	\$32		
92545	TC	Oscillating tracking test	XXX	\$16		
92546		Sinusoidal rotational test	XXX	\$60		
92546	26	Sinusoidal rotational test	XXX	\$41		
92546	TC	Sinusoidal rotational test	XXX	\$19		
92547		Supplemental electrical test	ZZZ	\$44		
92548		Cdp-sot 6 cond w/i&r	XXX	\$181		
92548	26	Cdp-sot 6 cond w/i&r	XXX	\$68		
92548	TC	Cdp-sot 6 cond w/i&r	XXX	\$113		
92549		Cdp-sot 6 cond w/i&r met&adt	XXX	\$97		
92549	26	Cdp-sot 6 cond w/i&r met&adt	XXX	\$69		
92549	TC	Cdp-sot 6 cond w/i&r met&adt	XXX	\$29		
92550		Tympanometry & reflex thresh	XXX	\$34		
92551		Pure tone hearing test, air	XXX	\$24		
92552		Pure tone audiometry, air	XXX	\$33		
92553		Audiometry, air & bone	XXX	\$50		
92555		Speech threshold audiometry	XXX	\$29		
92556		Speech audiometry, complete	XXX	\$44		
92557		Comprehensive hearing test	XXX	\$92		
92558		Evoked auditory test qual	XXX	\$15		
92559		Group audiometric testing	XXX	BR		
92560		Bekesy audiometry, screen	XXX	BR		
92561		Bekesy audiometry, diagnosis	XXX	\$54		
92562		Loudness balance test	XXX	\$31		
92563		Tone decay hearing test	XXX	\$28		
92564		Sisi hearing test	XXX	\$35		
92565		Stenger test, pure tone	XXX	\$30		
92567		Tympanometry	XXX	\$40		
92568		Acoustic reflex threshold testing	XXX	\$28		
92570		Acoustic immitance testing	XXX		\$66	\$61

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
92571		Filtered speech hearing test	XXX	\$29		
92572		Staggered spondaic word test	XXX	\$7		
92575		Sensorineural acuity test	XXX	\$23		
92576		Synthetic sentence test	XXX	\$33		
92577		Stenger test, speech	XXX	\$54		
92579		Visual audiometry (vra)	XXX	\$55		
92582		Conditioning play audiometry	XXX	\$54		
92583		Select picture audiometry	XXX	\$67		
92584		Electrocochleography	XXX	\$185		
92587		Evoked auditory test limited	XXX	\$113		
92587	26	Evoked auditory test limited	XXX	\$18		
92587	TC	Evoked auditory test limited	XXX	\$95		
92588		Evoked auditory test complete	XXX	\$159		
92588	26	Evoked auditory test complete	XXX	\$47		
92588	TC	Evoked auditory test complete	XXX	\$113		
92590		Hearing aid exam, one ear	XXX	BR		
92591		Hearing aid exam, both ears	XXX	BR		
92592		Hearing aid check, one ear	XXX	BR		
92593		Hearing aid check, both ears	XXX	BR		
92594		Electro hearing aid test, one	XXX	BR		
92595		Electro hearing aid tst, both	XXX	BR		
92596		Ear protector evaluation	XXX	\$45		
92597		Oral speech device eval	XXX	\$182		
92601		Cochlear implt f/up exam <7	XXX		\$286	\$244
92602		Reprogram cochlear implt <7	XXX		\$183	\$139
92603		Cochlear implt f/up exam 7/>	XXX		\$302	\$249
92604		Reprogram cochlear implt 7/>	XXX		\$181	\$138
92605		Ex for nonspeech device rx	XXX		\$187	\$179
92606		Non-speech device service	XXX		\$167	\$143
92607		Ex for speech device rx 1hr	XXX	\$232		
92608		Ex for speech device rx addl	ZZZ	\$88		
92609		Use of speech device service	XXX	\$180		
92610		Evaluate swallowing function	XXX		\$155	\$138
92611		Motion fluoroscopy/swallow	XXX	\$174		
92612		Endoscopy swallow (fees) vid	XXX		\$351	\$139
92613		Endoscopy swallow (fees) i&r	XXX	\$79		
92614		Laryngoscopic sensory vid	XXX		\$316	\$141
92615		Eval Laryngoscopic sensory i&r	XXX		\$70	\$69
92616		Fees w/laryngeal sense test	XXX		\$421	\$205
92617		Fees w/laryngeal sense i&r	XXX		\$86	\$85
92618		Ex for nonspeech dev rx add	ZZZ		\$67	\$66
92620		Auditory function 60 min	XXX		\$192	\$169
92621		Auditory function + 15 min	ZZZ		\$46	\$39
92625		Tinnitus assessment	XXX		\$143	\$127
92626		Eval aud funcj 1st hour	XXX		\$185	\$155
92627		Eval aud funcj ea addl 15	ZZZ		\$46	\$36
92630		Aud rehab pre-ling hear loss	XXX	\$90		
92633		Aud rehab postling hear loss	XXX	\$55		
92640		Aud brainstem implt programg	XXX		\$251	\$213
92650		Aep scr auditory potential	XXX	\$43		
92651		Aep hearing status deter i&r	XXX	\$137		
92652		Aep thrshld est mlt freq i&r	XXX	\$180		
92653		Aep neurodiagnostic i&r	XXX	\$131		
92700		Ent procedure/service	XXX	BR		
92920		Prq cardiac angioplast 1 art	000	\$809		
92921		Prq cardiac angio addl art	ZZZ	\$368		
92924		Prq card angio/athrect 1 art	000	\$964		
92925		Prq card angio/athrect addl	ZZZ	\$538		
92928		Prq card stent w/angio 1 vsl	000	\$900		
92929		Prq card stent w/angio addl	ZZZ	\$449		
92933		Prq card stent/ath/angio	000	\$1,010		
92934		Prq card stent/ath/angio	ZZZ	\$430		
92937		Prq revasc byp graft 1 vsl	000	\$899		
92938		Prq revasc byp graft addl	ZZZ	\$493		
92941		Prq card revasc mi 1 vsl	000	\$1,011		
92943		Prq card revasc chronic 1vsl	000	\$1,012		
92944		Prq card revasc chronic addl	ZZZ	\$647		
92950		Heart/lung resuscitation (cpr)	000	\$442		
***		***	***	***		
92961		Cardioversion electric, int	000	\$396		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
***		***	***	***		
92973		Percut coronary mech thrombectomy	ZZZ	\$365		
92974		Cath place cardio brachytx	ZZZ	\$333		
***		***	***	***		
92977		Dissolve clot heart vessel	XXX	\$583		
92978		Endoluminl ivus oct c 1st	ZZZ	\$544		
92978	26	Endoluminl ivus oct c 1st	ZZZ	\$203		
92978	TC	Endoluminl ivus oct c 1st	ZZZ	\$341		
92979		Endoluminl ivus oct c ea	ZZZ	\$334		
92979	26	Endoluminl ivus oct c ea	ZZZ	\$163		
92979	TC	Endoluminl ivus oct c ea	ZZZ	\$171		
***		***	***	***		
92998		Pul art balloon repr, percut	ZZZ	\$700		
93000		Electrocardiogram, complete	XXX	\$56		
93005		Electrocardiogram, tracing	XXX	\$33		
93010		Electrocardiogram report	XXX	\$24		
93015		Cardiovascular stress test	XXX	\$233		
93016		Cardiovascular stress test	XXX	\$61		
93017		Cardiovascular stress test	XXX	\$122		
93018		Cardiovascular stress test	XXX	\$50		
93024		Cardiac drug stress test	XXX	\$285		
93024	26	Cardiac drug stress test	XXX	\$203		
93024	TC	Cardiac drug stress test	XXX	\$82		
93025		Microvolt t-wave assess	XXX	\$335		
93025	26	Microvolt t-wave assess	XXX	\$76		
93025	TC	Microvolt t-wave assess	XXX	\$259		
93040		Rhythm eeg with report	XXX	\$31		
93041		Rhythm eeg, tracing	XXX	\$11		
93042		Rhythm eeg, report	XXX	\$21		
93050		Art pressure waveform analys	XXX	\$25		
93050	26	Art pressure waveform analys	XXX	\$13		
93050	TC	Art pressure waveform analys	XXX	\$12		
93224		Ecg monitor/report, up to 48hrs	XXX	\$345		
93225		Ecg monitor/record up to 48hrs	XXX	\$90		
93226		Ecg monitor/report up to 48hrs	XXX	\$159		
93227		Ecg monitor/review up to 48hrs	XXX	\$97		
93228		Remote 30 day eeg rev/report	XXX	\$52		
93229		Remote 30 day eeg tech supp	XXX	\$1,423		
93241		Ext eeg>48hr<7d rec scan a/r	XXX	\$199		
93242		Ext eeg>48hr<7d recording	XXX	\$22		
93243		Ext eeg>48hr<7d scan a/r	XXX	\$140		
93244		Ext eeg>48hr<7d rev&interpj	XXX	\$37		
93245		Ext eeg>7d<15d rec scan a/r	XXX	\$217		
93246		Ext eeg>7d<15d recording	XXX	\$22		
93247		Ext eeg>7d<15d scan a/r	XXX	\$155		
93248		Ext eeg>7d<15d rev&interpj	XXX	\$41		
93260		Prgmng dev eval impltbl sys	XXX	\$112		
93260	26	Prgmng dev eval impltbl sys	XXX	\$65		
93260	TC	Prgmng dev eval impltbl sys	XXX	\$47		
93261		Interrogate subq defib	XXX	\$102		
93261	26	Interrogate subq defib	XXX	\$55		
93261	TC	Interrogate subq defib	XXX	\$47		
93264		Rem mntr wrls p-art prs snr	XXX	\$75		
93268		Ecg record/review	XXX	\$284		
93268	26	Ecg record/review	XXX	BR		
93268	TC	Ecg record/review	XXX	BR		
93270		Remote 30 day eeg rev/report	XXX	\$89		
93271		Ecg/monitoring and analysis	XXX	\$173		
93272		Ecg/review, interpret only	XXX	\$68		
93278		Ecg/signal-averaged	XXX	\$161		
93278	26	Ecg/signal-averaged	XXX	\$75		
93278	TC	Ecg/signal-averaged	XXX	\$87		
93279		Prgmng dev eval pm/ldls pm	XXX	\$99		
93279	26	Prgmng dev eval pm/ldls pm	XXX	\$34		
93279	TC	Prgmng dev eval pm/ldls pm	XXX	\$65		
93280		Pm device progr eval dual	XXX	\$115		
93280	26	Pm device progr eval dual	XXX	\$77		
93280	TC	Pm device progr eval dual	XXX	\$38		
93281		Pm device progr eval multi	XXX	\$134		
93281	26	Pm device progr eval multi	XXX	\$89		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
93281	TC	Pm device progr eval multi	XXX	\$45		
93282		Prgrmg eval implantable dfb	XXX	\$123		
93282	26	Prgrmg eval implantable dfb	XXX	\$84		
93282	TC	Prgrmg eval implantable dfb	XXX	\$39		
93283		Prgrmg eval implantable dfb	XXX	\$159		
93283	26	Prgrmg eval implantable dfb	XXX	\$114		
93283	TC	Prgrmg eval implantable dfb	XXX	\$45		
93284		Prgrmg eval implantable dfb	XXX	\$176		
93284	26	Prgrmg eval implantable dfb	XXX	\$124		
93284	TC	Prgrmg eval implantable dfb	XXX	\$52		
93285		Prgrmg dev eval scrms ip	XXX	\$82		
93285	26	Prgrmg dev eval scrms ip	XXX	\$51		
93285	TC	Prgrmg dev eval scrms ip	XXX	\$31		
93286		Peri-px eval pm/ldls pm ip	XXX	\$52		
93286	26	Peri-px eval pm/ldls pm ip	XXX	\$30		
93286	TC	Peri-px eval pm/ldls pm ip	XXX	\$22		
93287		Peri-px device eval & prgr	XXX	\$70		
93287	26	Peri-px device eval & prgr	XXX	\$45		
93287	TC	Peri-px device eval & prgr	XXX	\$25		
93288		Interrog evl pm/ldls pm ip	XXX	\$74		
93288	26	Interrog evl pm/ldls pm ip	XXX	\$43		
93288	TC	Interrog evl pm/ldls pm ip	XXX	\$31		
93289		Interrog device eval heart	XXX	\$130		
93289	26	Interrog device eval heart	XXX	\$91		
93289	TC	Interrog device eval heart	XXX	\$38		
93290		Interrog dev eval icpms ip	XXX	\$61		
93290	26	Interrog dev eval icpms ip	XXX	\$43		
93290	TC	Interrog dev eval icpms ip	XXX	\$18		
93291		Interrog dev eval scrms ip	XXX	\$71		
93291	26	Interrog dev eval scrms ip	XXX	\$43		
93291	TC	Interrog dev eval scrms ip	XXX	\$29		
93292		Wcd device interrogate	XXX	\$64		
93292	26	Wcd device interrogate	XXX	\$43		
93292	TC	Wcd device interrogate	XXX	\$22		
93293		Pm phone r-strip device eval	XXX	\$107		
93293	26	Pm phone r-strip device eval	XXX	\$31		
93293	TC	Pm phone r-strip device eval	XXX	\$75		
93294		Rem interrog evl pm/ldls pm	XXX	\$66		
93295		Device interrogat remote 1/2/mlt	XXX	\$130		
93296		Rem interrog evl pm/ids	XXX	\$52		
93297		Rem interrog dev eval icpms	XXX	\$52		
93298		Rem interrog dev eval scrms	XXX	\$52		
93303		Echo transthoracic	XXX	\$452		
93303	26	Echo transthoracic	XXX	\$162		
93303	TC	Echo transthoracic	XXX	\$291		
93304		Echo transthoracic	XXX	\$245		
93304	26	Echo transthoracic	XXX	\$99		
93304	TC	Echo transthoracic	XXX	\$146		
93306		Tte w/doppler complete	XXX	\$390		
93306	26	Tte w/doppler complete	XXX	\$129		
93306	TC	Tte w/doppler complete	XXX	\$261		
93307		Tte w/o doppler complete	XXX	\$423		
93307	26	Tte w/o doppler complete	XXX	\$132		
93307	TC	Tte w/o doppler complete	XXX	\$291		
93308		Tte f-up or lmtd	XXX	\$231		
93308	26	Tte f-up or lmtd	XXX	\$90		
93308	TC	Tte f-up or lmtd	XXX	\$141		
93312		Echo transesophageal	XXX	\$539		
93312	26	Echo transesophageal	XXX	\$250		
93312	TC	Echo transesophageal	XXX	\$289		
93313		Echo transesophageal	XXX	\$119		
93314		Echo transesophageal	XXX	\$397		
93314	26	Echo transesophageal	XXX	\$119		
93314	TC	Echo transesophageal	XXX	\$278		
93315		Echo transesophageal	XXX	\$584		
93315	26	Echo transesophageal	XXX	\$295		
93315	TC	Echo transesophageal	XXX	\$289		
93316		Echo transesophageal	XXX	\$124		
93317		Echo transesophageal	XXX	\$470		
93317	26	Echo transesophageal	XXX	\$181		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
93317	TC	Echo transesophageal	XXX	\$289		
93318		Echo transesophageal intraop	XXX	\$228		
93320		Doppler echo exam, heart	ZZZ	\$185		
93320	26	Doppler echo exam, heart	ZZZ	\$56		
93320	TC	Doppler echo exam, heart	ZZZ	\$129		
93321		Doppler echo exam, heart	ZZZ	\$107		
93321	26	Doppler echo exam, heart	ZZZ	\$22		
93321	TC	Doppler echo exam, heart	ZZZ	\$84		
93325		Doppler color flow add-on	ZZZ	\$229		
93325	26	Doppler color flow add-on	ZZZ	\$8		
93325	TC	Doppler color flow add-on	ZZZ	\$220		
93350		Stress tte only	XXX	\$248		
93350	26	Stress tte only	XXX	\$114		
93350	TC	Stress tte only	XXX	\$133		
93351		Stress tte complete	XXX	\$478		
93351	26	Stress tte complete	XXX	\$174		
93351	TC	Stress tte complete	XXX	\$304		
93352		Admin ecg contrast agent	ZZZ	\$67		
93355		Echo transesophageal (tee)	XXX	\$346		
93356		Myocrd strain img speckl trck	ZZZ	\$62		
93451		Right heart cath	000	\$1,646		
93451	26	Right heart cath	000	\$303		
93451	TC	Right heart cath	000	\$1,343		
93452		Left hrt cath w/ventrclgrphy	000	\$1,813		
93452	26	Left hrt cath w/ventrclgrphy	000	\$531		
93452	TC	Left hrt cath w/ventrclgrphy	000	\$1,283		
93453		R&l hrt cath w/ventriclgrphy	000	\$2,374		
93453	26	R&l hrt cath w/ventriclgrphy	000	\$695		
93453	TC	R&l hrt cath w/ventriclgrphy	000	\$1,679		
93454		Coronary artery angio s&i	000	\$1,869		
93454	26	Coronary artery angio s&i	000	\$534		
93454	TC	Coronary artery angio s&i	000	\$1,335		
93455		Coronary art/grft angio s&i	000	\$2,183		
93455	26	Coronary art/grft angio s&i	000	\$617		
93455	TC	Coronary art/grft angio s&i	000	\$1,565		
93456		R hrt coronary artery angio	000	\$2,339		
93456	26	R hrt coronary artery angio	000	\$684		
93456	TC	R hrt coronary artery angio	000	\$1,654		
93457		R hrt art/grft angio	000	\$2,651		
93457	26	R hrt art/grft angio	000	\$767		
93457	TC	R hrt art/grft angio	000	\$1,884		
93458		L hrt artery/ventricle angio	000	\$2,256		
93458	26	L hrt artery/ventricle angio	000	\$653		
93458	TC	L hrt artery/ventricle angio	000	\$1,603		
93459		L hrt art/grft angio	000	\$2,491		
93459	26	L hrt art/grft angio	000	\$735		
93459	TC	L hrt art/grft angio	000	\$1,756		
93460		R&l hrt art/ventricle angio	000	\$2,664		
93460	26	R&l hrt art/ventricle angio	000	\$818		
93460	TC	R&l hrt art/ventricle angio	000	\$1,846		
93461		R&l hrt art/ventricle angio	000	\$3,055		
93461	26	R&l hrt art/ventricle angio	000	\$903		
93461	TC	R&l hrt art/ventricle angio	000	\$2,152		
93462		L hrt cath trnsptl puncture	ZZZ	\$416		
93463		Drug admin & hemodynamic meas	ZZZ	\$220		
93464		Exercise w/hemodynamic meas	ZZZ	\$549		
93464	26	Exercise w/hemodynamic meas	ZZZ	\$194		
93464	TC	Exercise w/hemodynamic meas	ZZZ	\$355		
***		***	***	***		
93561		Cardiac output measurement	ZZZ	\$104		
93561	26	Cardiac output measurement	ZZZ	\$69		
93561	TC	Cardiac output measurement	ZZZ	\$35		
93562		Card output measure subsq	ZZZ	\$87		
93562	26	Card output measure subsq	ZZZ	\$63		
93562	TC	Card output measure subsq	ZZZ	\$24		
93563		Inject congenital card cath	ZZZ	\$115		
93564		Inject hrt congntl art/grft	ZZZ	\$117		
93565		Inject l ventr/atrial angio	ZZZ	\$89		
93566		Inject r ventr/atrial angio	ZZZ		\$369	\$87
93567		Inject suprvlv aortography	ZZZ		\$298	\$99

