

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 PRTTs

§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

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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