



State of Louisiana

Department of Health and Hospitals

November 4, 2015

TO: The Honorable John A. Alario, Jr., President, Louisiana Senate
The Honorable Charles E. "Chuck" Kleckley, Speaker of the House of Representatives
The Honorable David R. Heitmeier, Chairman, Senate Committee on Health and Welfare
The Honorable Scott M. Simon, Chairman, House Committee on Health and Welfare

FR: Kathy Kliebert, Secretary *Approved for*

RE: 2nd Legislative Oversight Committee Summary Report on Proposed Rulemaking

Under the authority of R.S. 40:4 and 40:5, and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the state health officer, acting through the Department of Health and Hospitals, Office of Public Health (DHH-OPH), intends to recodify the Chapter 12 regulations originally promulgated in the March 20, 1992 edition of the Louisiana Register in accordance with Act 587 of 1990 and to amend the newly recodified Sections 1201-1247 of Part I of Title 49 of the Louisiana Administrative Code to reflect administrative changes and to comply with the requirements of Act 193 of 2014. These changes are required to enforce the new ban on minors' use of tanning equipment enacted during the recent Regular Session of the Louisiana Legislature.

The Department of Health and Hospitals published a Notice of Intent in the September 20, 2015, (vol. 41, no. 09), issue of the *Louisiana Register*. A public hearing was held October 26, 2015. No members from the public were present to provide oral or written testimony. Program staff did receive one written correspondence in favor of the proposed rule from the American Academy of Dermatology. A copy of this correspondence is attached for review.

The Department anticipates adopting the Notice of Intent as a final rule in the December 20, 2015, issue of the *Louisiana Register*.

Enclosed are copies of the following documents:

1. Notice of Intent as published in the *Louisiana Register*, September 20, 2015
2. Public Hearing Certification, and
3. Public Hearing attendance roster.
4. October 26, 2015, letter from the American Academy of Dermatology Association

If you have any questions, please contact Chief Sanitarian Tenney Sibley, DHH OPH Sanitarian Services Division at (225) 342-7550.

KHK:JTL:JG:TS:amr-g

Attachments

C: Jimmy Guidry, State Health Officer | J.T. Lane, Assistant Secretary, OPH | Avis Richard-Griffin, DHH/OPH Rulemaking Liaison Officer | Tenney Sibley, Chief Sanitarian, Sanitarian Services Division, OPH | Gordon Leblanc, Molluscan Shellfish Program, Manager, Sanitarian Services Division, OPH

reportable conditions, there may be a slight increase in workload for health care providers and/or facilities. Some diseases will now only be reportable by laboratories, rather than all healthcare facilities, reducing some of the overall burden of reporting.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment.

J. T. Lane
Assistant Secretary
1509#091

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT

**Department of Health and Hospitals
Office of Public Health**

Tanning (LAC 49:I.Chapter 13)

Under the authority of R.S. 40:4 and 40:5, and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the state health officer, acting through the Department of Health and Hospitals, Office of Public Health (DHH, OPH), intends to recodify the Chapter 13 regulations originally promulgated in the March 20, 1992 edition of the *Louisiana Register* in accordance with Act 587 of 1990 and to amend the newly recodified Sections 1301-1349 of Part I of Title 49 of the *Louisiana Administrative Code* to reflect administrative changes and to comply with the requirements of Act 193 of 2014. These changes are required to enforce the new ban on minors' use of tanning equipment enacted during the recent Regular Session of the Louisiana Legislature.

Title 49

PUBLIC HEALTH—FOOD AND DRUGS

Part I. Food, Drugs, and Cosmetics

Chapter 13. Tanning Facility Regulations

§1301. Purpose and Scope

[formerly 49:8.0000]

A. These regulations provide for the registration, certification and regulation of facilities and equipment which employ ultraviolet and other lamps for the purpose of tanning the skin of the living human body through the application of ultraviolet radiation.

B. The current statutory provisions in R.S. 40:2701 through 2719, as enacted by Act No. 587 of 1990, indicates that the owner or proprietor of each tanning parlor facility must apply for a certificate of registration as well as a separate permit from the Department of Health and Hospitals. In order to implement Act No. 587 of 1990 efficiently, and to accomplish the desired regulatory results in the best interest of the public health, the department will require a single application to register and obtain a permit for each tanning parlor facility in the state. Upon completion of processing, which includes inspection of each such facility by a department employee, only a single certificate of registration and permit will be issued. The combined instrument will expire at midnight on the date specified on the face of the document, and it must be renewed annually, as further specified in these regulations.

C. Nothing in these regulations shall be interpreted as limiting the intentional exposure of patients to ultraviolet

radiation for the purpose of treatment or therapy other than skin tanning, provided such treatment or therapy is supervised by a licensed practitioner of the healing arts in the lawful practice of their profession, in accordance with the requirements of their professional licensing board to prescribe and supervise such treatment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1303. Authority

[formerly 49:8.0010]

A. These regulations are promulgated under authority of the Tanning Facility Regulation Act comprising R.S. 40:2701 through 2719 (Act No. 587 of 1990), as amended by Act No. 193 of 2014.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1305. Definitions

[formerly 49:8.0020]

Act—Tanning Facility Regulation Act, unless the text clearly indicates a different meaning. All definitions and interpretations of terms given in the Act shall be applicable also to such terms when used in these regulations.

