

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES
Friday, November 20, 2020

FINAL APPROVED December 11, 2020

The meeting of the Louisiana State Board of Examiners of Psychologists (Board or LSBEP) was noticed and agenda certified, signed by LSBEP Chairperson Amy Henke, posted, emailed to individuals and the news media who have requested to receive notices of LSBEP meetings, and widely distributed to every known news media outlet that broadcasts or publishes news within Louisiana through the Louisiana Press Association on Wednesday, November 18, 2020. The notice included information on how to join the meeting virtually via Zoom <https://us02web.zoom.us/j/84112383863?pwd=Y3h6a0Rl amFwcmRDNjJRdkIwcmRDdz09>

Meeting ID: 841 1238 3863 **Passcode:** 1mhp8P **One tap mobile:** +13126266799,,84112383863#,,,,,0#,,442710# US (Chicago) +19292056099, 84112383863#,,,,,0#,,442710# US (New York) **Dial by your location**+1 312 626 6799 US (Chicago), +1 929 205 6099 US (New York), +1 301 715 8592 US (Germantown), +1 346 248 7799 US (Houston), +1 669 900 6833 US (San Jose), +1 253 215 8782 US (Tacoma) **Meeting ID:** 841 1238 3863 **Passcode:** 442710 **Find your local number:** <https://us02web.zoom.us/j/84112383863?pwd=Y3h6a0Rl amFwcmRDNjJRdkIwcmRDdz09>

Board Chairperson, Dr. Amy Henke, called the video conference meeting to order at 8:03 a.m. on Friday, November 20, 2020.

Attendance:

Board Members Present: Dr. Amy Henke, Dr. Gregory Gormanous, Dr. Michelle Moore, Dr. Gina Gibson, Mr., Dr. Shannae Harness. Board Members Absent:0 Darren “Chance” McNeely joined the Open Meeting at 1:00 pm
Staff Present: Executive Director, Jaime T. Monic; Courtney P. Newton, LSBEP Attorney.

Guests in Partial Attendance: LPA Representative(s): Dr. Kim VanGeffen (LPA), Dr. Richard Niolon (LPA), Dr. Michael Chafetz (LPA), Dr. Erin Reuther (LPA), Dr. Hannah Samaha, Dr. Nicholas Tworek, Dr. Yelena Johnson, Dr. Arielle Brown, Ashly Van Earl, Dr. Christopher Garner.

Dr. Henke read the mission statement as follows, “It is hereby declared that the creation of a state board of examiners of psychologists is necessary in order to safeguard life, health, property, and the public welfare of this state, and in order to protect the people of this state against unauthorized, unqualified, and improper application of psychology.”

Dr. Gormanous requested that his statement of service be recorded into the minutes as follows, “My serving on LSBEP is to ensure that consumers of psychological services are protected against any unqualified, harmful and unauthorized practice, application or use of psychology. My service is as a consumer advocate and educator. My service is not as a market participant.”

Dr. Henke reminded board members to adhere to LSBEP’s policy for Video Meeting Decorum.

Ms. Monic restated Dr. Henke’s certification that due to COVID19, the Louisiana State Board of Examiners of Psychologists was unable to meet in person for quorum requirements and therefore is holding this board meeting online via Zoom.us., and in accordance with *La. R.S. 42:17.1.C. (2) and (3) under the continuing declaration of emergency* Proclamation No. 158 JBE 2020

REVIEW AND APPROVAL OF AGENDA Dr. Gormanous moved to amend the agenda to add names to Supervision and Credential File reviews for Dr. Mark A Zaroff, Application for Temporary Registration and Dr.

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Kathleen Nyborg for Application for Temporary Registration and correct the dates on the Review and Approval of Minutes from July 17, 2020 and August 21, 2020 to review of September 11, 2020 and October 9, 2020 Minutes. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (5) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

Dr. Gormanous moved to approve the agenda as amended. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (5) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

EXECUTIVE SESSION: Dr. Gormanous moved to enter Executive Session pursuant to LSA R.S.42:17.A(2) and (4) to conduct supervision and credential file reviews and discuss committee recommendations from oral examinations. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (5) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

Dr. Moore moved to close Executive Session to enter the Open Meeting and report on Executive Session matters. The Board discussed the motion, the motion passed by roll call vote as follows: In favor: (5) Henke, Gormanous, Gibson, Moore, Harness; Against: (0); Abstained: (0); Absent: (1) McNeely

The meeting was open to guests.