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
93568		Inject pulm art hrt cath	ZZZ		\$334	\$90
93571		Heart flow reserve measure	ZZZ	\$519		
93571	26	Heart flow reserve measure	ZZZ	\$178		
93571	TC	Heart flow reserve measure	ZZZ	\$341		
93572		Heart flow reserve measure	ZZZ	\$476		
93572	26	Heart flow reserve measure	ZZZ	\$143		
93572	TC	Heart flow reserve measure	ZZZ	\$333		
***		***	***	***		
93582		Perq transcath closure pda	000	\$1,012		
93583		Perq transcath septal reduxn	000	\$1,133		
93590		Perq transcath cls mitral	000	\$1,639		
93591		Perq transcath cls aortic	000	\$1,353		
93592		Perq transcath closure each	ZZZ	\$596		
***		***	***	***		
93609		Mapping of tachycardia add-on	ZZZ	\$1,201		
93609	26	Mapping of tachycardia add-on	ZZZ	\$1,004		
93609	TC	Mapping of tachycardia add-on	ZZZ	\$197		
***		***	***	***		
93613		Electrophys map 3d add-on	ZZZ	\$779		
***		***	***	***		
93621		Electrophysiology evaluation	ZZZ	BR		
93621	26	Electrophysiology evaluation	ZZZ	\$1,122		
93621	TC	Electrophysiology evaluation	ZZZ	BR		
93622		Electrophysiology evaluation	ZZZ	BR		
93622	26	Electrophysiology evaluation	ZZZ	\$1,129		
93622	TC	Electrophysiology evaluation	ZZZ	BR		
93623		Stimulation pacing heart	ZZZ	BR		
93623	26	Stimulation pacing heart	ZZZ	\$388		
93623	TC	Stimulation pacing heart	ZZZ	BR		
***		***	***	***		
93644		Electrophysiology evaluation	000	\$301		
93644	26	Electrophysiology evaluation	000	\$219		
93644	TC	Electrophysiology evaluation	000	\$82		
***		***	***	***		
93653		Ep & ablate supravent arrhyt	000	\$1,279		
93654		Ep & ablate ventric tachy	000	\$1,712		
93655		Ablate arrhythmia add on	ZZZ	\$651		
93656		Tx atrial fib pulm vein isol	000	\$1,718		
93657		Tx l/r atrial fib addl	ZZZ	\$651		
***		***	***	***		
93662		Intracardiac ecg (ice)	ZZZ	\$285		
93668		Peripheral vascular rehab	XXX	\$39		
93701		Bioimpedance cv analysis	XXX	\$49		
93702		Bis xtracell fluid analysis	XXX	\$225		
***		***	***	***		
93740		Temperature gradient studies	XXX	\$46		
93740	26	Temperature gradient studies	XXX	\$35		
93740	TC	Temperature gradient studies	XXX	\$12		
93745		Set-up cardiovert-defibrill	XXX	\$126		
93745	26	Set-up cardiovert-defibrill	XXX	\$38		
93745	TC	Set-up cardiovert-defibrill	XXX	\$88		
93750		Interrogation vad in person	XXX		\$109	\$91
93770		Measure venous pressure	XXX	\$27		
93770	26	Measure venous pressure	XXX	\$25		
93770	TC	Measure venous pressure	XXX	\$3		
93784		Ambul bp monitoring w/software	XXX	\$112		
93786		Ambul bp mntr w/sw rec only	XXX	\$62		
93788		Ambul bp mntr w/sw a/r	XXX	\$11		
93790		Ambul bp mntr w/sw i&r	XXX	\$38		
93792		Pt/caregiver traing home inr	XXX	\$102		
93793		Anticoag mgmt pt warfarin	XXX	\$17		
***		***	***	***		
93799		Cardiovascular procedure	XXX	BR		
93799	26	Cardiovascular procedure	XXX	BR		
93799	TC	Cardiovascular procedure	XXX	BR		
93880		Extracranial bilat study	XXX	\$341		
93880	26	Extracranial bilat study	XXX	\$79		
93880	TC	Extracranial bilat study	XXX	\$263		
93882		Extracranial uni/ltd study	XXX	\$237		
93882	26	Extracranial uni/ltd study	XXX	\$46		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
93882	TC	Extracranial uni/ltd study	XXX	\$191		
93886		Intracranial complete study	XXX	\$381		
93886	26	Intracranial complete study	XXX	\$119		
93886	TC	Intracranial complete study	XXX	\$263		
93888		Intracranial limited study	XXX	\$282		
93888	26	Intracranial limited study	XXX	\$64		
93888	TC	Intracranial limited study	XXX	\$218		
93890		Tcd vasoreactivity study	XXX	\$438		
93890	26	Tcd vasoreactivity study	XXX	\$77		
93890	TC	Tcd vasoreactivity study	XXX	\$361		
93892		Tcd emboli detect w/o inj	XXX	\$685		
93892	26	Tcd emboli detect w/o inj	XXX	\$118		
93892	TC	Tcd emboli detect w/o inj	XXX	\$567		
93893		Tcd emboli detect w/inj	XXX	\$694		
93893	26	Tcd emboli detect w/inj	XXX	\$118		
93893	TC	Tcd emboli detect w/inj	XXX	\$576		
93895		Carotid intima atheroma eval	XXX	\$171		
93922		Upr/l extremity art 2 levels	XXX	\$130		
93922	26	Upr/l extremity art 2 levels	XXX	\$42		
93922	TC	Upr/l extremity art 2 levels	XXX	\$88		
93923		Upr/l extremity art study 3+ lvls	XXX	\$245		
93923	26	Upr/l extremity art study 3+ lvls	XXX	\$80		
93923	TC	Upr/l extremity art study 3+ lvls	XXX	\$166		
93924		Lwr extremity vasc study bilat	XXX	\$267		
93924	26	Lwr extremity vasc study bilat	XXX	\$87		
93924	TC	Lwr extremity vasc study bilat	XXX	\$181		
93925		Lower extremity study	XXX	\$341		
93925	26	Lower extremity study	XXX	\$79		
93925	TC	Lower extremity study	XXX	\$263		
93926		Lower extremity study	XXX	\$239		
93926	26	Lower extremity study	XXX	\$45		
93926	TC	Lower extremity study	XXX	\$193		
93930		Upper extremity study	XXX	\$328		
93930	26	Upper extremity study	XXX	\$66		
93930	TC	Upper extremity study	XXX	\$263		
93931		Upper extremity study	XXX	\$245		
93931	26	Upper extremity study	XXX	\$40		
93931	TC	Upper extremity study	XXX	\$205		
93970		Extremity study	XXX	\$355		
93970	26	Extremity study	XXX	\$93		
93970	TC	Extremity study	XXX	\$263		
93971		Extremity study	XXX	\$264		
93971	26	Extremity study	XXX	\$50		
93971	TC	Extremity study	XXX	\$213		
93975		Vascular study	XXX	\$526		
93975	26	Vascular study	XXX	\$162		
93975	TC	Vascular study	XXX	\$364		
93976		Vascular study	XXX	\$351		
93976	26	Vascular study	XXX	\$108		
93976	TC	Vascular study	XXX	\$243		
93978		Vascular study	XXX	\$350		
93978	26	Vascular study	XXX	\$88		
93978	TC	Vascular study	XXX	\$263		
93979		Vascular study	XXX	\$248		
93979	26	Vascular study	XXX	\$50		
93979	TC	Vascular study	XXX	\$199		
93980		Penile vascular study	XXX	\$455		
93980	26	Penile vascular study	XXX	\$192		
93980	TC	Penile vascular study	XXX	\$263		
93981		Penile vascular study	XXX	\$318		
93981	26	Penile vascular study	XXX	\$76		
93981	TC	Penile vascular study	XXX	\$243		
93985		Dup-scan hemo compl bi std	XXX	\$410		
93985	26	Dup-scan hemo compl bi std	XXX	\$59		
93985	TC	Dup-scan hemo compl bi std	XXX	\$352		
93986		Dup-scan hemo compl uni std	XXX	\$237		
93986	26	Dup-scan hemo compl uni std	XXX	\$36		
93986	TC	Dup-scan hemo compl uni std	XXX	\$201		
93990		Doppler flow testing	XXX	\$218		
93990	26	Doppler flow testing	XXX	\$32		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
93990	TC	Doppler flow testing	XXX	\$186		
93998		Noninvas vasc dx study proc	XXX	BR		
94002		Vent mgmt inpat init day	XXX	\$193		
94003		Vent mgmt inpat subq day	XXX	\$137		
94004		Vent mgmt nf per day	XXX	\$101		
94005		Home vent mgmt supervision	XXX	\$189		
94010		Breathing capacity test	XXX	\$61		
94010	26	Breathing capacity test	XXX	\$30		
94010	TC	Breathing capacity test	XXX	\$31		
94011		Spirometry up to 2 yrs old	XXX	\$209		
94012		Spirmetry w/brnchdil inf-2 yr	XXX	\$330		
94013		Meas lung vol thru 2 yrs	XXX	\$69		
94014		Patient recorded spirometry	XXX	\$83		
94015		Patient recorded spirometry	XXX	BR		
94016		Review patient spirometry	XXX	\$52		
94060		Evaluation of wheezing	XXX	\$114		
94060	26	Evaluation of wheezing	XXX	\$44		
94060	TC	Evaluation of wheezing	XXX	\$70		
94070		Evaluation of wheezing	XXX	\$177		
94070	26	Evaluation of wheezing	XXX	\$68		
94070	TC	Evaluation of wheezing	XXX	\$110		
94150		Vital capacity test	XXX	\$24		
94150	26	Vital capacity test	XXX	\$17		
94150	TC	Vital capacity test	XXX	\$7		
94200		Lung function test (mbc/mvv)	XXX	\$38		
94200	26	Lung function test (mbc/mvv)	XXX	\$20		
94200	TC	Lung function test (mbc/mvv)	XXX	\$19		
94375		Respiratory flow volume loop	XXX	\$73		
94375	26	Respiratory flow volume loop	XXX	\$38		
94375	TC	Respiratory flow volume loop	XXX	\$35		
94450		Hypoxia response curve	XXX	\$75		
94450	26	Hypoxia response curve	XXX	\$47		
94450	TC	Hypoxia response curve	XXX	\$28		
94452		Hast w/report	XXX	\$118		
94452	26	Hast w/report	XXX	\$30		
94452	TC	Hast w/report	XXX	\$89		
94453		Hast w/oxygen titrate	XXX	\$162		
94453	26	Hast w/oxygen titrate	XXX	\$38		
94453	TC	Hast w/oxygen titrate	XXX	\$123		
94610		Surfactant admin thru tube	XXX	\$125		
94617		Exercise tst brncspsm w/ecg	XXX	\$143		
94617	26	Exercise tst brncspsm w/ecg	XXX	\$51		
94617	TC	Exercise tst brncspsm w/ecg	XXX	\$93		
94618		Pulmonary stress testing	XXX	\$51		
94618	26	Pulmonary stress testing	XXX	\$34		
94618	TC	Pulmonary stress testing	XXX	\$17		
94619		Exercise tst brncspsm wo ecg	XXX	\$111		
94619	26	Exercise tst brncspsm wo ecg	XXX	\$36		
94619	TC	Exercise tst brncspsm wo ecg	XXX	\$76		
94621		Cardiopulm exercise testing	XXX	\$216		
94621	26	Cardiopulm exercise testing	XXX	\$109		
94621	TC	Cardiopulm exercise testing	XXX	\$107		
94640		Airway inhalation treatment	XXX	\$30		
94642		Aerosol inhalation treatment	XXX	BR		
94644		Cbt 1st hour	XXX	\$92		
94645		Cbt each addl hour	XXX	\$29		
94660		Pos airway pressure, cpap	XXX	\$109		
94662		Neg press ventilation, cnp	XXX	\$77		
94664		Evaluate pt use of inhaler	XXX	\$39		
94667		Chest wall manipulation	XXX	\$32		
94668		Chest wall manipulation	XXX	\$26		
94669		Mechanical chest wall oscill	XXX	\$35		
94680		Exhaled air analysis: o2	XXX	\$84		
94680	26	Exhaled air analysis: o2	XXX	\$44		
94680	TC	Exhaled air analysis: o2	XXX	\$40		
94681		Exhaled air analysis: o2/co2	XXX	\$147		
94681	26	Exhaled air analysis: o2/co2	XXX	\$45		
94681	TC	Exhaled air analysis: o2/co2	XXX	\$103		
94690		Exhaled air analysis	XXX	\$48		
94690	26	Exhaled air analysis	XXX	\$9		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
94690	TC	Exhaled air analysis	XXX	\$40		
94726		Pulm funct tst plethysmograp	XXX	\$111		
94726	26	Pulm funct tst plethysmograp	XXX	\$26		
94726	TC	Pulm funct tst plethysmograp	XXX	\$85		
94727		Pulm function test by gas	XXX	\$87		
94727	26	Pulm function test by gas	XXX	\$26		
94727	TC	Pulm function test by gas	XXX	\$61		
94728		Airway resist by oscillometry	XXX	\$87		
94728	26	Airway resist by oscillometry	XXX	\$26		
94728	TC	Airway resist by oscillometry	XXX	\$61		
94729		Co2/membrane diffuse capacity	ZZZ	\$110		
94729	26	Co2/membrane diffuse capacity	ZZZ	\$17		
94729	TC	Co2/membrane diffuse capacity	ZZZ	\$93		
94760		Measure blood oxygen level	XXX	\$19		
94761		Measure blood oxygen level	XXX	\$50		
94762		Measure blood oxygen level	XXX	\$84		
94772		Breath recording, infant	XXX	\$0		
94772	26	Breath recording, infant	XXX	\$0		
94772	TC	Breath recording, infant	XXX	\$0		
94774		Ped home apnea rec compl	YYY	\$0		
94775		Ped home apnea rec hk-up	YYY	\$0		
94776		Ped home apnea rec downld	YYY	\$0		
94777		Ped home apnea rec report	YYY	\$0		
94780		Car seat/bed test inft-12mo 60 min	XXX		\$104	\$48
94781		Car seat/bed test inft-12mo +30min	ZZZ		\$41	\$17
94799		Pulmonary service/procedure	XXX	BR		
94799	26	Pulmonary service/procedure	XXX	BR		
94799	TC	Pulmonary service/procedure	XXX	BR		
95004		Percut allergy skin tests	XXX	\$7		
95012		Exhaled nitric oxide meas	XXX	\$40		
95017		Perq & icut allg test venoms	XXX	\$13		
95018		Perq&ic allg test drugs/biol	XXX	\$32		
95024		Icut allergy test drug/bug	XXX	\$11		
95027		Icut allergy titrate-airborn	XXX	\$11		
95028		Icut allergy test-delayed	XXX	\$17		
95044		Allergy patch tests	XXX	\$14		
95052		Photo patch test	XXX	\$18		
95056		Photosensitivity tests	XXX	\$13		
95060		Eye allergy tests	XXX	\$25		
95065		Nose allergy test	XXX	\$14		
95070		Bronchial allergy tests	XXX	\$155		
95076		Ingest challenge ini 120 min	XXX	\$180		
95079		Ingest challenge addl 60 min	ZZZ	\$128		
95115		Immunotherapy, one injection	XXX	\$32		
95117		Immunotherapy injections	XXX	\$37		
95120		Immunotherapy, single antigen	XXX	BR		
95125		Immunotherapy, 2/> injections	XXX	BR		
95130		Immunotherapy, 1 sting insect	XXX	BR		
95131		Immunotherapy, 2 sting insects	XXX	BR		
95132		Immunotherapy, 3 sting insects	XXX	BR		
95133		Immunotherapy, 4 sting insects	XXX	BR		
95134		Immunotherapy, 5 sting insects	XXX	BR		
95144		Antigen therapy services	XXX		\$26	\$7
95145		Antigen therapy services	XXX	\$32		
95146		Antigen therapy services	XXX	\$44		
95147		Antigen therapy services	XXX	\$62		
95148		Antigen therapy services	XXX	\$63		
95149		Antigen therapy services	XXX	\$78		
95165		Antigen therapy services	XXX	\$15		
95170		Antigen therapy services	XXX	\$20		
95180		Rapid desensitization	XXX	\$153		
95199		Allergy immunology services	XXX	BR		
95249		Cont gluc mntr pt prov eqp	XXX	\$88		
95250		Cont glucose monitoring phys/qhp eqp	XXX	\$329		
95251		Cont gluc monitor analysis i&r	XXX	\$89		
95700		Eeg cont rec w/vid eeg tech	XXX	\$389		
95705		Eeg w/o vid 2-12 hr unmntr	XXX	\$156		
95706		Eeg w/o vid 2-12hr intmt mntr	XXX	\$647		
95707		Eeg w/o vid 2-12hr cont mntr	XXX	\$809		
95708		Eeg w/o vid ea 12-26hr unmntr	XXX	\$233		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
95709		Eeg w/o vid ea 12-26hr intmt	XXX	\$1,293		
95710		Eeg w/o vid ea 12-26hr cont	XXX	\$1,617		
95711		Veeg 2-12 hr unmonitored	XXX	\$195		
95712		Veeg 2-12 hr intmt mntr	XXX	\$778		
95713		Veeg 2-12 hr cont mntr	XXX	\$973		
95714		Veeg ea 12-26 hr unmntr	XXX	\$311		
95715		Veeg ea 12-26hr intmt mntr	XXX	\$1,556		
95716		Veeg ea 12-26hr cont mntr	XXX	\$1,945		
95717		Eeg phys/qhp 2-12 hr w/o vid	XXX	\$155		
95718		Eeg phys/qhp 2-12 hr w/veeg	XXX	\$207		
95719		Eeg phys/qhp ea incr w/o vid	XXX	\$240		
95720		Eeg phy/qhp ea incr w/veeg	XXX	\$317		
95721		Eeg phy/qhp >36 <60 hr w/o vid	XXX	\$319		
95722		Eeg phy/qhp >36 <60 hr w/veeg	XXX	\$388		
95723		Eeg phy/qhp >60 <84 hr w/o vid	XXX	\$396		
95724		Eeg phy/qhp >60 <84 hr w/veeg	XXX	\$496		
95725		Eeg phy/qhp >84 hr w/o vid	XXX	\$453		
95726		Eeg phy/qhp >84 hr w/veeg	XXX	\$628		
95782		Polysom <6 yrs 4/> paramtrs	XXX	\$1,421		
95782	26	Polysom <6 yrs 4/> paramtrs	XXX	\$189		
95782	TC	Polysom <6 yrs 4/> paramtrs	XXX	\$1,231		
95783		Polysom <6 yrs cpap/bilvl	XXX	\$1,506		
95783	26	Polysom <6 yrs cpap/bilvl	XXX	\$206		
95783	TC	Polysom <6 yrs cpap/bilvl	XXX	\$1,300		
95800		Slp stdy unattended	XXX	\$332		
95800	26	Slp stdy unattended	XXX	\$105		
95800	TC	Slp stdy unattended	XXX	\$227		
95801		Slp stdy unatnd w/analysis	XXX	\$179		
95801	26	Slp stdy unatnd w/analysis	XXX	\$100		
95801	TC	Slp stdy unatnd w/analysis	XXX	\$79		
95803		Actigraphy testing	XXX	\$340		
95803	26	Actigraphy testing	XXX	\$91		
95803	TC	Actigraphy testing	XXX	\$249		
95805		Multiple sleep latency test	XXX	\$571		
95805	26	Multiple sleep latency test	XXX	\$178		
95805	TC	Multiple sleep latency test	XXX	\$392		
95806		Sleep study, unattended &resp efft	XXX	\$650		
95806	26	Sleep study, unattended &resp efft	XXX	\$276		
95806	TC	Sleep study, unattended &resp efft	XXX	\$374		
95807		Sleep study, attended	XXX	\$738		
95807	26	Sleep study, attended	XXX	\$239		
95807	TC	Sleep study, attended	XXX	\$499		
95808		Polysom any age, 1-3> param	XXX	\$708		
95808	26	Polysom any age, 1-3> param	XXX	\$332		
95808	TC	Polysom any age, 1-3> param	XXX	\$377		
95810		Polysom 6/> yrs 4/> param	XXX	\$708		
95810	26	Polysom 6/> yrs 4/> param	XXX	\$332		
95810	TC	Polysom 6/> yrs 4/> param	XXX	\$377		
95811		Polysom 6/>yrs cpap 4/> parm	XXX	\$967		
95811	26	Polysom 6/>yrs cpap 4/> parm	XXX	\$444		
95811	TC	Polysom 6/>yrs cpap 4/> parm	XXX	\$523		
95812		EEG 41-60 min	XXX	\$216		
95812	26	EEG 41-60 min	XXX	\$113		
95812	TC	EEG 41-60 min	XXX	\$102		
95813		EEG extnd mntr 61-119 min	XXX	\$261		
95813	26	EEG extnd mntr 61-119 min	XXX	\$159		
95813	TC	EEG extnd mntr 61-119 min	XXX	\$102		
95816		EEG awake and drowsy	XXX	\$200		
95816	26	EEG awake and drowsy	XXX	\$100		
95816	TC	EEG awake and drowsy	XXX	\$100		
95819		EEG awake and asleep	XXX	\$216		
95819	26	EEG awake and asleep	XXX	\$113		
95819	TC	EEG awake and asleep	XXX	\$103		
95822		EEG coma or sleep only	XXX	\$251		
95822	26	EEG coma or sleep only	XXX	\$119		
95822	TC	EEG coma or sleep only	XXX	\$132		
95824		EEG cerebral death only	XXX	\$127		
95824	26	EEG cerebral death only	XXX	\$97		
95824	TC	EEG cerebral death only	XXX	\$31		
95829		Surgery electrocorticogram	XXX	\$485		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
95829	26	Surgery electrocorticogram	XXX	\$474		
95829	TC	Surgery electrocorticogram	XXX	\$12		
95830		Insert electrodes for eeg	XXX	\$181		
95836		Ecog impltd brn npgt <30 d	XXX	\$161		
95851		Range of motion measurements	XXX	\$38		
95852		Range of motion measurements	XXX	\$26		
95857		Cholinesterase challenge	XXX	\$77		
95860		Muscle test, one limb	XXX	\$147		
95860	26	Muscle test, one limb	XXX	\$119		
95860	TC	Muscle test, one limb	XXX	\$28		
95861		Muscle test, two limbs	XXX	\$253		
95861	26	Muscle test, two limbs	XXX	\$197		
95861	TC	Muscle test, two limbs	XXX	\$56		
95863		Muscle test, 3 limbs	XXX	\$300		
95863	26	Muscle test, 3 limbs	XXX	\$230		
95863	TC	Muscle test, 3 limbs	XXX	\$70		
95864		Muscle test, 4 limbs	XXX	\$394		
95864	26	Muscle test, 4 limbs	XXX	\$260		
95864	TC	Muscle test, 4 limbs	XXX	\$134		
95865		Muscle test larynx	XXX	\$264		
95865	26	Muscle test larynx	XXX	\$168		
95865	TC	Muscle test larynx	XXX	\$96		
95866		Muscle test hemidiaphragm	XXX	\$241		
95866	26	Muscle test hemidiaphragm	XXX	\$132		
95866	TC	Muscle test hemidiaphragm	XXX	\$109		
95867		Muscle test, cran nerv unilat	XXX	\$131		
95867	26	Muscle test, cran nerv unilat	XXX	\$89		
95867	TC	Muscle test, cran nerv unilat	XXX	\$42		
95868		Muscle test, cran nerve bilat	XXX	\$253		
95868	26	Muscle test, cran nerve bilat	XXX	\$203		
95868	TC	Muscle test, cran nerve bilat	XXX	\$51		
95869		Muscle test, thor paraspinal	XXX	\$65		
95869	26	Muscle test, thor paraspinal	XXX	\$49		
95869	TC	Muscle test, thor paraspinal	XXX	\$17		
95870		Muscle test, nonparaspinal	XXX	\$65		
95870	26	Muscle test, nonparaspinal	XXX	\$49		
95870	TC	Muscle test, nonparaspinal	XXX	\$17		
95872		Muscle test, one fiber	XXX	\$203		
95872	26	Muscle test, one fiber	XXX	\$157		
95872	TC	Muscle test, one fiber	XXX	\$46		
95873		Guide nerv destr elec stim	ZZZ	\$148		
95873	26	Guide nerv destr elec stim	ZZZ	\$41		
95873	TC	Guide nerv destr elec stim	ZZZ	\$107		
95874		Guide nerv destr needle emg	ZZZ	\$142		
95874	26	Guide nerv destr needle emg	ZZZ	\$40		
95874	TC	Guide nerv destr needle emg	ZZZ	\$102		
95875		Limb exercise test	XXX	\$144		
95875	26	Limb exercise test	XXX	\$113		
95875	TC	Limb exercise test	XXX	\$31		
95885		Musc tst done w/nerv tst lim	ZZZ	\$115		
95885	26	Musc tst done w/nerv tst lim	ZZZ	\$37		
95885	TC	Musc tst done w/nerv tst lim	ZZZ	\$78		
95886		Musc test done w/n test comp	ZZZ	\$181		
95886	26	Musc test done w/n test comp	ZZZ	\$98		
95886	TC	Musc test done w/n test comp	ZZZ	\$82		
95887		Musc tst done w/n tst nonext	ZZZ	\$161		
95887	26	Musc tst done w/n tst nonext	ZZZ	\$77		
95887	TC	Musc tst done w/n tst nonext	ZZZ	\$84		
95905		Motor/sens nrve conduct test	XXX	\$138		
95905	26	Motor/sens nrve conduct test	XXX	\$6		
95905	TC	Motor/sens nrve conduct test	XXX	\$133		
95907		Nvr cndj tst 1-2 studies	XXX	\$146		
95907	26	Nvr cndj tst 1-2 studies	XXX	\$81		
95907	TC	Nvr cndj tst 1-2 studies	XXX	\$64		
95908		Nrv cndj tst 3-4 studies	XXX	\$184		
95908	26	Nrv cndj tst 3-4 studies	XXX	\$102		
95908	TC	Nrv cndj tst 3-4 studies	XXX	\$82		
95909		Nrv cndj tst 5-6 studies	XXX	\$219		
95909	26	Nrv cndj tst 5-6 studies	XXX	\$121		
95909	TC	Nrv cndj tst 5-6 studies	XXX	\$98		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
95910		Nrv cndj test 7-8 studies	XXX	\$288		