Authorized Agent—an employee of the department designated by the state health officer to enforce the provisions of the Act. The responsibility for implementing the provisions of the Act has been assigned to the Food and Drug Unit of the Office of Public Health of the Department of Health and Hospitals.

Consumer—any individual who is provided access to a tanning facility which is required to be registered pursuant to provisions of these regulations.

Department—the Department of Health and Hospitals.

Formal Training—a course of instruction approved by the department and presented under formal classroom conditions by a qualified expert possessing adequate knowledge and experience to offer a curriculum, associated training, and certification testing pertaining to and associated with the correct use of tanning equipment.

Individual—any human being.

Operator—any individual designated by the registrant to operate or to assist and instruct the consumer in the operation and use of the tanning facility or tanning equipment.

Persons—any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision or agency thereof, and any legal successor, representative, agent, or agency of these entities.

Phototherapy Device—a piece of equipment that emits ultraviolet radiation and is used by a licensed health care professional in the treatment of disease.

Registrant—any person who has filed for and received a certificate of registration-permit issued by the department as required by provisions of these regulations.

Secretary—the secretary of the Department of Health and Hospitals.

State Health Officer—the employee of the department who is the chief health care official of the state as provided for in R.S. 40:2.

Tanning Equipment—ultraviolet or other lamps and equipment containing such lamps intended to induce skin tanning through the irradiation of any part of the living human body with ultraviolet radiation.

Tanning Facility—any location, place, area, structure, or business which provides consumers access to tanning equipment. For the purpose of this definition, tanning equipment registered to different persons at the same location and tanning equipment registered to the same persons, but at separate locations, shall constitute separate tanning facilities.

Ultraviolet Radiation—electromagnetic radiation with wavelengths in air between 200 nanometers and 400 nanometers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended LR 19:209 (February 1993), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1307. Exemptions

[formerly 49:8.0030]

A. As provided in R.S. 40:2704, any person is exempt from the provisions of these regulations to the extent that such person:

1. uses equipment which emits ultraviolet radiation incidental to its normal operation;
2. does not use the equipment described in Paragraph 1 of this Subsection to deliberately expose parts of the living human body to ultraviolet radiation for the purpose of tanning or other treatment.

B. Any physician licensed by the Louisiana State Board of Medical Examiners is exempt from the provisions of these regulations and is authorized to use a phototherapy device or other medical diagnostic and the therapeutic equipment which emits ultraviolet radiation.

C. Any individual is exempt from the provisions of these regulations to the extent that such individual owns tanning equipment exclusively for non-commercial use.

D. Tanning equipment while in transit or storage incidental thereto is exempt from the provisions of these regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended LR 19:209 (February 1993), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1309. Certificate of Registration-Permit

[formerly 49:8.0040]

A. Each person owning or operating a tanning facility or facilities within the state of Louisiana shall apply for a certificate of registration-permit for each such facility or facilities no later than April 1, 1992.

B. The application for a certificate of registration-permit required above shall be made on forms provided by the department and shall contain all the information required by such forms and any accompanying instructions.

C. The application for certificate of registration-permit shall include the information required in R.S. 40:2705(D).

D. A fee of \$150 shall accompany each initial application for a certificate of registration-permit

E. Each tanning facility operating within the state for which an application for registration-permit and fee has been received by the department shall be issued a temporary registration-permit until such time that an inspection of the tanning facility and equipment can be made and it is determined that a permanent registration-permit to operate can be issued.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended LR 19:209 (February 1993), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1311. Issuance of Certificate of Registration-Permit **[formerly 49:8.0050]**

A. A certificate of registration-permit shall be issued upon receipt of an application provided that no certificate of registration-permit be issued until inspection has been made of the tanning facility and it has been found to be operating in compliance with the provisions of the Act and these regulations.

B. The certificate of registration-permit shall be displayed in an open public area of the tanning facility.

C. An annual certificate of registration-permit shall be issued upon receipt of an application of forms provided by the department for this purpose and required renewal fees.

D. A certificate of registration-permit shall be issued only to the person or persons responsible for the operations of the tanning facility and shall not be transferable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1313. Renewal of Registration-Permit **[formerly 49:8.0060]**

A. The registrant shall file applications for renewal of certificate of registration-permit on forms provided by the department. The application shall be sent to the mailing address of the principal registrant listed on the last application for registration-permit submitted.

B. An annual renewal fee of \$110 shall accompany each annual renewal. Make check or money order payable to the Food and Drug Unit/Department of Health and Hospitals.

C. Provided that a registrant files an application with the department in proper form not less than thirty days prior to the expiration date stated on the certificate of registration-permit, the certificate shall not expire pending final action on the application by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended LR 19:209 (February 1993), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1315. Report of Changes
[formerly 49:8.0070]

A. The registrant shall notify the department in writing before making any change which would render the information contained in the application for certificate of registration-permit inaccurate. Notification of changes shall include information required by R.S. 40:2705(D)1, 2, 3, 4, 6.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1317. Transfer of Certificate of Registration-Permit
[formerly 49:8.0080]

A. No certificate of registration-permit may be transferred from one person to another or from one tanning facility to another tanning facility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1319. Prohibited Acts; Advertisement
[formerly 49:8.0090]

A. A tanning facility may not claim or distribute promotional materials that claim use of a tanning device is safe or free from risk.