REVIEW AND APPROVAL OF MINUTES: The Board reviewed and discussed and made clarifications to the draft Minutes of September 11, 2020 and October 9, 2020. Dr. Gormanous moved to approve the minutes of September 11, 2020 and October 9, 2020 as clarified. The motion passed by roll call vote as follows: In favor: (6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0).

COMMITTEE AND LIAISON REPORTS:

1. **Executive Committee Report** – Ms. Monic reported the following:
 - that an opinion from the Board of Ethics was requested related to one of the nominee’s ability to serve given a previous appointment. Due to the Board of Ethics timeline on responding, nominations would not be opened until the LSBEP meeting on December 11, 2020
 - that two matters remain in litigation in the 19th JDC, East Baton Rouge: Richard A. Marksbury, Ph.D. vs LSBEP and Glenn W. Ahava, Ph.D. v. LSBEP
 - that Jennifer L. Callahan, Ph.D. ABPP President, Society for the Advancement of Psychotherapy (APA Division 29) sent a letter to the LSBEP related to their objections to the EPPP and EPPP2.
2. **Finance Committee** – Ms. Monic reported that she continues to conduct leave reviews for Mr. Owens and Dr. Henke reported leave reviews were conducted for Ms. Monic. Dr. Henke reported the review of bank statements and reconciliations through October 2020.
3. **Oral Examination Committee** – Report and motions on Executive Session Discussion:
ORAL EXAMINATION [LSA-R.S. 42:17.A(1)]
 - **Hannah L. Samaha, Ph.D.** – appeared for examination via Video Conference on October 30, 2020 before an LSBEP Examining Committee consisting of Drs. Greg Gormanous and Michelle Moore. The Board discussed the results of the examination in executive session. Finding that **Dr. Samaha** has met the qualifications for licensure, Dr. Moore moved that **Dr. Samaha** be granted a license to practice

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psychology with a declared specialty in School Psychology. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

- **Kate E. Glywasky, Psy.D.** – appeared for examination via Video Conference on October 30, 2020 before an LSBEP Examining Committee consisting of Drs. Greg Gormanous and Michelle Moore. The Board discussed the results of the examination in executive session. Finding that **Dr. Glywasky** has met the qualifications for licensure, Dr. Gormanous moved that **Dr. Glywasky** be granted a license to practice psychology with a declared specialty in Clinical Neuropsychology. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- **Yelena L. Johnson, Ph.D. (CL)** - appeared for examination via Video Conference on October 30, 2020 before an LSBEP Examining Committee consisting of Drs. Greg Gormanous and Michelle Moore. The Board discussed the results of the examination in executive session. Finding that **Dr. Johnson** has met the qualifications for licensure, Dr. Moore moved that **Dr. Johnson** be granted a license to practice psychology with a declared specialty in Clinical Psychology. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- **Nicholas T. Tworek, Psy.D. (CL)** – appeared for examination via Video Conference on November 4, 2020 before an LSBEP Examining Committee consisting of Drs. Greg Gormanous and Shannae Harness. The Board discussed the results of the examination in executive session. Finding that **Dr. Tworek** has met the qualifications for licensure, Dr. Gormanous moved that **Dr. Tworek** be granted a license to practice psychology with a declared specialty in Clinical Psychology. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- **Jennifer B. Rioux, Ph.D. (SC)** - appeared for examination via Video Conference on November 11, 2020 before an LSBEP Examining Committee consisting of Drs. Greg Gormanous and Shannae Harness. The Board discussed the results of the examination in executive session. Finding that **Dr. Rioux** has met the qualifications for licensure, Dr. Gormanous moved that **Dr. Rioux** be granted a license to practice psychology with a declared specialty in School Psychology. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- **Sonya H. Lydick, Psy.D.** - appeared for examination via Video Conference on November 11, 2020 before an LSBEP Examining Committee consisting of Drs. Greg Gormanous and Gina Gibson. The Board discussed the results of the examination in executive session. Finding that **Dr. Lydick** has met the qualifications for licensure, Dr. Gibson moved that **Dr. Lydick** be granted a license to practice psychology with a declared specialty in Clinical Psychology. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- **Arielle A. Brown, Ph.D.** – appeared for examination via Video Conference on November 13, 2020 before an LSBEP Examining Committee consisting of Drs. Greg Gormanous and Michelle Moore. The Board discussed the results of the examination in executive session. Finding that **Dr. Brown** has met the qualifications for licensure, Dr. Gormanous moved that **Dr. Brown** be granted a license to practice psychology with a declared specialty in Counseling Psychology. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

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4. Legislative Oversight Committee – Dr. Gormanous reported that HB94 related to Licensing Fees was vetoed by the Governor. Ms. Monic reported that the AdHoc Legislative Collaborative Committee would be meeting to discuss SB458(2019) on December 4 from 1p.m.-5p.m.

