

NOTICE OF INTENT

**Department of Health
Bureau of Health Services Financing**

**Free-Standing Birth Centers
Licensing Standards
(LAC 48:I.Chapter 67)**

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 48:I.Chapter 67 as authorized by R.S. 36:254. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

The Department of Health proposes to amend the provisions governing the licensing of free-standing birth centers (FSBCs) in order to: 1) add and update definitions; 2) clarify licensing requirements and responsibilities of the governing board; 3) modify education and training requirements of personnel; and, 4) update FSBC service delivery requirements.

Title 48

PUBLIC HEALTH-GENERAL

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 67. Free-Standing Birth Centers

Subchapter A. General Provisions

§6703. Definitions

Certified Nurse Midwife (CNM)—an advanced practice

registered nurse as defined by R.S. 37:913, or current law.

Emergent—a medical condition that, if not stabilized, could reasonably be expected to result in the loss of the person's life, serious permanent disfigurement, or loss or impairment of the function of a bodily member or organ.

Line of Credit—a credit arrangement with a federally insured, licensed lending institution which is established to assure that the provider has available funds as needed to continue the operations of the agency and the provision of services to clients. The line of credit shall be issued to the licensed entity and shall be specific to the geographic location shown on the license. For purposes of FSBC licensure, the line of credit shall not be a loan, credit card or a bank balance.

Transfer Agreement—a written agreement made with at least one receiving hospital in the community for the timely transport of emergency clients to a licensed hospital that will provide obstetric/newborn acute care should an emergency arise which would necessitate hospital care and services.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, R.S. 40:2180.21-2180.28, R.S. 37:1270 and R.S. 37:3241-

3259.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2107 (August 2022), amended LR 49:

§6705. General Requirements

A. - J. ...

K. Each FSBC shall have requirements and protocols for assessing, transferring, and transporting clients to a licensed hospital, and arrangements with a local ambulance service for the transport of emergency clients to a licensed hospital. Arrangements may include an annual, written notification to a local ambulance company advising of the FSBC's operational status. The written notification shall, at a minimum, include the FSBC's name, address, and telephone number.

L. - N. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2108 (August 2022), amended LR 49:

§6709. Initial Licensure Application Process

A. ...

B. The initial licensing application packet shall include:

1. - 4. ...

5. proof of each insurance coverage as follows:

a. - b. ...

c. professional liability insurance of at least \$100,000 per occurrence/\$300,000 per annual aggregate, or proof of self-insurance of at least \$100,000, along with proof of enrollment as a qualified healthcare provider with the Louisiana Patient's Compensation Fund (PCF). If the FSBC is not enrolled in the PCF, professional liability limits shall be \$1,000,000 per occurrence/\$3,000,000 per annual aggregate; and

i. Repealed.

d. ...

6. proof of financial viability which entails:

a. a line of credit issued from a federally insured, licensed lending institution in the amount of at least \$25,000; or

b. verification of sufficient assets equal to \$25,000 or the cost of three months of operation, whichever is less;

B.7. - H. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2109 (August

2022), amended LR 49:

§6715. Changes in Licensee Information or Personnel

A. - H. ...

1. An on-site physical environment survey by the HSS, and an on-site inspection by the OPH and the OSFM shall be required prior to the issuance of the new license.

2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2111 (August 2022), amended LR 49:

§6717. Renewal of License

A. The FSBC shall submit a completed license renewal application packet to the department at least 30 days prior to the expiration of the current license. The license renewal application packet shall include the:

1. ...

2. non-refundable license renewal/delinquent fee;

3. - 5. ...

6. proof of each insurance coverage as follows:

a. - b. ...

c. professional liability insurance of at least \$100,000 per occurrence/\$300,000 per annual aggregate, or proof

of self-insurance of at least \$100,000, along with proof of enrollment as a qualified healthcare provider with the PCF. If the FSBC is not enrolled in the PCF, professional liability limits shall be \$1,000,000 per occurrence/\$3,000,000 per annual aggregate; and

i. Repealed.

d. ...