B. No person shall state or imply that any activity under such certificate of registration-permit has been approved by the department.

C. No person or tanning facility may claim health benefits from the use of a tanning device unless such claims have been approved in advance by the state health officer.

D. No tanning facility may allow any person under eighteen years of age to use any tanning equipment.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended LR 19:210 (February 1993), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1321. Denial, Suspension, or Revocation of a Certificate of Registration-Permit
[formerly 49:8.0100]

A. The department may deny, suspend, or revoke a certificate of registration-permit applied for or issued pursuant to these regulations:

1. for any material false statement in the application for certificate of registration-permit or in any statement of fact required by provisions of this Chapter;

2. because of conditions revealed by the application or any report, record, inspection or other means which would warrant the department to refuse to grant a certificate of registration-permit on an original application;

3. for operation of the tanning facility in a manner that causes or threatens to cause hazard to the public health or safety;

4. for failure to allow authorized representatives of the department to enter the tanning facility during normal business hours for the purpose of determining compliance with the provisions of these regulations, the Tanning Facility Regulation Act, conditions of the certificate of registration-permit, or an order of the department;

5. for violation of or failure to observe any of the terms and conditions of the certificate of registration, the provisions of this Chapter, or an order of the department;

6. failure to pay a certificate of registration-permit fee or annual renewal fee;

7. the registrant obtained or attempted to obtain a certificate of registration-permit by fraud or deception;

8. the operation of a tanning facility without a valid certificate of registration-permit or the continued operation after a certificate has been revoked or suspended, shall constitute a violation of these regulations. Each day of noncompliance shall constitute a separate violation.

B. Except in cases of willful disregard for the public health and safety, prior to the institution of proceedings for suspension or revocation of a certificate of registrant-permit, the agency shall:

1. call to the attention of the registrant in writing, the facts or conduct which may warrant such actions;

2. provide reasonable and sufficient opportunity for the registrant to demonstrate or achieve compliance with all lawful requirements.

C. The department may deny a certificate of registration-permit or suspend or revoke a certificate of registration-permit after issuance only in accordance with the Administrative Procedure Act.

D. The department may terminate a certificate of registration-permit upon receipt of a written request for termination from the registrant.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended LR 19:210 (February 1993), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1323. Compliance with Federal and State Law
[formerly 49:8.0110]

A. Tanning devices used by a tanning facility shall comply with 21 *Code of Federal Regulations* (CFR) part 1040.20, sunlamp products and ultraviolet lamps intended for use in sunlamp products.

B. Except as otherwise ordered or approved by the department, each tanning facility shall be constructed, operated, and maintained in accordance with the requirements of R.S. 40:2710 through 40:2714.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1325. Warning Signs Required
[formerly 49:8.0120]

A. The registrant shall conspicuously post the warning sign described in Subsection B of this Section within three feet of each tanning station and in such a manner that the sign is clearly visible, not obstructed by any barrier, equipment or other object, and can be easily viewed by the consumer before energizing the tanning equipment.

B. The sign required by this Section shall be printed in upper and lower case letters which are at least one-half inch and one-quarter inch in height, respectively, and shall contain the following warnings:

Danger—Ultraviolet Radiation

- Follow instructions.
- Avoid overexposure. As with natural sunlight, repeated exposure to ultraviolet radiation can cause chronic sun damage characterized by premature aging of the skin, wrinkling, dryness, fragility and bruising of the skin, and skin cancer.
- Wear protective eyewear.

Failure to Use Protective Eyewear May Result in Severe Burns or Permanent Injury to the Eyes.

- Medications or cosmetics may increase your sensitivity to the ultraviolet radiation.
- Consult a physician before using sunlamp or tanning equipment if you are using medications or have a history of skin problems or believe that you are especially sensitive to sunlight. Pregnant women or women taking oral contraceptives who use this product may develop discolored skin.

If You Do Not Tan in the Sun, You are Unlikely to Tan from the Use of Ultraviolet Radiation of Tanning Equipment.

C. Each registrant shall place, at the entrance of the tanning facility, signage that states the following: “LOUISIANA LAW PROHIBITS PERSONS UNDER 18 YEARS OF AGE FROM USING ANY TANNING FACILITY EQUIPMENT THAT EMITS ULTRAVIOLET LIGHT FOR THE PURPOSE OF SKIN TANNING”; this sign shall be of dimensions of at least eight inches by ten inches.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended LR 19:210 (February 1993), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1327. Tanning Equipment Standards
[formerly 49:8.0130]

A. Equipment used in tanning facilities shall conform to the standards set forth in R.S. 40:2711(A) through (D) as well as the following.

1. Tanning equipment booths or rooms shall be of rigid construction.
2. Wall surfaces within booths or rooms shall be easily cleanable and shall be kept clean at all times.
3. Ceilings, where provided, shall be easily cleanable and shall be kept clean.
4. Floors within tanning equipment booths or rooms shall be constructed of readily cleanable materials including, but not limited to, vinyl tile, sheet vinyl, quarry tile, glazed brick, short pile carpet or rugs, or other suitable material.
5. Floors shall be kept clean and in good repair at all times.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1329. Requirements for Stand-Up Booths
[formerly 49:8.0140]

A. Tanning booths designed for stand-up use shall also comply with the requirements of R.S. 40:2712.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1331. Potable Water Supply; Sanitary Facilities; Sewage and Waste Disposal
[formerly 49:8.0150]

A. Each tanning facility shall provide an ample supply of potable hot and cold water, under pressure for drinking, cleansing, washing or other purposes. Such water supply shall not be cross connected to any other supply.

