

RULE

**Department of Health
Bureau of Health Services Financing**

Professional Services Program
Tobacco Cessation Counseling
(LAC 50:IX.Chapter 11 and 15106)

The Department of Health, Bureau of Health Services Financing has adopted LAC 50:IX.Chapter 11 and §15106 in the Medical Assistance Program 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. This Rule is hereby adopted on the day of promulgation.

Title 50

**PUBLIC HEALTH—MEDICAL ASSISTANCE
Part IX. Professional Services Program
Subpart 1. General Provisions**

Chapter 11. Tobacco Cessation Counseling Services

§1101. General Provisions

A. Effective for dates of service on or after June 20, 2023, the Medicaid Program provides coverage for tobacco cessation counseling services to beneficiaries who use tobacco products or who are being treated for tobacco use.

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 49:1086 (June 2023).

§1103. Scope of Services

A. Tobacco cessation counseling services shall be reimbursed by the Medicaid Program when rendered by the beneficiary's primary care provider (PCP) or other appropriate healthcare professionals. Beneficiaries may receive up to four tobacco cessation counseling sessions per quit attempt, up to two quit attempts per calendar year, for a maximum of eight counseling sessions per calendar year. These limits may be exceeded, if deemed medically necessary.

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 49:1086 (June 2023).

§1105. Provider Participation

A. The entity seeking reimbursement for tobacco cessation counseling services must be an enrolled Medicaid provider.

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 49:1086 (June 2023).

Subpart 15. Reimbursement

Chapter 151. Reimbursement Methodology

Subchapter A. General Provisions

§15106. Tobacco Cessation Counseling Services

A. Effective for dates of service on or after June 20, 2023, the Medicaid Program shall provide reimbursement for tobacco cessation counseling services rendered by qualified health care professionals.

B. Reimbursement for tobacco cessation counseling services shall be a flat fee based on the appropriate HCPCS code.

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 49:1086 (June 2023).

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.

Stephen R. Russo, JD
Secretary

2306#053



RULE

**Department of Health
Licensed Professional Counselors Board of Examiners**

Academic Requirements for MFT Licensure or
Provisional Licensure
(LAC:46:LX.3309 and 3311)

In accordance with the applicable provisions of the Louisiana Administrative Procedures Act (R.S.49:950 et seq.) and through the authority of the Mental Health Counselor Licensing Act (R.S. 37:1101 et seq.), the Licensed Professional Counselors Board of Examiners has amended the academic requirements for LMFT to align with the graduate practicum/internship requirements established by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE). This Rule is hereby adopted on the day of promulgation.

Title 46

**PROFESSIONAL AND OCCUPATIONAL
STANDARDS REVISED**

**Part LX. Licensed Professional Counselors Board of
Examiners**

**Subpart 2. Professional Standards for Licensed
Marriage and Family Therapists and Provisional
Licensed Marriage and Family Therapists**

**Chapter 33. Requirements for Licensure and
Provisional Licensure**

**§3309. Academic Requirements for MFT Licensure or
Provisional Licensure [Formerly §3311]**

A. ...

1. a master's or doctoral degree in marriage and family therapy from a program accredited by the Commission on Accreditation for Marriage and Family Therapy Education (COAMFTE) in a regionally accredited educational institution or a certificate in marriage and family therapy from a post-graduate training institute accredited by COAMFTE

2. a master's or doctoral degree in marriage and family therapy or marriage and family counseling or a related clinical mental health field from a program accredited by the Council for Accreditation of Counseling and Related Educational Programs (CACREP) in a regionally-accredited educational institution with a

minimum of six courses in marriage and family therapy, including coursework on the AAMFT code of ethics.

3. a master's or doctoral degree in marriage and family therapy or a related clinical mental health field from a regionally accredited institution of higher education or a certificate from a postgraduate training institute in marriage and family therapy. Applicants with a school counseling degree would need to meet the requirements in §3311. The qualifying degree or certificate program must include coursework, practicum, and internship in marriage and family therapy that is determined by the advisory committee to be substantially equivalent to a graduate degree or postgraduate certificate in marriage and family therapy from a program accredited by COAMFTE.