7. proof of financial viability that entails:

a. a line of credit issued from a federally insured, licensed lending institution in the amount of at least \$25,000; or

b. verification of sufficient assets equal to \$25,000 or the cost of three months of operation, whichever is less; and

A.8. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2111 (August 2022), amended LR 49:

Subchapter B. Administration and Organization

§6735. Governing Body

A. - C. ...

D. The governing body of an FSBC shall:

1. ...
2. review and approve the FSBC's annual budget;
 - a. - b. Repealed.
3. designate a person to act as the administrator and delegate enough authority to this person to manage the day-to-day operations of the FSBC;
4. annually evaluate the administrator's performance;
5. have the authority to dismiss the administrator;
6. formulate and annually review, in consultation with the administrator, written policies and procedures concerning the FSBC's philosophy, goals, current services, personnel practices, job descriptions, fiscal management, and contracts:
 - a. the FSBC's written policies and procedures shall be maintained within the FSBC and made available to all staff during hours of operation;
7. determine, in accordance with state law, which licensed healthcare practitioners are eligible candidates for appointment to the FSBC staff;
 - a. Repealed.
8. ensure and maintain quality of care, inclusive of a quality assurance/performance improvement process that measures client, process, and structural (e.g. system) outcome

indicators to enhance client care;

9. ensure that birthing procedures shall not be performed in areas other than the birthing rooms;

10. ensure that birthing procedures are initiated in accordance with acceptable standards of practice;

11. meet with designated representatives of the department whenever required to do so;

12. inform the department, or its designee, prior to initiating any substantial changes in the services provided by the FSBC; and

13. ensure that pursuant to R.S. 40:1191.2, prior to the final disposition of a miscarried child, but not more than 24 hours after a miscarriage occurs in an FSBC, the FSBC shall notify the client, or if the client is incapacitated, the spouse of the client, both orally and in writing, of both of the following:

a. the parent's right to arrange for the final disposition of the miscarried child using the notice of parental rights form as provided for in R.S. 40:1191.3; and

b. the availability of a chaplain or other counseling services concerning the death of the miscarried child, if such services are provided by the FSBC.

14. - 14.b. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S.

36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2116 (August 2022), amended LR 49:

Subchapter C. Admissions, Transfers and Discharges

§6743. Prohibitions to Admission or Continued Care in an FSBC

A. The FSBC shall not knowingly accept or thereafter maintain responsibility for the prenatal or intrapartum care of a woman who:

1. - 16. ...

17. has a parity greater than five, with poor obstetrical history;

A.18. - B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2117 (August 2022), amended LR 49:

§6745. Admissions and Assessments

A. ...

B. An FSBC shall ensure that each client has the appropriate pre-natal and postpartum assessments completed, inclusive of the FSBC's ability to provide services needed in the postpartum period in accordance with the prescribed plan of

care, and discharge plans to home or another licensed facility setting. The FSBC shall ensure that any length of client care does not exceed 23 hours post-delivery.

C. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2117 (August 2022), amended LR 49:

§6747. Required Newborn Care

A. Each delivery shall be attended by two qualified personnel currently trained in:

1. the use of emergency equipment;
2. adult cardiopulmonary resuscitation equivalent to American Heart Association Class C Basic Life Support; and
3. Neonatal Resuscitation Program endorsed by the American Academy of Pediatrics/American Heart Association.

B. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2118 (August 2022), amended LR 49:

§6751. Required Physician Consultation, Postpartum Period

A. The licensed healthcare practitioner shall obtain medical consultation or refer for emergent medical care any woman who, during the postpartum period:

1. - 7. ...

B. The licensed healthcare practitioner shall obtain medical consultation or refer for emergent medical care any infant who:

B.1. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2118 (August 2022), amended LR 49:

Subchapter D. Service Delivery

§6757. Perinatal Services

A. - C. ...

D. Except for the requirements of §6747.A. specific to deliveries, at least one licensed healthcare practitioner shall be immediately available in the FSBC until all clients are assessed as stable, and shall have been trained in:

1. ...