B. Each tanning facility shall provide toilet and hand washing facilities according to requirements of Part XIV, Table 411 of the state *Sanitary Code* and each toilet shall be furnished with toilet tissue. The facilities shall be maintained in a sanitary condition and kept in good repair at all times. Doors to toilet rooms shall be self-closing. Toilet rooms shall be well lighted and ventilated.

C. Sewage disposal shall be made in a sewage system or by other means approved by the State Health Officer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1333. Rubbish and Trash Disposal
[formerly 49:8.0160]

A. Rubbish, trash, and other debris including used or burned out tanning lamps shall be so conveyed, stored and disposed of as to minimize the development of odor and to prevent harborage of vermin.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1335. Operational Requirements
[formerly 49:8.0170]

A. Each tanning facility must be operated under the requirements set forth by R.S. 40:2713.

B. Each tanning facility shall establish and adhere to effective procedures for cleaning and sanitizing each tanning bed or booth as well as protective eyewear before and after use of such equipment by each consumer.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended LR 19:210 (February 1993), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1337. Information Provided to Consumers, Warnings
[formerly 49:8.0180]

A. Each tanning facility operator shall provide each consumer, prior to initial exposure, a written warning statement as required by R.S. 40:2714(A). Such warning statements shall be signed by each consumer and maintained permanently on file at the tanning facility. A copy of the signed warning statement shall be given to each consumer. Copies of such warning statement shall be available for review during inspections by duly authorized agents of the state health officer. The written warning statement shall warn that:

1. failure to use eye protection provided to the customer by the tanning facility may result in damage to the eyes;
2. overexposure to ultraviolet light causes burns;
3. repeated exposure may result in premature aging of the skin and skin cancer;
4. abnormal skin sensitivity or burning may be caused by reactions of ultraviolet light to certain:
 - a. foods;
 - b. cosmetic;
 - c. medications, including tranquilizers, diuretics, antibiotic, high blood pressure medicines, and oral contraceptives;
5. any person taking a prescription or over-the-counter drug should consult a physician before using a tanning device;
6. a person should not sunbathe before or after exposure to ultraviolet radiation from sunlamps.

B. Consumer warning statements acknowledged by each consumer by signature prior to initial exposure shall be maintained on file within the tanning facility and shall be made readily available for review by authorized agents of the Department of Health and Hospitals, Office of Public Health.

C. The registrant shall maintain for six years a record of each consumer's total number of tanning visits, dates, and duration of tanning exposures.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended LR 19:210 (February 1993), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1339. Reports to the Department
[formerly 49:8.0190]

A. The registrant shall submit to the department a written report of actual or alleged injury from the use of registered tanning equipment within five working days after occurrence or notice thereof as required by R.S. 40:2714(D). The report shall include:

1. the name of the affected individual;
2. the name, location, and number of the certificate of registration-permit for the tanning facility and identification of the specific tanning equipment involved, including the name, model number, date of manufacture and type of lamp(s);
3. the nature of the actual or alleged injury, as well as the complete name, address and telephone number of any doctor visited for medical attention;

5. any other information relevant to the actual or alleged injury, including the date and duration of exposure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1341. Replacement of Ultraviolet Lamps, Bulbs, Filters
[formerly 49:8.0210]

A. Defective and burned out lamps, bulbs, or filters shall be replaced in accordance with R.S. 40:2714(F) and (G).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1343. Tanning Equipment Operator Training
[formerly 49:8.0220]

A. The registrant shall certify that all tanning equipment operators are adequately trained in at least the following:

1. the requirements of these regulations;
2. procedures for correct operation of the tanning facility and tanning equipment;
3. recognition of injury or overexposure to ultraviolet radiation;
4. the tanning equipment manufacturer's procedures for operation and maintenance of the tanning equipment;
5. the determination of skin type of consumers and appropriate determination of duration of exposure to registered tanning equipment;
6. emergency procedure to be followed in case of injury.

B. The registrant shall limit the operation of tanning equipment to persons who have successfully completed formal training courses which cover the provisions of Paragraph A.1 of this Subsection, and have been approved by the department.

C. The registrant shall maintain a record of operator training required in Paragraph A.2 of this Subsection for inspection by authorized representatives of the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992).

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

§1345. Inspections by Department
[formerly 49:8.0230]

A. In order to effect the enforcement of these regulations, officers or employees duly authorized by the department or the state health officer, after making reasonable request, may enter any registered or unregistered tanning facility and inspect all tanning booths, rooms, tanning equipment, tanning devices, consumer records, and any other materials used in the tanning facility.

B. No tanning facility registrant, owner, or operator shall refuse this reasonable inspection request, without being subjected to provisions of §1321.A.4 of these regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

**§1347. Penalties; Criminal Penalty; Injunction
[formerly 49:8.0240]**

A. Criminal penalties or injunctions may be imposed upon a tanning facility operator as provided by 40:2716 and 40:2717 of the Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18:274 (March 1992), amended by the Department of Health and Hospitals, Office of Public Health, LR 41:

**§1349. Communications with the Department,
Department Address
[Formerly 49:8.0250]**

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2701-2719.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of Public Health, Food and Drug Unit, LR 18: 274 (March 1992), repealed by the Department of Health and Hospitals, Office of Public Health, LR 41:

Family Impact Statement

1. The effect on the stability of the family. The goal of this Rule is to prevent disease and illnesses; therefore, a lower disease and illness rate of family members because of this Rule should help the family to remain stable.