95910	26	Nrv cndj test 7-8 studies	XXX	\$163		
95910	TC	Nrv cndj test 7-8 studies	XXX	\$126		
95911		Nrv cndj test 9-10 studies	XXX	\$346		
95911	26	Nrv cndj test 9-10 studies	XXX	\$202		
95911	TC	Nrv cndj test 9-10 studies	XXX	\$144		
95912		Nrv cndj test 11-12 studies	XXX	\$400		
95912	26	Nrv cndj test 11-12 studies	XXX	\$242		
95912	TC	Nrv cndj test 11-12 studies	XXX	\$159		
95913		Nrv cndj test 13/> studies	XXX	\$465		
95913	26	Nrv cndj test 13/> studies	XXX	\$286		
95913	TC	Nrv cndj test 13/> studies	XXX	\$178		
95921		Autonomic nerv parasym inervj	XXX	\$117		
95921	26	Autonomic nerv parasym inervj	XXX	\$89		
95921	TC	Autonomic nerv parasym inervj	XXX	\$28		
95922		Autonomic nerv adrenrg inervj	XXX	\$123		
95922	26	Autonomic nerv adrenrg inervj	XXX	\$94		
95922	TC	Autonomic nerv adrenrg inervj	XXX	\$28		
95923		Autonomic nerv syst function test	XXX	\$117		
95923	26	Autonomic nerv syst function test	XXX	\$89		
95923	TC	Autonomic nerv syst function test	XXX	\$28		
95924		Ans parasymp & symp w/tilt	XXX	\$231		
95924	26	Ans parasymp & symp w/tilt	XXX	\$132		
95924	TC	Ans parasymp & symp w/tilt	XXX	\$99		
95925		Somatosensory testing	XXX	\$148		
95925	26	Somatosensory testing	XXX	\$80		
95925	TC	Somatosensory testing	XXX	\$68		
95926		Somatosensory testing	XXX	\$149		
95926	26	Somatosensory testing	XXX	\$81		
95926	TC	Somatosensory testing	XXX	\$68		
95927		Somatosensory testing	XXX	\$149		
95927	26	Somatosensory testing	XXX	\$81		
95927	TC	Somatosensory testing	XXX	\$68		
95928		C motor evoked uppr limbs	XXX	\$558		
95928	26	C motor evoked uppr limbs	XXX	\$159		
95928	TC	C motor evoked uppr limbs	XXX	\$399		
95929		C motor evoked lwr limbs	XXX	\$562		
95929	26	C motor evoked lwr limbs	XXX	\$159		
95929	TC	C motor evoked lwr limbs	XXX	\$403		
95930		Visual ep test cns w/i&r	XXX	\$81		
95930	26	Visual ep test cns w/i&r	XXX	\$62		
95930	TC	Visual ep test cns w/i&r	XXX	\$19		
95933		Blink reflex test	XXX	\$138		
95933	26	Blink reflex test	XXX	\$81		
95933	TC	Blink reflex test	XXX	\$58		
95937		Neuromuscular junction test	XXX	\$102		
95937	26	Neuromuscular junction test	XXX	\$77		
95937	TC	Neuromuscular junction test	XXX	\$25		
95938		Somatosensory testing	XXX	\$608		
95938	26	Somatosensory testing	XXX	\$91		
95938	TC	Somatosensory testing	XXX	\$517		
95939		C motor evoked upr&lwr limbs	XXX	\$952		
95939	26	C motor evoked upr&lwr limbs	XXX	\$239		
95939	TC	C motor evoked upr&lwr limbs	XXX	\$714		
95940		Ionm in operatng room 15 min	XXX	\$50		
95941		Ionm remote/>1 pt or per hr	XXX	\$917		
95943		Parasymp&symp hrt rate test	XXX	\$148		
95943	26	Parasymp&symp hrt rate test	XXX	\$76		
95943	TC	Parasymp&symp hrt rate test	XXX	\$72		
95954		EEG monitoring/giving drugs	XXX	\$344		
95954	26	EEG monitoring/giving drugs	XXX	\$306		
95954	TC	EEG monitoring/giving drugs	XXX	\$37		
95955		EEG during surgery	XXX	\$298		
95955	26	EEG during surgery	XXX	\$152		
95955	TC	EEG during surgery	XXX	\$146		
95957		EEG digital analysis	XXX	\$319		
95957	26	EEG digital analysis	XXX	\$191		
95957	TC	EEG digital analysis	XXX	\$128		
95958		EEG monitoring/function test	XXX	\$684		
95958	26	EEG monitoring/function test	XXX	\$557		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
95958	TC	EEG monitoring/function test	XXX	\$128		
95961		Electrode stimulation, brain	XXX	\$414		
95961	26	Electrode stimulation, brain	XXX	\$317		
95961	TC	Electrode stimulation, brain	XXX	\$97		
95962		Electrode stim, brain add-on	ZZZ	\$432		
95962	26	Electrode stim, brain add-on	ZZZ	\$334		
95962	TC	Electrode stim, brain add-on	ZZZ	\$97		
95965		Meg spontaneous	XXX	\$862		
95966		Meg evoked single	XXX	\$430		
95967		Meg evoked each addl	ZZZ	\$377		
95970		Alys npgt w/o prgrmg	XXX	\$47		
95971		Alys smpl sp/pn npgt w/prgrm	XXX	\$76		
95972		Alys cplx sp/pn npgt w/prgrm	XXX	\$140		
95976		Alys smpl cn npgt prgrmg	XXX	\$61		
95977		Alys cplx cn npgt prgrmg	XXX	\$82		
95980		Io anal gast n-stim init	XXX	\$96		
95981		Io anal gast n-stim subsq	XXX		\$67	\$36
95982		Io ga n-stim subsq w/reprog	XXX		\$108	\$73
95983		Alys brn npgt prgrmg 15 min	XXX	\$78		
95984		Alys brn npgt prgrmg addl 15	ZZZ	\$68		
95990		Spin/brain pump refill & main	XXX	\$188		
95991		Spin/brain pump refill & main	XXX		\$254	\$82
95992		Canalith repositioning proc	XXX		\$87	\$77
95999		Neurological procedure	XXX	BR		
96000		Motion analysis video/3d	XXX	\$204		
96001		Motion test w/ft press meas	XXX	\$203		
96002		Dynamic surface emg	XXX	\$44		
96003		Dynamic fine wire emg	XXX	\$40		
96004		Phys review of motion tests	XXX	\$232		
96020		Functional brain mapping	XXX	\$350		
96040		Genetic counseling 30 min	XXX	\$94		
96105		Assessment of aphasia w/interp & report per hour	XXX	\$152		
96110		Developmental screen w/score	XXX	\$20		
96112		Devel tst phys/qhp 1st hr	XXX	\$197		
96113		Devel tst phys/qhp ea addl	ZZZ	\$88		
96116		Nubhvl exam phys/qhp 1st hr	XXX	\$184		
96121		Nubhvl xm phy/qhp ea addl hr	ZZZ	\$124		
96125		Cognitive test by hc pro	XXX	\$210		
96127		Brief emotional/behav assmt	XXX	\$7		
96130		Psycl tst eval phys/qhp 1st	XXX	\$181		
96131		Psycl tst eval phys/qhp ea	ZZZ	\$137		
96132		Nrpsyc tst eval phys/qhp 1st	XXX	\$200		
96133		Nrpsyc tst eval phys/qhp ea	ZZZ	\$156		
96136		Psycl/nrpsyc tst phy/qhp 1st	XXX	\$70		
96137		Psycl/nrpsyc tst phy/qhp ea	ZZZ	\$63		
96138		Psycl/nrpsyc tech 1st	XXX	\$56		
96139		Psycl/nrpsyc tst tech ea	ZZZ	\$56		
96146		Psycl/nrpsyc tst auto result	XXX	\$3		
96156		Health Behavior Assessment/Re-Assessment	XXX	\$146		
96158		Hlth bhv ivntj indiv 1st 30	XXX	\$100		
96159		Hlth bhv ivntj indiv ea addl	ZZZ	\$35		
96160		Pt-focused hlth risk assmt	ZZZ	\$4		
96161		Caregiver health risk assmt	ZZZ	\$4		
96164		Hlth bhv ivntj grp 1st 30	XXX	\$15		
96165		Hlth bhv ivntj grp ea addl	ZZZ	\$7		
96167		Hlth bhv ivntj fam 1st 30	XXX	\$107		
96168		Hlth bhv ivntj fam ea addl	ZZZ	\$38		
96170		Hlth bhv ivntj fam wo pt 1st	XXX	\$122		
96171		Hlth bhv ivntj fam w/o pt ea	ZZZ	\$44		
96360		Hydration iv infusion init	XXX	\$114		
96361		Hydrate iv infusion add-on	ZZZ	\$30		
96365		Ther/proph/diag iv inf init	XXX	\$146		
96366		Ther/proph/diag iv inf addon	ZZZ	\$44		
96367		Tx/proph/dg addl seq iv inf	ZZZ	\$63		
96368		Ther/diag concurrent inf	ZZZ	\$38		
96369		Sc ther infusion up to 1 hr	XXX	\$395		
96370		Sc ther infusion addl hr	ZZZ	\$32		
96371		Sc ther infusion reset pump	ZZZ	\$177		
96372		Ther/proph/diag inj sc/im	XXX	\$50		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
96373		Ther/proph/diag inj ia	XXX	\$41		
96374		Ther/proph/diag inj iv push	XXX	\$111		
96375		Tx/pro/dx inj new drug addon	ZZZ	\$44		
96376		Tx/pro/dx inj same drug adon	ZZZ	\$0		
96377		Applicaton on-body injector	XXX	\$30		
96379		Ther/prop/diag inj/inf proc	XXX	BR		
96401		Chemo anti-neopl sq/im	XXX	\$147		
96402		Chemo hormon antineopl sq/im	XXX	\$64		
96405		Chemo intralesional up to 7	000	\$66		
96406		Chemo intralesional over 7	000	\$100		
96409		Chemo iv push sngl drug	XXX	\$217		
96411		Chemo iv push addl drug	ZZZ	\$122		
96413		Chemo iv infusion 1 hr	XXX	\$265		
96415		Chemo iv infusion addl hr	ZZZ	\$60		
96416		Chemo prolong infuse w/pump	XXX	\$253		
96417		Chemo iv infus each addl seq	ZZZ	\$138		
96420		Chemotherapy, ia push technique	XXX	\$91		
96422		Chemotherapy, ia infusion up to 1 hr	XXX	\$89		
96423		Chemo, ia infuse each addl hr	ZZZ	\$36		
96425		Chemotherapy, infusion method	XXX	\$103		
***		***	***	***		
96446		Chemotx admn prtl cavity	XXX	\$395		
96450		Chemotherapy into cns	000	\$274		
96521		Refill/maint portable pump	XXX	\$274		
96522		Refill/maint pump/resvr syst	XXX	\$219		
96523		Irrig drug delivery device	XXX	\$49		
96542		Chemotherapy injection	XXX	\$187		
96549		Chemotherapy, unspecified	XXX	BR		
96567		Photodynamic dstr prmlg les skin	XXX	\$281		
96570		Photodynamic tx, 30 min add-on	ZZZ	\$118		
96571		Photodynamic tx, addl 15 min	ZZZ	\$54		
96573		Pdt dstr prmlg les phys/qhp	000	\$361		
96574		Dbrdmt prmlg les w/pdt	000	\$444		
96900		Ultraviolet light therapy	XXX	\$29		
96902		Trichogram	XXX	\$50		
96904		Whole body photography	XXX	\$144		
96910		Photochemotherapy with uv-b	XXX	\$42		
96912		Photochemotherapy with uv-a	XXX	\$49		
96913		Photochemotherapy, uv-a or b	XXX	\$266		
***		***	***	***		
96931		Rcm celulr subcelulr img skn	XXX	\$269		
96932		Rcm celulr subcelulr img skn	XXX	\$201		
96933		Rcm celulr subcelulr img skn	XXX	\$68		
96934		Rcm celulr subcelulr img skn	ZZZ	\$175		
96935		Rcm celulr subcelulr img skn	ZZZ	\$110		
96936		Rcm celulr subcelulr img skn	ZZZ	\$65		
96999		Dermatological procedure	XXX	BR		
97010		Hot or cold packs therapy	XXX	\$19		
97012		Mechanical traction therapy	XXX	\$30		
97014		Electric stimulation therapy	XXX	\$30		
97016		Vasopneumatic device therapy	XXX	\$35		
97018		Paraffin bath therapy	XXX	\$36		
97022		Whirlpool therapy	XXX	\$29		
97024		Diathermy eg microwave	XXX	\$28		
97026		Infrared therapy	XXX	\$30		
97028		Ultraviolet therapy	XXX	\$26		
97032		Electrical stimulation	XXX	\$28		
97033		Electric current therapy	XXX	\$29		
97034		Contrast bath therapy	XXX	\$22		
97035		Ultrasound therapy	XXX	\$23		
97036		Hydrotherapy	XXX	\$43		
97039		Physical therapy treatment	XXX	BR		
97110		Therapeutic exercises	XXX	\$43		
97112		Neuromuscular reeducation	XXX	\$42		
97113		Aquatic therapy/exercises	XXX	\$46		
97116		Gait training therapy	XXX	\$38		
97124		Massage therapy	XXX	\$34		
97129		Ther ivntj 1st 15 min	XXX	\$35		
97130		Ther ivntj ea addl 15 minutes	ZZZ	\$34		
97139		Physical medicine procedure	XXX	BR		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
97140		Manual therapy 1/> regions	XXX	\$44		
97150		Group therapeutic procedures	XXX	\$34		
97151		Bhv id assmt by phys/qhp	XXX	\$0		
97152		Bhv id suprt assmt by 1 tech	XXX	\$0		
97153		Adaptive behavior tx by tech	XXX	\$0		
97154		Grp adapt bhv tx by tech	XXX	\$0		
97155		Adapt behavior tx phys/qhp	XXX	\$0		
97156		Fam adapt bhv tx gdn phy/qhp	XXX	\$0		
97157		Mult fam adapt bhv tx gdn	XXX	\$0		
97158		Grp adapt bhv tx by phy/qhp	XXX	\$0		
97161		Pt evaluation low complex 20 mins	XXX	\$153		
97162		Pt evaluation mod complex 30 mins	XXX	\$153		
97163		Pt evaluation high complex 45 mins	XXX	\$153		
97164		Pt re-eval est plan care 20 mins	XXX	\$105		
97165		Ot eval low complex 30 mins	XXX	\$148		
97166		Ot eval mod complex 45 mins	XXX	\$148		
97167		Ot eval high complex 60 mins	XXX	\$148		
97168		Ot re-eval est plan care 30 mins	XXX	\$100		
97169		Athletic trn eval low cmplx	XXX	\$0		
97170		Athletic trn eval mod cmplx	XXX	\$0		
97171		Athletic trn eval high cmplx	XXX	\$0		
97172		Athletic trn re-eval plan cr	XXX	\$0		
97530		Therapeutic activities	XXX	\$44		
97533		Sensory integration	XXX	\$59		
97535		Self care mngmt training	XXX	\$45		
97537		Community/work reintegration	XXX	\$45		
97542		Wheelchair mngmt training	XXX	\$31		
97545		Work hardening	XXX	\$88		
97546		Work hardening add-on	ZZZ	\$44		
***		***	***	***		
97598		Rmvl devital tis addl 20cm/<	ZZZ	\$51		
97602		Wound(s) care non-selective	XXX	\$50		
97605		Neg press wound tx <=50 cm	XXX	\$86		
97606		Neg press wound tx >50 cm	XXX	\$92		
97607		Neg press wnd tx <=50 sq cm	XXX	\$528		
97608		Neg press wound tx >50 cm	XXX	\$513		
97610		Low frequency non-thermal us	XXX	\$624		
97750		Physical performance test	XXX	\$50		
97755		Assistive technology assessment	XXX	\$39		
97760		Orthotic(s) mgmt & training 1st enc	XXX	\$39		
97761		Prosthetic training	XXX	\$35		
97763		Orthc/prostc mgmt sbsq enc	XXX	\$83		
97799		Physical medicine procedure	XXX	BR		
97802		Medical nutrition indiv in	XXX	\$73		
97803		Med nutrition indiv subseq	XXX	\$63		
97804		Medical nutrition group	XXX	\$32		
97810		Acupunct w/o stimul 15 min	XXX	\$73		
97811		Acupunct w/o stimul addl 15m	ZZZ	\$55		
97813		Acupunct w/stimul 15 min	XXX	\$78		
97814		Acupunct w/stimul addl 15m	ZZZ	\$64		
98925		Osteopath manipulation 1-2 regions	000	\$51		
98926		Osteopath manipulation 3-4 regions	000	\$77		
98927		Osteopath manipulation 5-6 regions	000	\$91		
98928		Osteopath manipulation 7-8 regions	000	\$105		
98929		Osteopath manipulation 9-10 regions	000	\$114		
98940		Chiropractic manipulation 1-2 regions	000	\$52		
98941		Chiropractic manipulation 3-4 regions	000	\$68		
98942		Chiropractic manipulation 5 regions	000	\$84		
98943		Chiropractic manipulation xtrspinal 1/>	XXX	\$50		
98960		Self-mgmt educ & train 1 pt	XXX	\$55		
98961		Self-mgmt educ/train 2-4 pt	XXX	\$27		
98962		Self-mgmt educ/train 5-8 pt	XXX	\$20		
98966		Hc pro phone call 5-10 min	XXX		\$28	\$25
98967		Hc pro phone call 11-20 min	XXX		\$54	\$51
98968		Hc pro phone call 21-30 min	XXX		\$80	\$77
98970		QNHP OL dig assmt&mgmt est Pt <7 D 5-10 Min	XXX	\$25		
98971		QNHP OL dig assmt& mgmt est Pt <7 D 11-20 Min	XXX	\$65		
98972		QNHP OL dig assmt& mgmt est Pt <7 D 21+	XXX	\$150		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
		Min				
99000		Specimen handling office-lab	XXX	BR		
99001		Specimen handling pt-lab	XXX	BR		
99002		Device handling phys/ghp	XXX	BR		
99024		Post-op follow-up visit	XXX	BR		
99026		In-hospital on call service	XXX	\$0		
99027		Out-of-hosp on call service	XXX	\$0		
99050		Medical services, after hours	XXX	BR		
99051		Med serv eve/wkend/holiday	XXX	\$0		
99053		Med serv 10pm-8am 24 hr fac	XXX	\$0		
99056		Medical services out of office	XXX	BR		
99058		Office emergency care	XXX	BR		
99060		Out of office emerg med serv	XXX	\$0		
99070		Special supplies phys/ghp	XXX	BR		
99071		Patient education materials	XXX	BR		
99072		Addl suppl matrl&staf tm phe	XXX	\$0		
99075		Medical testimony	XXX	BR		
99078		Group health education	XXX	BR		
99080		Special reports or forms	XXX	BR		
99082		Unusual physician travel	XXX	BR		
99091		Collect & interpj data ea 30 d	XXX	\$115		
99100		Special anesthesia service	ZZZ	BR		
99116		Anesthesia with hypothermia	ZZZ	BR		
99135		Special anesthesia procedure	ZZZ	BR		
99140		Emergency anesthesia	ZZZ	\$35		
99151		Mod sed same phys/ghp <5 yrs	XXX	\$133		
99152		Mod sed same phys/ghp 5/>yrs	XXX	\$79		
99153		Mod sed same phys/ghp ea	ZZZ	\$16		
99155		Mod sed oth phys/ghp <5 yrs	XXX	\$127		
99156		Mod sed oth phys/ghp 5/>yrs	XXX	\$116		
99157		Mod sed other phys/ghp ea	ZZZ	\$96		
99170		Anogenital exam, child w imag	000		\$263	\$178
99172		Ocular function screen	XXX	\$23		
99173		Visual acuity screen	XXX	\$6		
99174		Ocular instrumnt screen bil	XXX	\$59		
99175		Induction of vomiting	XXX	\$101		
99177		Ocular instrumnt screen bil	XXX	\$7		
99183		Hyperbaric oxygen therapy	XXX	\$292		
99184		Hypothermia ill neonate	XXX	\$333		
99188		App topical fluoride varnish	XXX	\$19		
99190		Special pump services	XXX	BR		
99191		Special pump services	XXX	BR		
99192		Special pump services	XXX	BR		
99195		Phlebotomy	XXX	\$32		
99199		Special service/proc/report	XXX	BR		
99202		Office/outpatient new sf 15-29 min	XXX	\$89		
99203		Office/outpatient new low 30-44 min	XXX	\$122		
99204		Office/outpatient new mod 45-59 min	XXX	\$182		
99205		Office/outpatient new hi 60-74 min	XXX	\$229		
99211		Office/outpatient est minimal prob	XXX	\$27		
99212		Office/outpatient est sf 10-19 min	XXX	\$48		
99213		Office/outpatient est low 20-29 min	XXX	\$68		
99214		Office/outpatient est mod 30-39 min	XXX	\$105		
99215		Office/outpatient est hi 40-54 min	XXX	\$166		
99217		Observation care discharge	XXX	\$131		
99218		Initial observation care	XXX	\$129		
99219		Initial observation care	XXX	\$205		
99220		Initial observation care	XXX	\$258		
99221		Initial hospital care	XXX	\$127		
99222		Initial hospital care	XXX	\$210		
99223		Initial hospital care	XXX	\$268		
99224		Subsequent observation care	XXX	\$81		
99225		Subsequent observation care	XXX	\$146		
99226		Subsequent observation care	XXX	\$210		
99231		Subsequent hospital care	XXX	\$66		
99232		Subsequent hospital care	XXX	\$97		
99233		Subsequent hospital care	XXX	\$135		
99234		Observ/hosp same date	XXX	\$240		
99235		Observ/hosp same date	XXX	\$327		
99236		Observ/hosp same date	XXX	\$398		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
99238		Hospital discharge day	XXX	\$131		
99239		Hospital discharge day	XXX	\$166		
99241		Office consultation	XXX	\$90		
99242		Office consultation	XXX	\$161		
99243		Office consultation	XXX	\$180		
99244		Office consultation	XXX	\$252		
99245		Office consultation	XXX	\$341		
99251		Inpatient consult	XXX	\$92		
99252		Inpatient consult	XXX	\$140		
99253		Inpatient consultation	XXX	\$185		
99254		Inpatient consultation	XXX	\$254		
99255		Inpatient consultation	XXX	\$343		
99281		Emergency dept visit	XXX	\$40		
99282		Emergency dept visit	XXX	\$63		
99283		Emergency dept visit	XXX	\$114		
99284		Emergency dept visit	XXX	\$173		
99285		Emergency dept visit	XXX	\$296		
99288		Direct advanced life support	XXX	BR		
99291		Critical care, first hour	XXX	\$392		
99292		Critical care, addl 30 min	ZZZ	\$191		
99304		Nursing facility care init	XXX	\$190		
99305		Nursing facility care init	XXX	\$270		
99306		Nursing facility care init	XXX	\$342		
99307		Nursing fac care subseq	XXX	\$90		
99308		Nursing fac care subseq	XXX	\$140		
99309		Nursing fac care subseq	XXX	\$184		
99310		Nursing fac care subseq	XXX	\$273		
99315		Nursing fac discharge day	XXX	\$120		
99316		Nursing fac discharge day	XXX	\$148		
99318		Annual nursing fac assessment	XXX	\$195		
99324		Domicil/r-home visit new pat	XXX	\$114		
99325		Domicil/r-home visit new pat	XXX	\$163		
99326		Domicil/r-home visit new pat	XXX	\$284		
99327		Domicil/r-home visit new pat	XXX	\$378		
99328		Domicil/r-home visit new pat	XXX	\$438		
99334		Domicil/r-home visit est pat	XXX	\$123		
99335		Domicil/r-home visit est pat	XXX	\$192		
99336		Domicil/r-home visit est pat	XXX	\$273		
99337		Domicil/r-home visit est pat	XXX	\$392		
99339		Domicil/r-home care supervis	XXX	\$157		
99340		Domicil/r-home care supervis	XXX	\$220		
99341		Home visit, new patient	XXX	\$112		
99342		Home visit, new patient	XXX	\$156		
99343		Home visit, new patient	XXX	\$225		
99344		Home visit, new patient	XXX	\$289		
99345		Home visit, new patient	XXX	\$346		
99347		Home visit est patient	XXX	\$88		
99348		Home visit, est patient	XXX	\$131		
99349		Home visit, est patient	XXX	\$194		
99350		Home visit, est patient	XXX	\$280		
99354		Prolonged service, o/p 1st hour	ZZZ	\$190		
99355		Prolonged service, o/p ea addl 30 min	ZZZ	\$187		
99356		Prolonged service, i/p/obs 1st hour	ZZZ	\$182		
99357		Prolonged service, i/p/obs ea addl	ZZZ	\$183		
99358		Prolong serv, w/o contact	XXX	\$190		
99359		Prolong serv, w/o contact add	ZZZ	\$187		
99360		Physician standby services	XXX	\$127		
99366		Team conf w/pat by hc prof	XXX		\$86	\$84
99367		Team conf w/o pat by phys	XXX	\$115		
99368		Team conf w/o pat by hc pro	XXX	\$74		
99374		Home health care supervision	XXX	\$125		
99375		Home health care supervision	XXX	\$171		
99377		Hospice care supervision	XXX	\$125		
99378		Hospice care supervision	XXX	\$172		
99379		Nursing fac care supervision	XXX	\$125		
99380		Nursing fac care supervision	XXX	\$174		
99381		Init pm e/m new pat infant	XXX	\$175		
99382		Init pm e/m new pat 1-4 yrs	XXX		\$231	\$164
99383		Prev visit, new, age 5-11	XXX		\$241	\$174
99384		Prev visit, new, age 12-17	XXX		\$272	\$206