4. a master's degree or a doctoral degree in marriage and family therapy from a regionally accredited institution of higher education whose program and curriculum was approved by the board through the advisory committee at any time prior to July 1, 2010.

B. The qualifying degree must include a minimum of 60 graduate semester hours of coursework. Furthermore, the applicant must have completed a practicum and/or internship during the completion of the qualifying degree program or postgraduate training institute that is equivalent to the standards established by COAMFTE.

C. Pursuant to Act 736 of the 2014 Regular Legislative Session and effective January 1, 2018, all applicants whose academic background has not been previously approved by the board as of January 1, 2018, must have completed a minimum of six credit hours in diagnostic psychopathology. Courses in this area shall provide academic instruction from a systemic/relational perspective in psychopharmacology, physical health and illness, traditional psycho-diagnostic categories including the *Diagnostic and Statistical Manual of Mental Disorders*, Fifth Edition (DSM-5) as published by the American Psychiatric Association on May 18, 2013 and/or the *International Statistical Classification of Diseases and Related Health Problems*, Tenth Edition, published in 1992 (ICD-10) as published by World Health Organization, and the assessment and treatment planning for the treatment of mental, intellectual, emotional, or behavioral disorders within the context of marriage and family systems.

D. Required coursework in marriage and family therapy for academic options 1, 2, 3 and 4 may be completed during the qualifying master's or doctoral degree programs or may be taken as post-graduate work at a regionally-accredited college, university, or qualifying postgraduate marriage and family therapy training institute as determined by the advisory committee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:156 (February 2003), amended LR 29:2785 (December 2003), LR 35:1113 (June 2009), LR 37:1602 (June 2011), repromulgated LR 37:2163 (July 2011), amended LR 38:1965 (August 2012), repromulgated LR 41:741 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 43:1982 (October 2017), amended LR 45:1204 (September 2019), LR 49:1086 (June 2023).

§3311. Coursework and Academic Supervision Requirements, for Options 2, 3, and 4

A. - A.9. ...

B. Specific Coursework Requirements—Option 3

1. - 1.g....

2. Academic Supervision. As part of their degree program, an applicant must have completed the minimum number of direct clinical contact hours and supervision hours as set forth by COAMFTE. If a student is simultaneously being supervised and having direct client contact, the time may be counted as both supervision time and direct client contact time.

AUTHORITY NOTE: Promulgated in accordance with R. S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 37:1602 (June 2011), repromulgated LR 37:2163 (July 2011), amended LR 38:1966 (August 2012), LR 41:742 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 43:1983 (October 2017), LR 49:1087 (June 2023).

Jamie S. Doming
Executive Director

2306#033



RULE

Department of Health Licensed Professional Counselors Board of Examiners

Name Change Fee Removal (LAC 46:LX.901)

In accordance with the applicable provisions of the Louisiana Administrative Procedures Act (R.S.49:950 et seq.) and through the authority of the Mental Health Counselor Licensing Act (R.S. 37:1101 et seq.), the Licensed Professional Counselors Board of Examiners removes name change fees. This Rule is hereby adopted on the day of promulgation.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS REVISED

Part LX. Licensed Professional Counselors Board of Examiners

Subpart I. Licensed Professional Counselors

Chapter 9. Fees

§901. General

- A. The board shall collect the following fees:
1. licensure application, license and seal—\$200;
 2. out of state licensure application, license, and seal—\$300;
 3. provisional licensure application and license—\$100;
 4. out of state provisional licensure application and license—\$150;
 5. application for appraisal, board-approved supervisor, and other specialty areas—\$100;
 6. application for change/additional board-approved supervisor—\$50;

7. application for expedited review—\$55;
8. renewal of license—\$170;
9. renewal of provisional license—\$85;
10. renewal of appraisal, board-approved supervisor, and other specialty areas—\$50;
11. late fee for renewal of license—\$55;
12. late fee for renewal of provisional license—\$55;
13. late fee for renewal of appraisal, board-approved supervisor, and other specialty areas—\$25;
14. reissue of license duplicate—\$25;
15. copy of file—\$25;
16. copy of any documents—cost incurred.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 29:136 (February 2003), amended LR 29:2783 (December 2003), LR 39:1790 (July 2013), LR 41:723 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners LR 45:437 (March 2019), LR 49:1087 (June 2023).

