

NOTICE OF INTENT

Department of Health Licensed Professional Counselors Board of Examiners

Social and Cultural Foundations
Continuing Education Requirement
(LAC:46:LX.611, 707, 3315, and 3503)

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 proposes to amend the continuing education requirements for renewal applicants.

The Licensed Professional Counselors Board of Examiners hereby gives notice of intent to propose changes to Chapter 6, Section 611, Chapter 7, Section 707, Chapter 33, Section 3315, and Chapter 35, Section 3503 for publication in the September 20, 2023, edition of the *Louisiana Register* with the effective date of April 1, 2026.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS REVISED

Part LX. Licensed Professional Counselors Board of Examiners

Subpart 1. Licensed Professional Counselors

Chapter 6. Application, Practice, and Renewal Requirements for Provisional Licensed Professional Counselors

§611. Continuing Education Requirements for Provisional Licensed Professional Counselors

A. A provisional licensee must accrue 20 clock hours of continuing education by every renewal period every two years. Of the 20 clock hours of continuing education, one and a half clock hours must be accrued in ethics, one and a half hours must be accrued in social and cultural foundations, and one and a half clock hours must be accrued in diagnosis (assessment, diagnosis, and treatment under the *Diagnostic and Statistical Manual of Mental Disorders 5*, as published by the American Psychiatric Association).

A.1. - B.2.h. ...

C. Approved Content Areas. Continuing education hours must be in one of the following 14 content areas:

1. - 2. ...

3. social and cultural foundations—includes studies that provide a broad understanding of societal changes and trends, human roles, societal subgroups, social mores and interaction patterns, and differing lifestyles; an understanding of the cultural context of relationships; issues and trends in a diverse society related to such factors as culture, ethnicity, nationality, age, gender, sexual orientation, mental and physical characteristics, education, family values, religious and spiritual values, socioeconomic status; and unique characteristics of individuals, couples, families, ethnic groups and communities.

C.4. - D.8. ...

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

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Professional Counselors, LR 41:717 (April 2015), amended by the Department

of Health, Licensed Professional Counselors Board of Examiners, LR 49:

Chapter 7. Application and Renewal Requirements for Licensed Professional Counselors

§707. Renewal Requirements for Licensed Professional Counselors and Board Approved Supervisors

A. ...

1. A licensee must accrue 40 clock hours of continuing education by every renewal period every two years. Of the 40 clock hours of continuing education, 3 clock hours must be accrued in ethics, 3 hours must be accrued in social and cultural foundations, and 6 clock hours must be accrued in diagnosis (assessment, diagnosis, and treatment under the *Diagnostic and Statistical Manual of Mental Disorders 5*, as published by the American Psychiatric Association). A board-approved supervisor must accrue 3 clock hours (of the required 40 clock hours of continuing education) in supervision.

A.2. - B.2.i. ...

C. Approved Content Areas. Continuing education hours must be in one of the following 14 content areas:

1. - 2. ...

3. social and cultural foundations—includes studies that provide a broad understanding of societal changes and trends, human roles, societal subgroups, social mores and interaction patterns, and differing lifestyles; an understanding of the cultural context of relationships; issues and trends in a diverse society related to such factors as culture, ethnicity, nationality, age, gender, sexual orientation, mental and physical characteristics, education, family values, religious and spiritual values, socioeconomic status; and unique characteristics of individuals, couples, families, ethnic groups and communities.

C.4. - D.8. ...

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 41:719 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 49:

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

§3315. Application Practice, and Renewal Requirements for Provisional Licensed Marriage and Family Therapists

A. - E. ...

1. A provisional licensee must accrue 20 clock hours of continuing education by every renewal period every two years. Of the 20 clock hours of continuing education, one and a half clock hours must be accrued in ethics specific to marriage and family therapy, one and a half clock hours must be accrued in social and cultural foundations, and one and a half clock hours must be accrued in diagnosis (assessment, diagnosis, and treatment under the *Diagnostic and Statistical Manual of Mental Disorders*, Fifth Edition (DSM-5) as published by the American Psychiatric Association on May 18, 2013). The required training in diagnosis, assessment, and treatment under the DSM-5 may

be specific to a particular condition and/or may be general training in diagnosis, assessment, and treatment. A generic ethics course is not acceptable.

