

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

|                      |  |                         |   |
|----------------------|--|-------------------------|---|
| Person               |  |                         |   |
| Preparing Statement: | <u>Vincent A. Culotta, Jr., M.D.</u><br>Executive Director | Dept.:                  | <u>Dept. Health</u>                               |
| Phone:               | <u>(504)568-6820</u>                                       | Office:                 | <u>Louisiana State Board of Medical Examiners</u> |
| Return Address:      | <u>630 Camp Street</u><br><u>New Orleans, La 70130</u>     | Rule Title:             | <u>Office-Based Surgery</u>                       |
|                      |  | Date Rule Takes Effect: | <u>Final Publication</u>                          |

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)

Aside from the cost of rulemaking, estimated at approximately \$1,500 in FY 25 for publishing the proposed and final rules in the *Louisiana Register*, the proposed rule changes are not expected to result in implementation costs or savings for state or local governmental units. The cost of rulemaking will be covered by self-generated funds.

The proposed rule changes revise definitions, increase physician reporting requirements, clarify conditions necessary to perform office-based surgery, enact regulations for Level I, II, and III office-based surgeries, and correct typographical errors.

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

There are no anticipated direct effects on the revenue collections for state or local governmental units.

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

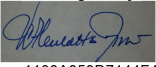
There are no anticipated monetary effects on directly affected persons, small businesses, or non-governmental groups. However, there will be significant benefits to public health and safety as physicians adhere to the new regulations when performing office-based surgery.

Physicians should already be conducting their office-based surgeries to meet this standard, so there should not be much financial change. However, offices may have to expend resources to comply if they do not already.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is not any anticipated effect on competition and employment.

DocuSigned by:



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Signature of Head or Designee

EXEC DIR V.A.CULOTTA JR MD

Typed Name & Title of Agency Head or Designee

12/10/2024

Date of Signature

Legislative Fiscal Officer or Designee

Date of Signature

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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 proposed rule changes revise definitions, increase physician reporting requirements, clarify conditions necessary to perform office-based surgery, enact regulations for Level I, II, and III office-based surgeries, and correct typographical errors.

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

To ensure the highest standard of patient care, the LSBME has updated office-based surgery rules to align with current standards of practice and provide the board with greater insight into the procedures and methods physicians use when performing office-based surgeries. These updates also address typographical errors.

- 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 amount and source of funding.

Aside from the cost of rulemaking, estimated at approximately \$1,500 in FY 25 for publishing the proposed and final rules in the *Louisiana Register*, the proposed rule changes are not expected to result in implementation costs or savings for state or local governmental units. The cost of rulemaking will be covered by 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) XX NO. If no, provide justification as to why this rule change should be published at this time

LSBME operates on self-generated funds, and they have determined the proposed rule changes are in the public's best interest.

**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?

| <b>COSTS</b>           | <b>FY 25</b>   | <b>FY 26</b> | <b>FY 27</b> |
|------------------------|----------------|--------------|--------------|
| PERSONAL SERVICES      | \$0            | \$0          | \$0          |
| OPERATING EXPENSES     | \$1,500        | \$0          | \$0          |
| PROFESSIONAL SERVICES  | \$0            | \$0          | \$0          |
| OTHER CHARGES          | \$0            | \$0          | \$0          |
| EQUIPMENT              | \$0            | \$0          | \$0          |
| MAJOR REPAIR & CONSTR. | \$0            | \$0          | \$0          |
| <b>TOTAL</b>           | <b>\$1,500</b> | <b>\$0</b>   | <b>\$0</b>   |
| <b>POSITIONS (#)</b>   | <b>0</b>       | <b>0</b>     | <b>0</b>     |

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.

Aside from the cost of rulemaking, estimated at approximately \$1,500 in FY 25 for publishing the proposed and final rules in the *Louisiana Register*, the proposed rule changes are not expected to result in implementation costs or savings for state or local governmental units. The cost of rulemaking will be covered by self-generated funds.

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

| <b>SOURCE</b>         | <b>FY 25</b>   | <b>FY 26</b> | <b>FY 27</b> |
|-----------------------|----------------|--------------|--------------|
| STATE GENERAL FUND    | \$0            | \$0          | \$0          |
| AGENCY SELF-GENERATED | \$1,500        | \$0          | \$0          |
| DEDICATED             | \$0            | \$0          | \$0          |
| FEDERAL FUNDS         | \$0            | \$0          | \$0          |
| OTHER (Specify)       | \$0            | \$0          | \$0          |
| <b>TOTAL</b>          | <b>\$1,500</b> | <b>\$0</b>   | <b>\$0</b>   |

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

Yes, the Louisiana State Radiological Technology Board of Examiners currently has sufficient funds to implement the proposed action.

**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.

Aside from the cost of rulemaking, estimated at approximately \$1,500 in FY 25 for publishing the proposed and final rules in the *Louisiana Register*, the proposed rule changes are not expected to result in implementation costs or savings for state or local governmental units.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.  
The Louisiana State Radiological Technology Board of Examiners is a self-funded agency.

**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?

| <b>REVENUE<br/>INCREASE/DECREASE</b> | <b>FY 25</b> | <b>FY 26</b> | <b>FY 27</b> |
|--------------------------------------|--------------|--------------|--------------|
| STATE GENERAL FUND                   | \$0          | \$0          | \$0          |
| AGENCY SELF-GENERATED                | \$0          | \$0          | \$0          |
| DEDICATED                            | \$0          | \$0          | \$0          |
| FEDERAL FUNDS                        | \$0          | \$0          | \$0          |
| LOCAL FUNDS                          | \$0          | \$0          | \$0          |
| <b>TOTAL</b>                         | <b>\$0</b>   | <b>\$0</b>   | <b>\$0</b>   |

\*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.

The proposed rule changes will not affect revenue collections of state or local governmental units.

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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.

The proposed rule changes may benefit patients by delineating the current standards of practice and giving the board greater insight into what and how physicians are performing office-based surgery.

- 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.

Physicians should already be conducting their office-based surgeries to meet this standard, so there should not be much financial change. However, offices may have to expend resources to comply if they do not already.

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.

There is no intended effect on competition or employment.