

2025 ANNUAL REPORT
TO THE
HEALTH AND WELFARE COMMITTEE OF
THE SENATE

Statement of Action Taken

by the

Patient's Compensation Fund Oversight Board
with Respect to Adoption, Amendment, or Repeal of Rules

Submitted By:

By Attorneys,

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LOUISIANA PATIENT'S COMPENSATION FUND OVERSIGHT BOARD

Since the last report was submitted to the Legislature in March 2024, the Louisiana Patient's Compensation Fund Oversight Board ("Oversight Board") finalized the amendment to its Rules, LAC 37:III, §101 et seq., and added Section 302 to Chapter 3, which provides accommodations for any member of the public or the Oversight Board with a disability, as defined therein, to participate in the public meetings of the Oversight Board via teleconference or video conference upon receiving a request for such prior to the meeting. Section 302 was added to comply with Act 393 of the 2023 Regular Legislative Session amending Louisiana's Open Meetings Law and enacting La. R.S. 42:14(E).

The Notice of Intent for Section 302 was filed in the December 20, 2023 *Louisiana Register*. Section 302 was published in final rule form in the March 20, 2024 *Louisiana Register* [see attached].

RULE

**Office of the Governor
Board of River Port Pilot Commissioners
for the Port of New Orleans**

**Education Requirements
(LAC 46:LXX.3205)**

Notice is hereby given that in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority vested in the Board of River Port Pilot Commissioners for the Port of New Orleans R.S. 34:991, has amended its rules governing river port pilots by establishing education requirements for applicants consistent with the pilot commissions regulating pilots in Louisiana requiring applicants to obtain a maritime bachelor's degree by an educational instituting approved by the Federal Maritime Administration.

The effective date of the amendments to Section 3205 is December 31, 2025. Any applicant who has been certified as an apprentice candidate for the year 2026 have satisfied the education and service requirements prescribed in Section 3205 in future apprentice application processes. This Rule is hereby adopted on the day of promulgation.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS**

Part LXX. River Pilots

**Subpart 2. Board of River Port Pilot Commissioners
§3205. Education Qualifications**

A. The pilot apprentice applicant shall be a graduate from either The U.S. Merchant Marine Academy (deck curriculum), The U. S. Coast Guard Academy and qualified as officer-in-charge of a navigational watch, The U.S. Naval Academy and qualified as officer-in-charge of a navigational watch, The Great Lakes Maritime Academy (deck curriculum) or any other maritime academy approved by and conducted under rules prescribed by the federal maritime administrator and listed at Title 46, Code of Federal Regulations, Part 310. Additionally, each applicant must have held one of the licenses described in §3203. A.1., A.2.a., or A.2.b. for a period of one year prior to December 31 of the year the application is submitted to become an apprentice candidate.

B. Applicants shall document the aforementioned requirements by providing the board with an official transcript of the mandatory educational requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:991(B)(3).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of River Port Pilot Commissioners, LR 29:2069 (October 2003), amended LR 35:1833 (September 2009), LR 38:2369 (September 2012), LR 47:879 (July 2021), LR 50:364 (March 2024), effective December 31, 2025.

**Capt. Mark Delesdernier III
President**

2403#004

RULE

**Office of the Governor
Division of Administration
Patient's Compensation Fund Oversight Board**

Disability Accommodations (LAC 37:III.302)

The Patient's Compensation Fund Oversight Board (the "board"), under authority of the Louisiana Medical Malpractice Act, R.S. 40:1231.1, et seq., and in accordance with the Administrative Procedure Act, R.S. 49:950, et seq., specifically R.S. 49:961(C), adopts the following Rule setting forth accommodations the board will provide for any member of the public or the board to participate in the public meetings of the board via teleconference or video conference upon receiving a request for such prior to the meeting. Pursuant to R.S. 42:14(E), the board is obligated to provide for participation via teleconference or video conference by any member of the public or the board with a disability recognized by the Americans with Disabilities Act, 42 USCA 12101 et seq. (the ADA), who prior to the meeting requests such accommodation. This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

**Part III. Patient's Compensation Fund Oversight Board
Chapter 3. Organization, Functions, Delegations of
Authority, and Disability
Accommodations**

§302. Disability Accommodations

A. A person with a disability is defined as any of the following:

- 1. a member of the public or the board with a disability recognized by the ADA; or
- 2. a designated caregiver of such a person.

B. The written public notice for an open meeting, as required by R.S. 42:19, includes the name, telephone number and email address of a board representative to whom a disability accommodation may be submitted.

C. The requestor shall be provided with an accommodation, including the teleconference number and/or video conference link, for participation via electronic means as soon as possible following receipt of the request, but no later than the start of the scheduled meeting.

D. Participation via electronic means (teleconference or video conference) by a board member who has requested a disability accommodation shall count for purposes of establishing quorum and voting. The presiding officer of the board shall ensure that the voting decision of any member of the board who participates via electronic means is clearly identified, recorded and included in the minutes of the meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1231.4(D)(3) and Act 393 of the 2023 Regular Session of the Louisiana Legislature.

HISTORICAL NOTE: Promulgated by Office of the Governor, Patient's Compensation Fund Oversight Board, LR 50:364 (March 2024).

**Kenneth H. Schnauder
Executive Director**

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