

§1937. Severability

A. If any provision or item of this regulation, or the application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of the regulation which can be given effect without the invalid provisions, items, or applications.

AUTHORITY NOTE: Promulgated in accordance with R.S. 6:121, R.S. 6:121.2, R.S. 6:1385, R.S. 6:1386, R.S. 6:1387, R.S. 6:1388, R.S. 6:1389, R.S. 6:1392, and R.S. 6:1394.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Office of Financial Institutions, LR 48:2566 (October 2022), repromulgated LR 49:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. This proposed Rule has no known impact on family formation, stability, or autonomy as described in R.S. 49:972.

Poverty Impact Statement

The proposed Rule has no known impact on poverty, pursuant to R.S. 49:973.

Small Business Analysis

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating this proposed Rule. This proposed Rule has no known impact on small businesses, pursuant to R.S. 49:978.4.

Provider Impact Statement

The proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

Interested persons may offer public comment through 5 p.m. CST on December 10, 2022, to Susan Rourpich, General Counsel, Office of Financial Institutions, 8660 United Plaza Boulevard, Second Floor, Baton Rouge, LA 70809.

Stanley M. Dameron
Commissioner

**FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Virtual Currency Business Activity**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule will increase cost in the Office of Financial Institutions (OFI) by \$144,306 in FY 23, \$330,806 in FY 24 and \$336,758 in FY 25. The OFI is currently responsible for the regulatory oversight of persons engaging in virtual currency business activity in the state of Louisiana pursuant to the Virtual Currency Act (VCBA), R.S. 6:1381 et seq., as enacted by Acts 341 of the 202 Regular Session in virtual currency business activity, or hold themselves out as being able to engage in virtual currency business activity, with or on behalf of a Louisiana resident, pursuant to the VCBA. The proposed rule will not result in any cost or savings to local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule will increase revenue collection by \$265,750 in FY 23, \$286,250 in FY 24, and \$372,250 in FY 25. The proposed rule will not have a material impact on OFI's source of funding, since the revenues generated will exceed the implementation costs. OFI expects revenue collections to

increase in subsequent years as more entities are licensed and/or file registrations in order to conduct virtual currency business activity in the state of Louisiana.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

OFI anticipates the costs associated with implementation and regulation will be reasonable to directly affected persons, small businesses, or non-governmental groups resulting from the proposed rule. However, the economic benefits to directly affected persons, small business, or non-governmental groups could be substantial through the expansion of virtual currency business activity in the state of Louisiana.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

OFI anticipates that the proposed rule will have a favorable impact on competition and employment in the private sector through the expansion of virtual currency business activity in the state of Louisiana.

Stanley M. Dameron
commissioner
2211#064

Alan M. Boxberger
Interim Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health
Emergency Response Network**

LERN Destination Protocol:TRAUMA (LAC 48:I.19123)

Notice is hereby given that the Emergency Response Network Board has exercised the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and intends to codify in LAC 48:I.Chapter 191, Section 19123, a protocol adopted and promulgated on August 18, 2022, by the Emergency Response Network Board for the transport of trauma and time sensitive ill patients, adopted by authorized by R.S. 9:2798.5 (to replace the protocol adopted by December 10, 2015, codified in LAC 42:904 (December 10, 2015)) as LAC 48:I.Chapter 191, Section 19123. The rule will be effective January 1, 2023.

Title 48

PUBLIC HEALTH—GENERAL

Part I. General Administration

Subpart 15. Emergency Response Network

Chapter 191. Trauma Protocols

§19123. LERN Destination Protocol: TRAUMA

A. On August 18, 2022, the Louisiana Emergency Response Network Board [R.S. 40:2842(1) and (3)] adopted and promulgated “LERN Destination Protocol: TRAUMA”, and replacing the “LERN Destination Protocol: TRAUMA” adopted and promulgated December 10, 2015, as follows:

1. Call LERN Communication Center at (866) 320-8293 for patients meeting the following criteria.

Assess for Extremis		
<ul style="list-style-type: none"> • Unmanageable airway • Tension pneumothorax • Traumatic cardiac arrest • Burn patient without patent airway • Burn patient > 40 percent BSA without IV or IO Access 	Yes→	Closest ED/Trauma Center