2. The effect on the authority and rights of parents regarding the education and supervision of their children. No effect on the authority and rights of parents regarding the education and supervision of their children is anticipated as a result of this proposed rulemaking.

3. The effect on the functioning of the family. The goal of this Rule is to prevent disease and illnesses; therefore, a lower disease and illness rate of family members because of this Rule should help the family to function better than it may should a family member become ill if such Rule did not exist.

4. The effect on the family earnings and family budget. It is expected that family members would remain more healthy with the adoption of this rule than if such Rule did not exist; therefore, the family earnings and budget may be protected from additional costs should a family member become ill if such Rule did not exist.

5. The effect on the behavior and personal responsibility of children. No effect on the behavior and personal responsibility of children is anticipated as a result of this proposed rulemaking.

6. The ability of the family or local government to perform the function as contained in the proposed Rule. The family or local governments have no function to perform under this Rule; therefore, the family or local government's ability to perform the function under this Rule is a non-issue.

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Small Business Statement

It is anticipated that the proposed Rule will not have a significant adverse effect on small businesses as defined in

the Regulatory Flexibility Act. The agency, consistent with health, safety, environmental, and economic factors has considered and, where possible, utilized regulatory methods in drafting the proposed rule to accomplish the objectives of applicable statutes while minimizing any anticipated adverse impact on small businesses.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of the proposed rulemaking has been considered. There is no anticipated impact on the staffing level requirements or qualifications, cost, or ability of providers of services for individuals with developmental disabilities to provide such services.

Public Comments

In addition, all interested persons are invited to submit written comments on the proposed Rule. Such comments must be received no later than Monday, October 26, 2015, at close of business or 4:30 pm, and should be addressed to Brian R. Warren, Food and Drug/Milk and Dairy Unit, Office of Public Health, Mail Bin #10, Box #14, P.O. Box 4489, Baton Rouge, LA 70821-4489, or faxed to (225) 342-7672. If comments are to be shipped or hand-delivered, please deliver to the Bienville Building, 628 N. 4th Street, Room 166, Baton Rouge, LA 70802.

Public Hearing

DHH-OPH will conduct a public hearing on October 26, 2015, beginning at 9:30 a.m. in room 173 of the Bienville Building located at 628 North Fourth Street, Baton Rouge, LA 70802. Persons attending the hearing may have their parking ticket validated when one parks in the 7-story Galvez Parking Garage which is located between N. 6th and N. 5th/North and Main Sts. (catercorner and across the street from the Bienville Building). All interested persons are invited to attend and present data, views, comments, or arguments, orally or in writing.

Jimmy Guidry
State Health Officer
and
Kathy Klibert
Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES
RULE TITLE: Tanning**

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

The proposed rule recodifies and amends Louisiana Administrative Code Title 49, Part I, Chapter 13 – Tanning Facility Regulations, which was originally promulgated in the March 20, 1992 edition of the *Louisiana Register* in accordance with Act 587 of 1990. Amendments to the newly recodified Sections 1301-1347 of Chapter 13 reflect administrative changes as well as requirements of Act 193 of 2014 that enforced a new ban on minors' use of tanning equipment.

The following are amendments to each section: (1) Section 1301 deletes Subsection D, a reference to the "Red Book" that is obsolete; (2) Section 1303 adds language reflecting changes made in Act 193 of 2014; (3) Section 1305 deletes the definition of "tutor," which is no longer relevant to the enforcement of this code; (4) Sections 1307 and 1309 changes the specified fee amounts, which were changed by Act 125 of

2000, and removes extraneous language; (5) Section 1315 inserts language banning minors from using UV tanning equipment in registered facilities in Louisiana; (6) Section 1321 inserts language regarding the new signage mandated by Act 193 of 2014; (7) Section 1327 corrects code references and grammatical errors; (8) Section 1329 replaces "light bulbs" with "tanning lamps"; (9) deletes Section 1337 in its entirety; (10) Section 1341 removes the "effective date" language as it pertains to operating training requirements to comply with Act 193 of 2014; and (11) deletes Section 1347 in its entirety, as the information is obsolete and other means of contacting the department are readily available.

The proposed changes will result in an estimated state cost of \$1,148 to publish the notice of intent and the final rule in the *Louisiana Register*. This is a one-time cost that is included in the agency's budget.

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

The proposed rule is not anticipated to have any impact on State revenue collections as it does not change existing licensing/inspection fees.

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

Act 193 of 2014 that banned minors from tanning has been effective since August 1, 2014. Any decrease in revenue to registered tanning entities was experienced in 2014. Therefore, the proposed rule is not anticipated to have any impact on registered entities that were previously allowing minors to tan in the state of Louisiana in future fiscal years.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Act 193 of 2014 that banned minors from tanning has been effective since August 1, 2014. Any potential decrease in employment at registered facilities as a result of decrease in business was experienced in 2014. Therefore, the proposed rule is not anticipated to have any impact on registered tanning entities in future fiscal years.

