HLS 21RS-2902 ORIGINAL

2021 Regular Session

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HOUSE CONCURRENT RESOLUTION NO. 94

BY REPRESENTATIVE BISHOP

BOARDS/COMMISSIONS: Authorizes and directs healthcare professional licensing boards to evaluate potential models for an independent scope of practice review program for this state

A CONCURRENT RESOLUTION

2	To authorize and direct each healthcare professional licensing board of this state to evaluate
3	the independent scope of practice review programs of Connecticut and Nebraska as
4	potential models for such a program in this state and to report its evaluation to the
5	Louisiana legislative committees on health and welfare.
6	WHEREAS, the legislature hereby recognizes the necessity of establishing an
7	independent body to objectively assess proposals affecting the scope of practice of licensed
8	healthcare professions before those proposals become enshrined in legislation; and
9	WHEREAS, the term "scope of practice" refers to services and procedures that a
10	healthcare professional may and may not deliver or perform; and
11	WHEREAS, Louisiana's health professions are regulated by several state licensing
12	boards, each of which receives from the legislature its specific regulatory powers, including
13	the power to enforce the requirements and limitations of a scope of practice; and
14	WHEREAS, state laws creating and providing for licensing and regulatory boards
15	for healthcare providers and other professions and occupations are found in Title 37 of the
16	Louisiana Revised Statutes of 1950, which provides for licensure and regulation of no less
17	than thirty-five distinct health-related professions in this state; and
18	WHEREAS, duties of healthcare professional licensing boards in promoting and
19	protecting public health and safety are longstanding requirements of state law, and
20	legislative involvement with these boards is typically confined to minor revisions and

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1 updates to board-related statutes and occasional oversight of administrative rules that the 2 boards promulgate; however, when health professions oppose and compete with each other, 3 associations representing opposing provider groups bring these matters to the legislature in 4 the form of requests for legislation to either expand one group's scope of practice or diminish 5 another's, and even the small minority of legislators with a background in health care find 6 it extremely challenging to make policy decisions that truly serve the public interest when 7 dealing with scope of practice legislation; and 8 WHEREAS, by playing out in such a public setting as the state legislature, conflicts 9 over scope of practice proposals, which can be among the most heated that legislators ever 10 experience, reflect negatively on the parties involved; and 11 WHEREAS, several other states have seen fit to create independent scope of practice 12 review programs as mechanisms for obtaining objective evaluations of proposals relating to 13 health professions' scope of practice prior to those proposals going before those states' 14 legislative bodies; and 15 WHEREAS, two of the most successful initiatives of this type are the Scope of 16 Practice Determinations for Health Professions Program of the Connecticut Department of 17 Public Health and the Credentialing Review Program of the Nebraska Department of Health 18 and Human Services. 19 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 20 authorize and direct each of the following healthcare professional licensing boards to 21 evaluate the Scope of Practice Determinations for Health Professions Program of the 22 Connecticut Department of Public Health and the Credentialing Review Program of the 23 Nebraska Department of Health and Human Services as potential models for such a program 24 in this state: 25 (1) The Louisiana State Board of Medical Examiners. 26 (2) The Louisiana State Board of Nursing. 27 (3) The Louisiana State Board of Practical Nurse Examiners. 28 (4) The Louisiana State Board of Dentistry. 29 (5) The Louisiana Board of Pharmacy.

(6) The Louisiana State Board of Optometry Examiners.

1 (7) The Louisiana Board of Chiropractic Examiners. 2 (8) The Louisiana Physical Therapy Board. 3 (9) The Louisiana Board of Massage Therapy. 4 (10) The Louisiana Board of Examiners for Speech-Language Pathology and 5 Audiology. 6 (11) The Louisiana Board of Examiners in Dietetics and Nutrition. 7 (12) The Louisiana State Board of Examiners of Psychologists. 8 (13) The Louisiana Licensed Professional Counselors Board of Examiners. 9 (14) The Louisiana State Board of Social Work Examiners. 10 (15) The Louisiana Behavior Analyst Board. 11 (16) The Louisiana Addictive Disorder Regulatory Authority. 12 (17) The Louisiana Licensed Professional Vocational Rehabilitation Counselors 13 Board of Examiners. 14 BE IT FURTHER RESOLVED that each board listed shall determine its position 15 concerning each of the following matters: 16 (1) Whether the Scope of Practice Determinations for Health Professions Program 17 of the Connecticut Department of Public Health is a suitable model for a program of this 18 type in Louisiana. 19 (2) Whether the Credentialing Review Program of the Nebraska Department of 20 Health and Human Services is a suitable model for a program of this type in Louisiana. 21 (3) Whether any other established program or any potential system not yet 22 established would serve as a suitable model for an independent scope of practice review 23 program for Louisiana. BE IT FURTHER RESOLVED that each board which is subject to the provisions of 24 25 this Resolution shall submit a report to the House Committee on Health and Welfare and the 26 Senate Committee on Health and Welfare on or before December 31, 2021 which includes 27 all of the following: 28 (1) Its position concerning whether or not the Scope of Practice Determinations for 29 Health Professions Program of the Connecticut Department of Public Health is a suitable 30 model for a program of this type in Louisiana and the rationale for this position.

(2) Its position concerning whether or not the Credentialing Review Program of the
Nebraska Department of Health and Human Services is a suitable model for a program of
this type in Louisiana and the rationale for this position.
(3) Information other established programs or potential systems, if any, which would

- (3) Information other established programs or potential systems, if any, which would serve as a suitable model for an independent scope of practice review program for Louisiana.
 - (4) The current scope of practice of each healthcare profession that it licenses.

BE IT FURTHER RESOLVED that each board which is subject to the provisions of this Resolution may provide in the report required by this Resolution any information and commentary it deems appropriate for the legislative committees on health and welfare to consider on the matter of the potential establishment of an independent scope of practice review program for this state.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the executive director and the chairperson of the Louisiana State Board of Medical Examiners, the Louisiana State Board of Nursing, the Louisiana State Board of Practical Nurse Examiners, the Louisiana State Board of Dentistry, the Louisiana Board of Pharmacy, the Louisiana State Board of Optometry Examiners, the Louisiana Board of Chiropractic Examiners, the Louisiana Physical Therapy Board, the Louisiana Board of Massage Therapy, the Louisiana Board of Examiners for Speech-Language Pathology and Audiology, the Louisiana Board of Examiners in Dietetics and Nutrition, the Louisiana State Board of Examiners of Psychologists, the Louisiana Licensed Professional Counselors Board of Examiners, the Louisiana State Board of Social Work Examiners, the Louisiana Behavior Analyst Board, the Louisiana Addictive Disorder Regulatory Authority, and the Louisiana

Licensed Professional Vocational Rehabilitation Counselors Board of Examiners.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Bishop

Authorizes and directs each healthcare professional licensing board of this state to determine its position concerning each of the following matters:

- (1) Whether the Scope of Practice Determinations for Health Professions Program of the Connecticut Dept. of Public Health is a suitable model for a program of this type in La.
- (2) Whether the Credentialing Review Program of the Nebraska Dept. of Health and Human Services is a suitable model for a program of this type in La.
- (3) Whether any other established program or any potential system not yet established would serve as a suitable model for an independent scope of practice review program for La.

Requires that each licensing board to which this Resolution applies report its determination regarding potential models for an independent scope of practice review program in La. to the La. legislative committees on health and welfare on or before Dec. 31, 2021.