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To: Dr. Vincent A. Culotta, Jr.
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From: Jessica Weimer
Louisiana Department of Justice
Occupational Licensing Review Program

Date: July 17, 2025

Subject: Louisiana State Board of Medical Examiners
Proposed Amendments to LAC 46:XLV.303, 398
Regarding Bridge Year Program

I. SUMMARY

The Louisiana State Board of Medical Examiners (the “**Board**”) proposes amending LAC 46:XLV.303 and 398 (the “**Proposed Amendments**”), regarding the Bridge Year Program. As part of these amendments, the Board seeks to revise LAC 46:XLV.303 to add the definitions for “bridge year graduate physician” and “training physician.” Additionally, the Board proposes to add §398 to establish standards for the issuance of a bridge year graduate physician certificate. These standards include a requirement that the certificate holder be under the direct supervision of a board-certified physician who has completed training as a training physician.

The Board published a Notice of Intent to promulgate the Proposed Amendments on March 20, 2025.¹ The Notice invited written comments on these Proposed Amendments until April 24, 2025 and received none².

Licensing, permitting, training, and continuing education requirements are barriers to market entry for individuals desiring to engage in a profession or occupation. Therefore, the Proposed Amendments may be considered occupational regulations with reasonably foreseeable anti-competitive effects.³ Pursuant to La. R.S. 49:260, the Board submitted the Proposed Amendments to the Louisiana Department of Justice’s Occupational Licensing Review Program (“**OLRP**”) on June 16, 2025. The OLRP invited public comments on the Proposed Amendments June 18, 2025 through July 2, 2025 and received no comments.

The OLRP has the statutory authority to review the substance of each proposed occupational regulation submitted to ensure compliance with clearly articulated state policy and adherence

¹ Louisiana Register Vol. 51, No 3 March 20, 2025 p.428-429.

² Id. at p.429

³ La. R.S. 49:260 G(4)

to applicable state law.⁴ An Occupational Regulation is a “rule defined in the Administrative Procedure Act that has reasonably foreseeable anti-competitive effects. Any license, permit, or regulation established by a ... board not composed of a controlling number of active market participants is excluded.”⁵ The Louisiana Administrative Procedure Act (“APA”) defines a rule as an agency (Board) requirement for conduct or action prescribing the procedure or practice requirements of the agency (Board).⁶ Anti-Competitive behavior is an act, or series of acts, that have the effect of harming the market or the process of competition among businesses, or a tendency to reduce or eliminate competition, with no legitimate business purpose.⁷

As set forth below, the OLRP has determined the Board’s Proposed Amendments adhere to clearly articulated state policy and are within the Board’s statutory authority. Therefore, these amendments are approved for promulgation as drafted in accordance with the Louisiana APA.

II. ANALYSIS

A. Statutory Authority

The Louisiana Legislature has declared it to be the policy of the State of Louisiana, in the interest of public health, safety, and welfare, to enact laws and regulations governing the practice of medicine and its subsequent use, control, and regulation. This policy aims to protect the public against unprofessional, improper, unauthorized, and unqualified practice of medicine and from unprofessional conduct of persons licensed to practice medicine.⁸ The Louisiana State Board of Medical Examiners was established to control and regulate the practice of medicine in this state.⁹ The Board is authorized to take appropriate administrative actions to regulate the practice of medicine in Louisiana in order to promote the established policy of the State.¹⁰ Pursuant to LA R.S. 37:1261 *et seq.*, the Board is authorized to take appropriate administrative actions and to adopt rules, regulations, and standards necessary to carry out its statutory duties, powers, and functions in furtherance of the State’s public policy.¹¹

B. Proposed LAC 46:XLV. 303 Definitions

The Board proposes adding a definition for “Bridge Year Graduate Physician” as an individual who holds a Doctor of Medicine (M.D.), Doctor of Osteopathy (D.O.), or Doctor of Osteopathic Medicine degree, or an equivalent degree awarded by a medical or osteopathic educational institution approved by the Board pursuant to §§333–341, and who meets the qualifications set forth in §§331 *et seq.* This individual must also hold a certificate to practice under the direct supervision of a board-certified physician. Additionally, the Board proposes

⁴ LSA-R.S. 49:260 (D) (2)

⁵ LSA-R.S. 49:260 (G) (4)

⁶ LSA-R.S. 49:951 (8)

⁷ Black’s Law Dictionary, 12th Edition p. 116

⁸ LSA-R.S. 37:1261

⁹ LSA-R.S. 37:1263

¹⁰ LSA-R.S. 37:1270 (A)(1)

¹¹ LSA-R.S. 37:1270 (B)(6)

adding a definition for “training physician” as a board-certified physician who meets and maintains the qualifications required to serve as a preceptor for individuals practicing under a bridge year graduate physician certificate.

The Board is authorized to adopt rules, regulations and standards necessary to effectively regulate the practice of medicine in the State of Louisiana in order to protect the public from the unqualified practice of medicine and carry out the board’s duties, powers and functions.¹² Although this proposed rule governs the licensure and certification of physicians, it does not have any reasonably foreseeable effects that would create a barrier to entry into, or restrict the continued practice, of the profession of medicine. Accordingly, this rule does not require input from the OLRP pursuant to LA R.S. 49:260, and the Board may proceed with promulgation of this amendment in accordance with the Louisiana APA.