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
99385		Prev visit, new, age 18-39	XXX		\$264	\$198
99386		Prev visit, new, age 40-64	XXX		\$306	\$240
99387		Init pm e/m new pat 65+ yrs	XXX		\$332	\$258
99391		Per pm reeval, est, pat infant	XXX	\$147		
99392		Prev visit, est, age 1-4	XXX		\$213	\$155
99393		Prev visit, est, age 5-11	XXX		\$212	\$155
99394		Prev visit, est, age 12-17	XXX		\$232	\$174
99395		Prev visit, est, age 18-39	XXX		\$237	\$179
99396		Prev visit, est, age 40-64	XXX	\$255		
99397		Per pm reeval, est, pat 65+ yrs	XXX		\$273	\$206
99401		Preventive counseling, indiv	XXX	\$68		
99402		Preventive counseling, indiv	XXX		\$124	\$101
99403		Preventive counseling, indiv	XXX		\$174	\$150
99404		Preventive counseling, indiv	XXX		\$224	\$200
99406		Behav chng smoking 3-10 min	XXX		\$28	\$25
99407		Behav chng smoking > 10 min	XXX		\$55	\$52
99408		Audit/dast 15-30 min	XXX		\$71	\$66
99409		Audit/dast over 30 min	XXX		\$137	\$134
99411		Preventive counseling, group	XXX	\$22		
99412		Preventive counseling, group	XXX		\$43	\$25
99415		Prolng clin staff svc 1st hr	ZZZ	\$15		
99416		Prolng clin staff svc ea add	ZZZ	\$8		
99417		Prolng off/op e/m ea 15 min	XXX	\$50		
99421		Online digital E/M svc 5-10 min	XXX		\$31	\$27
99422		Online digital E/M svc 11-20 min	XXX		\$62	\$55
99423		Online digital E/M svc 21+ min	XXX		\$100	\$87
99429		Unlisted preventive service	XXX	BR		
99439		Chrc care mgmt svc ea addl	ZZZ	\$57		
99441		Phone e/m by phys/qhp 5-10 min	XXX		\$28	\$25
99442		Phone e/m by phys/qhp 11-20 min	XXX		\$54	\$51
99443		Phone e/m by phys/qhp 21-30 min	XXX		\$80	\$77
99446		Ntrprof ph1/ntrnet/ehr 5-10	XXX	\$28		
99447		Ntrprof ph1/ntrnet/ehr 11-20	XXX	\$51		
99448		Ntrprof ph1/ntrnet/ehr 21-30	XXX	\$81		
99449		Ntrprof ph1/ntrnet/ehr 31/>	XXX	\$110		
99450		Basic life/disability exam	XXX	BR		
99451		Ntrprof ph1/ntrnet/ehr 5/>	XXX	\$54		
99452		Ntrprof ph1/ntrnet/ehr rfri	XXX	\$55		
99453		Rem mntr physiol param setup	XXX	\$29		
99454		Rem mntr physiol param dev	XXX	\$95		
99455		Work related disability examination	XXX	BR		
99456		Disability examination	XXX	BR		
99457		Rem physiol mntr 1st 20 min	XXX	\$76		
99458		Rem physiol mntr ea addl 20	ZZZ	\$62		
99460		Init nb em per day hosp	XXX	\$201		
99461		Init nb em per day non-fac	XXX	\$198		
99462		Sbsq nb em per day hosp	XXX	\$89		
99463		Same day nb discharge	XXX	\$237		
99464		Attendance at delivery	XXX	\$150		
99465		Nb resuscitation	XXX	\$299		
99466		Ped crit care transport	XXX	\$556		
99467		Ped crit care transport addl	ZZZ	\$249		
99468		Neonate crit care initial	XXX	\$1,890		
99469		Neonate crit care subsq	XXX	\$859		
99471		Ped critical care initial	XXX	\$1,607		
99472		Ped critical care subsq	XXX	\$820		
99473		Self-meas bp pt educaj/train	XXX	\$17		
99474		Self-meas bp 2 readg bid 30d	XXX	\$23		
99475		Ped crit care age 2-5 init	XXX	\$1,148		
99476		Ped crit care age 2-5 subsq	XXX	\$699		
99477		Init day hosp neonate care	XXX	\$703		
99478		Ic lbw inf < 1500 gm subsq	XXX	\$278		
99479		Ic lbw inf 1500-2500 g subsq	XXX	\$260		
99480		Ic inf pbw 2501-5000 g subsq	XXX	\$244		
99483		Assmt & care pln pt cog imp	XXX	\$424		
99484		Care mgmt svc bhvl hlth cond	XXX	\$70		
99485		Suprv interfacility transport	XXX	\$116		
99486		Suprv interfac trnsport addl	XXX	\$100		
99487		Cplx chrc care 1st 60 min	XXX	\$138		
99489		Cplx chrc care ea addl 30	ZZZ	\$66		

