



# LOUISIANA

## Licensed Professional Counselors Board of Examiners

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October 22, 2024

Sent via Electronic Submission

To: Louisiana Department of Justice  
Public Protection Division-  
Occupational Licensing Review Program  
[olrp@ag.louisiana.gov](mailto:olrp@ag.louisiana.gov)

From: Licensed Professional Counselors Board of Examiners

To Whom It May Concern:

The Licensed Professional Counselors Board of Examiners has proposed amendments to LAC 46: LX.3315, 3501, and 3503. To facilitate the Department of Justice's review of the proposed rule, the Licensed Professional Counselors Board of Examiners provides answers to the following questions:

1. Describe any relevant factual background to the occupational regulation and the purpose of the occupational regulation.

Existing rules provide that preapproved continuing education for Licensed Marriage and Family Therapists (LMFT) and Provisional Licensed Marriage and Family Therapists (PLMFT) may be provided by the American Association for Marriage and Family Therapy (AAMFT) and its regional or state divisions. The proposed changes would allow additional preapproval of continuing education hours by the Louisiana Counseling Association (LCA). Secondly, the proposed changes add peer consultation as a mode of accruing continuing education hours for LMFTs and PLMFTs, as it is currently permitted for Licensed Professional Counselors (LPC) and Provisional Licensed Professional Counselors (PLPC). Thirdly, the continuing education hours for original presentations would count as three continuing education hours per one hour presentation for LMFTs and PLMFTs. Currently, the ratio is two continuing education hours per one hour presentation. For informational purposes, rules for LPCs and PLCs currently allow five continuing education hours per one hour presentation. The proposed changes also include technical revisions that were made to provide clarity on the definition of continuing education and the requirement that information be submitted to the board online rather than via mail.

Additionally, many licensees in Louisiana hold both LPC and LMFT licenses. Current regulations differ in the amount of continuing education hours that can be accrued through peer consultation and original presentations. The proposed changes would align the two license types in the opportunity to obtain continuing education through these methods.

2. Is the occupational regulation within the scope of the occupational licensing board's general authority to regulate in a given occupation or industry? If so, identify the law that provides the authority for the rule and describe how the occupational regulation is within the scope.

In accordance with the Louisiana Administrative Procedures Act (R.S. 49:4950 et seq.) and through the authority of the Mental Health Counseling Licensing Act (R.S. 37:1101 et seq.).

3. Check all of the following that apply as reasons the occupational regulation is subject to review

- Other activity: Active state supervision to ensure compliance.

4. Identify the clearly articulated state policy (e.g., health, safety, welfare, or consumer protection) in state statute, or any supporting evidence of the harm the action/proposed action is intended to protect against?

The policy of the Louisiana Mental Health Counselor Practice Act, as stated in LA R.S. 37:1103, is that activities of such persons in the mental health counseling area should be regulated for the protection of the public health, safety, and welfare and to provide for the regulation of the practice of mental health counseling in the state of Louisiana.

5. Do any less restrictive alternatives to the occupational regulation exist for addressing the same harm? If so, include a comparison of the occupational regulation to the alternatives and a justification for not pursuing a less restrictive alternative. If no less restrictive alternatives exist, explain why.

The Board is not aware of any less restrictive alternatives. Applicants for license renewal may benefit from the additional modes of obtaining continuing education provided under the proposed changes. Peer consultation does not require preapproved coursework, and a licensee can obtain up to ten hours via this mode. The proposed changes will allow licensees to accrue more continuing education hours via presentations. The addition of the LCA as a preapproved continuing education provider for LMFTs may also benefit renewal applicants as they can obtain preapproval of continuing education for both the LPC and LMFT licenses at one annual conference.

6. Describe the process that the occupational licensing board followed in developing the proposed rule, including any public hearings held, studies conducted, and data collected or analyzed.

The Fiscal and Economic Impact Statement (FEIS) was submitted and approved. The notice of intent was sent to the Louisiana Register along with the required Oversight Committees. The Notice of Intent was published in the September 2024 Louisiana Register with public comments being accepted until October 10, 2024. The Board did not receive any requests or public comments and therefore did not conduct a public hearing.

7. Does the occupational regulation relate to a matter on which there is pending litigation or a final court order?

No.

8. Please identify the board members voting in favor of this rule, and state whether the member is an active market participant.

Roy Salgado, Jr. (Active), Laura Fazio-Griffith (Active), Nakeisha Pierce (Active), Earnest Airhia (Active), Chastity Butler (Active), Abigail Hays (Active), Kristal Hebert (Active), Amanda Dossaji (Active), Foley Nash (Active), Mark Reynaud (Active), Kelly Tyner (Active).

9. Is there anything else that the occupational licensing board would like the Department to know about the proposed rule?

No.

The Board did not receive any requests or public comments and therefore did not conduct a public hearing. Should you have any questions or need any additional information, please contact Jamie S. Doming or Raelene Lundin at (225) 295-8444 or via email to [lpcboard@lpcboard.org](mailto:lpcboard@lpcboard.org).

Respectfully,



Raelene Lundin

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