

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

Person
Preparing
Statement: Jamie S. Doming Dept.: Department of Health
Licensed Professional
Phone: 225-295-8444 Office: Counselors Board of Examiners
Return Address: 11410 Lake Sherwood Ave.
North, Ste A Rule Title: Code of Ethics Requirement
Baton Rouge, LA, 70816
Date Rule
Takes Effect: Immediate

SUMMARY
(Use complete sentences)

In accordance with Section 961 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS
(Summary)

Other than the cost of rulemaking, which is approximately \$400 in FY 25 related to publishing the proposed rule and final rule in the Louisiana Register, the proposed rule changes are not anticipated to result in implementation costs or savings to state or local governmental units. This cost will be paid from self-generated funds.

Existing rules provide that in order to be eligible for supervision as a provisional licensed professional counselor, an applicant must complete at least one three-hour course covering ethics and professional orientation, including the ethical standards of the American Counseling Association, state counselor licensure boards, and national counselor certifying agencies. The proposed rule change states that such a course must cover the most recent edition of the Code of Ethics as published by the American Counseling Association, state counselor licensure boards, and national counselor certifying agencies in order to count toward licensure. As with the current rule requiring the most recent coursework in diagnosing mental illness, this rule would require the most recent continuing education or academic coursework for the code of ethics.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS
(Summary)

To the extent that the proposed rule change decreases the number of applicants for provisional licensure, there may be a decrease in fee revenues, as the provisional licensure application carries a \$100 fee. The total amount of such a decrease, if any, is indeterminable.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

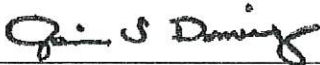
Applicants for provisional licensure who have completed their ethics education requirements using a course that does not qualify under the proposed rule changes will need to take a newer ethics course which meets the proposed requirement. The Licensed Professional Counselors Board of Examiners estimates that between 5% and 15% of applicants submit outdated ethics coursework.

Any applicants who completed their ethics coursework prior to 2014 (when the most recent Code of Ethics was published) will need to take either a preapproved continuing education ethics course or an ethics course provided by an academic program. The board reports that preapproved continuing education ethics courses cost \$350 on average, while tuition for an ethics course provided through an academic program will vary by university.

The proposed rule change may increase revenue for accredited providers of continuing education coursework or academic institutions.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes may affect employment to the extent that anyone wanting to apply for licensure with older academic coursework may choose not to apply for licensure because they would have to obtain the academic requirement through continuing education or academic coursework. The aggregate effect on competition and employment cannot be determined because it is unknown if there would be any decrease in applications for licensure due to the requirement.



Signature of Head or Designee

Jamie S. Doming/Executive Director

Typed Name & Title of Agency Head or Designee

8/8/2024

Date of Signature



Legislative Fiscal Officer or Designee

8/8/24

Date of Signature

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The rule change requires that the most recent edition of the Code of Ethics as published by the American Counseling Association, state counselor licensure boards, and national counselor certifying agencies is required for licensure and not older versions of academic coursework. As with the current rule requiring the most recent coursework in diagnosing mental illness, this rule would require the most recent continuing education or academic coursework for the code of ethics.

B. Summarize the circumstances which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

Occasionally applicants have graduated from university programs that have taught an older code of ethics and standards of conduct, which is a code the counselor must know to practice effectively and meet the minimum standards of licensure. The rule would require the applicant to obtain the most recent code of ethics, which is consistent with the current requirement for coursework in diagnosing serious mental illnesses.

C. Compliance with Act 11 of the 1986 First Extraordinary Session

- (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify the amount and source of funding.

Other than the cost of rulemaking, which is approximately \$400 in FY 25 related to publishing the proposed rule and final rule in the Louisiana Register, the proposed rule changes are not anticipated to result in implementation costs or savings to state or local governmental units. This cost will be paid from self-generated funds.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) _____ YES. If yes, attach documentation.

(b) _____ NO. If no, provide justification as to why this rule change should be published at this time

The board operates on self-generated funds and receives no appropriation from the legislature.

**FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET**

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 25	FY 26	FY 27
PERSONAL SERVICES	\$0	\$0	\$0
OPERATING EXPENSES	\$400	\$0	\$0
PROFESSIONAL SERVICES	\$0	\$0	\$0
OTHER CHARGES	\$0	\$0	\$0
EQUIPMENT	\$0	\$0	\$0
MAJOR REPAIR & CONSTR.	\$0	\$0	\$0
TOTAL	\$400	\$0	\$0
POSITIONS (#)	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A. 1.," including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

Other than the cost of rulemaking, which is approximately \$400 in FY 25 related to publishing the proposed rule and final rule in the Louisiana Register, the proposed rule changes are not anticipated to result in implementation costs or savings to state or local governmental units. This cost will be paid from self-generated funds.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 25	FY 26	FY 27
STATE GENERAL FUND	\$0	\$0	\$0
AGENCY SELF-GENERATED	\$400	\$0	\$0
DEDICATED	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0
OTHER (Specify)	\$0	\$0	\$0
TOTAL	\$400	\$0	\$0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

The Louisiana Licensed Professional Counselors Board has sufficient funds for this rule change.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There are no anticipated costs or savings to local governmental units resulting from the actions proposed by adopting this new rule.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

Not applicable.

**FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET**

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 25	FY 26	FY 27
State General Fund	\$0	\$0	\$0
Agency Self-Generated	SEE BELOW	SEE BELOW	SEE BELOW
Dedicated Funds*	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

To the extent that the proposed rule change decreases the number of applicants for provisional licensure, there may be a decrease in fee revenues, as the provisional licensure application carries a \$100 fee. The total amount of such a decrease, if any, is indeterminable.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS

A. What persons, small businesses, or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

Applicants for provisional licensure who have completed their ethics education requirements using a course that does not qualify under the proposed rule changes will need to take a newer ethics course which meets the proposed requirement. The Licensed Professional Counselors Board of Examiners estimates that between 5% and 15% of applicants submit outdated ethics coursework.

Any applicants who completed their ethics coursework prior to 2014 (when the most recent Code of Ethics was published) will need to take either a preapproved continuing education ethics course or an ethics course provided by an academic program. The board reports that preapproved continuing education ethics courses cost \$350 on average, while tuition for an ethics course provided through an academic program will vary by university.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

The proposed rule change may increase revenue for accredited providers of continuing education coursework or academic institutions.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

The proposed rule changes may affect employment to the extent that anyone wanting to apply for licensure with older academic coursework may choose not to apply for licensure because they would have to obtain the academic requirement through continuing education or academic coursework. The aggregate effect on competition and employment cannot be determined because it is unknown if there would be any decrease in applications for licensure due to the requirement.