No↓		
Measure vital signs and Mental Status		
<ul style="list-style-type: none"> • Unable to follow commands (Motor GCS < 6) • RR <10 or > 29 breaths per minute (<20 in infant aged <1 year) • Respiratory distress or need for support • Room air pulse oximetry <90% • Age 0-9: SBP <70 mmHG + (2 x age in years) • Age 10-64: SBP <90 mmHG or HR > SBP • Age ≥ 65: SBP <110 mmHG or HR > SBP 	Yes→	<p>Transport to Trauma Center/ Trauma Program</p> <p>These patients should be transported to the highest level of care within the defined trauma system. This is a Level 1 or a Level 2 Trauma Center or Trauma Program.</p> <p><i>* If distance or patient condition impedes transport to Level 1 or 2, consider transport to a Level 3 Trauma Center/Trauma Program or most appropriate resourced hospital.</i></p>
No↓		
Assess Injury Patterns		
<ul style="list-style-type: none"> • All penetrating injuries to head, neck, torso, and extremities proximal to elbow or knee • Chest wall instability or deformity or suspected flail chest • Suspected fracture of two or more proximal long-bones • Crushed, de-gloved, mangled, or pulseless extremity • Amputation proximal to wrist or ankle • Suspected pelvic fracture • Skull deformity or suspected skull fracture • Suspected spinal injury with new motor or sensory loss • Active bleeding requiring a tourniquet or wound packing with continuous pressure 	Yes→	<p>Transport to Trauma Center/ Trauma Program</p> <p>These patients should be transported to the highest level of care within the defined trauma system. This is a Level I or a Level 2 Trauma Center or Trauma Program.</p> <p><i>* If distance or patient condition impedes transport to Level 1 or 2, consider transport to a Level 3 Trauma Center/Trauma Program or most appropriate resourced hospital</i></p>
No↓		
Assess mechanism of injury		
<ul style="list-style-type: none"> • Falls from height >10 feet (all ages) • High-risk auto crash <ul style="list-style-type: none"> -- Intrusion, including roof: <ul style="list-style-type: none"> - 12 inches occupant site; - 18 inches any site; - need for extrication for patient entrapped - Ejection (partial or complete) from automobile - Death in the same passenger compartment - Child (Age 0-9) unrestrained or in unsecured child safety seat - Vehicle telemetry data consistent with a high risk of injury • Auto vs. pedestrian/bicyclist 	Yes→	<p>Transport to Trauma Center/Trauma Program</p> <p>which, depending upon the defined trauma system, need not be the highest level trauma center/program. If no Trauma Center/Trauma Program in the region, LCC may route to the most appropriate resourced hospital.</p>

<ul style="list-style-type: none"> thrown, run over, or with significant (>20 mph) impact • Rider separated from transport vehicle with significant impact (ex: motorcycle, ATV, Horse, etc.) 		
No↓		
Assess special patient or system considerations		
<ul style="list-style-type: none"> • Older Adults <ul style="list-style-type: none"> - Age ≥ 65 with evidence of traumatic injury - Fall from any height with evidence of significant head impact - Use of anticoagulant or antiplatelet drugs • Children <ul style="list-style-type: none"> - Age ≤ 5 with evidence of traumatic injury - Fall from any height with evidence of significant head impact • Burns <ul style="list-style-type: none"> - In conjunction with trauma - High voltage electrical injuries • Pregnancy >20 weeks • Major joint dislocations (hip, knee, ankle, elbow) • EMS provider judgment 	Yes→	<p>Transport to Trauma Center/Trauma Program or hospital capable of timely and thorough evaluation and initial management of potentially serious injuries. Consider consultation with medical control.</p>
No↓		
Multi/Mass Casualty Incident	No→	Transport according to protocol

1. When in doubt, transport to a trauma center.
AUTHORITY NOTE: Promulgated in accordance with R.S. 9:2798.5 and R.S. 40:2846(A).
HISTORICAL NOTE: Promulgated by the Department of Health, Emergency Response Network, LR 42:

Family Impact Statement

1. What effect will these rules have on the stability of the family? The proposed Rule will not affect the stability of the family.
2. What effect will this have on the authority and rights of persons regarding the education and supervision of their children? The proposed Rule will not affect the authority and rights of persons regarding the education and supervision of their children.
3. What effect will this have on the functioning of the family? This Rule will not affect the functioning of the family.
4. What effect will this have on family earnings and family budget? This Rule will not affect the family earnings or family budget.
5. What effect will this have on the behavior and personal responsibility of children? This Rule will not affect the behavior or personal responsibility of children.
6. Is the family or local government able to perform the function as contained in this proposed Rule? No, the proposed Rule will have no impact.