5. Supervision/Credentials Committee – Report and motions on Executive Session discussion:

SUPERVISION/CREDENTIALS: File Reviews [LSA-R.S. 42.17.A(1)]

Dr. Henke reported file reviews conducted with Ms. Monic via video conference. Following discussion with the Board in executive session, Dr. Henke offered the following recommendations:

- Dr. Henke finding that **Drs . Trina M. Hall, Ph.D. Alana Delores Lopez, Ph.D., Hallie Weiner, Ph.D., Elizabeth Zick, Ph.D., and Kathleen Nyborg** have met the requirements for Temporary Registration, recommended the approval of these applicants for temporary practice. Dr. Gormanous moved to accept the recommendation of Dr. Henke. The Board discussed the motion and recommendation. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- Dr. Henke moved that Ms. Monic be authorized to grant Temporary Practice Registrations to **Drs. Mark A. Zaroff and Frank DiCataldo** on receipt of passing Jurisprudence Examination and fees, finding that the applicants have otherwise met the requirements for Temporary Registration Dr. Gormanous moved to accept the recommendation of Dr. Henke. The Board discussed the motion and recommendation. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- Dr. Henke recommended that the candidacy status of **Drs. Jessica H. Picone and Patrick R. Morin** be approved, and that the candidates be admitted to the Examination for Professional Practice in Psychology (EPPP). Dr. Gormanous moved to accept the recommendation of Dr. Henke. The Board discussed the motion and recommendation. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- Dr. Henke recommended that the candidacy status of **Drs. Nathalie A. Cahill, Shannon S. Sanders, Joseph W. Boffa and Georgia L. Shaheen** be approved and finding that the requirements for Provisional Licensure had been met, recommended that the candidates be Provisionally Licensed for early admission to the Examination for Professional Practice in Psychology (EPPP). Dr. Gormanous moved to accept the recommendation of Dr. Henke. The Board discussed the motion and recommendation. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- Dr. Henke recommended that the candidacy status of **Drs. Kara M. Dingess, Chelsea R. Ennis, Edwin A. Brennan, Angelia R. Spurgin and Krishanan R. Mohandie** be confirmed, and that the Board invite Drs. Dingess, Ennis, Brennan and Spurgin to complete the Oral Examination requirements for licensure, and Dr. Mohandie to complete a Face to Face meeting requirement for licensure. Dr. Gormanous moved to accept the recommendation of Dr. Henke. The Board discussed the motion and recommendation. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
- Finding that **Dr. Bryce B. Summers** had submitted the required fee, application and continuing professional development materials for license reinstatement, Dr. Henke recommended that the license of **Dr. Bryce B. Summers** be reinstated for the remainder of Fiscal Year 2020-2021. Dr. Gormanous moved to accept the recommendation of Dr. Henke. The Board discussed the motion and recommendation. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

6. Complaints Committee – Report and motions on Executive Session discussion:

COMPLAINTS [LSA-R.S.42.17.A(4)]

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Complaints Committee (AH/GGi) - Public Protection: Dr. Henke reported on the following executive session discussion items:

