

Regular Session, 2012

HOUSE CONCURRENT RESOLUTION NO. 69

BY REPRESENTATIVE LIGI

A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, Board of Medical Examiners, rule (LAC 46:XLV.3149), which provides for limitations on examinations of an applicant for certification as an athletic trainer, and to direct the office of the state register to print the amendments in the Louisiana Administrative Code.

WHEREAS, the Department of Health and Human Resources, predecessor of the Department of Health and Hospitals, promulgated a rule in 1986 providing for limitations on examinations of an applicant for certification as an athletic trainer; and

WHEREAS, this rule is presently in effect and provides that an applicant having failed to attain a passing score upon taking the certification examination four times shall not thereafter be considered for certification as an athletic trainer and shall not be eligible to take the examination again; and

WHEREAS, among the forty-eight states which regulate the profession of athletic training, Louisiana is the only state which limits the number of times an applicant may take an athletic trainer certification examination; and

WHEREAS, at least one state (Illinois) explicitly provides in its regulations relative to the profession of athletic training that unsuccessful candidates may retake the certification examination as many times as they wish; and

WHEREAS, among Louisiana's statutes and rules providing for professions and occupations, limitations on the number of times an applicant may take an examination to qualify for professional certification or licensure are highly uncommon; and

WHEREAS, R.S. 49:969 provides that the legislature, by Concurrent Resolution, may suspend, amend, or repeal any rule adopted by a state department, agency, board, or commission; and

WHEREAS, the purpose of this Resolution is to remove unnecessary obstacles to qualified persons attaining employment in a health profession and to meeting demand for health care in this state.

THEREFORE, BE IT RESOLVED by the Legislature of Louisiana that LAC 46:XLV.3149 is hereby amended to read as follows:

§3149. ~~Restriction, Limitations on Examinations~~ Reexamination

A. An applicant having failed to attain a passing score upon taking the certification examination ~~four times shall not thereafter be considered for certification and shall not be eligible to take the examination again~~ may take a subsequent examination upon payment of the applicable fee as prescribed by Chapter 1 of these rules.

BE IT FURTHER RESOLVED that the clerk of the House of Representatives is hereby directed to transmit a copy of this Resolution to the office of the state register and the Department of Health and Hospitals, Board of Medical Examiners.

BE IT FURTHER RESOLVED that the office of the state register is hereby directed to have the amendment to LAC 46:XLV.3149 printed and incorporated into the Louisiana Administrative Code and to transmit a copy of the revised rule to the Department of Health and Hospitals, Board of Medical Examiners.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE