

OCCUPATIONAL LICENSING REVIEW COMMISSION
Minutes for Tuesday, February 12, 2019

I. Call to Order: The meeting was called to order at 2 p.m. by Chair Erin Monroe Wesley.

II. Roll Call

Commission Members Present:	Erin Monroe Wesley, Designee of the Governor Allison Clarke, Designee of the Secretary of State Todd Parker, Designee of the Commissioner of Agriculture and Forestry Barry Ward, Designee of the Commissioner of Insurance Renee Free, Designee of the State Treasurer
Commission Members Absent:	None
Support Staff Members Present:	Ellen Palmintier, Office of the Governor

III. Adoption of Minutes from the January 31, 2019 Meeting

Upon motion for approval and seconded, the Board voted unanimously to approve the minutes of the Occupational Licensing Review Commission Organizational Board Meeting held on January 31, 2019.

IV. Review of Submissions Received

A. Louisiana State Board of Architectural Examiners

- i. LAC 46:I.1101. Registration Information
- ii. LAC 46:I.1105. Licenses
- iii. LAC 46:I.1301. Renewal Procedure

Appearances: Katherine Hillegas, Executive Director, Louisiana Board of Architectural Examiners
Phil Spaht, Board Attorney, Louisiana Board of Architectural Examiners

Executive Director Hillegas provided explanation of proposed rule changes for increase fees for initial and reciprocal applications and to establish new fee for replacement certificates. The last increase in fees was approved in 2003. Also, technical clarification changes in rule the differences between licenses and certificates.

Agriculture and Forestry Designee Board Member Todd Parker – motioned approval.
Insurance Department Designee Board Member Barry Ward – seconded approval motion.
Board unanimously voted approval on all proposed rule changes.

B. State Board of Cosmetology

- i. LAC 46:XXXI.309. Examination of Applicants
- ii. LAC 46:XXXI.310. Requirements for High School Cosmetology Courses
- iii. LAC 46:XXXI.311. Reporting School Hours
- iv. LAC 46:XXXI.315. Responsibilities of Schools
- iv. LAC 46:XXXI.317. Equipment Required in Cosmetology Schools
- v. LAC 46:XXXI.321. Responsibilities of Schools
- vi. LAC 46:XXXI.501. Booth Renters
- vii. LAC 46:XXXI.505. Cosmetology Instructors
- ix. LAC 46:XXXI.707. Equipment Required in Salons Offering Esthetics Services

- x. LAC 46:XXXI.709. Equipment Required in Salons Offering Manicuring Services
- xi. LAC 46:XXXI.710. Equipment Required in Threading Facilities
- xii. LAC 46:XXXI.711. Procedures for Esthetics Services
- xiii. LAC 46:XXXI.715. Disposable Equipment
- xiv. LAC 46:XXXI.1707. Remodeling
- xv. LAC 46:XXXI.1709. Picture Identification
- xvi. LAC 46:XXXI.1711. NSF Checks

Appearances: Steve Young, Executive Director, Louisiana Board of Cosmetology
Celia Cangelosi, Board Attorney, Louisiana Board of Cosmetology

Executive Director Young and Board Attorney Cangelosi provided explanation of proposed modernization and technical rule changes which were needed to confirm to changes in statute and technology. Proposed changes also included updated definitions, educational, equipment, uniforms, continuing education, inspections, identification, payment and reporting requirements.

Treasury Department Designee Board Member Renee Free requested clarification on rule change of posting school attendees and privacy concerns. Executive Director Young indicated that no private information would be posted. Additionally, Member Free inquired about requirement for new school deadlines and Attorney Cangelosi indicated that those changes would be addressed to handle new schools.

Agriculture and Forestry Designee Board Member Todd Parker requested clarification of continuing education master instructor requirements. Representatives Young and Cangelosi clarified definition.

Chairwoman Monroe Wesley questioned qualification in other states and Executive Director Young indicated that Louisiana is consistent with and has reciprocal agreements with other states. Additionally, Mr. Young indicated that while mainly consistent; Louisiana has additional educational requirements that other states do not mandate.

Insurance Department Designee Board Member Barry Ward, questioned whether delinquent student hours reporting requirements would adversely affect the enrolled student. Executive Director Young indicated that adverse action or requirements that affected a school would never negatively affect the individual student.

Treasury Department Designee Board Member Renee Free – motioned approval.
Agriculture and Forestry Designee Board Member Todd Parker – seconded approval motion.
Board unanimously voted approval on all proposed rule changes.

C. Louisiana Board of Professional Geoscientists

- i. LAC 46:LXII.1501. Use of Seals

Appearances: Harry Vorhoff, Board Attorney, Louisiana Board of Professional Geoscientists
Brenda Macon, Executive Secretary, Louisiana Board of Professional Geoscientists
Bill Schramm, Licensed Professional Geoscientist and Board Member,
Louisiana Board of Professional Geoscientists

Board Attorney Harry Vorhoff provided explanation of proposed rule change requirement for sealing and stamping geoscientific documents and definitions of geoscientific documents.

