

I. If a timely administrative appeal has been filed by a facility with a provisional initial license that has expired or by an existing provider whose provisional license has expired under the provisions of this Chapter, the Division of Administrative Law shall conduct the hearing pursuant to the Louisiana Administrative Procedure Act.

1. - 2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2009.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:377 (February 2012), amended LR 42:278 (February 2016).

**§9027. Complaint Surveys**

A. - J.1. ...

a. The offer of the administrative appeal, if appropriate, as determined by the Health Standards Section, shall be included in the notification letter of the results of the informal reconsideration. The right to administrative appeal shall only be deemed appropriate and thereby afforded upon completion of the informal reconsideration.

2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2009.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:378 (February 2012), amended LR 42:279 (February 2016).

**§9029. Statement of Deficiencies**

A. - C.1. ...

2. The written request for informal reconsideration of the deficiencies shall be submitted to the Health Standards Section and will be considered timely if received by HSS within 10 calendar days of the provider's receipt of the statement of deficiencies.

3. - 5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2009.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:379 (February 2012), amended LR 42:279 (February 2016).

**Subchapter H. Additional Requirements for Mental Health PRTFs**

**§9093. Personnel Qualifications, Responsibilities, and Requirements**

A. - A.2.a.iv. ...

b. The clinical director is responsible for the following:

i. providing clinical direction for each resident at a minimum of one hour per month, either in person on-site, or via telemedicine pursuant to R.S. 37:1261-1292 et seq., and LAC 46:XLV.408 and Chapter 75 et seq.;

2.b.i.(a). - 3.a.iv. ...

b. A LMHP or MHP shall provide for each resident a minimum weekly total of 120 minutes of individual therapy.

A.3.c. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2009.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Bureau of Health Services Financing, LR

Rebekah E. Gee MD, MPH  
Secretary

1602#075

**RULE**

**Department of Public Safety and Corrections  
Office of State Fire Marshal**

Detention and Correctional Occupancy Inspections  
(LAC 55:V.1701 and 1703)

In accordance with the provisions of R.S. 49:953(B), the Administrative Procedure Act, the Department of Public Safety and Corrections, Office of State Fire Marshal has amended the following Rule regarding the timeframe for inspections by the Office of State Fire Marshal of detention and correctional occupancies. The Rule is amended due to low staffing levels which currently prohibit the completion of semi-annual inspections.

**Title 55**

**PUBLIC SAFETY**

**Part V. Fire Protection**

**Chapter 17. Detention and Correctional Occupancies  
§1701. Inspection of Detention and Correctional  
Occupancies**

A. All detention and correctional occupancies in the state of Louisiana shall be inspected by the Office of the State Fire Marshal at least annually.

B. The term "detention and correctional occupancies" shall include, but shall not be limited to, detention centers, prisons, jails, penal institutions, and other facilities meeting the definition of a detention and correctional occupancy as defined by the *NFPA 101 Life Safety Code*.

C. Detention and correctional occupancies constructed on or after September 1, 1981 shall comply with the applicable provisions of the National Fire Protection Association's *Life Safety Code* (NFPA 101) for existing detention and correctional occupancies, and with the applicable provisions of the National Fire Protection Association's *Fire Code* (NFPA 1), the latest adopted editions.

D. Detention and correctional occupancies constructed prior to September 1, 1981 shall comply with the applicable provisions of the National Fire Protection Association's *Life Safety Code* (NFPA 101) for existing detention and correctional occupancies, and with the applicable provisions of the National Fire Protection Association's *Fire Code* (NFPA 1), the latest adopted editions, excluding the provisions that address the following:

1. multiple occupancies;
2. standpipe and hose systems;
3. subdivision of building spaces.

E. The minimum aisle spacing between beds in all detention and correctional occupancies shall not be less than 28 inches.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1651(B) and R.S. 40:1563(B)(4).

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of Fire Protection, LR 4:388 (October 1978), repromulgated LR 6:75 (February 1980), amended by the Office of the State Fire Marshal, LR 7:12 (January 1981), LR 8:485 (September 1982), amended by the Department of Public Safety and Corrections, Office of the State Fire Marshal, LR 23:1699 (December 1997), LR 42:279 (February 2016).

**§1703. Basic Requirements**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:1563 and R.S. 40:1563(B)(4).

HISTORICAL NOTE: Promulgated by the Department of Public Safety, Office of Fire Protection, LR 4:388 (October 1978), repromulgated LR 6:75 (February 1980), amended by the Department of Public Safety, Office of the State Fire Marshal, LR 7:12 (January 1981), LR 8:485 (September 1982), repealed by the Department of Public Safety and Corrections, Office of State Fire Marshal, LR 42:280 (February 2016).