J.T. Lane
Assistant Secretary
1509#092

Evan Brasseaux
Staff Director
Legislative Fiscal Office

NOTICE OF INTENT
Department of Insurance
Office of the Commissioner

Regulation 32—Group Coordination of Benefits
(LAC 37:XIII,Chapter 3)

The Department of Insurance, pursuant to the authority of the *Louisiana Insurance Code*, R.S. 22:1 et seq., and in accordance with the Administrative Procedure Act., R.S. 49:950 et seq., hereby gives notice of its intent to amend and promulgate Regulation 32—Group Coordination of Benefits. The purpose of the regulation is to establish a uniform order of benefit determinations.

The purpose for amending Regulation 32 is for the Department of Insurance to adopt the National Association of Insurance Commissioners' Model regulation entitled "Coordination of Benefits Model Regulation".

Title 37
INSURANCE

Part XIII. Regulations

Chapter 3. Regulation 32—Group Coordination of Benefits

§301. Purpose and Applicability

A. The purpose of this regulation is to:

1. establish a uniform order of benefit determination under which plans pay claims;
2. reduce duplication of benefits by permitting a reduction of the benefits to be paid by plans that, pursuant to rules established by this regulation, do not have to pay their benefits first; and
3. provide greater efficiency in the processing of claims when a person is covered under more than one plan.

B. This regulation applies to all plans which includes all accident and health products and health maintenance organization products that are issued on or after the effective date of this regulation, which is [insert date].

AUTHORITY NOTE: Promulgated in accordance with R.S. 22:3.

HISTORICAL NOTE: Promulgated by the Department of Insurance, Office of the Commissioner, LR 17:67 (January 1991), amended LR 20:52 (January 1994), LR 23:415 (April 1997), LR 41:

§303. Definitions

A. As used in this regulation, these words and terms have the following meanings, unless the context clearly indicates otherwise.

Allowable Expense—except as set forth below or where a statute requires a different definition, means any health care expense, including coinsurance or copayments and without reduction for any applicable deductible, that is covered in full or in part by any of the plans covering the person.

a. If a plan is advised by a covered person that all plans covering the person are high-deductible health plans and the person intends to contribute to a health savings account established in accordance with section 223 of the *Internal Revenue Code* of 1986, the primary high-deductible health plan's deductible is not an allowable expense, except for any health care expense incurred that may not be subject to the deductible as described in section 223(c)(2)(C) of the *Internal Revenue Code* of 1986.

b. An expense or a portion of an expense that is not covered by any of the plans is not an allowable expense.

c. Any expense that a provider by law or in accordance with a contractual agreement is prohibited from charging a covered person is not an allowable expense.

d. The following are examples of expenses that are not allowable expenses.

i. If a person is confined in a private hospital room, the difference between the cost of a semi-private room in the hospital and the private room is not an allowable expense, unless one of the plans provides coverage for private hospital room expenses.

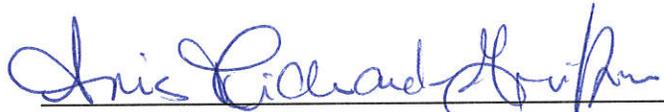
ii. If a person is covered by two or more plans that compute their benefit payments on the basis of usual and customary fees or relative value schedule reimbursement

Public Hearing Number: 2015-10-26-1

Topic: Public Hearing to receive public comments regarding proposed revisions to recodify the Chapter 12 regulations originally promulgated in the March 20, 1992 edition of the Louisiana Register in accordance with Act 587 of 1990 and to amend the newly recodified Sections 1201-1247 of Part I of Title 49 of the Louisiana Administrative Code to reflect administrative changes and to comply with the requirements of Act 193 of 2014. These changes are required to enforce the new ban on minors' use of tanning equipment enacted during the recent Regular Session of the Louisiana Legislature.

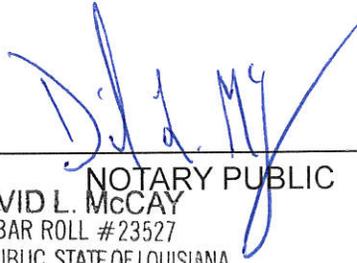
Attachments:

- Sign-In Sheet dated: October 26, 2015
- Public Hearing Posted Announcement
- Notice of Intent as published in the September 20, 2015 issue of the Louisiana Register



Avis Richard-Griffin, MPA
OPH Rulemaking Hearing Officer

SWORN TO BEFORE ME on this the 4th day of November, 2015.



NOTARY PUBLIC
DAVID L. McCAY
LA BAR ROLL #23527
NOTARY PUBLIC, STATE OF LOUISIANA
MY COMMISSION IS FOR LIFE

Printed Name of Notary Public

Bar Roll Number

SIGN-IN SHEET
Public Hearing

Under the authority of R.S. 40:4 and 40:5, and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the state health officer, acting through the Department of Health and Hospitals, Office of Public Health (DHH-OPH), intends to recodify the Chapter 12 regulations originally promulgated in the March 20, 1992 edition of the Louisiana Register in accordance with Act 587 of 1990 and to amend the newly recodified Sections 1201-1247 of Part I of Title 49 of the Louisiana Administrative Code to reflect administrative changes and to comply with the requirements of Act 193 of 2014. These changes are required to enforce the new ban on minors' use of tanning equipment enacted during the recent Regular Session of the Louisiana Legislature.