CPT Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility MAR	Facility MAR
99490		Chrc care mgmt svc 1st 20	XXX	\$62		
99491		Chrc care mgmt svc 30 min	XXX	\$124		
99492		1st psyc collab care mgmt	XXX	\$231		
99493		Sbsq psyc collab care mgmt	XXX	\$231		
99494		1st/sbsq psyc collab care	ZZZ	\$88		
99495		Trans care manage 14 day discharge	XXX	\$312		
99496		Trans care manage 7 day discharge	XXX	\$422		
99497		Advncd care plan 30 min	XXX	\$129		
99498		Advncd care plan addl 30 min	ZZZ	\$111		
99499		Unlisted E/M service	XXX	BR		
99500		Home visit prenatal	XXX	\$0		
99501		Home visit postnatal	XXX	\$0		
99502		Home visit nb care	XXX	\$0		
99503		Home visit resp therapy	XXX	\$85		
99504		Home visit mech ventilator	XXX	\$153		
99505		Home visit stoma care	XXX	\$33		
99506		Home visit im injection	XXX	\$82		
99507		Home visit cath maintain	XXX	\$55		
99509		Home visit day life activity	XXX	\$10		
99510		Home visit sing/m/fam couns	XXX	\$109		
99511		Home visit fecal/enema mgmt	XXX	\$61		
99512		Home visit for hemodialysis	XXX	\$1,385		
99600		Home visit nos	XXX	BR		
99601		Home infusion/visit 2 hrs	XXX	\$107		
99602		Home infusion each addtl hr	XXX	\$60		
99605		Mtms by pharm np 15 min	XXX	\$30		
99606		Mtms by pharm est 15 min	XXX	\$30		
99607		Mtms by pharm addl 15 min	XXX	\$30		

