SLS 21RS-2546 **ORIGINAL** 

2021 Regular Session

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SENATE CONCURRENT RESOLUTION NO. 73

BY SENATOR MCMATH

STATE AGENCIES. Authorizes and directs health care professional licensing boards to evaluate potential models for an independent scope of practice review for this state.

## A CONCURRENT RESOLUTION 2 To authorize and direct each health care professional licensing board of this state to evaluate the independent scope of practice review programs of Connecticut and Nebraska as 3 potential models for such a program in this state and to report its evaluation to the 4 5 Senate and House committees on health and welfare. WHEREAS, the legislature hereby recognizes the necessity of establishing an 6 7 independent body to objectively assess proposals affecting the scope of practice of licensed 8 health care professions before those proposals become enshrined in legislation; and 9 WHEREAS, the term "scope of practice" refers to services and procedures that a 10 health care professional may and may not deliver or perform; and 11 WHEREAS, Louisiana's health professions are regulated by several state licensing boards, each of which receives from the legislature its specific regulatory powers, including 12 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 for health care providers and other professions and occupations are found in Title 37 of the 15 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 health care professional licensing boards in promoting and

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

Connecticut Department of Public Health and the Credentialing Review Program of the Nebraska Department of Health and Human Services as potential models for such a program in this state:

- (1) The Louisiana State Board of Medical Examiners.
- (2) The Louisiana State Board of Nursing.
- (3) The Louisiana State Board of Practical Nurse Examiners.
- 30 (4) The Louisiana State Board of Dentistry.

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

Health Professions Program of the Connecticut Department of Public Health is a suitable 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 on 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 health care 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 Senate and House 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.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry J. Guillot.

## DIGEST

SCR 73 Original

2021 Regular Session

McMath

Authorizes and directs each state health care professional licensing board 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 such licensing board to report its determination to the Senate and House committees on health and welfare on or before Dec. 31, 2021.

"Health care professional licensing board of this state" for this Resolution, includes the La. State Board of Medical Examiners, La. State Board of Nursing, La. State Board of Practical Nurse Examiners, La. State Board of Dentistry, La. Board of Pharmacy, La. State Board of Optometry Examiners, La. Board of Chiropractic Examiners, La. Physical Therapy Board, La. Board of Massage Therapy, La. Board of Examiners for Speech-Language Pathology and Audiology, La. Board of Examiners in Dietetics and Nutrition, La. State Board of Examiners of Psychologists, the La. Licensed Professional Counselors Board of Examiners, La. State Board of Social Work Examiners, La. Behavior Analyst Board, La. Addictive Disorder Regulatory Authority, and La. Licensed Professional Vocational Rehabilitation Counselors Board of Examiners.