



STATE OF LOUISIANA
DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 94005
BATON ROUGE, LA
70804-9005

To: Ms. Raelene Lundin
Deputy Director
Louisiana Licensed Professional Counselors Board of Examiners

From: Jessica Weimer
Louisiana Department of Justice
Occupational Licensing Review Program

Date: June 30, 2025

Subject: Louisiana Licensed Professional Counselors Board of Examiners
Proposed Amendments to LAC 46:LX.707
Licensed Professional Counselors – Teaching Continuing Education for LPCs

I. SUMMARY

The Louisiana Licensed Professional Counselors Board of Examiners (the “**Board**”) proposes amending LAC 46:LX.707 (the “**Proposed Amendment**”), regulating the Continuing Education Credit for Teaching for Licensed Professional Counselors (“**LPC**”).¹ The Proposed Amendment adds a provision allowing a LPC teaching to receive continuing education credit for teaching a clinical mental health counseling course.

The Board published a Notice of Intent to promulgate the Proposed Amendments on March 20, 2025.² The Notice invited public comments on these Proposed Amendments until April 10, 2025 and received none.³

Licensing and continuing education (“**CE**”) requirements create barriers to market entry for individuals desiring to engage in a profession or occupation, and the Proposed Amendment to §707 is therefore properly considered an occupational regulation with reasonably foreseeable anti-competitive effects.⁴

Pursuant to La. R.S. 49:260, the Board submitted the Proposed Amendment to the Louisiana Department of Justice’s Occupational Licensing Review Program (“**OLRP**”) on May 29, 2025. The OLRP invited public comments on the Proposed Amendment May 30 through June 13, 2025 and received no comments. As set forth below, the OLRP has determined the Board’s

¹ Louisiana Register, Vol. 51, No 3 at pgs. 435-437

² Id.

³ Id. at 436

⁴ La. R.S. 49:260 G(4)

Proposed Amendment to LAC 46: LX §707 adheres to clearly articulated state policy and therefore approves the Proposed Amendments for adoption as drafted.

II. ANALYSIS

A. Statutory Authority

Act 892 of the 1987 Louisiana Legislature created the Louisiana Licensed Professional Counselors Board of Examiners to provide regulation of the practice of mental health counseling and provide for the regulation of the use of the title of “licensed professional counselor.”⁵ Pursuant to the Louisiana Mental Health Counselor Licensing Act (the “*LMHCLA*”)⁶, it is the policy of the State of Louisiana that licensed professional counselors or provisional licensed professional counselors be regulated for the protection of public health, safety and welfare⁷ by the Louisiana Licensed Professional Counselors Board of Examiners. The Board is responsible for developing rules and regulations in accordance with the Administrative Procedure Act as deemed necessary to implement the provisions of the *LMHCLA*.⁸ Further, the Board “shall adopt rules and regulations in accordance with the Administrative Procedure Act establishing the necessary qualifications, requirements, and formalities for the issuance of licenses as are necessary for the adequate protection of the health and welfare of the residents of this state.”⁹

B. Proposed Amendment

The Board proposes amending LAC 46:LX.707 (B), which governs Approved Continuing Education for Licensed Professional Counselors and Board Approved supervisors. The amendment would add a provision allowing a LPC teaching to receive continuing education credit for teaching a clinical mental health counseling course, within one of the 14 approved content areas (§707.C), at an institution accredited by a regional accrediting association. Under the proposed amendment, a LPC may earn ten continuing education hours the first time they teach the course and five hours for each subsequent time the course is taught.

The Board states that the proposed amendment aligns with existing provisions for Licensed Marriage and Family Therapists under LAC 46:LX.3503. Additionally it expands opportunities for LPCs to earn continuing education credit hours. The Board further notes that teaching at the graduate level does not require preapproved coursework, allowing all LPCs the potential to benefit from this pathway. By introducing an additional method for earning continuing education hours, the Board is reducing barriers to market entry and participation in the profession.

Adding additional methods to earn CE hours reduces barriers by increasing the flexibility, accessibility, and affordability for licensees. By allowing activities such as teaching approved

⁵ LAC 46: LX.101, LA R.S. 37:1102

⁶ LA R.S. 37:1101 et. seq.

⁷ LA R.S. 37:1102

⁸ LA R.S. 37:1104 (B)(2)(c)(i)

⁹ LA R.S. 37:1107 (G)(2)

coursework to count toward CE requirements, the Board recognizes and rewards professional contributions reducing reliance on costly or inaccessible CE providers. This expanded flexibility lowers the overall cost and time commitment associated with licensure maintenance, encourages broader participation in the profession, and supports a more competitive workforce.

The Board is authorized to adopt rules and regulations necessary for the protection of public health, safety, and welfare.¹⁰ Continuing education requirements ensure that licensed professionals maintain up to date knowledge, skills, and ethical standards throughout their practice. Health care practices, legal requirements, treatment modalities, and professional standards evolve overtime. Without continuing education, practitioners risk relying on outdated or ineffective methods. CE requirements help ensure that licensees remain competent, aware of current best practices, and are informed about emerging issues, such as legal and regulatory changes, technology, and public health trends. Ongoing professional development reduces the risk of harm and enhances the overall quality and safety of services delivered. Thus, the proposed amendment aligns with clearly articulated state policy and is within the Board's aforementioned discretionary powers.

Determination

The Board is a state regulatory body created to provide regulation of the practice of mental health counseling by licensed professional counselors.¹¹ The Board holds the statutory authority to adopt rules, regulations, and examination procedures as deemed necessary and to establish the requirements, qualifications and formalities to obtain such license for the protection of the health and welfare of the residents of the state.¹² Because the Proposed Amendments are within the Board's statutory authority and adheres to clearly articulated state policy, these amendments are approved as submitted by the Attorney General and may be adopted by the Board.

OFFICE OF THE ATTORNEY GENERAL
OCCUPATIONAL LICENSING REVIEW PROGRAM



Jessica B. Weimer, OLRP- Section Chief
Public Protection Division
Louisiana Department of Justice
olrp@ag.louisiana.gov

¹⁰ LA R.S. 37:1102

¹¹ LAC 46:LX.101

¹² LA R.S. 37:1105(D) and LA R.37:1107(G)(2)