

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Adjudication; Recusal

Part XLV. Medical Professions
Subpart 2. Licensure and Certification
Chapter 3. Physicians

Subchapter A. General Provisions
§303. Definitions

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

The proposed rule change clarifies that, in addition to the board, both the Director of Investigations (DOI) and the Independent Counsel may be recused from administrative hearings and proceedings. It also establishes the criteria for appointing a pro tem DOI when necessary. As a result, an increase in costs is anticipated due to the need for compensating a pro tem DOI. However, the exact financial impact cannot be determined at this time, as compensation will be based on an hourly rate, and the frequency of such appointments is uncertain. The cost for the Louisiana Board of Pharmacy is approximately \$1,000 in FY 25 for the notice and rule publication in the *Louisiana Register*.

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

The proposed rule change is not anticipated to impact the revenue collections of state or local governmental units.

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

The proposed rule is expected to increase the income of the pro tem Director of Investigations who meets the board's criteria for a particular proceeding.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed change is not expected to have any impact on competition or employment, except for the potential contract of a pro tem Director of Investigations who meets the board's criteria for a specific proceeding.

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Executive Director
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Patrice Thomas
Deputy Fiscal Officer
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NOTICE OF INTENT

Department of Health
Board of Medical Examiners

Physicians; Bridge Year Program
(LAC 46:XLV.303 and 398)

Notice is hereby given that in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the authority vested in the Board of Medical Examiners (board) by the Louisiana Medical Practice Act, R.S. 37:1270, R.S. 37:1275, the board proposes to amend LAC 46:XLV.303 by adding the definitions of "Bridge Year Graduate Physician" and "Training Physician" and to add a new provision, LAC 46:XLV.398, to create a new Bridge Year Graduate Physician Certificate, and to set forth requirements and provisions relative to the Certificate.

A. As used in this Chapter, the following terms shall have the meanings specified:

* * *

Bridge Year Graduate Physician—a person possessing a doctor of medicine (allopathic/M.D.), doctor of osteopathy or doctor of osteopathic medicine degree (osteopathic/D.O.) or an equivalent degree duly awarded by a medical or osteopathic educational institution approved by the board pursuant to §§333 to 341 of this Chapter who meets the requirements and qualifications provided in §§311 et seq., and who holds a certificate to practice under the direct supervision of a board-certified physician as provided in these rules.

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Training Physician—a board-certified physician who meets and maintains the requirements to serve as a preceptor for physicians practicing under a bridge year graduate physician certificate.

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B. Masculine terms wheresoever used in this Chapter shall also be deemed to include the feminine.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1271 and 37:1274.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 10:908 (November 1984), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:513 (June 1990), LR 27:835 (June 2001), LR 31:1582 (July 2005), LR 38:3173 (December 2012), amended by the Department of Health, Board of Medical Examiners, LR 51:

Subchapter H. Restricted Licensure, Permits
§398. Bridge Year Graduate Physician Program

A. A graduate of an accredited school of medicine or osteopathy who applied to, but was not accepted into, an accredited medical residency training program for the first year following medical school graduation, may apply for a bridge year graduate physician certificate.

1. A physician practicing under a bridge year graduate physician certificate shall practice in training for one post-graduate year under the direct supervision of a board-certified physician who has completed training required by the board to be a training physician and who maintains such training at intervals required by the board.

2. The training physician shall practice in the same or an adjacent facility and shall formally review and co-sign the work of the bridge year physician.

3. A physician practicing under a bridge year graduate physician certificate shall have prescriptive authority in accordance with state and federal law and board rules, as authorized and supervised by the training physician.

4. The training physician shall issue a report at the end of the bridge year indicating the scope and breadth of the practice of the participating bridge year graduate physician and the instruction and training given to the bridge year graduate physician. The training physician's report shall contain a statement as to whether or not the bridge year graduate physician would be recommended for a residency position upon reapplication.

5. A bridge year graduate physician certificate shall be valid for one year and may be renewed for no more than two additional one-year periods upon application to, and discretion of, the board.

B. The board shall select the participants for the bridge year graduate physician program and has the authority to accept or reject any applicant. If the number of applicants exceeds the available number of training physicians or training locations, preference may be given to applicants desiring to practice in underserved areas, in primary care or internal medicine, to Louisiana residents, or to graduates of Louisiana medical schools.

C. The board may suspend, terminate, or revoke a bridge year graduate physician certificate prior to the expiration of one year for any reason provided by law or board rule for the termination of licenses, permits, registrations, or certificates issued by the board.

D. A bridge year graduate physician certificate shall not confer any future right to full, unrestricted licensure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1275, 37:1310.11 and 1310.12.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Medical Examiners, LR 51:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on the family has been considered. It is anticipated that the proposed amendments will have a positive impact on family, formation, stability or autonomy, as described in R.S. 49:972, due to providing increased access to health care.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on those that may be living at or below one hundred percent of the federal poverty line has been considered. It is anticipated that the amendments will lead to the provision of increased access to health care in the community, thereby positively affecting care, education development, workforce and employment opportunities, as well as positive effects on financial security for families and to increased income and sales tax revenues for local and state government.

Small Business Analysis

It is not anticipated that the proposed amendments will have any adverse impact on small businesses as defined in the Regulatory Flexibility Act, R.S. 49:978.1 et seq.

Provider Impact Statement

In compliance with HCR 170 of the 2014 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on organizations that provide services for individuals with developmental disabilities has been considered. It is not anticipated that the proposed amendments will have any impact on the staffing, costs or

overall ability of such organizations to provide the same level of services, as described in HCR 170.

Public Comments

Interested persons may submit written data, views, arguments, information or comments on the proposed amendments to Jacintha Duthu, LSBME, 630 Camp Street, New Orleans, LA 70130. She is responsible for responding to inquiries. Written comments will be accepted until 4 p.m., Thursday, April 24, 2025.

Public Hearing

A request pursuant to R.S. 49:953(A)(2) for a public hearing must be made in writing and received by the Board within 20 days of the date of this notice. If a public hearing is requested to provide data, views, arguments, information or comments orally in accordance with the Louisiana Administrative Procedure Act, the hearing will be held on Thursday, April 24, 2025 at 9 a.m., at the office of the LSBME, 630 Camp Street, New Orleans, LA 70130. Any person wishing to attend should call in advance to confirm.

Vincent A. Culotta, Jr., M.D.
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Physicians; Bridge Year Program

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

The proposed rule creates a bridge year graduate physician certificate will initially increase the LSBME's workload and paperwork requirements, at least for FY 25. However, since the board already has established procedures for other licensure types and restricted licenses, the extent of additional expenses, workload, and paperwork—such as the need to hire more licensing analysts or investigators—will depend on the number of applicants, which remains unknown at this time. The proposed change will result in a publication expense of approximately \$1,000 in FY 25 for the Louisiana State Board of Medical Examiners (LSBME).

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

The proposed rule change is not anticipated to impact the revenue collections of state or local governmental units.

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

The proposed rule creates a bridge year graduate physician program, will have both economic benefits and costs. The program allows bridge year physicians to function as physician extenders, enabling them to receive compensation through Medicaid and other insurance reimbursements. However, board-certified physicians serving as preceptors will experience an increased workload due to the direct supervision requirements, potentially impacting their time and resources.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change will have no effect on competition or employment.

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