C. Table 3

Code	Mod	Description	Global Days	Maximum Allowance	Non-Facility Maximum	Facility Maximum
***		***		***		
G0480		Drug test def 1-7 classes	XXX	\$171		
G0481		Drug test def 8-14 classes	XXX	\$236		
G0482		Drug test def 15-21 classes	XXX	\$299		
G0483		Drug test def 22+ classes	XXX	\$371		
***		***		***		

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1034.2.

HISTORICAL NOTE: Promulgated by the Department of Labor, Office of Workers' Compensation, LR 19:54 (January 1993), repromulgated LR 19:21 2 (February 1993), amended LR 20:1299 (November 1994), LR 27:314 (March 2001), amended by the Workforce Commission, Office of Workers' Compensation, LR 39:1854 (July 2013), LR 40 379 (February 2014), amended by the Workforce Commission, Office of Workers' Compensation Administration LR 42:1696 (October 2016), LR 46:1401 (October 2020), LR 48:

Family Impact Statement

This amendment to Title 40 should have no impact on families.

Poverty Impact Statement

This amendment to Title 40 should have no impact on poverty or family income.

Provider Impact Statement

1. This Rule should have no impact on the staffing level of the Office of Workers' Compensation as adequate staff already exists to handle the procedural changes.

2. This Rule should create no additional cost to providers or payers.

3. This Rule should have no impact on ability of the provider to provide the same level of service that it currently provides.

Small Business Analysis

This amendment to Title 40 should have no direct impact on small or local businesses.

Public Comments

All interested persons are invited to submit written comments or hearing request on the proposed Rule. Such comments or request should be sent to SHERAL KELLAR, OWC-Administration, 1001 North 23rd Street, Baton Rouge, LA 70802. Such comments should be received by 5:00 pm on January 10, 2022.

Ava Cates
Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Medical Treatment Guidelines

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule increases cost in the Office of Workers' Compensation Administration (OWCA) by \$95,000 for an annual licensing subscription that makes the Medical Reimbursement Schedule (fee schedule) available for electronic viewing and downloading by stakeholders. The proposed rule repeals the medical reimbursement as contained in Title 40,

Labor and Employment, Part I, Workers' Compensation Administration, Subpart 2, Medical Guidelines, Chapter 25 and amends Chapter 51 and Chapter 27, Section 2717. The purpose of this amendment is to align Worker's Compensation billing codes to the billing codes that were established by the Centers for Medicare & Medicaid Services (CMS) and the American Medical Association (AMA). The language modifications align the reimbursement rules with current industry and workers' compensation practices.

The proposed rule is not anticipated to result in implementation costs or savings to local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed rule change will not impact revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Covering the annual subscription fee for viewing the fee schedule electronically makes it easier for stakeholders (i.e. companies and medical providers) to integrate the new rules and fees into their billing software.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change has no known effect on competition and employment.

Sheral Kellar
Assistant Secretary
2110#028

Alan M. Boxberger
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Workforce Commission

Office of Workers' Compensation Administration

Medical Treatment Guidelines—Upper and Lower Extremities (LAC 40:I.Chapter 23)

The Louisiana Workforce Commission does hereby give notice of its intent to amend certain portions of the Medical Guidelines contained in the Louisiana Administrative Code, Title 40, Labor and Employment, Part I, Workers' Compensation Administration, Subpart 2, Medical Guidelines, Chapter 23, Subchapter A regarding Lower Extremities. The purpose of this amendment is to update the medical treatment guidelines in accordance to a reoccurring maintenance schedule and add consistency throughout the guidelines. This Rule is promulgated by the authority vested in the director of the Office of Workers' Compensation found in R.S. 23:1291 and R.S. 23:1310.1(C).

Title 40

LABOR AND EMPLOYMENT

Part I. Workers' Compensation Administration

Subpart 2. Medical Guidelines

Chapter 23. Upper and Lower Extremities Medical Treatment Guidelines

Subchapter A. Lower Extremities

Editor's Note: Form LWC-WC 1009. Disputed Claim for Medical Treatment has been moved to §2328 of this Part.

§2301. Introduction

A. This document has been prepared by the Louisiana Workforce Commission, Office of Workers' Compensation (OWCA) and should be interpreted within the context of guidelines for physicians/providers treating individuals qualifying under Louisiana's Workers' Compensation Act as

injured workers with lower extremity injuries. Although the primary purpose of this document is advisory and educational, these guidelines are enforceable under the Louisiana Workers Compensation Act. All medical care, services, and treatment owed by the employer to the employee in accordance with the Louisiana Workers' Compensation Act shall mean care, services, and treatment in accordance with these guidelines. Medical Care, services, and treatment that varies from these guidelines shall also be due by the employer when it is demonstrated to the medical director of the office by a preponderance of the scientific medical evidence, that a variance from these guidelines is reasonably required to cure or relieve the injured worker from the effects of the injury or occupational disease given the circumstances. Therefore, these guidelines are not relevant as evidence of a provider's legal standard of professional care. To properly utilize this document, the reader should not skip nor overlook any sections.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1203.1.

HISTORICAL NOTE: Promulgated by the Louisiana Workforce Commission, Office of Workers Compensation Administration, LR 37:1765 (June 2011), amended LR 48:

§2303. General Guidelines Principles

A. The principles summarized in this section are key to the intended implementation of all Office of Workers' Compensation medical treatment guidelines and critical to the reader's application of the guidelines in this document.

1. Application of Guidelines. The OWCA provides procedures to implement medical treatment guidelines and to foster communication to resolve disputes among the provider, payer, and patient through the Workers' Compensation Act.

2. Education. Education of the patient and family, as well as the employer, insurer, policy makers and the community should be the primary emphasis in the treatment of workers' compensation injuries. Currently, practitioners often think of education last, after medications, manual therapy, and surgery. Practitioners must implement strategies to educate patients, employers, insurance systems, policy makers, and the community as a whole. An education-based paradigm should always start with inexpensive communication providing reassuring and evidence-based information to the patient. More in-depth education is currently a component of treatment regimens which employ functional restorative, preventive and rehabilitative programs. No treatment plan is complete without addressing issues of individual and/or group patient education as a means of facilitating self-management of symptoms and prevention. Facilitation through language interpretation, when necessary, is a priority and part of the medical care treatment protocol.

3. Informed Decision Making. Providers should implement informed decision making as a crucial element of a successful treatment plan. Patients, with the assistance of their health care practitioner, should identify their personal and professional functional goals of treatment at the first visit when a workers' compensation injury allows functional improvement. Progress towards the individual's identified functional goals should be addressed by all members of the health care team at subsequent visits and throughout the established treatment plan when a chronic pain condition allows attainment of functional goals. Injured workers may

not reach functional goals to return to work and therefore they will require a significantly different plan. Nurse case managers, physical therapists, and other members of the health care team play an integral role in informed decision-making and achievement of functional goals. Patient education and informed decision-making should facilitate self-management of symptoms and prevention of further injury.

4. Treatment Parameter Duration. Time frames for specific interventions commence once treatments have been initiated, not on the date of injury. Obviously, duration will be impacted by patient adherence, as well as availability of services. Clinical judgment may substantiate the need to accelerate or decelerate the time frames discussed in this document. Such deviation shall be in accordance with La. R.S. 23:1203.1

5. Active interventions emphasizing patient responsibility, such as therapeutic exercise and/or functional treatment, are generally emphasized over passive modalities, especially as treatment progresses. Generally, passive interventions are viewed as a means to facilitate progress in an active rehabilitation program with concomitant attainment of objective functional gains.

6. Active Therapeutic Exercise Program. Exercise program goals should incorporate patient strength, endurance, flexibility, coordination, and education. This includes functional application in vocational or community settings.

7. Positive Patient Response. Positive results are defined primarily as functional gains that can be objectively measured.

a. Objective functional gains include, but are not limited to, positional tolerances, range-of-motion (ROM), strength, and endurance, activities of daily living, ability to function at work, cognition, psychological behavior, and efficiency/velocity measures that can be quantified. Subjective reports of pain and function should be considered and given relative weight when the pain has anatomic and physiologic correlation. Anatomic correlation must be based on objective findings.

8. Re-Evaluation of Treatment Every Three to Four Weeks. If a given treatment or modality is not producing positive results within three to four weeks, the treatment should be either modified or discontinued. Reconsideration of diagnosis should also occur in the event of poor response to a seemingly rational intervention.

9. Surgical Interventions. Surgery should be contemplated within the context of expected functional outcome and not purely for the purpose of pain relief. The concept of "cure" with respect to surgical treatment by itself is generally a misnomer. All operative interventions must be based upon positive correlation of clinical findings, clinical course, and diagnostic tests. A comprehensive assimilation of these factors must lead to a specific diagnosis with positive identification of pathologic conditions.

10. Pharmacy-Louisiana Law and Regulation. All prescribing will be done in accordance with the laws of the state of Louisiana as they pertain respectively to each individual licensee, including, but not limited to: Louisiana State Board of Medical Examiners regulations governing medications used in the treatment of non-cancer-related chronic or intractable pain; Louisiana Board of Pharmacy

Prescription Monitoring Program; Louisiana Department of Health and Hospitals licensing and certification standards for pain management clinics; other laws and regulations affecting the prescribing and dispensing of medications in the state of Louisiana.

11. Six Month-Time Frame. Injuries resulting in temporary total disability require maintenance treatment and may not attain return to work in six months.

12. Return To Work. Return to work is therapeutic, assuming the work is not likely to aggravate the basic problem or increase long-term pain. An injured worker's return-to-work status shall not be the sole cause to deny reasonable and medically necessary treatment under these guidelines. Two good practices are: early contact with injured workers and provide modified work positions for short-term injuries. The practitioner may provide specific physical limitations and the patient should never be released to non-specific and vague descriptions such as "sedentary" or "light duty." The following physical limitations should be considered and modified as recommended: lifting, pushing, pulling, crouching, walking, using stairs, bending at the waist, awkward and/or sustained postures, tolerance for sitting or standing, hot and cold environments, data entry and other repetitive motion tasks, sustained grip, tool usage and vibration factors. Even if there is residual chronic pain, return-to-work is not necessarily contraindicated. The practitioner should understand all of the physical demands of the patient's job position before returning the patient to full duty and should request clarification of the patient's job duties. Clarification should be obtained from the employer or, if necessary, from including, but not limited to, occupational health nurse, physical therapist, occupational therapist, vocational rehabilitation specialist, an industrial hygienist, chiropractor or another professional. American Medical Association clarifies "disability" as "activity limitations and/or participation restrictions in an individual with a health condition, disorder or disease" versus "impairment" as "a significant deviation, loss, or loss of use of any body structure or body function in an individual with a health condition, disorder or disease".

13. Delayed Recovery. Within the discretion of the treating physician, strongly consider a psychological evaluation, if not previously provided, as well as initiating interdisciplinary rehabilitation treatment and vocational goal setting, for those patients who are failing to make expected progress 6 to 12 weeks after initiation of treatment of an injury. The OWCA recognizes that 3 to 10 percent of all industrially injured patients will not recover within the timelines outlined in this document despite optimal care. Such individuals may require treatments beyond the limits discussed within this document, but such treatment requires clear documentation by the authorized treating practitioner focusing on objective functional gains afforded by further treatment and impact upon prognosis.

14. Guideline Recommendations and Inclusion of Medical Evidence. Guidelines are recommendations based on available evidence and/or consensus recommendations. When possible, guideline recommendations will note the level of evidence supporting the treatment recommendation. When interpreting medical evidence statements in the guideline, the following apply to the strength of recommendation.

Strong	Level 1 Evidence	We Recommend
Moderate	Level 2 and Level 3 Evidence	We Suggest
Weak	Level 4 Evidence	Treatment is an Option
Inconclusive	Evidence is Either Insufficient or Conflicting	

a. Consensus guidelines are generated by a professional organization that the guidelines are intended to serve. A committee of specialists and experts are selected by the organization to create an unbiased, vetted recommendation for the treatment of specific issues within the realm of their expertise. All recommendations in the guideline are considered to represent reasonable care in appropriately selected cases, regardless of the level of evidence or consensus statement attached to it. Those procedures considered inappropriate, unreasonable, or unnecessary are designated in the guideline as “not recommended.”

15.a. Treatment of Pre-Existing Conditions The conditions that preexisted the work injury/disease will need to be managed under two circumstances:

i. a pre-existing condition exacerbated by a work injury/disease should be treated until the patient has returned to their objectively verified prior level of functioning or Maximum Medical Improvement (MMI); and

ii. a pre-existing condition not directly caused by a work injury/disease but which may prevent recovery from that injury should be treated until its objectively verified negative impact has been controlled.

b. The focus of treatment should remain on the work injury/disease.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1203.1.

HISTORICAL NOTE: Promulgated by the Louisiana Workforce Commission, Office of Workers Compensation Administration, LR 37:1765 (June 2011), amended by the Louisiana Workforce Commission, Office of Workers Compensation, LR 40:1160 (June 2014), LR 48:

§2307. Follow-up diagnostic imaging and testing procedures

A. - B. ...

C. When a diagnostic procedure, in conjunction with clinical information, provides sufficient information to establish an accurate diagnosis, the second diagnostic procedure will become a redundant procedure. At the same time, a subsequent diagnostic procedure can be a complementary diagnostic procedure if the first or preceding procedures, in conjunction with clinical information, cannot provide an accurate diagnosis. Usually, preference of a procedure over others depends upon availability, a patient’s tolerance, and/or the treating practitioner’s familiarity with the procedure.