Jamie S. Doming
Executive Director

2306#034

RULE

Department of Insurance Office of the Commissioner

Regulation 125—Insure Louisiana Incentive Program (LAC 37:XIII.Chapter 189)

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 amended Regulation 125 regarding the Insure Louisiana Incentive Program.

Louisiana is currently experiencing a crisis in the availability and affordability of insurance for residential and commercial properties. Louisiana property owners and their insurers sustained catastrophic losses in 2020 and 2021 from hurricanes Laura, Delta, Zeta, and Ida. As the result of their losses and their assessment of the risk of loss from future storms, many property insurers have substantially reduced their participation in the voluntary market for residential and commercial property insurance. With fewer property insurers in the voluntary market, competitive pressure on premium rates is reduced. Current underwriting practices have resulted in a substantial increase in the number of Louisiana property owners forced to obtain their property insurance coverage or their coverage for wind peril from Louisiana Citizens Property Insurance Corporation, the state insurer of last resort.

The Insure Louisiana Incentive Program was enacted through the passage of Act 754 of the 2022 Regular Session of the Louisiana Legislature and Act No. 1 and Act No. 2 of the 2023 Extraordinary Session of the Louisiana Legislature for the purpose of cooperative economic development and stability in Louisiana by encouraging additional property insurers to participate in the voluntary property insurance

market to increase the availability of property insurance, increase competitive pressure on insurance rates, and reduce the volume of business written by the Louisiana Citizens Property Insurance Corporation.

Regulation 125 sets forth standards and procedures relative to a property insurer's participation in the Insure Louisiana Incentive Program. Through cooperative endeavor agreements, property insurers participating in the program may be awarded matching grant funds in order to achieve the requirements of Act 754 of the 2022 Regular Session of the Louisiana Legislature and Act No. 1 and Act No. 2 of the 2023 Extraordinary Session of the Louisiana Legislature. Regulation 125 further specifies these requirements and conditions thereof for qualified property insurers. This Rule is hereby adopted on the day of promulgation.

Title 37

INSURANCE

Part XIII. Regulations

Chapter 189. Regulation Number 125—Insure Louisiana Incentive Program

§18903. Authority

A. Regulation 125 is promulgated pursuant to the authority and responsibility delegated to the commissioner under R.S. 22:2361 through 2371, Act No. 1 and Act No. 2 of the 2023 Extraordinary Session of the Louisiana Legislature, and pursuant to the general powers granted by law to the commissioner and the department.

AUTHORITY NOTE: Promulgated in accordance with Act No. 1 of the 2023 Extraordinary Session and Act No. 2 of the 2023 Extraordinary Session, R.S. 22:11, 22:2361 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 49:270 (February 2023), amended LR 49:1088 (June 2023).

§18905. Applicability and Scope

A. Regulation 125 shall apply to all authorized insurers as defined in R.S. 22:46(3) operating and writing insurance for residential and commercial properties in the state, and to any approved unauthorized insurer as defined in R.S. 22:46(2) operating and writing insurance for residential and commercial properties in the state, eligible unauthorized insurer as defined in R.S. 22:46(10) operating and writing insurance for residential and commercial properties in the state, or domestic surplus lines insurer as provided for in R.S. 22:436.1 operating and writing insurance for residential and commercial properties in the state and collectively referred to as a surplus lines insurer as defined in R.S. 22:46(27).

B. ...

AUTHORITY NOTE: Promulgated in accordance with Act No. 1 of the 2023 Extraordinary Session and Act No. 2 of the 2023 Extraordinary Session, R.S. 22:11, 22:2361 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 49:270 (February 2023), amended LR 49:1088 (June 2023).

§18915. Qualifications for Applying for Grant Funds

A. - A.1. ...

2. a property insurer with a financial strength rating that meets the following requirements:

- a. AM Best Company "B+" or better; or
- b. Demotech, Inc. "A" or better; or
- c. AM Best Company "A" or better for licensed surplus lines insurers.