Jill P. Boudreaux  
Undersecretary

1602#044

**RULE**

**Department of Public Safety and Corrections  
Office of State Police**

Federal Motor Carrier Safety and Hazardous Materials  
(LAC 33:V.10303)

The Department of Public Safety and Corrections, Office of State Police, in accordance with R.S. 49:950 et seq., and R.S. 32:1501 et seq., has amended its rules regulating motor carrier safety and hazardous materials by updating the revision date of the adopted federal motor carrier regulations to August 10, 2015.

**Title 33**

**ENVIRONMENTAL QUALITY**

**Part V. Hazardous Wastes and Hazardous Materials**

**Subpart 2. Department of Public Safety and**

**Corrections—Hazardous Materials**

**Chapter 103. Motor Carrier Safety and Hazardous Materials**

**§10303. Federal Motor Carrier Safety and Hazardous Materials**

A. The following federal motor carrier safety regulations and hazardous materials regulations promulgated by the United States Department of Transportation, revised as of August 10, 2015, and contained in the following parts of 49 CFR as now in effect or as hereafter amended, are made a part of this Chapter.

| Hazardous Material Regulations |  |
|--------------------------------|--|
| Part 107                       | Hazardous Materials Program Procedures   |
| Part 171                       | General Information, Regulations, and Definitions  |
| Part 172                       | Hazardous Materials Table, Special Provisions, and Hazardous Materials Communications, Emergency Response Information, and Training Requirements |
| Part 173                       | Shippers—General Requirements for Shipments and Packagings   |
| Part 177                       | Carriage by Public Highways  |
| Part 178                       | Specifications for Packagings  |
| Part 180                       | Continuing Qualification and Maintenance of Packagings   |

| Motor Carrier Safety Regulations |  |
|----------------------------------|--|
| Part 355                         | Compatibility of State Laws and Regulations Affecting Interstate Motor Carrier Operations          |
| Part 360                         | Fees for Motor Carrier Registration and Insurance  |
| Part 365                         | Rules Governing Applications for Operating Authority   |
| Part 367                         | Standards for Registration with States   |
| Part 373                         | Receipts and Bills   |
| Part 374                         | Passenger Carrier Regulations  |
| Part 375                         | Transportation of Household Goods in Interstate Commerce   |
| Part 376                         | Consumer Protection Regulations  |
| Part 379                         | Lease and Interchange of Vehicles  |
| Part 379                         | Preservation of Records  |
| Part 382                         | Controlled Substances and Alcohol Use and Testing  |
| Part 383                         | Commercial Driver's License Standards, Requirements and Penalties                                  |
| Part 384                         | State Compliance with Commercial Driver's License Program  |
| Part 385                         | Safety Fitness Procedures  |
| Part 386                         | Rules of Practice for Motor Carrier, Broker, Freight Forwarder and Hazardous Materials Proceedings |
| Part 387                         | Minimum Levels of Financial Responsibility for Motor Carriers                                      |
| Part 388                         | Cooperative Agreements with States   |
| Part 389                         | Rulemaking Procedures—Federal Motor Carrier Safety   |
| Part 390                         | Federal Motor Carrier Safety Regulations, General  |
| Part 391                         | Qualifications of Drivers  |
| Part 392                         | Driving of Commercial Motor Vehicles   |
| Part 393                         | Parts and Accessories Necessary for Safe Operation   |
| Part 395                         | Hours of Service of Drivers  |
| Part 396                         | Inspection, Repair, and Maintenance  |
| Part 397                         | Transportation of Hazardous Materials; Driving and Parking Rules                                   |

AUTHORITY NOTE: Promulgated in accordance with R.S. 32:1501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 14:31 (January 1988), amended LR 17:1115 (November 1991), LR 19:351 (March 1993), LR 20:58 (January 1994), LR 24:956 (May 1998), LR 24:2321 (December 1998), LR 29:711 (May 2003), LR 30:447 (March 2004), LR 32:641 (April 2006), LR 34:882 (May 2008), amended by the Department of Public Safety and Corrections, Office of State Police, Transportation and Environmental Safety Section, LR 37:1613 (June 2011), LR 38:1417 (June 2012), amended by the Department of Public Safety and Corrections, Office of State Police, LR 40:371 (February 2014), LR 42:280 (February 2016).

Jill P. Boudreaux  
Undersecretary

1602#007

**RULE**

**Department of Revenue  
Policy Services Division**

Administrative Fees (LAC 61:III.1701)

Under the authority of R.S. 47:1507 and R.S. 47:1511, and, in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division has adopted LAC 61:III.1701, Administrative Fees, to implement the fees authorized by Act 130 of the 2015 Regular Session of the Louisiana Legislature.

Act 130 of the 2015 Regular Session of the Louisiana Legislature amended and reenacted R.S. 47:1507 to provide for fees for searching for tax returns and other documents subject to R.S. 47:1508, authenticating records, and