1.a. - 2.c.ii. ...

3. Continuing education hours must be relevant to the practice of marriage and family therapy and generally evolve from the following eight areas.

a. - g. ...

h. Social and Cultural Foundations of Marriage and Family Therapy. Continuing education in this area shall contain such content as an understanding of the cultural context of relationships; issues and trends in a diverse society related to such factors as culture, ethnicity, nationality, age, gender, sexual orientation, mental and physical characteristics, education, family values, religious and spiritual values, socioeconomic status; and unique characteristics of individuals, couples, families, ethnic groups and communities.

F. - F.4. ...

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 29:158 (February 2003), amended LR 29:2787 (December 2003), LR 35:1114 (June 2009), LR 38:1966 (August 2012), LR 39:1806 (July 2013), LR 41:742 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 43:1983 (October 2017), LR 45:1204 (September 2019), LR 47:1529 (October 2021), LR 49:

Chapter 35. Renewal of License for Licensed Marriage and Family Therapists

§3503. Continuing Education Requirements

A. - A.9. ...

10. A licensee must accrue three clock hours of training in the subject area of social and cultural foundations as defined in Subparagraph C.3.h. every renewal period.

11. Those licensed marriage and family therapists who hold another license that requires continuing education hours may count the continuing education hours obtained for that license toward their LMFT CEH requirements. Of the 40 CEHs submitted, however, 20 hours must be in the area of marriage and family therapy with an emphasis upon systemic approaches or the theory, research, or practice of systemic psychotherapeutic work with couples or families including three clock hours of ethics specific to marriage and family therapy and six clock hours specific to diagnosis.

12. The approval of and requirements for continuing education are specified in Subsection C.

B. - C.2.b.ii. ...

3. Continuing education hours must be relevant to the practice of marriage and family therapy and generally evolve from the following seven eight areas.

a. - g.

h. Social and Cultural Foundations of Marriage and Family Therapy. Continuing education in this area shall contain such content as an understanding of the cultural context of relationships; issues and trends in a diverse society related to such factors as culture, ethnicity, nationality, age, gender, sexual orientation, mental and physical characteristics, education, family values, religious and spiritual values, socioeconomic status; and unique characteristics of individuals, couples, families, ethnic groups and communities.

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 29:160 (February 2003), repromulgated LR 29:581 (April 2003), amended LR 29:2789 (December 2003), LR 41:752 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 49:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of these rules on family has been considered. This proposal to create licensee statuses has no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

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 change 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 Jamie S. Doming, Licensed Professional Counselors Board of Examiners, 11410 Lake Sherwood Avenue North Suite A, Baton Rouge, LA 70816 by October 10, 2023, at 5 p.m.

Jamie S. Doming
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Social and Cultural Foundations Continuing Education Requirement

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule will change the categorical requirements for continuing education standards for all licensees governed

by the Licensed Professional Counselors Board (LPC Board). The proposed rule change requires one and a half clock hours to be accrued in social and cultural foundations for provisional licensees and three clock hours for Licensed Professional Counselors and Licensed Marriage and Family Therapists. These hours will count toward the current requirement of twenty clock hours for provisional licensees and forty clock hours for Licensed Professional Counselors and Licensed Marriage and Family Therapists every two years.

The proposed rule change will result in a one-time cost of \$213 per page to print the Notice of Intent and Final Rule in the state register. The proposed rule changes are not anticipated to result in any other costs or savings for state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will not affect revenue collections for state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed changes would require a specific type of training but would not increase the number of hours that are currently required to renew a license. The coursework that would be required is currently available from existing continuing education providers. The fees for social and multicultural foundations coursework are comparable with those for general continuing education hours.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes are not anticipated to affect competition or employment.

Jamie S. Doming
Executive Director
2309#026

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

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

**Supervision Requirement for Provisional Licensed
Professional Counselors
(LAC:46:LX.803)**

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 proposes to amend the supervision requirements for Provisional Licensed Professional Counselors to allow the discretion of the board-approved supervisor to determine if audiotapes and/or videotapes of counseling sessions shall be required as part of the supervision process.