2. adult cardiopulmonary resuscitation equivalent to American Heart Association Class C Basic Life Support; and

3. Neonatal Resuscitation Program endorsed by

American Academy of Pediatrics/American Heart Association.

4. Repealed.

E. - G.5. ...

H. There shall be enough staff assigned to the postpartum care area to meet the needs of the clients.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40: 2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2119 (August 2022), amended LR 49:

§6759. Transfer Agreements and Client Transfers

A. ...

B. If the FSBC is not able to secure a written transfer agreement, the licensed healthcare practitioner shall be responsible for the safe and immediate transfer of the patients from the FSBC to a hospital when a higher level of care is indicated. Transportation to a local hospital shall be mediated by ambulance when emergency consultation is needed.

C. - C.3. ...

D. The FSBC shall be located within 20 minutes' transport time to a general acute care hospital providing obstetric services 24 hours per day and seven days a week, with which the FSBC has a written transfer agreement. The FSBC shall maintain a contractual relationship with the general acute care hospital,

including a written transfer agreement, which allows for an emergency cesarean delivery to begin within 30 minutes of the decision made by a licensed obstetrician at the receiving hospital that a cesarean delivery is necessary.

E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40: 2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2119 (August 2022), amended LR 49:

Subchapter E. Facility Responsibilities

§6767. General Provisions

A. - A.5. ...

B. An FSBC shall have qualified staff sufficient in number to meet the needs of clients and to ensure provision of services.

C. The FSBC shall develop and maintain documentation of an orientation program for all employees, either contract or staff that is sufficient in scope and duration to inform the individual about his/her responsibilities, how to fulfill them, review of policies and procedures, job descriptions, competency evaluations, and performance expectations. An orientation program and documented competency evaluation and/or job expectations of assigned or reassigned duties shall be conducted

prior to any assignments or reassignments.

D. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2120 (August 2022), amended LR 49:

§6769. Staffing Requirements

A. Administrative Staff. The following administrative staff is required for all FSBCs:

1. a qualified administrator at each licensed geographic location who shall meet the qualifications as established in these provisions; and

2. other administrative staff as necessary to operate the FSBC and to properly safeguard the health, safety, and welfare of the clients receiving services.

3. Repealed.

B. - B.2. ...

3. The administrator shall meet the following qualifications:

a. possess a college degree from an accredited university; or

b. have three years of relevant work experience involving administrative duties in a healthcare facility.

B.4. - D.9. ...

E. Licensed Healthcare Practitioner Staff

1. The FSBC shall have an organized licensed healthcare practitioner staff, inclusive of one or more of the following, who shall attend each woman in labor from the time of admission through birth, and the immediate postpartum period:

E.1.a. - F.1. ...

2. The FSBC shall ensure that the delivery services are directed under the leadership of licensed healthcare practitioner(s) sufficient in number, to plan, assign, supervise, and evaluate delivery services, as well as to give clients the high-quality care that requires the judgment and specialized skills of licensed healthcare practitioners.

2.a. - 3. ...

4. A formalized program on in-service training shall be developed and implemented for all categories of the FSBC. Training shall be required on a quarterly basis related to required job skills.

a. Documentation of such in-service training shall be maintained on-site in the FSBC's files. Documentation shall include the:

- i. training content;
- ii. date and time of the training;
- iii. names and signatures of personnel in

attendance; and

iv. name of the presenter(s).

5. General staffing provisions for the delivery rooms shall be the following:

a. each delivery procedure shall be performed by a licensed healthcare practitioner; and

i. - iv. Repealed.

b. appropriately trained qualified personnel may perform assistive functions during each delivery procedure.

6. - 6.b. Repealed.

G. - G.4.g. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2120 (August 2022), amended LR 49:

§6773. Clinical Records

A. - F. ...

G. The following data shall be documented and included as part of each client's basic clinical record:

1. - 16.d. ...

17. name(s) of the treating licensed healthcare practitioner(s);

G.18. - K.2. ...

L. All pertinent observations, treatments, and medications given to a client shall be entered in the staff notes as part of the clinical record. All other notes relative to specific instructions from the licensed healthcare practitioner shall be recorded.