1. **Executive Session Meeting with Christopher Garner, Psy.D. and Attorney Ashly Van Earl In the Matter No. P17-18-04C, Compliance review and consideration for return to supervised practice.** Dr. Henke reported the Board thoroughly conducted a compliance review in this matter in consideration of a request from Dr. Garner to lift the suspension of his license to return to supervised practice. Dr. Garner and Attorney Van Earl were present to answer questions for the Board. Following extensive, review, discussion and careful consideration, the Board determined that Dr. Garner had not successfully completed the requirements mandated for termination of the suspension period as set forth in the Consent Order. Dr. Henke moved that the board empower Attorney Courtney P. Newton, in collaboration with LSBEP Vice Chair Gina Gibson to follow up with a letter to Dr. Garner's Attorney, Mr. Van Earl detailing the Board's findings and specifically outlining the outstanding information needed in order for the Board to consider Dr. Garner's request to return to supervised practice, including the submission of required medical records, submission of a supervised practice plan for board review, facilitating all recommendations from evaluation, and demonstrating ongoing learning and commitment to ethical practice through continuing education courses focused on ethics, boundaries, and dual relationships.
2. **P19-20-08C** - (*Complaint Committee Assigned: Dr. Sasha Lambert, Dr. Amy Henke, and Mr. Justin Owens*) - Dr. Henke presented this case to the Board in Executive Session, and reported that following thorough investigation, review and consideration of all evidence in this matter by the Complaint Investigation Committee assigned to this case, the Committee found insufficient evidence that a violation of the Psychology Practice Act had occurred. The Committee recommended that the matter be dismissed without further investigation or action. The Board thoroughly discussed this matter, and considered the recommendation of the Committee. Dr. Gormanous moved to accept the Complaint Investigation Committee's recommendation. No additional motions were offered. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)
3. **P19-20-13B (Self-Report)** – Following review, the Board requested additional information be provided prior to considering a recommendation in this matter.
4. **NP20-21-12B – New NP Case Assignment** – The Board discussed this matter. The case was assigned to Dr. Michelle Moore to coordinate the investigation against an unlicensed individual.
7. **Public and Professional Outreach Committee** – Dr. Henke requested that board members be vigilant with submitting articles for the next newsletter. She stated her goal would be to publish the next issue prior to the December 2020 board meeting.
8. **Liaison to Professional Organizations**
 - a. Ms. Monic reported that the LSSP Committee would be presenting at the LSPA Annual Conference which is virtual on January 29, 2020 at 9:00a.m.
 - b. Dr. Henke reported on her participation at ASPPB's Meeting of Board/College Chairs on October 22, 2020. She reported that the EPPP was discussed and other jurisdictions seemed unaware that ASPPB intended to restrict candidates from taking both part I and II of the EPPP if the jurisdiction they were applying though was not requiring part II for licensure. Dr. Henke reported that 100% of the participants at this meeting were opposed to such restriction.

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- c. Dr. Henke reported that her request to modify the confidentiality agreement related to her participation as a Planning Committee Representative for the ASPPB Midyear Meeting in April 2021, New Orleans, was rejected by ASPPB.
- 9. Long Range Planning Committee – The board discussed this meeting. Dr. Harness requested consideration of a new date due to a conflict she has with the January 21-22 dates. The board discussed this matter and agreed to push the meeting back to the following week of January 28-29, 2021.
- 10. Jurisprudence Examination Committee – Dr. Gibson reported creating additional examination questions which have been provided to board members for review. The board discussed eliminating two questions on the current form and grading based on 25 questions. The Board discussed this matter and approved elimination of the two problem questions. The Board approved the current passing as 72% or a minimum of 18 correct.
- 11. Continuing Professional Development Committee – no report.

DISCUSSION/ACTION ITEMS

1. 2020-21 Budget Review - Required to ensure financial solvency, vital to operations, statutorily required under La. R.S. 39: 1335

a. Public Comment: Email letter from Mike Chafetz to Amy Henke Re Board Finances

The Board received public comments from Dr. Mike Chafetz. Dr. Chafetz commented that he believed the board could do better on the money spent on rent; Dr. Chafetz suggested reviewing how Medical Psychologists are regulated in relation to the portion of their practice that is purely psychological; Dr. Chafetz suggested that the complaints process potentially involve a volunteer committee composed of forensic psychologists to review complaints involving custody/forensic evaluations prior to the board opening an investigation in these matters.

The board thanked Dr. Chafetz and took his recommendations under advisement. The board did not engage in discussion or further review of the budget at this time.

2. CERTEMY Online Application and Renewal System/Payment Processor- Development of an online application and renewal system is critical to continuing licensing services and timely processing applications electronically limiting the spread of coronavirus.

–Following investigation and having provided the board with the same information, Ms. Monic recommended using Stripe as the payment processor. The Board discussed this recommendation. Dr. Moore moved in favor of using Stripe as the payment processor for the CERTEMY application and licensing platform. The Board discussed this motion. The motion passed by roll call vote as follows: In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

3. Rulemaking Assignments and Timelines– Cannot be delayed due to impacts on public protection and safety, time sensitive deadlines imposed by the Legislative Fiscal Office, Louisiana Register, and the , required to ensure financial solvency, vital to operations, and statutorily.