The Licensed Professional Counselors Board of Examiners hereby gives notice of intent to propose changes to Chapter 8, Section 803 for publication in the September 20, 2023, edition of the *Louisiana Register*.

**Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS REVISED
Part LX. Licensed Professional Counselors Board of
Examiners
Subpart 1. Licensed Professional Counselors
Chapter 8. Licensed Professional Counselor
Supervisors**

**§803. Supervised Experience of Provisional Licensed
Professional Counselors**

A. - A.3. ...

4. The process of supervision must encompass multiple modes of supervision, including regularly scheduled live observation of counseling sessions (where possible) and review of audiotapes and/or videotapes of counseling sessions, at the board approved supervisor's discretion. The process may also include discussion of the provisional licensed professional counselor's self-reports, microtraining, interpersonal process recall, modeling, role-playing, and other supervisory techniques. (Supervision as defined in these rules does not require the approved supervisor to be in the same room with the provisional licensed professional counselor during the provisional licensed professional counselor's provision of services to clients.)

5. - 13. ...

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 41:722 (April 2015), amended by the Department of Health, Licensed Professional Counselors Board of Examiners LR 45:437 (March 2019), LR 49:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of these rules on family has been considered. This proposal to create licensee statuses has no impact on family functioning, stability, or autonomy as described in R.S. 49:972.

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 change 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 Jamie S. Doming, Licensed Professional Counselors Board of Examiners, 11410 Lake Sherwood Avenue North Suite A, Baton Rouge, LA 70816 by October 10, 2023, at 5 p.m.

Jamie S. Doming
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Supervision Requirement for Provisional Licensed Professional Counselors

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

Current rules require a supervisor of a provisional licensed professional counselor to utilize multiple modes of supervision, including review of audiotapes or videotapes of counseling sessions. The proposed rule provides that review of such tapes is to be done at the supervisor's discretion.

There will be a cost of \$213 per page to the LA Licensed Professional Counselors Board of Examiners ("LPC Board") to publish the Notice of Intent and Final Rule in the state register. The proposed rule changes are not anticipated to result in any other costs or savings for state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will not affect revenue collections for state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule changes are not anticipated to provide costs and/or benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes are not anticipated to have an effect on competition and employment.

Jamie S. Doming
Executive Director
2309#027

Alan M. Boxberger
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Natural Resources Office of Conservation

Pipeline Safety (LAC 43:XI.3501)

The Department of Natural Resources, Office of Conservation proposes to amend 43:XI in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the power delegated under the laws of the state of Louisiana.

Title 43

NATURAL RESOURCES

Part XI. Office of Conservation—Pipeline Division Subpart 4. Carbon Dioxide

Chapter 35. Requirements

§3501. Operation, Construction, Extension, Acquisition, Interconnection or Abandonment of Carbon Dioxide Transmission Facilities (Formerly §703)

A. - G4. ...

H. Certificate of public convenience and necessity shall be issued on the application of any qualified person upon the above findings. The commissioner may attach to any such certificate, and to the exercise of the rights granted thereunder, such reasonable terms and conditions as the public interest may require. Any facility to which a certificate of public convenience and necessity is issued by the commissioner under R.S. 30:4(C)(17) and these rules and regulations shall possess the right of expropriation with authority to expropriate private property under the general expropriation laws of the state, including R.S. 19:2(10) and R.S. 19:2(12).

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:4(C)(17), R.S. 30:1104(A), and R.S. 30:1107.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Office of Conservation, LR 12:115 (February 1986), repromulgated LR 49:303 (February 2023), amended LR 49:904 (May 2023), LR 49:1096 (June 2023), LR 49:

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 businesses as described in R.S. 49:965.6.

Provider Impact Statement

This Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

All interested parties will be afforded the opportunity to submit data, views, or arguments, in writing. Persons commenting should reference "CO2 regulation update". Such comments must be received no later than October 20, 2023, at 4:30pm, and should be sent to Michael Peikert,