

## RESOLUTION

**WHEREAS**, is it necessary for the Occupational Licensing Review Commission to adopt a resolution detailing the processes, procedures, and timelines that will govern the submission of proposed occupational regulations by occupational licensing boards: NOW, THEREFORE, BE IT RESOLVED BY THE OCCUPATIONAL LICENSING REVIEW COMMISSION, that the following shall be the definitions, processes, procedures, and timelines that will govern the submission of proposed occupational regulations by occupational licensing boards:

1. *Definitions.*

- A. OLB(s) – Occupational Licensing Board(s).
- B. Commission – Occupational Licensing Review Commission.
- C. Submission – Any documents required to be submitted to the Commission.

2. *Initial Proposed Regulation Submission Required.* OLBs must submit any proposed regulation to the Commission and receive written approval and authorization to initiate promulgation in accordance with the Administrative Procedures Act (APA) before the OLB may give notice of intent of the proposed rule to the Office of the Louisiana Register.

For emergency rules that are required to be filed with the office of the state register under the authority of La. R.S. 49:953(B), concurrent submission to the Commission is required upon initial filing.

For proposed occupational regulations not subject to promulgation and adoption in accordance with the APA, OLBs must submit the proposed regulation to the Commission for approval prior to enforcement.

3. *Final Proposed Regulation Submission Required.* Prior to submission of the notice of final regulation to the proper legislative oversight committees, OLBs shall submit the proposed regulation to the Commission and receive written approval to proceed from the Commission.

4. *Other Submissions Required.* A rule, regulation, restraint, practice, or policy that allows an individual to use an occupational title or work in a lawful occupation including registrations, certifications, and occupational licenses must be submitted to the Commission before it becomes effective.

5. *Medium and Manner of Submission.*

- A. OLBs shall submit all documents electronically to the Commission.
- B. An **initial** proposed regulation submission shall include a PDF version of the rule, regulation, restraint, practice, policy, registration, certification, or occupational license for which the OLB is seeking approval.
- C. A **final** proposed regulation submission shall include a PDF version of the proposed rule text as it is required to be filed with the Louisiana Register, a summary of any changes made to the proposed regulation or an indication that no changes were made to the proposed regulation, and any comments received during the comment period or a recording of the minutes of any proceeding.
- D. **All** submissions shall include a separate PDF document that includes a short explanation of the state policy with which the submission is in compliance. However, this is not required for emergency rules filed under the authority of La. R.S. 49:953(B).
- E. **All** submissions shall include the contact information for the person responsible for the submission including that person's name, email address, and telephone number.
- F. **All** submissions shall be sent to boards@la.gov for filing with the Commission.
- G. For submissions that are too large to submit through email, the submission must be made through readily usable electronic storage media such as a compact disc or a jump drive. Further, both storage media and any outer cover for the media must

contain the following information:

- a. Occupational Licensing Board name,
- b. Contact person,
- c. Phone number, and
- d. Email address.

The electronic storage media must be delivered to the following address:

Office of the Governor  
Attn: Occupational Licensing Review Commission  
P.O. Box 94004  
Baton Rouge, LA 70804

- H. The Commission shall issue an email response to the OLB acknowledging receipt of the submission.

5. *Review by Commission.* All submissions shall be reviewed by the Commission and shall be either approved, disapproved, disapproved with suggested amendment, or the OLB will be allowed to withdraw for revision.

6. *Approval by Commission.* All approved submissions shall be listed in a Resolution passed by the Commission. The Resolution shall include the date, the name of each OLB, and a description of each approved submission. The Resolution shall be sent to the OLB whose submission has been approved.

7. *Disapproval by Commission.* OLBs whose rules have been disapproved by the Commission shall receive an email response within 30 days of the date the OLB provides the proposed regulation to the Commission for review. The email shall state that the submission has been disapproved or disapproved with suggested amendment.

This Resolution was ADOPTED by unanimous vote of the Commission on January 31, 2019.

  
Erin Monroe Wesley, Chair