This public hearing is being conducted to allow the public an opportunity to comment on the proposed revisions.

Hearing date, time and location: October 26, 2015, 9:30 a.m. DHH Bienville Building, 628 N. 4th Street, Baton Rouge, LA 70802, Room 173

FNAME	LNAME	EMAIL	TELEPHONE#	AFFILIATION OR ORGANIZATION	SIGNATURE
Avis	Richard-Griffin				

Administrative Hearing Officer:



Avis Richard-Griffin



American Academy of Dermatology Association
Excellence in Dermatology™

October 26, 2015

Brian R. Warren
Food and Drug/Milk and Dairy Unit
Office of Public Health
Mail Bin #10, Box #14
P.O. Box 4489
Baton Rouge, LA 70821-4489

Dear Mr. Warren,

On behalf of the 13,500 U.S. members of the American Academy of Dermatology Association (AADA), I am writing to share our support for proposed changes to Louisiana Administrative Code 49:I.Chapter 13, Tanning Facility Regulations. This proposal enacts HB 746, which prohibits minors under 18 from using indoor tanning beds. As dermatologists, we dedicate our lives to promoting habits in our patients that ensure healthy skin. The AADA is extremely concerned with the frequent patronage of indoor tanning facilities by adolescents, and urge you to take the necessary steps to protect Louisiana's teens from the dangers of indoor tanning.

Tanning Device Use is as Carcinogenic as Tobacco Smoking

Ultraviolet (UV) radiation from tanning beds has been classified at the highest level as a known human carcinogen by the US Department of Health and Human Services, and is recognized as "carcinogenic to humans" by the World Health Organization's International Agency for Research on Cancer in the same category as tobacco and tobacco smoking, mustard gas, and asbestos.¹ In addition, the Centers for Disease Control and Prevention's Healthy People 2020 goals include the reduction of adolescent use of indoor tanning devices.²

In recognition of the dangers associated with tanning devices, the U.S. Food and Drug Administration (FDA) recently finalized changes to its regulation of tanning beds, including a strong recommendation against the use of tanning beds by minors under the age of 18. The order raises the classification for sunlamps and tanning beds to a Class II level, which institutes stricter regulations to protect public health. Additionally, the new order would require tanning bed and lamp manufacturers to label sunlamp products with a visible black-box warning that explicitly states that the sunlamp product should not be used on persons under the age of 18 years. Further, marketing materials must contain similar warnings and inform consumers of the risk of skin cancer.

Shortly after the FDA's rule, the U.S. Department of Health and Human Services' (HHS) Office of the Surgeon General issued a national call-to-action on skin cancer prevention. The national call to action identifies opportunities for the government, public and private organizations, health care providers and individuals to raise awareness of skin-

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President

Abel Torres, MD, JD
President-Elect

Timothy G. Berger, MD
Vice President

Kenneth J. Tomecki, MD
Vice President-Elect

Suzanne M. Olbricht, MD
Secretary-Treasurer

Barbara M. Mathes, MD
Assistant Secretary-Treasurer

Elaine Weiss, JD
Executive Director and CEO

¹ IARC Working Group. Special Report: Policy; A review of human carcinogens –Part D: radiation. *Lancet Oncology* 2009; 10: 751-52.

² US Department of Health and Human Services. Healthy People 2020. www.healthypeople.gov/hp2020/Objectives, accessed 22 Nov 2010.

protection practices. Specifically, the call to action recommends state and local policies and legislation to restrict minors' access. It recognizes that indoor tanning laws that restrict minors' access have been effective in reducing indoor tanning among the most at-risk populations.

There is no such thing as a "safe" tan. UV radiation damages the skin's DNA, which is the beginning stage of skin cancer. Use of indoor tanning beds has been linked to melanoma, basal cell carcinoma, squamous cell carcinoma, molecular damage of the skin, and other acute damage to the eyes and skin, and should be avoided.

Indoor Tanning Significantly Increases One's Risk of Developing Skin Cancer

Epidemiologic data suggest that most skin cancers can be prevented if children, adolescents, and adults are protected from UV radiation. However, the deadliest form of skin cancer, melanoma, is the most common form of cancer for young adults 25-29 years old and the second most common form of cancer for adolescents and young adults 15-29 years old. A study published in the *International Journal of Cancer* found that compared with study participants who had never used a tanning bed, the risk of melanoma was 41 percent higher for those who had ever used a tanning bed, and was approximately doubled for those who reported more than 10 lifetime sessions.³

Indoor tanning is no longer only a risk factor for melanoma. New evidence demonstrates that ever-use of indoor tanning beds is associated with a 69 percent increased risk of early-onset basal cell carcinoma (BCC), the most common form of skin cancer. Risk of developing BCC was also higher in those who begin indoor tanning at earlier ages.⁴

Prohibiting use of indoor tanning for all minors under the age of 18 is critical to preventing future skin cancers. Survey data indicate use of these devices increases with each year of adolescence: indoor tanning rates among 14-, 15-, 16-, and 17-year-old girls in 2010 were 5 percent, 13.6 percent, 20.9 percent, and 26.8 percent, respectively.

