

NOTICE OF INTENT

**Department of Health and Hospitals
Bureau of Health Services Financing**

**Hospital Licensing Standards
Therapeutic Recreational Therapists
(LAC 48:I.9501)**

The Department of Health and Hospitals, Bureau of Health Services Financing proposes to amend LAC 48:I.9501 in the Medical Assistance Program as authorized by R.S. 36:254 and R.S. 40:2100-2115. 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 and Hospitals, Office of the Secretary, Bureau of Health Services Financing promulgated a Rule that established new regulations governing the licensing of hospitals (*Louisiana Register, Volume 29, Number 11*). The department subsequently promulgated a Rule which amended the provisions of the November 20, 2003 Rule governing hospital licensing standards to establish provisions for crisis receiving centers (*Louisiana Register, Volume 36, Number 3*).

The Department of Health and Hospitals, Bureau of Health Services Financing now proposes to amend the provisions governing hospital licensing standards to revise the qualification requirements for therapeutic recreational therapists and to establish the qualifications of an individual

who shall clinically supervise therapeutic recreational services.

Title 48

**PUBLIC HEALTH-GENERAL
Part I. General Administration
Subpart 3. Licensing and Certification**

Chapter 95. Hospitals

Subchapter R. Psychiatric Services (Optional)

§9501. Staffing

A. - F. ...

G. Therapeutic activities such as art leisure counseling, recreational therapy, etc., shall be clinically supervised and provided by ~~licensed or~~ certified therapeutic recreational therapists or degreed individuals, adequate in number to respond to the therapeutic activity needs of the patient population being served. ~~A certified therapist is a person with a college degree who has obtained a certification as an activity therapist, recreational therapist, etc.~~

1. An individual who clinically supervises therapeutic recreation activities shall meet the following qualifications:

a. have a degree in therapeutic recreation therapy from an accredited post-secondary institution and be certified in accordance with the National Council for Therapeutic Recreation Certification requirements; or

b. have a degree in another field of study and has also attained certification in accordance with the National Council for Therapeutic Recreation Certification requirements.

2. An individual who provides therapeutic recreational services shall have the following qualifications:

a. a degree in therapeutic recreation from an accredited post-secondary institution; or

b. a degree in another field of study and has also attained certification in accordance with the National Council for Therapeutic Recreation Certification requirements; or

c. a minimum of 10 years' experience providing therapeutic recreational services; or

d. be currently employed as a Therapeutic Recreational Specialist 2 per Louisiana Civil Service requirements.

3. Individuals currently providing therapeutic recreational services who do not meet the qualifications of §9501.G.1-2.d., shall have two years from the effective date of this Rule to qualify as therapeutic recreational therapists.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health

Services Financing, LR 29:2427 (November 2003), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:

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 no impact on family functioning, stability or autonomy as described in R.S. 49:972.

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.

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 may have an adverse impact on the staffing level requirements or qualifications required to provide the same level of service if the provider elects to meet the requirements for therapeutic recreation therapist and may increase direct or indirect cost to the provider to provide the same level of service. This proposed Rule may negatively impact

the provider's ability to provide the same level of service as described in HCR 170.

Interested persons may submit written comments to Cecile Castello, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821 or by email to MedicaidPolicy@la.gov. Ms. Castello is responsible for responding to inquiries regarding this proposed Rule. A public hearing on this proposed Rule is scheduled for Tuesday, March 31, 2015 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. The deadline for receipt of all written comments is 4:30 p.m. on the next business day following the public hearing.

Kathy H. Kliebert

Secretary