

**NOTICE OF INTENT**

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

**Case Management  
Licensing Standards  
(LAC 48:I.Chapter 49)**

The Department of Health, Bureau of Health Services Financing proposes to amend LAC 48:I.Chapter 49 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, Bureau of Health Services Financing proposes to amend the provisions governing the licensing of case management providers in order to amend the training and education requirements to address current staff shortages and ensure sufficient access to services.

**Title 48  
PUBLIC HEALTH—GENERAL  
Part I. General Administration  
Subpart 3. Licensing and Certification**

**Chapter 49. Case Management**

**§4901. Personnel Standards**

A. Staff Qualifications

1. Case managers hired or promoted ~~on or after~~ between August 20, 1994 and September 30, 2021, must meet the following criteria for education and experience:

a. - e. ...

2. Case ~~management supervisors~~ managers hired or promoted on or after ~~August 20, 1994~~ must October 1, 2021, shall meet the following ~~qualifications~~ criteria for education and experience:

a. a bachelor's or master's degree in social work, ~~psychology, nursing, counseling, rehabilitation counseling, education with certification in special education, occupational therapy, speech or physical therapy~~ from ~~an~~ a program accredited ~~institution;~~ and ~~two years of paid post-degree experience in a human services related field providing direct consumer services or case management;~~ and ~~one year of this experience must be in providing direct consumer services to the targeted population to be served~~ by the Council on Social Work Education; or

b. a ~~bachelor's degree in social work from a social work program accredited by the Council on Social Work Education;~~ and ~~three years of paid post-degree experience in a human services related field providing direct consumer services or case management. Two years of this experience must be in providing direct consumer services to the targeted population to be served~~ currently licensed registered nurse; or

c. a ~~licensed registered nurse;~~ and ~~three years of paid post-licensure experience as a registered nurse in public health or~~ bachelor's or master's degree in a human

~~services related field providing direct consumer services or case management. Two years of this experience must be in providing direct consumer services or case management to the target population to be served~~ which includes psychology, education, counseling, social services, sociology, philosophy, family and consumer sciences, criminal justice, rehabilitation services, child development, substance abuse, gerontology, and vocational rehabilitation; or

d. a bachelor's degree in ~~a human services field including but not limited to psychology, education, rehabilitation counseling, or counseling from an accredited institution; and four years of paid post-degree experience in a human services related field providing direct consumer services or case management. Two years of this experience must be in providing direct consumer services to the targeted population to be served;~~ liberal arts or general studies with a concentration of at least 16 hours in one of the fields listed in accordance with §4901.A.2.c.

e. ~~thirty hours of graduate level course credit in the human services field may be substituted for one year of experience.~~ Repealed.

3. Case management supervisors hired or promoted between August 20, 1994 and September 30, 2021, must meet the following qualifications for education and experience:

a. a master's degree in social work, psychology, nursing, counseling, rehabilitation counseling, education with certification in special education, occupational therapy, speech or physical therapy from an accredited institution; and two years of paid post-degree experience in a human services related field providing direct consumer services or case management; and one year of this experience must be in providing direct consumer services to the targeted population to be served; or

b. a bachelor's degree in social work from a social work program accredited by the Council on Social Work Education; and three years of paid post-degree experience in a human services related field providing direct consumer services or case management. Two years of this experience must be in providing direct consumer services to the targeted population to be served; or

c. a licensed registered nurse; and three years of paid post-licensure experience as a registered nurse in public health or a human services related field providing direct consumer services or case management. Two years of this experience must be in providing direct consumer services or case management to the target population to be served; or

d. a bachelor's degree in a human services field including but not limited to psychology, education,

rehabilitation counseling, or counseling from an accredited institution; and four years of paid post-degree experience in a human services related field providing direct consumer services or case management. Two years of this experience must be in providing direct consumer services to the targeted population to be served.

4. Case management supervisors hired or promoted on or after October 1, 2021, shall meet the following qualifications for education and experience:

a. a bachelor's or master's degree in social work from a program accredited by the Council on Social Work Education, and two years of paid post degree experience in providing Support Coordination services; or

b. a currently licensed registered nurse with at least two years of paid nursing experience; or

c. a bachelor's or master's degree in a human services related field which includes psychology, education, counseling, social services, sociology, philosophy, family and consumer sciences, criminal justice, rehabilitation services, child development, substance abuse, gerontology, and vocational rehabilitation, and two years of paid post degree experience in providing support coordination services; or

d. a bachelor's degree in liberal arts or general studies with a concentration of at least 16 hours in one

of the fields listed in §4901.A.4.c, and two years of paid post degree experience in providing support coordination services.

B. - B.5. ...

6. A case manager must complete a minimum of ~~40~~20 hours of training per calendar year. For new employees, the orientation training cannot be counted toward the ~~40~~20 hour minimum annual training requirement. The 16 hours of training for new case managers required in the first 90 days of employment may be counted toward the ~~40~~20-hour minimum annual training requirement. Appropriate updates of topics covered in orientation and training for a new case manager must be included in the required ~~40~~20 hours of annual training. The following is a list of suggested additional topics for annual training:

a. - z. ...

7. A case management supervisor must satisfactorily complete ~~40~~20 hours of training per year. A new supervisor must satisfactorily complete a minimum of 16 hours on all of the following topics prior to assuming case management supervisory responsibilities:

B.7.a. - C.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, Division of

Licensing and Certification, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office of the Secretary, LR 20:885 (August 1994), amended by the Department of Health, Bureau of Health Services Financing, LR 47:

**§4903. Caseload Size Standards**

A. ...

B. Each case management supervisor may only have a maximum of ~~five~~eight full-time case managers or a combination of full-time case managers and other human service staff under their direct supervision.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, Division of Licensing and Certification, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office of the Secretary, LR 20:887 (August 1994), amended by the Department of Health, Bureau of Health Services Financing, LR 47:

**§4951. Records—Administrative and Consumer**

A. - C. ...

D. A provider must have a written record for each consumer which must minimally include:

1. identifying data recorded on a standardized form including the following:

a. - l. ...

m. names, addresses, and phone numbers of other persons or providers involved with the consumer's service plan.

This shall include the consumer's qualified, licensed physician or other licensed health care practitioner who is acting within the scope of practice of his/her respective licensing board(s) and/or certification(s);

D.1.n. - L. ...

M. The records are maintained until audited and all audit questions answered or for ~~three~~six years from the time of payment, whichever is longer.

N. - T. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, Division of Licensing and Certification, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office of the Secretary, LR 20:891 (August 1994), amended by the Department of Health, Bureau of Health Services Financing, LR 47:

**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 a positive impact on family functioning, stability and autonomy as described in R.S. 49:972 as it will ensure continued access to case management services.

**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 a positive impact on child, individual, or family poverty in relation to individual or community asset development as described in R.S. 49:973 as it will ensure continued access to case management services.

**Small Business Statement**

In compliance with Act 820 of the 2008 Regular Session of the Louisiana Legislature, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have a positive impact on small businesses, as described in R.S. 49:965.2 et seq. because it reduces the barriers to hiring staff.

**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 a positive impact on the staffing level and qualifications required to provide the same level of service, no direct or indirect cost to the provider to provide the same level of service, but will have a positive impact on the provider's ability to provide the same level of service as described in HCR 170 because it reduces the barriers to hiring staff.

#### **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 July 30, 2021.

#### **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 July 12, 2021. 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 July 29, 2021 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 July 12, 2021. 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