



# LOUISIANA

## Licensed Professional Counselors Board of Examiners

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August 5, 2025

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.503 and 505. 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.

The Louisiana Telehealth Act (R.S. 40:1223.1–R.S. 40:1223.5) mandates that each state agency, professional or occupational licensing board, or commission regulating the practice of a healthcare provider, as defined in this part, must promulgate rules in accordance with the Administrative Procedure Act. These rules are required to facilitate, promote, and regulate the use of telehealth in the delivery of healthcare services within the scope of practice governed by the licensing entity. Additionally, the Telehealth Act authorizes each state agency, professional, or occupational licensing board or commission to establish reasonable fees for licenses or registrations through rulemaking.

The proposed rule changes establish registration process for out-of-state licensed mental health professionals to provide teletherapy services to Louisiana clients. The rule defines telehealth registration, outlines eligibility and background check requirements, and sets practice standards consistent with in-person care. Additionally, the rule specifies training and continuing education requirements, informed consent procedures, documentation standards, and disciplinary provisions applicable to both Louisiana licensees and telehealth registrants.

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. The Louisiana Telehealth Act provides that each state agency or professional or occupational licensing board or commission that regulates the practice of a healthcare provider, as defined in this Part, shall promulgate, in accordance with the Administrative Procedure Act, any rules necessary to provide for, promote, and regulate the use of telehealth in the delivery of healthcare services within the scope of practice regulated by the licensing entity.

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 May 2025 Louisiana Register with public comments being accepted until June 10, 2025. The Board received written public comment from Kyle Zebley, Executive Director, ATA Action, on June 10, 2025. Agency response was sent on July 10, 2025, providing clarification that the proposed rule aims to reduce the requirements for fully licensed out of state counselors to provide services to individuals located in Louisiana



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.

Laura Fazio-Griffith (Active), Abigail Hays (Active), Amanda Dossaji (Active), Foley Nash (Active), Mark Reynaud (Active), Kelly Austin (Active), Eric Dishongh (Active), Ashley Thibodeaux (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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