The Board discussed rulemaking related to a. Fees; b. Continuing Professional Development; c. Inactive License Status; d. Emeritus Status; e. Summary Suspension Procedures; and f. Other Required Rulemaking to correct technical errors and comply with statutory requirements to engage in rulemaking: La. Rev. Stat. Ann. § 49:953.C. - Procedure for an interested person to petition the agency for rulemaking and Telepsychology.

Ms. Monic agreed to provide a draft for review in December. Dr. Moore agreed to work with Ms. Monic regarding the Telepsychology rules. The Board discussed potentially writing rules for Health Service Provider vs General Psychologist and agreed to add this discussion to the Long Range Planning meeting agenda.

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4. **POLICIES AND PROCEDURES** – The Board reviewed draft recommendations for amending the current Policies and Procedures. Following review and suggested edits, the board approved an updated Policies and Procedures manual to include: a. Disaster recovery/business continuity Information Technology – Legislative Mandate/Vital to Operations; b. Cybersecurity Awareness Training – Legislative Mandate/Vital to Operations; c. Electronic Signatures and d. Reimbursement of Surplus Property
5. **OPINION - Mandatory Reporting requirements by Psychologists – Critical to ensuring public health, safety and welfare and informing licensees of statutory mandates.** Dr. Moore and Ms. Monic presented this matter given the numerous questions and complaints that arise out of this requirement. Ms. Monic requested this opinion as guidance for the Complaint Committee in reviewing and determining violations. The board discussed this matter, no action was taken on this matter.
 - **ASPPB – Examinations Stakeholder Technical Advisory Group (ESTAG) – This matter is time sensitive and in the determination of the Chairperson should not be delayed (requires 2/3rds vote to discuss).** The Board reviewed a letter from ASPPB regarding the establishment of this Advisory Group to ASPPB.
6. **ASPPB – Item Review Panel for EPPP2 - This matter is time sensitive and in the determination of the Chairperson should not be delayed (requires 2/3rds vote to discuss).** The Board reviewed a letter from ASPPB regarding the establishment of an Item Review Panel for the EPPP2. The Board also reviewed a letter from Jennifer L. Callahan, Ph.D. ABPP President, Society for the Advancement of Psychotherapy (APA Division 29) sent a letter to the LSBEP related to their objections to the EPPP and EPPP2 and noting that the establishment of this panel did not address the concerns of Division 29.
7. **APPLICATION FORMS – Declaration of Competencies/Specialty Declaration – This matter is critical to licensing in the determination of the Chairperson should not be delayed (requires 2/3rds vote to discuss).** The board reviewed a revision to this form to incorporate the Specialty Declaration and acknowledgment statement that such declaration is an option offered by the LSBEP. The Board discussed the revisions and unanimously approved the updated form to be implemented immediately.

At 4:00 p.m., Dr. Moore moved to adjourn the meeting. In favor:(6) Henke, Gormanous, Gibson, Moore, McNeely, Harness; Against: (0); Abstained: (0); Absent: (0)

LEGAL NOTICES

La. R.S. 37:23.2 - In compliance with La. R.S. 37:23.2, the LSBEP hereby gives notice to its licensees and applicants of their opportunity to file a complaint about board actions and board procedures. You may submit such complaints to one or more of the following organizations: Louisiana State Board of Examiners of Psychologists: Submit in writing to: LSBEP, 4334 S. Sherwood Forest Boulevard, #C-150, Baton Rouge, LA 70816; admin.lsbep@la.gov; (225)925-6511; Committee on House & Governmental Affairs, La. House of Representatives: Submit to: H&GA@legis.la.gov or Committee on House & Governmental Affairs, La. House of Representatives, PO Box 44486, Baton Rouge, LA 70804; (225) 342-2403; Committee on Senate & Governmental Affairs; La Senate: Submit to: s&g@legis.la.gov or Committee on Senate & Governmental Affairs; La Senate PO Box 94183, Baton Rouge, LA 70804; (225)342-9845

LA R.S. 42.14.D. Public comments** – In accordance with LA R.S. 42.14.D., the LSBEP shall allow public comments at any point in the meeting prior to action on an agenda item upon which a vote is to be taken. Individuals who wish to comment on a matter must sign in and state their intent to comment on a matter.

La. R.S. 44:33.1 - In compliance with La. R.S. 44:33.1, the LSBEP hereby gives notice that information submitted to the LSBEP may become public record pursuant to the provisions of Louisiana Public Records Law, La. R.S. 44:1, et seq.

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