C. Proposed LAC 46:XLV. 398 Bridge Year Graduate Physician Program

The Board proposes adding §398, which establishes the Bridge Year Graduate Physician Program, allowing graduates of accredited medical or osteopathic schools who were not accepted into a residency program to apply for a bridge year graduate physician certificate. Participants must complete one year of supervised clinical training under a board-certified training physician who meets Board requirements.

The training physician must review and co-sign the work of the bridge year physician, supervise the participant’s prescriptive authority, and submit an end-of-year evaluation. Certificates are valid for one year and may be renewed for up to two additional years at the Board’s discretion.

The Board retains authority to select program participants and may prioritize applicants intending to practice in underserved areas, primary care, or internal medicine, as well as Louisiana residents and graduates of Louisiana medical schools. The certificate does not guarantee future licensure and may be suspended or revoked under applicable law or Board rules.

The proposed rule establishing the Bridge Year Graduate Physician Program under §398 may be viewed as both a potential barrier to, and a mechanism for reducing, market entry into the medical profession. The rule may impose certain limitations that restrict access. The Board retains broad discretion to select program participants and may limit enrollment based on the availability of training physicians or training locations. Additionally, preference may be given to applicants seeking to practice in underserved areas, in primary care or internal medicine, to Louisiana residents, or to graduates of Louisiana medical schools. While these criteria advance important public policy objectives, they may also disadvantage applicants pursuing other specialties. Furthermore, participation in the program does not guarantee future licensure, which may deter some graduates seeking a clearer pathway to practice. The requirement that a bridge year graduate physician be directly supervised by a board-certified training physician,

¹² LSA R.S. 37:1261, LSA R.S. 37:1270 (B)(6)

who must co-sign clinical work and submit a formal report, may also limit the number of eligible training physicians, further constraining program availability.

However, the proposed rule also significantly reduces barriers to market entry. Most notably, it creates an alternative pathway for medical and osteopathic graduates who were not accepted into a residency program, thereby providing an opportunity to continue their clinical education and gain supervised experience. In doing so, the rule addresses the shortage of available residency slots relative to the number of medical graduates. By authorizing these graduates to practice under supervision, the program promotes continuity of education, helps strengthen future residency applications, and prevents capable graduates from exiting the profession prematurely. Additionally, the program supports workforce development by encouraging service in underserved areas and primary care fields, thereby helping to meet critical healthcare needs in Louisiana.

While §398 imposes certain structural and procedural requirements, its overall effect is to reduce barriers to market entry by establishing a structured, supervised pathway for otherwise qualified graduates to continue their professional development and serve the healthcare needs of the state. The proposed rule furthers the state's compelling interest in protecting public health and safety while preserving the integrity of the medical profession, making it both narrowly tailored and closely aligned with Louisiana's clearly articulated public policy objectives.

The Board is authorized to promulgate rules and regulations to carry out the provisions of the Medical Practice Act, including those necessary to establish minimum standards for the practice of medicine and to issue various certificates and licenses.¹³ In particular, La. R.S. 37:1310.11 expressly authorizes the Board to establish and administer a Bridge Year Graduate Physician Program, allowing eligible medical school graduates who did not match into residency to obtain a limited, supervised certification to practice medicine, pursuant to statutory minimum eligibility criteria, supervisory and prescriptive authority requirements, program capacity limits, and disciplinary provisions. It further clarifies that participation in the program does not confer any future right to unrestricted licensure. The Board is also authorized to adopt rules and regulations as necessary for the implementation and administration of the program.¹⁴

The proposed amendment is within the Board's statutory authority and adheres to clearly articulated state policy. Therefore, the Board is authorized to promulgate the proposed amendment in accordance with the Louisiana APA.

III. Determination

The Board is a state regulatory body established "as a matter of policy in the interests of public health, safety, and welfare to provide laws and provisions covering the granting of [the

¹³ LSA R.S. 37:1270(A)(1) and (B)(6)

¹⁴ LSA R.S. 37:1310.12

privilege of the practice of medicine] and its subsequent use, control, and regulation to the end that the public shall be properly protected against unprofessional, improper, unauthorized, and unqualified practice of medicine from unprofessional conduct of persons licensed to practice medicine.”¹⁵ The Board is authorized to adopt rules, regulations, and standards necessary to carry out its legislatively mandated duties, powers, and functions.¹⁶ In addition, the Board is expressly authorized to develop, implement, and maintain a Bridge Year Graduate Physician Program and adopt such rules and regulations as may be necessary for its administration.¹⁷ Because the proposed amendments are within the Board’s statutory authority and adhere to clearly articulated state policy of protecting the public health, safety, and welfare of the citizens of this state, the proposed 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



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¹⁵ LSA R.S. 37:1261

¹⁶ LSA R.S. 37:1270(B)(6)

¹⁷ LSA R.S. 37:1310.11, LSA R.S. 37:1310.12