1. - 1.h....

2. Other diagnostic tests. The following diagnostic procedures listed in this subsection are listed in alphabetical order.

a. - d.i. ...

e. Personality/Psychological/Psychiatric/Psychosocial Evaluations. These are generally accepted and well-established diagnostic procedures with selective use in the upper extremity population, but have more widespread use in subacute and chronic upper extremity populations.

Diagnostic testing procedures may be useful for patients with symptoms of depression, delayed recovery, chronic pain, recurrent painful conditions, disability problems, and for preoperative evaluation. Psychological/psychosocial and measures have been shown to have predictive value for postoperative response, and therefore should be strongly considered for use pre-operatively when the surgeon has concerns about the relationship between symptoms and findings, or when the surgeon is aware of indications of psychological complication or risk factors for psychological complication (e.g. childhood psychological trauma). Psychological testing should provide differentiation between pre-existing conditions versus injury caused psychological conditions, including depression and posttraumatic stress disorder. Psychological testing should incorporate measures that have been shown, empirically, to identify comorbidities or risk factors that are linked to poor outcome or delayed recovery.

i. - i.(h). ...

ii. Personality/psychological/psychosocial evaluations consist of two components, clinical interview and psychological testing. Results should help clinicians with a better understanding of the patient in a number of ways. Thus the evaluation result will determine the need for further psychosocial interventions; and in those cases, Diagnostic and Statistical Manual of Mental Disorders (DSM) diagnosis should be determined and documented. The evaluation should also include examination of both psychological comorbidities and psychological risk factors that are empirically associated with poor outcome and/or delayed recovery. An individual with a Ph.D., Psy.D, or psychiatric M.D./D.O. credentials should perform initial evaluations, which are generally completed within one to two hours. A professional fluent in the primary language of the patient is preferred. When such a provider is not available, services of a professional language interpreter should be provided.

(a). Frequency. one-time visit for the clinical interview. If psychometric testing is indicated as a part of the initial evaluation, time for such testing shall be allotted at least, six hours of professional time or whatever is deemed appropriate by the health care professional.

2.f. - 3.e.i. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1203.1.

HISTORICAL NOTE: Promulgated by the Louisiana Workforce Commission, Office of Workers Compensation Administration, LR 37:1769 (June 2011), amended LR 48:

§2309. Specific Lower Extremity Injury Diagnosis, Testing, and Treatment

A. There are three main areas.

1. Foot and Ankle

a. - e.viii.(d). ...

f. Chondral and Osteochondral Defects:

i. - v.(f). ...

vi. Surgical Indications/Considerations

(a). - (b). ...

(c). Osteochondral Autograft Transfer System (OATS) may be effective in patients without other areas of osteoarthritis, a BMI of less than 35 and a failed microfracture. This procedure may be indicated when functional deficits interfere with activities of daily living

and/or job duties 6 to 12 weeks after a failed microfracture with active patient participation in non-operative therapy. This procedure is only appropriate in a small subset of patients.

f.(d). - r. ...

2. Knee

a. - c.viii.(b). ...

d. Chondral and Osteochondral Defects

i. Description/Definition: Cartilage or cartilage and bone defect at the articular surface of a joint. Deficits may be identified in up to 60 percent of arthroscopies; however, only around 30 percent of these lesions are isolated deficits and even fewer are Grade III or IV deficits which might qualify for cartilage grafts.

(a). Defects in cartilage and bone are common at the femoral condyles and patella. The Outerbridge classification grades these defects according to their size and depth.

(i). - (ii). ...

(iii). Grade II: partial-thickness defects with surface fissures that do not exceed 1.5 cm in diameter and do not reach subchondral bone.

i.(a).(iv). - v.(f). ...

vi. Surgical Indications/Considerations: Surgery for isolated chondral defects may be indicated when functional deficits interfere with activities of daily living and/or job duties after 6 to 12 weeks of active patient participation in non-operative therapy. Identification of the lesion should have been accomplished by diagnostic testing procedures which describe the size of the lesion and stability of the joint. If a lesion is detached or has fluid underlying the bone on MRI, surgery may be necessary before a trial of conservative therapy is completed. Early surgery may consist of fixation or microfracture.

(a). -(a).(i). ...

(b). Osteochondral Autograft Transfer System (OATS)

(i). Indications: The knee must be stable with intact ligaments and menisci, normal joint space and a large full-thickness defect less than 3 square cm and 1 cm depth. They should be 45 or younger, with a BMI less than 35, and engaged in athletics and/or an equally physically demanding occupation. Surgery may be indicated when functional deficits interfere with activities of daily living and/or job duties after 6 to 12 weeks of active patient participation in non-operative therapy. This procedure may be appropriate in a small subset of patients.

(c). Autologous chondrocyte implantation (ACI): These procedures are technically difficult and require specific physician expertise. Cartilage transplantation requires the harvesting and growth of patients' cartilage cells in a highly specialized lab and incurs significant laboratory charges. There is some evidence that transplants and microfractures do not differ on long-term effects. There is some evidence that autologous chondrocyte implantation is not better than microfracture five years after surgery in patients younger than 45 presenting with Grade III -IV lesions. This procedure is controversial but may be appropriate in a small subset of patients with physically rigorous employment or recreational activities. It requires prior authorization.

vi.(c).(i). - viii.(e).(v).[f]. ...

ix. Surgical Indications/Considerations: Surgery is rarely necessary except when functional instability persists after active participation in non-operative treatment or indications for surgery exist due to other accompanying injuries.

(a). Prior to surgical intervention, the patient and treating physician should identify functional operative goals and the likelihood of achieving improved ability to perform activities of daily living or work activities and the patient should agree to comply with the pre- and post-operative treatment plan including home exercise. The provider should be especially careful to make sure the patient understands the amount of post-operative therapy required and the length of partial- and full-disability expected post-operatively.

(b). Smoking may affect soft tissue healing through tissue hypoxia. Patients should be strongly encouraged to stop smoking and be provided with appropriate counseling by the physician.

x. Operative Procedures: Surgical repair.

xi. Post-operative Treatment

(a). An individualized rehabilitation program based upon communication between the surgeon and the therapist and using procedures as outlined in Therapeutic Procedures, Non-Operative.

(b). Return to work and restrictions after surgery may be made by an attending physician experienced in occupational medicine in consultation with the surgeon or by the surgeon.

f. Meniscus Injury

i. - viii.(c). ...

g. Patellar Fracture

i. - iv. ...

v. Non-Operative Treatment Procedures

(a). - (f).(i). ...

(g). Return to work with appropriate restrictions should be considered early in the course of treatment. Refer to Return to Work.

(h). Other therapies in Therapeutic Procedures, Non-operative may be employed in individual cases.

g.vi. - k.viii.(b). ...

3. Hip and Leg

a. - l.viii.(c). ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1203.1.

HISTORICAL NOTE: Promulgated by the Louisiana Workforce Commission, Office of Workers Compensation Administration, LR 37:1772 (June 2011), amended LR 48:

§2313. Therapeutic Procedures—Operative

A. - C. ...

D. Return-to-work restrictions should be specific according to the recommendation in the Therapeutic Procedures, Non-Operative.

1. - 2. g.vii. ...

4. Knee Arthroplasty

a. Description/Definition: Prosthetic replacement of the articulating surfaces of the knee joint with or without robotic assistance.

b. - d. ...

e. Surgical Indications/Considerations: Severe osteoarthritis and all reasonable conservative measures have

been exhausted and other reasonable surgical options have been considered or implemented. Significant changes such as advanced joint line narrowing are expected. Refer to subsection Aggravated Osteoarthritis.

i. - ii. ...

iii. In cases where surgery is contraindicated due to obesity, it may be appropriate to recommend a weight loss program if the patient is unsuccessful losing weight on their own. Coverage for weight loss would continue only for motivated patients who have demonstrated continual progress with weight loss. Furthermore several studies suggest that morbid obesity (BMI > or = to 40) is associated with lower implant survivorship, lower functional outcome, and a higher rate of complications in TKA patients. Patients with BMI greater than 40 require a second expert surgical opinion.

4.e.iv. - 6.g.v. ...

7. Manipulation under anesthesia

a. Description/Definition: Passive range of motion of a joint under anesthesia.

b. Occupational Relationship: Joint stiffness that usually results from a traumatic injury, compensation related surgery, or other treatment.

c. Specific Physical Exam Findings: Joint stiffness in both active and passive modes.

d. Diagnostic Testing Procedures: Radiographs. CT, MRI, diagnostic injections.

e. Surgical Indications/Considerations: Consider if routine therapeutic modalities, including therapy and/or dynamic bracing, do not restore the degree of motion that should be expected after a reasonable period of time, usually at least 12 weeks.

f. Operative Treatment: Not applicable.

g. Post-Operative Treatment

i. An individualized rehabilitation program based upon communication between the surgeon and the therapist and using therapies as outlined in Therapeutic Procedures, Non-operative. Therapy includes a temporary increase in frequency of both active and passive therapy to maintain the range of motion gains from surgery;

ii. Continuous passive motion is frequently used post-operatively;

iii. Return to work and restrictions after surgery may be made by an attending physician experienced in occupational medicine in consultation with the surgeon or by the surgeon.

8. Osteotomy

a. Description/Definition: A reconstructive procedure involving the surgical cutting of bone for realignment. It is useful for patients that would benefit from realignment in lieu of total joint replacement.

b. Occupational Relationship: Post-traumatic arthritis or deformity.

c. Specific Physical Exam Findings: Painful decreased range of motion and/or deformity.

d. Diagnostic Testing Procedures: Radiographs, MRI scan, CT scan.

e. Surgical Indications/Considerations: Failure of non-surgical treatment when avoidance of total joint arthroplasty is desirable. For the knee, joint femoral

osteotomy may be desirable for young or middle age patients with varus alignment and medial arthritis or valgus alignment and lateral compartment arthritis. High tibial osteotomy is also used for medial compartment arthritis. Multi-compartmental degeneration is a contraindication. Patients should have a range of motion of at least 90 degrees of knee flexion. For the ankle supra malleolar osteotomy may be appropriate. High body mass is a relative contraindication.

i. Because smokers have a higher risk of non-union and post-operative costs, it is recommended that carriers cover a smoking cessation program peri-operatively. Physicians may monitor smoking cessation with laboratory tests such as cotinine levels for long-term cessation.

f. Operative Procedures: Peri-articular opening or closing wedge of bone, usually with grafting and internal or external fixation.

i. Complications: new fractures, lateral peroneal nerve palsy, infection, delayed unions, compartment syndrome, or pulmonary embolism.

g. Post-Operative Treatment

i. An individualized rehabilitation program based upon communication between the surgeon and the therapist and using therapies as outlined in Therapeutic Procedures, Non-operative. In all cases, communication between the physician and therapist is important to the timing of weight-bearing, and exercise progressions.

ii. Weight-bearing and range-of-motion exercises depend on the type of procedure performed. Partial or full weight-bearing restrictions can range from six weeks partial weight-bearing, to three months full weight-bearing. It is usually six months before return to sports or other rigorous physical activity.

iii. If femoral intertrochanteric osteotomy has been performed, there is some evidence that electrical bone growth stimulation may improve bone density. Refer to Therapeutic Procedures, Non-operative, Bone Growth Stimulators for description.

iv. Return to work and restrictions after surgery may be made by an attending physician experienced in occupational medicine in consultation with the surgeon or by the surgeon.

9. Hardware removal. Hardware removal frequently occurs after initial MMI. Physicians should document the possible need for hardware removal and include this as treatment in their final report.

a. Description/Definition: Surgical removal of internal or external fixation device, commonly related to fracture repairs.

b. Occupational Relationship: Usually following healing of a post-traumatic injury that required fixation or reconstruction using instrumentation.

c. Specific Physical Exam Findings: Local pain to palpation, swelling, erythema.

d. Diagnostic Testing Procedures: Radiographs, tomography, CT scan, MRI.

e. Surgical Indications/Considerations: Persistent local pain, irritation around hardware.

f. Operative Procedures: Removal of hardware may be accompanied by scar release/resection, and/or

manipulation. Some instrumentation may be removed in the course of standard treatment without symptoms of local irritation.

g. Post-Operative Treatment

i. An individualized rehabilitation program based upon communication between the surgeon and the therapist and using therapies as outlined in Therapeutic Procedures, Non-operative.

ii. Treatment may include therapy with or without passive therapy for progressive weight-bearing, range of motion.

iii. Return to work and restrictions after surgery may be made by an attending physician experienced in occupational medicine in consultation with the surgeon or by the surgeon.

10. Release of Contracture

a. Description/Definition: Surgical incision or lengthening of contracted tendon or peri-articular soft tissue.

b. Occupational Relationship: Usually following a post-traumatic complication.

c. Specific Physical Exam Findings: Shortened tendon or stiff joint.

d. Diagnostic Testing Procedures: Radiographs, CT scan, MRI scan.

e. Surgical Indications/Considerations: Persistent shortening or stiffness associated with pain and/or altered function.

i. Smoking may affect soft tissue healing through tissue hypoxia. Patients should be strongly encouraged to stop smoking and be provided with appropriate counseling by the physician.

f. Operative Procedures: Surgical incision or lengthening of involved soft tissue.

g. Post-operative Treatment:

i. An individualized rehabilitation program based upon communication between the surgeon and the therapist and using therapies as outlined in Therapeutic Procedures, Non-operative.

ii. Treatments may include active therapy with or without passive therapy for stretching, range of motion exercises.

iii. Return to work and restrictions after surgery may be made by an attending physician experienced in occupational medicine in consultation with the surgeon or by the surgeon.

11. Human Bone Morphogenetic Protein (RhBMP)

a. (RhBMP) is a member of a family of proteins which are involved in the growth, remodeling, and regeneration of bone tissue. It has become available as a recombinant biomaterial with osteo-inductive potential for application in long bone fracture non-union and other situations in which the promotion of bone formation is desired. RhBMP may be used with intramedullary rod treatment for open tibial fractures an open tibial Type III A and B fracture treated with an intramedullary rod. There is some evidence that it decreases the need for further procedures when used within 14 days of the injury. It should not be used in those with allergies to the preparation, or in females with the possibility of child bearing, or those without adequate neurovascular status or those less than 18 years old. Ectopic ossification into adjacent muscle has been reported to restrict motion in periarticular fractures. Other

than for tibial open fractures as described above, it should be used principally for non-union of fractures that have not healed with conventional surgical management or peri-prosthetic fractures. Due to the lack of information on the incidence of complications and overall success rate in these situations, its use requires prior authorization. Refer to Tibial Fracture.

AUTHORITY NOTE: Promulgated in accordance with R.S. 23:1203.1.

HISTORICAL NOTE: Promulgated by the Louisiana Workforce Commission, Office of Workers Compensation Administration, LR 37:1814 (June 2011), amended LR 48:

Family Impact Statement

This amendment to Title 40 should have no impact on families.

Poverty Impact Statement

This amendment to Title 40 should have no impact on poverty or family income.