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

The impact of the proposed amendment to Section 9119 of the Rule on small business has been considered and it is estimated that the proposed action is not expected to have a significant adverse impact on small business as defined in the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental and economic welfare factors has considered and, where possible, utilized regulatory methods in the drafting of the proposed Rule that will accomplish the objectives of applicable statutes while minimizing the adverse impact of the proposed Rule on small business.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, and no increase on direct or indirect cost. The proposed Rule will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments relative to the proposed Rule until 4:30 p.m., Monday, December 10, 2022 to Paige Hargrove, Louisiana Emergency Response Network, 14141 Airline Hwy., Suite B, Building 1, Baton Rouge, LA 70817, or via email to paige.hargrove@la.gov.

Paige Hargrove
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: LERN Destination Protocol:TRAUMA

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

This proposed rule adopts Louisiana Administrative Code (LAC) Title 48 – Public Health General, Part I – General Administration, Subpart 15 – Louisiana Emergency Response Network Board, Chapter 191 – Trauma Protocols, Section 19123 – Destination Protocol: TRAUMA. The Louisiana Emergency Response Network (LERN) Board is authorized to adopt protocols for the transport and time sensitive ill patients.

Since 2009, the LERN Board has previously adopted protocols for trauma patients that were published in the Potpourri Section (announcements and various information that will never become part of the LAC) of the *State Register*. Those became rules on August, 18, 2022. The LERN Board revised and adopted “Destination Protocol: TRAUMA”, to be effective January 1, 2023, which will replace the previous trauma destination protocol adopted and promulgated December 10, 2015. The revised destination protocol aligns closely with the 2021 National Guidelines for the “Field Triage of Injured Patients” and continues to recognize trauma programs as part of the destination for trauma patients. This proposed rule codifies the revised trauma destination protocol in section 19123, which is the latest trauma protocol adopted by the Louisiana Emergency Response Network Board.

Other than the cost to publish in the *State Register*, which is estimated to be \$426 in FY23, it is not anticipated that the proposed rule will result in any material costs or savings to LERN or any state or local governmental unit.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There is no anticipated effect on revenue collections of state or local governmental units as a result of this proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

There are no estimated costs and/or economic benefits to directly affected persons, small businesses, or nongovernmental groups. The proposed rule is simply a codification of protocols authorized by La. R.S. 9:2798.5A.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no anticipated effect on competition or employment.

Paige B. Hargrove
Executive Director
2211#037

Alan M. Boxberger
Interim Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Health Board of Examiners of Psychologists

Code of Ethics for Licensed Specialists
(LAC 46:LXIII.Chapter 42)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., that the Board of Examiners of Psychologists intends to adopt Sections 4203, 4205, 4207, 4209, 4211 and amend Section 4201 related to the code of ethics for Licensed Specialists in School Psychology in accordance with the Louisiana Licensing Law for Psychologist R.S. 37:2353.C(1) 37:2357.C(4), 37:2352(7), and the Administrative Procedures Act §968 and 971.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part LXIII. Psychologists

Subpart 2. Licensed Specialists in School Psychology Chapter 42. Ethical Standards for Licensed Specialists in School Psychology

§4201. Ethical Principles and Code of Conduct

A. Licensed Specialists in School Psychology, hereinafter referred to as LSSP, adhere to the Ethical Standards in this Chapter to ensure the respect dignity, and rights of all persons are maintained; to ensure professional competence and responsibility; to ensure honesty and integrity in professional relationships; and to ensure responsibility to schools, families, communities, the profession, and society.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2357.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Examiners of Psychologists, 41:2627 (December 2015), amended by the Department of Health, Board of Examiners of Psychologists, LR 49:

§4203. Definitions

A. The following definitions are applicable Chapter 42 and specialists in school psychology only.