Tanning Industry Consistently Misleads Customers

In January 2010, the Federal Trade Commission charged the Indoor Tanning Association (ITA) with making false health and safety claims about indoor tanning. The ITA is now prohibited from making any false health claims, misrepresenting any tests or studies, and cannot provide deceptive advertisements to its members. Moreover, future advertisements from the association must contain disclosures regarding the risk of developing skin cancer and disclosures about vitamin D.

In February 2012, the US House of Representatives Energy and Commerce Committee released an investigative report detailing false and misleading health information provided by the indoor tanning industry. This investigation revealed that salons described the suggestion of a link between indoor tanning and skin cancer as a "myth," "rumor," or "hype." It also revealed that four out of five tanning salons falsely claimed that indoor tanning is beneficial to a young person's health. In fact, salons used many approaches to downplay the health risks of indoor tanning, including blaming the use of sunscreen as a reason for rising rates of skin cancer in the US. Many of the salons tried to validate the safety of indoor tanning by alluding to the fact that unsafe practices would not be allowed by the

³ Cust AE, Armstrong BK, Goumas C, Jenkins MA, Schmid H, Hopper JL et al. Sunbed use during adolescence and early adulthood is associated with increased risk of early-onset melanoma. *Int J Cancer* Jul 28, 2010.

⁴ Ferruci LM, Cartmel B, Molinaro AM, Leffell DJ, Bale AE, Mayne ST. Indoor tanning and risk of early-onset basal cell carcinoma. *J Amer Acad Dermatol* Doi: 10.1016/j.jaad.2011.11.940. Published online December 8, 2011.

government. The Committee's report reconfirms that stronger state and federal laws are needed to provide oversight of this industry.⁵

Despite Legislative Gains, Increased Regulation Continues to be Necessary

Tanning advocates often argue that additional regulation of their industry is not necessary. Yet, despite some progress, the tanning industry remains highly unregulated and studies have indicated that state laws requiring only parental consent are ineffective at curbing this dangerous activity. Furthermore, commercial indoor tanning facilities are prevalent in the US, with an average of 42 tanning salons per major US city. This number exceeded the number of Starbucks and McDonalds in most locations.⁶

Although 43 states, including the District of Columbia, and ten local jurisdictions regulate indoor tanning facilities, more must be done. The AADA believes protecting the public, especially adolescents, and requiring appropriate oversight of the indoor tanning industry will have a profound effect on improving public health and reducing overall health care costs. Annually, about \$3.3 billion of skin cancer treatment costs are attributable to melanoma.⁷ Of course, this figure does not begin to account for the tragic loss of life from this menacing disease.

I urge you to support the proposed changes to LAC 49:I.Chapter 13 in order to protect adolescents and young adults from the dangers of indoor tanning in Louisiana. I appreciate the opportunity to provide written comments on this important public health issue. For further information, please contact Lisa Albany, associate director of state policy for the AADA, at LAlbany@aad.org or (202) 712-2615.

Sincerely,



Mark Lebwohl, MD, FAAD
President
American Academy of Dermatology Association

⁵ US House Committee on Energy and Commerce. False and Misleading Health Information Provided to Teens by the Indoor Tanning Industry Investigative Report. <http://democrats.energycommerce.house.gov/sites/default/files/documents/Tanning%20Investigation%20Report%202.1.12.pdf>, accessed 20 Feb 2012.

⁶ Hoerster KD, Garrow RL, Mayer JA, Clapp EJ, Weeks JR, Woodruff SI, Sallis JF, Slymen DJ, Patel MR, Sybert SA. "Density of indoor tanning facilities in 116 large U.S. cities." *Am J Prev Med* 2009; 36 (3): 243-46.

⁷ U.S. Department of Health and Human Services. The Surgeon General's Call to Action to Prevent Skin Cancer. Washington, DC: U.S. Dept of Health and Human Services, Office of the Surgeon General; 2014: page 1.

PUBLIC HEARING: OCTOBER 26, 2015



DEPARTMENT OF HEALTH
AND HOSPITALS

AGENDA

DHH Bienville Building
628 N. 4th Street, Room 173
Baton Rouge, LA 70802
Beginning at 9:30 a.m.

1. Under the authority of R.S. 40:4 and 40:5, and in accordance with R.S. 49:950 et seq., the Administrative Procedure Act, notice is hereby given that the state health officer, acting through the Department of Health and Hospitals, Office of Public Health (DHH-OPH), intends to recodify the Chapter 12 regulations originally promulgated in the March 20, 1992 edition of the Louisiana Register in accordance with Act 587 of 1990 and to amend the newly recodified Sections 1201-1247 of Part I of Title 49 of the Louisiana Administrative Code to reflect administrative changes and to comply with the requirements of Act 193 of 2014. These changes are required to enforce the new ban on minors' use of tanning equipment enacted during the recent Regular Session of the Louisiana Legislature.
2. In accordance with the provisions of the Administrative Procedure Act, (R.S. 49:950, *et seq.*) as amended, the state health officer, acting through the Department of Health and Hospitals/Office of Public Health, is promulgating a proposed rule to amend Part II (The Control of Diseases), Part III (The Control of Rabies and Other Zoonotic Diseases), Part XVII (Public Buildings, Schools, and Other Institutions), and Part XXI (Day Care Centers and Residential Facilities) of the Louisiana State Sanitary Code (LAC 51).

PUBLIC HEARING: OCTOBER 26, 2015