Treasury Department Designee Board Member Renee Free inquired about weather rules were consistent with other state mandates and similar board and licensing requirements. Executive Secretary Brenda Macon indicated surrounding states are similar and consistent in requirements and structure of board. Ms. Macon also indicated there are over 1200 licensed members.

Agriculture and Forestry Designee Board Member Todd Parker –motion from approval.
Secretary of State Designee Board Member Allison Clarke – seconded approval motion.
Board unanimously voted approval on all proposed rule changes.

D. Louisiana Licensed Professional Counselors Board of Examiners

- i. LAC 46:LX.3105. Definitions for Licensed Marriage and Family Therapists and Provisional licensed Marriage and Family Therapists
- ii. LAC 46:LX.3309. Academic Requirements for MFT Licensure or Provisional Licensure
- iii. LAC 46:LX.3315. Application, Practice, and Renewal Requirements for Provisional Licensed Marriage and Family Therapists
- iv. LAC 46:LX.3316. Active, Inactive, Lapse, Retired Status
- iv. LAC 46:LX.3317. Qualifications of the LMFT-Approved Supervisor, LMFT-Registered Supervisor Candidate, Board-Approved Supervisor, and Registered Supervisor Candidate
- v. LAC 46:LX.3319. Responsibilities of the Provisional Licensed Marriage and Family Therapist
- vi. LAC 46:LX.3701. Endorsement

Appearances: Jamie S. Doming, Executive Director,
Louisiana Licensed Professional Counselors Board of Examiners

Executive Director Jamie Doming presented proposed rule changes including technical definitions, academic licensing requirements as mandated in statute, hourly requirements for licensing changed to percentage, licensing status requirements, qualifications for approved supervision, instate licensee requirement to practice and also allowing for out of state portability. Proposed changes were prompted in response to repeated request for clarification from licensees, patients and public. Executive Director Doming indicated that her licensees were in favor of these changes including licensed counselors who make up eighty percent of membership.

Treasury Department Designee Board Member Renee Free – motioned approval.
Agriculture and Forestry Designee Board Member Todd Parker – seconded approval motion.
Board unanimously voted approval on all proposed rule changes.

E. Louisiana Physical Therapy Board

- i. LAC 46:LIV.120. Rule Promulgation, Amendment, and Appeal Procedures
- ii. LAC 46:LIV.121. Declaratory Orders and Advisory Opinions
- iii. LAC 46:LIV.123. Definitions
- iv. LAC 46:LIV.311. Treatment with Dry Needling
- iv. LAC 46:LIV.337. Clinical Instruction of Student PTs and PTAs
- v. LAC 46:LIV.501. Fees

Appearances: NO APPEARANCES.

Board Support Staff Ellen Palmintier presented rule changes, appeal procedures declaratory orders and advisory opinions to follow statutory requirements. Changes also addressed proposed technical definitions, revised continuing education documentation requirements and two new fees.

Treasury Department Designee Board Member Renee Free requested clarification claim of administratively over burdensome requirements to provide certifications. Board Member Free objected to proposed rule change LAC 46:LIV.120.

Ms. Free questioned cost mentioned in proposed rule change but no cost specifically given. Ms. Palmintier indicated there was a maximum amount of \$250 regarding the compact and renewal fee is \$140 dollars. Due to uncertainty of actual cost no set fee was proposed. Ms. Free object to setting a range not a set cost for fee.

Insurance Department Designee Board Member Barry Ward, questioned proposed fee for mailing list for Louisiana Physical Therapy Board that similar record request that are currently provided through public record request through Department of Insurance.

Motion for Approval:

LAC 46:LIV.120. Rule Promulgation, Amendment, and Appeal Procedures

LAC 46:LIV.121. Declaratory Orders and Advisory Opinions

LAC 46:LIV.123. Definitions

LAC 46:LIV.337. Clinical Instruction of Student PTs and PTAs

Motion for Deferment:

LAC 46:LIV.311. Treatment with Dry Needling

LAC 46:LIV.501. Fees

Treasury Department Designee Board Member Renee Free – motioned approval for rule change one and two and defer proposed rule three and four until clarification is provided.

Agriculture and Forestry Designee Board Member Todd Parker – seconded motion.

Board unanimously voted approval and deferment on motions for rule changes.

V. Public Comments

No public comments.

VI. Other Business / Next meeting date

No other business. No additional business.

Ms. Palmintier reviewed the resolutions regarding actions conducted at this meeting of the Occupational License Review Commission. Treasury Department Designee Board Member Renee Free motioned for adoption of the resolution. Insurance Department Designee Board Member Barry Ward seconded the motion. Board unanimously voted approval of the resolution.

The next meeting date will be Thursday, March 14, 2019 at 2 p.m., Location: Louisiana State Capitol Legislative Committee Room; Room: TBD. Date set for submissions for next agenda is Monday, March 4, 2019, which should be sent to boards@la.gov.

Occupational License Review Commission resolution will be available shortly following the meeting and sent to the Louisiana State Register.

VII. Adjournment

A motioned was made to adjourn the meeting. Chairwoman Monroe Wesley seconded the motion. The motion was passed, and the meeting was adjourned.