

DECLARATION OF EMERGENCY

Department of Health Licensed Professional Counselors Board of Examiners

Diagnosing for Serious Mental Illnesses (LAC 46:LX.505 and 3107)

The Louisiana Department of Health, Louisiana Licensed Professional Counselors Board of Examiners has exercised the emergency provisions of the Administrative Procedures Act, specifically R.S. 49:953(B), to rescind rules relative to the Practice of Mental Health Counseling, designated as §§505 and 3107 of board rules. Previously, §§505 and 3107 of board rules was promulgated due to Act 736/636 which limited the scope of practice by requiring consultation and collaboration regarding certain identified “serious mental illnesses”.

On June 14, 2017 Act 235 repealed this portion of Act 736/636 and **now enables LPCs and LMFTs to practice without required consultation and collaboration.** This Emergency Rule to rescind §§505 and 3107 is effective June 1, 2018, and shall remain in effect for 120 days, unless renewed or until the permanent rules and regulations become effective

This action is necessary due to the immediate effect of Act 235 on June 14, 2017, which redefines duties for Louisiana Professional Counselors who treat “serious mental illnesses”. Because Act 235 was effective on June 14, 2017 upon the governor’s signature, and because of the substantive changes made, there is insufficient time to promulgate these rules under the usual Administrative Procedure Act rulemaking process. However, the Louisiana Licensed Professional Counselors Board of Examiners plans to submit a Notice of Intent for publication in the June 20, 2018 edition of the Louisiana Register and will submit the final Rule for publication in the August 20, 2018 edition of the Louisiana Register.

Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS Part LX. Licensed Professional Counselors Board of Examiners Subpart 1. Licensed Professional Counselors Chapter 5. License and Practice of Counseling §505. Serious Mental Illnesses Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1105(D). HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Licensed Professional Counselors Board of Examiners, LR 39:1784 (July 2013), amended LR 41:711 (April 2015), repealed by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 44: Subpart 2. Professional Standards for Licensed Marriage and Family Therapists and Provisional Licensed Marriage and Family Therapists Chapter 31. License of Title for Marriage and Family Therapy §3107. Serious Mental Illness Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1101-1123.

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HISTORICAL NOTE: Promulgated by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 43:1981 (October 2017), repealed by the Department of Health, Licensed Professional Counselors Board of Examiners, LR 44:

Jamie S. Doming Executive Director