M. - P. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2122 (August 2022), amended LR 49:

Subchapter F. Safety, Sanitization and Emergency Preparedness

§6781. Infection Control

A. - G. ...

1. Employees with symptoms of illness that have the potential of being potentially contagious or infectious (i.e. diarrhea, skin lesions, respiratory symptoms, infections, etc.) shall be either evaluated by a physician or another qualified licensed healthcare practitioner and/or restricted from working with clients during the infectious stage.

H. - L. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of

Health, Bureau of Health Services Financing, LR 48:2124 (August 2022), amended LR 49:

Subchapter G. Physical Environment

§6793. General Requirements

A. - E. ...

F. Waivers

1. The secretary of the department or their designee may, within their sole discretion, grant waivers to building and construction guidelines. The facility shall submit a waiver request in writing to the HSS. The facility shall demonstrate how patient safety and the quality of care offered is not compromised by the waiver. The facility shall demonstrate their ability to completely fulfill all other requirements of the service. The department will make a written determination of the request. Waivers are not transferable in an ownership change, and are subject to review or revocation upon any change in circumstances related to the waiver. The facility does not have the right to an administrative appeal in regards to the denial or revocation of any waiver.

2. - 3. Repealed.

G. Facility within a Facility

1. If more than one healthcare provider occupies the same building, premises, or physical location, all treatment facilities and administrative offices for each healthcare

facility shall be clearly separated from the other by a clearly defined and recognizable boundary.

2. There shall be clearly identifiable and distinguishable signs posted inside the building as well as signs posted on the outside of the building for public identification of the FSBC. Compliance with the provisions of R.S. 40:2007 shall be required.

3. An FSBC that is located within a building that is also occupied by one or more other businesses and/or other healthcare facilities shall have all licensed spaces and rooms of the FSBC contiguous to each other and defined by cognizable boundaries.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2127 (August 2022), amended LR 49:

§6795. General Appearance and Space Requirements

A. - F. ...

G. The FSBC shall meet the following requirements including, but not limited to:

1. - 5. ...

6. each FSBC shall provide for a well-marked, illuminated entrance for drop off and/or pick up of clients

before and after delivery services are complete.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254 and R.S. 40:2180.21-2180.28.

HISTORICAL NOTE: Promulgated by the Department of Health, Bureau of Health Services Financing, LR 48:2128 (August 2022), amended LR 49:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed Rule on the family has been considered. It is anticipated that this proposed Rule will have no impact on family functioning, stability and autonomy as described in R.S. 49:972.

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973.

Small Business Analysis

In compliance with the Small Business Protection Act, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule may have a positive impact on small businesses by ensuring that the

administrative Rule governing free-standing birth centers aligns with current requirements for licensure.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will have no impact on the staffing level requirements or qualifications required to provide the same level of service, and will have no impact on the provider's ability to provide the same level of service as described in HCR 170.

Public Comments

Interested persons may submit written comments to Tasheka Dukes, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Dukes is responsible for responding to inquiries regarding this proposed Rule. The deadline for submitting written comments is at 4:30 p.m. on January 30, 2023.

Public Hearing

Interested persons may submit a written request to conduct a public hearing by U.S. mail to the Office of the Secretary ATTN: LDH Rulemaking Coordinator, Post Office Box 629, Baton Rouge, LA 70821-0629; however, such request must be received no later than 4:30 p.m. on January 9, 2023. If the criteria set forth in R.S. 49:953(A)(2)(a) are satisfied, LDH will conduct a

public hearing at 9:30 a.m. on January 26, 2023 in Room 118 of the Bienville Building, which is located at 628 North Fourth Street, Baton Rouge, LA. To confirm whether or not a public hearing will be held, interested persons should first call Allen Enger at (225) 342-1342 after January 9, 2023. If a public hearing is to be held, all interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing. In the event of a hearing, parking is available to the public in the Galvez Parking Garage, which is located between North Sixth and North Fifth/North and Main Streets (cater-corner from the Bienville Building). Validated parking for the Galvez Garage may be available to public hearing attendees when the parking ticket is presented to LDH staff at the hearing.