Provider Impact Statement

1. This Rule should have no impact on the staffing level of the Office of Workers' Compensation as adequate staff already exists to handle the procedural changes.

2. This Rule should create no additional cost to providers or payers.

3. This Rule should have no impact on ability of the provider to provide the same level of service that it currently provides.

Small Business Statement

This amendment to Title 40 should have no direct impact on small or local businesses.

Public Comments

All interested persons are invited to submit written comments or hearing request on the proposed Rule. Such comments or request should be sent to Sheral Kellar, OWC-Administration, 1001 North 23rd Street, Baton Rouge, LA 70802. Such comments should be received by 5:00 pm on January 10, 2022.

Ava Cates
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

**RULE TITLE: Medical Treatment Guidelines
Upper and Lower Extremities**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule will have no fiscal impact on state or local governmental units, other than the publication fees associated with the proposed rule change.

LA R.S. 23:1203.1 requires the Office of Workers' Compensation Administration (OWCA) assistant secretary, with the assistance of the medical advisory council, to review and update the medical treatment schedule a minimum of once every two years. In accordance with LA R.S. 23:1203.1, the proposed rule amends the medical guidelines for Lower Extremities as contained in Title 40, Labor and Employment, Part I, Workers' Compensation Administration, Subpart 2, Medical Guidelines, Chapter 23, Subchapter A.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

Implementation of the proposed rule change will have no effect on revenue collections of state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rules update the medical guidelines for the treatment of injured workers. It is not anticipated that the proposed rules will result in a direct economic benefit. However, it is anticipated that the proposed rules will provide an indirect benefit to injured workers, employers, and insurers, by providing better medical treatment to injured workers; thus, facilitating their recovery and return to work.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change has no known effect on competition and employment.

Kimberly Lewis
Secretary
2112#030

Gregory V. Albrecht
Chief Economist
Legislative Fiscal Office

Committee Reports

COMMITTEE REPORT

House of Representatives Committee on Health and Welfare

Oversight Hearing on Rule Proposed by
Department of Health
Public Health Immunization Requirements
(LAC 51:II.701)

In accordance with the Administrative Procedure Act, particularly the provisions of R.S. 49:968, the House Committee on Health and Welfare met on December 6, 2021, for the purpose of exercising legislative oversight with respect to an administrative rule proposed by the Louisiana Department of Health (LDH) to amend the state immunization schedule provided for in the sanitary code (LAC 51:II.701) to add COVID-19 vaccines to the list of vaccinations required for school and child day care entry. LDH gave notice of its intention to adopt this proposed rule through a Notice of Intent published in the September 2021 edition of the Louisiana Register (LR 47:1414 (September, 2021)). On November 10, 2021, LDH submitted to the House Committee on Health and Welfare, in accordance with R.S. 49:968(D)(1)(b), its report of public comments on the proposed rule and a statement indicating that it had made no substantive changes to the rule as originally proposed.

In its December 6, 2021, oversight hearing concerning this proposed rule, the House Committee on Health and Welfare, by a vote of thirteen yeas and two nays, determined the following: that the proposed rule is not in conformity with the intent and scope of the enabling legislation purporting to authorize it; that the proposed rule is not in conformity with, and is contrary to, applicable provisions of law and of the Louisiana Constitution; that the proposed rule is not advisable; and that the proposed rule is unacceptable.

This proposed rule of the state health agency purports to set policy for schools, placing requirements on each student attending any school in the state. The rule, as proposed, would prohibit in-person school attendance by certain

children and thus fails to conform with the intent and scope of state law providing for the powers and duties of LDH. Further, LDH did not consult with local school boards, the State Board of Elementary and Secondary Education, or the Louisiana Department of Education in preparing the proposed rule. Primarily for these reasons, the House Committee on Health and Welfare determined that the proposed rule is not advisable, is unacceptable, and is outside the scope of authority granted to LDH by the constitution and laws of this state.

The House Committee on Health and Welfare contends that the following provisions of the proposed rule, which LDH intends to enact within the state sanitary code, constitute an unlawful intrusion by the health agency into policy pertaining to school administration: "Each school in this state shall prohibit in-person attendance of any individual not vaccinated as required by this subsection unless the individual submits a written statement from a physician stating that such vaccination is contraindicated for medical reasons, or the individual or his parent or guardian submits a written dissent. Each school in this state shall maintain records showing compliance of each attending individual with the requirements of this subsection." The committee recognized and affirmed in its December 6, 2021, hearing that state policy on education and school administration can be set only by the legislature, the State Board of Elementary and Secondary Education, and the Louisiana Department of Education.

By transmittal of this written report and a copy of the proposed rule in accordance with R.S. 49:968(F), the House Committee on Health and Welfare is notifying the Governor, the Louisiana Department of Health, and the Louisiana Register of the action by which it has determined the proposed rule discussed herein to be unacceptable.

Lawrence A. "Larry" Bagley
State Representative, House District No. 7
Chairman

2112#032

Governor's Reports

GOVERNOR'S REPORT

Office of the Governor

Governor's Response to Oversight Actions by
House Committee on Health and Welfare
on Rule Proposed by Department of Health
Public Health Immunization Requirements
(LAC 51:II.701)

Dear Chairman Bagley:

I am in receipt of your December 9, 2021 notice that the House Committee on Health and Welfare has met and found unacceptable the administrative rule proposed by the Louisiana Department of Health (LDH) to amend the state immunization schedule provided for in the sanitary code (LAC 51:II.701) to add COVID-19 vaccines to the list of vaccinations required for school and child day care entry. By this letter, I am notifying you that I disapprove of the committee action pursuant to La. R.S. 49:968(G).

First and foremost, I am allowing this rule to go into effect because it will save lives and will help Louisiana to emerge from this pandemic. The facts of this pandemic at this point are crystal clear. As of today, over 770,000 people in Louisiana have tested positive for COVID-19. Tragically, we have lost almost 15,000 people to COVID-19 in the last 22 months. This includes 19 children under 18 years old. By contrast, there have been only 12 significant adverse events related to vaccine administration in Louisiana with zero deaths. By any measure, the COVID-19 vaccines have been a historic success. However, we know that there have been far too many of our friends and neighbors who have yet to be vaccinated. This includes school age children who do have a risk of serious illness and death. By adding the COVID-19 vaccination to the immunization schedule, the Louisiana Department of Health and the State Health Officer are doing exactly as directed and authorized by the Louisiana Legislature pursuant to La. R.S. 40:4, La. R.S. 40:5, La. R.S. 40:31.15, and La. R.S. 17:170 to protect the health and safety of the people of Louisiana.

Secondly, despite the misleading and conspiratorial rhetoric provided at the House Health and Welfare meeting last week, this rule does not force "experimental shots" on children. The rule explicitly only applies to "vaccines that have been fully approved by the U.S. Food and Drug Administration (FDA) for the individual's age." At this point, the FDA has only fully approved a vaccine (Pfizer) for those 16 years old and above. Thus, the rule does not currently apply to anyone under the age of 16. It will only apply to those under 16 when, and if, the FDA fully approves a vaccine for that age group. Further, pursuant to this rule, no child will be forced to be vaccinated against the will of his or her parents. The rule explicitly provides that any student may be exempted by submitting "a written statement from a physician stating that such vaccination is contraindicated for medical reasons, or the individual or his parent or guardian submits a written dissent." This is the same exemption that has long been in state law and is one of the broadest exemptions in the country.

Lastly, while I understand that any issue around COVID-19, especially those that involve our children, can be divisive, I ask that you and your colleagues work with me to get more people in Louisiana vaccinated. It is worth noting that while many of the diseases on the public health immunization schedule were once both rampant and deadly, they are no longer serious risks for school age children in Louisiana. This is true because almost everyone was vaccinated against these diseases, many as a condition for attending elementary school. One can only imagine where we would be as a state if the same overheated rhetoric from last week's meeting was applied to Polio or Measles. The development of the COVID-19 vaccines in time to help us put this pandemic behind us also requires us to do everything we can to add COVID-19 to the list of diseases that no longer pose a serious threat. This rule does just that, and it should remain in place.

John Bel Edwards
Governor

2112#062

Potpourri

POTPOURRI

Department of Agriculture and Forestry Board of Veterinary Medicine

Board Meeting Dates

The Members of the Louisiana Board of Veterinary Medicine will meet at 8:30 a.m. on the following dates in 2022:

Thursday, February 3, 2022
 Thursday, April 7, 2022
 Thursday, June 2, 2022 (Annual Meeting)
 Thursday, August 4, 2022
 Thursday, October 6, 2022
 Thursday, December 1, 2022

These dates are subject to change, so please contact the board office via telephone at (225) 925-6620 or email at admin@lsbvm.org to verify meeting dates. An up-to-date listing of all Board meeting dates can be found online at www.lsbvm.org/news.

Jared B. Granier
Executive Director

2112#001

POTPOURRI

Department of Agriculture and Forestry Board of Veterinary Medicine

Board Nominations

The Louisiana Board of Veterinary Medicine announces that nominations for the position of Board Member will be taken by the Louisiana Veterinary Medical Association (LVMA) at the annual winter meeting to be held in late January 2021. Interested persons should submit the names of nominees directly to the LVMA as per La. R.S. 37:1515. It is not necessary to be a member of the LVMA to be nominated. The LVMA may be contacted at (225) 928-5862.

Jared B. Granier
Executive Director

2112#001

POTPOURRI

Department of Agriculture and Forestry Board of Veterinary Medicine

Spring/Summer Examination Dates

The Louisiana Board of Veterinary Medicine will administer the state board examination (SBE) for licensure to practice veterinary medicine on the first Tuesday of every month. Deadline to apply for the SBE is the third Friday prior to the examination date desired. SBE dates are subject

to change due to office closure (i.e. holiday, weather). The board anticipates moving to giving the SBE online through a third-party sometime in fiscal year 2023.

The board will accept applications to take the North American Veterinary Licensing Examination (NAVLE) which will be administered through the International Council for Veterinary Assessment (ICVA), formerly National Board of Veterinary Medical Examiners (NBVME), and the National Board Examination Committee (NBEC), as follows:

Test Window Date

April 11 - April 23, 2022
 Mid-November - Mid-December 2022

The board will also accept applications to take the Veterinary Technician National Examination (VTNE) which will be administered through American Association of Veterinary State Boards (AAVSB), for state registration of veterinary technicians as follows:

Test Date

March 15 - April 15, 2022
 July 15 - August 15, 2022
 November 15 - December 15, 2022

Applications for all examinations and all required supplemental documents must be submitted on or before the deadline. No late application will be accepted. Requests for special accommodations must be made as early as possible for review and acceptance. Applications and information may be obtained from the board website at www.lsbvm.org. Application questions can be emailed to admin@lsbvm.org.

Jared B. Granier,
Executive Director

2112#001

POTPOURRI

Department of Natural Resources Office of Conservation

Orphaned Oilfield Sites

Office of Conservation records indicate that the Oilfield Sites listed in the table below have met the requirements as set forth by Section 91 of Act 404, R.S. 30:80 et seq., and as such are being declared Orphaned Oilfield Sites.

Operator	Field	District	Well Name	Well Number	Serial Number
Gulf Refining Co. of La	Wildcat -No La Shreveport Dist	S	Olivia	007	6130
H. C. Moseley	Caddo Pine Island	S	Ridgeway	002	38188

Operator	Field	District	Well Name	Well Number	Serial Number
Herman Fields	Caddo Pine Island	S	Land C	003	36250
Joe M. Burnham, et al	Caddo Pine Island	S	Bradford Heirs	001	99950(30)
Oleum Operating Company, L.C.	Bell City, East	L	Sweetlake Land & Oil C	002	63282
Oleum Operating Company, L.C.	Bell City, East	L	Sweetlake Land & Oil C	004	66141
Oleum Operating Company, L.C.	Bell City, East	L	Sweetlake Land & Oil C	007	68920
Oleum Operating Company, L.C.	Crowley	L	Hoffpauer Estate	002	211653
Oleum Operating Company, L.C.	Bell City, East	L	Sweetlake Land & Oil C Swd	009	216967
Oleum Operating Company, L.C.	Crowley	L	Hoffpauer Estate Swd	001	221935
Oleum Operating Company, L.C.	Bell City, East	L	Sweetlake Land & Oil C	010	244493
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	001	44833
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	002	45364
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958 SWD	006	46237
Poydras Energy Partners, LLC	Main Pass Block 35	L	MPB35 9250 RB SU; SL 1958	007	46246
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 2125	003	50461

Operator	Field	District	Well Name	Well Number	Serial Number
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	031	50728
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	033	51155
Poydras Energy Partners, LLC	Main Pass Block 35	L	MPB35 8350 RB SU; SL 1958	034	51404
Poydras Energy Partners, LLC	Main Pass Block 35	L	MPB35 8350 RB SU; SL 1958	027A	56922
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	033D	81747
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	034D	81748
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	001D	82056
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	006D	82449
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	041	84463
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	041D	85245
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	002D	104933
Poydras Energy Partners, LLC	Main Pass Block 35	L	MPB35 8600 RC SU;SL 1958	043	106679
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	043-D	108347

Operator	Field	District	Well Name	Well Number	Serial Number
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Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	027AD	123051
Poydras Energy Partners, LLC	Bastian Bay	L	SL 20184	001	181536
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 1958	051	215803
Poydras Energy Partners, LLC	Main Pass Block 35	L	VUA;SL 20482	001	218826
Poydras Energy Partners, LLC	Main Pass Block 26	L	SL 20101	001	227578
Poydras Energy Partners, LLC	Main Pass Block 35	L	SL 20103	001	227644
R. E. Williams	Caddo Pine Island	S	Rosa Gamm et al	002	37123
Riggs Petroleum	Caddo Pine Island	S	Ridgeway	001	50008
Romaxsco Exploration Co., Inc.	Wildcat-No La Monroe	M	James Mitchell et al	001	209347

Richard P. Ieyoub
Commissioner

2112#059

POTPOURRI
Office of the Governor
Office of Financial Institutions

Judicial Interest Rate for 2022

Pursuant to authority granted by R.S. 13:4202(B)(1), as amended, the Louisiana Commissioner of Financial Institutions has determined that the judicial rate of interest for calendar year 2022 will be three and one half (3.50%) percent per annum.

Stanley M Dameron
Commissioner

2112#002

POTPOURRI
Department of Health
Bureau of Health Services Financing

2022 Second Quarter Hospital Stabilization Assessment

In compliance with House Concurrent Resolution (HCR) 51 of the 2016 Regular Session of the Louisiana Legislature, the Department of Health, Bureau of Health Services Financing amended the provisions governing provider fees to establish hospital assessment fees and related matters (*Louisiana Register*, Volume 42, Volume 11).

House Concurrent Resolution 2 of the 2021 Regular Session of the Louisiana Legislature enacted an annual hospital stabilization formula and directed the Department of Health to calculate, levy and collect an assessment for each assessed hospital.

The Department of Health shall calculate, levy and collect a hospital stabilization assessment in accordance with HCR 2 for the quarter October 1, 2021 through December 31, 2021. The quarterly assessment amount to all hospitals will be \$28,469,208 which amounts to 0.25 percent of total inpatient and outpatient hospital net patient revenue of the assessed hospitals.

Dr. Courtney N. Phillips
Secretary

2112#052

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