



**State of Louisiana**  
Louisiana Department of Health  
Office of Aging and Adult Services

September 6, 2016

**MEMORANDUM**

**TO:** The Honorable John A. Alario, President, Louisiana Senate  
(apa.senatepresident@legis.la.gov)  
The Honorable Taylor F. Barras, Speaker of the House  
(apa.housespeaker@legis.la.gov)  
The Honorable Fred H. Mills, Jr., Chairman, Senate Committee on Health and  
Welfare (apa.s-h&w@legis.la.gov)  
The Honorable Frank A. Hoffmann, Chairman, House Committee on Health and  
Welfare (apa.h-hw@legis.la.gov)  
The Honorable Eric LaFleur, Chairman, Senate Finance Committee  
(apa.s-fin@legis.la.gov)  
The Honorable Cameron Henry, Chairman, House Appropriations Committee  
(apa.h-app@legis.la.gov)

**FROM:** Rebekah E. Gee MD, MPH  
Secretary

A handwritten signature in blue ink, appearing to read "Rebekah E. Gee", with a large blue scribble over it.

**RE:** Oversight Report on Office of Aging and Adult Services Proposed Rulemaking

In accordance with the Administrative Procedure Act (R.S. 49:950 et seq.) as amended, we are submitting the attached documents for the proposed Rule for Traumatic Head and Spinal Cord Injury

The Department published a Notice of Intent on this proposed Rule in the July 20, 2016 issue of the *Louisiana Register* (Volume 42, Number 7). A public hearing was held on August 29, 2016 at which only employees of LDH were present. No oral testimony was given or written comments received regarding this proposed Rule.

The Department anticipates adopting the Notice of Intent as a final Rule in the October 20, 2016 issue of the *Louisiana Register*

The following documents are attached:

1. a copy of the Notice of Intent;
2. the public hearing certification;
3. the public hearing attendance roster; and
4. a digital recording of the hearing

MMR

Attachments (4)

**NOTICE OF INTENT**

**Department of Health  
Office of Aging and Adult Services**

Spinal Cord Injury (LAC 48:I.1905)

The Louisiana Department of Health, Office of Aging and Adult Services proposes to amend the language included in the definition of *spinal cord injury* to comply with the definition as set forth in R.S. 46:2632. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:450 et seq.

The Louisiana Department of Health, Office of Aging and Adult Services, assumed the Traumatic Head and Spinal Cord Injury Trust Fund and its functions as promulgated in LR 40:84.

**Title 48**

**PUBLIC HEALTH—GENERAL**

**Part I. General Administration**

**Subpart 1. General**

**Chapter 19. Traumatic Head and Spinal Cord Injury**

**§1905. Definitions**

**[Formerly LAC 67:VII.1905]**

\* \* \*

*Spinal Cord Injury*—an insult to the spinal cord, not of a degenerative or congenital nature but caused by an external physical force resulting in paraplegia or quadriplegia.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:2631-2635 and R.S. 36:259(T).

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of Rehabilitation Services, LR 21:1253 (November 1995), amended by the Department of Health and Hospitals, Office of Aging and Adult Services, LR 40:84 (January 2014), amended

by the Department of Health, Office of Aging and Adult Services, LR 42:

#### **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 neutral impact on family formation, stability or 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.

#### **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, no direct or indirect cost to the provider 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 Melanie Richard, Louisiana Department of Health, Office of Aging and Adult Services, P.O. Box 2031 (Bin 14), Baton Rouge, LA 70821 or by email to [Melanie.Richard@la.gov](mailto:Melanie.Richard@la.gov). Ms. Richard is responsible for responding to inquiries regarding this proposed Rule. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

#### **Public Hearing**

A public hearing on this proposed Rule is scheduled for Monday, August 29, 2016 at 9:30 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views or arguments either orally or in writing.

Rebekah E. Gee MD, MPH  
Secretary

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Spinal Cord Injury**

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

The proposed rule amends Louisiana Administrative Code (LAC) Title 48, Part I, Chapter 19—Traumatic Head and Spinal Cord Injury, in order to remedy a disparity between the definition of Spinal Cord Injury found in the existing LAC 48:1905 and R.S. 46:2632. The definition of *Spinal Cord Injury* in LAC 48:1905 is being amended so that it corresponds with the definition as written in R.S. 46:2632 by specifying “paraplegia” in lieu of “paraparesis/plegia” and “quadriplegia” in lieu of “quadraparesis/plegia”.

The proposed rule will have no programmatic fiscal impact to the Louisiana Department of Health other than the cost of rule promulgation for FY 17. The cost of rulemaking is anticipated to be \$426 in State General Fund for promulgation of both the proposed

rule and the final rule. The cost of rulemaking is routinely included in the agency's annual operating budget.

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

It is anticipated that the implementation of this proposed rule will not affect revenue collections for FY 17.

#### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)**

It is anticipated that implementation of this proposed rule will have no economic cost or benefits to directly affected persons or non-governmental groups for FY 17, FY 18, and FY 19.

#### **IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

This proposed rule has no known effect on competition and employment.

Tara LeBlanc  
Assistant Secretary  
1607#055

John D. Carpenter  
Legislative Fiscal Officer  
Legislative Fiscal Office



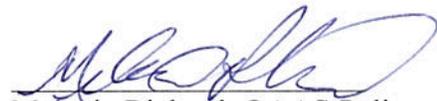
**State of Louisiana**  
Louisiana Department of Health  
Office of Aging and Adult Services

**PUBLIC HEARING CERTIFICATION**  
**August 29, 2016**  
**9:30 a.m.**

RE: Office of Aging and Adult Services – Spinal Cord Injury Definition  
Docket # 20160829  
Department of Health  
State of Louisiana

CERTIFICATION

In accordance with LA R.S. 49:950 et seq., the attached public hearing agenda, together with one digital recording of the public hearing conducted on August 29, 2016 in Baton Rouge, Louisiana constitute the official record of the above-referenced public hearing.

  
Melanie Richard, OAAS Policy

8/29/16  
Date



**LOUISIANA**  
**DEPARTMENT OF HEALTH**  
Aging and Adult Services

Hearing Topic: Spinal Cord Injury

Date: August 29, 2016

Place: Room 118 in the Bienville Building, Louisiana Department of Health at 628 North 4th Street, Baton Rouge, LA

PERSONS IN ATTENDANCE (Page 1):

Name	Address <i>(Please include full address and zip code)</i>	Telephone Number	AC
1. <u>Kirsten Clebert</u>	<u>Bienville Building</u>	<u>(925) 219-1149</u>	<u>LI</u>
2. <u>Valencia Roberts</u>	<u>Bienville Bldg</u>	<u>(225) 219-2410</u>	<u>LOH/K</u>
3. <u>Melanie Richard</u>	<u>Bienville Bldg.</u>	<u>(225) 342-8487</u>	<u>LD</u>
4.		( )	
5.		( )	
6.		( )	
7.		( )	
8.		( )	