Dr. Courtney N. Phillips

Secretary

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

Person
Preparing
Statement: Veronica Dent Dept.: Health

Phone: 225-342-3238 Office: Bureau of Health Services Financing

Return
Address: P.O. Box 91030 Rule
Baton Rouge, LA Title: Free-Standing Birth Centers
Licensing Standards

Date Rule
Takes Effect: March 20, 2023

SUMMARY
(Use complete sentences)

In accordance with Section 953 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)

It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 22-23. It is anticipated that \$2,376 will be expended in FY 22-23 for the state's administrative expense for promulgation of this proposed rule and the final rule.

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

It is anticipated that the implementation of this proposed rule will have no effect on revenue collections since the fees from currently licensed providers will continue to be collected in the same amounts.

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

This proposed rule amends the provisions governing the licensing of free-standing birth centers (FSBCs) in order to: 1) add and update definitions; 2) clarify licensing requirements and responsibilities of the governing board; 3) modify education and training requirements of personnel; and, 4) update FSBC service delivery requirements. Implementation of this proposed rule is not anticipated to result in costs to FSBCs for FY 22-23, FY 23-24, and FY 24-25, but will be beneficial for these providers by ensuring that the provisions in the *Louisiana Administrative Code* align with current requirements for licensure.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

This rule has no known effect on competition and employment.

Tasheka Dukes
Signature of Agency Head or Designee

Tasheka Dukes, RN
Deputy Assistant Secretary
LDH Health Standards Section
Typed Name & Title of Agency Head or Designee

12/07/2022
Date of Signature

Alan M. Bortone
Legislative Fiscal Officer or Designee

12/8/22
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).

This proposed rule amends the provisions governing the licensing of free-standing birth centers (FSBCs) in order to: 1) add and update definitions; 2) clarify licensing requirements and responsibilities of the governing board; 3) modify education and training requirements of personnel; and, 4) update FSBC service delivery requirements.

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

The Department of Health proposes to amend the provisions governing the licensing of free-standing birth centers (FSBCs) in order to: 1) add and update definitions; 2) clarify licensing requirements and responsibilities of the governing board; 3) modify education and training requirements of personnel; and, 4) update FSBC service delivery requirements.

- 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.

No. It is anticipated that implementation of this proposed rule will have no programmatic fiscal impact to the state other than the cost of promulgation for FY 22-23. In FY 22-23, \$2,376 is included for the state's administrative expense for promulgation of this proposed rule and the final rule.

- (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

**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 23	FY 24	FY 25
Personal Services			
Operating Expenses	\$2,376	\$0	\$0
Professional Services			
Other Charges			
Equipment			
Major Repairs & Constr.			
TOTAL	\$2,376	\$0	\$0

POSITIONS (#)

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.

In FY 22-23, \$2,376 will be spent for the state's administrative expense for promulgation of this proposed rule and the final rule.

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

SOURCE	FY 23	FY 24	FY 25
State General Fund	\$2,376	\$0	\$0
Agency Self-Generated			
Dedicated			
Federal Funds			
Other (Specify)			
TOTAL	\$2,376	\$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?

Yes, sufficient funds are available to implement this rule.

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.

The proposed rule has no known impact on local governmental units.

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

There is no known impact on the sources of local governmental unit funding.

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?

<u>REVENUE INCREASE/DECREASE</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>
State General Fund			
Agency Self-Generated			
Dedicated Funds*			
Federal Funds			
Local Funds			
<u>TOTAL</u>			

*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.

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.

This proposed rule amends the provisions governing the licensing of free-standing birth centers (FSBCs) in order to: 1) add and update definitions; 2) clarify licensing requirements and responsibilities of the governing board; 3) modify education and training requirements of personnel; and, 4) update FSBC service delivery requirements.

- 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.

Implementation of this proposed rule is not anticipated to result in costs to FSBCs for FY 22-23, FY 23-24, and FY 24-25, but will be beneficial for these providers by ensuring that the provisions in the *Louisiana Administrative Code* align with current requirements for licensure

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.

This rule has no known effect on competition and employment.