

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

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Return Address:	18550 Highland Road, Suite B Baton Rouge, LA 70809	Rule Title:	LAC 46: XXV, Chapters 1, 3, 5, 7 9A, 11, and 13
		Date Rule Takes Effect:	Upon promulgation

SUMMARY  
(Use complete sentences)

In accordance with Section 961 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

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

The Louisiana State Board of Social Work Examiners ("Social Work Board") will incur an approximate cost of \$213 per page to publish the notice and the rule in the *Louisiana Register*. There are no other implementation costs or savings for state or local governmental units resulting from promulgation of this proposed rule change.

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

The proposed rule is anticipated to have the following effects on the Social Work Board's revenue collections:

The proposed amendment to section 313 increases the annual license renewal fees to \$100 for Licensed Clinical Social Workers (LCSWs), Licensed Master Social Workers (LMSWs), and Certified Social Workers (CSWs); and to \$50 for Registered Social Workers (RSWs). Additionally, the amendment increases the fee for written verification of a license, certificate, or registration to \$25. These changes are anticipated to increase revenues.

The proposed amendment to section 325, which authorizes certain social workers to elect emeritus status, may reduce the number of license renewals. The increase in revenue from higher annual renewal fees may be offset by social workers electing emeritus status, which has a lower fee compared to active license renewals. However, as there is no available data to estimate how many licensed social workers might choose emeritus status, the impact on revenue is expected to be minimal.

If license renewals include 1,800 Registered Social Workers (RSWs), 3,000 Certified Social Workers (CSWs) or Licensed Master Social Workers (LMSWs), and 4,400 Licensed Clinical Social Workers (LCSWs), including Board Approved Clinical Supervisors (BACS), revenue collections are anticipated to increase by approximately \$298,700 annually.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed amendment to section 305(D) reduces the number of hours required for supervised postgraduate social work practice for Licensed Master Social Workers (LMSWs) pursuing clinical

licensure after January 1, 2022, from 5,760 to 3,000 hours. This reduction may benefit LMSWs by accelerating their pathway to licensure. Small businesses and non-governmental organizations employing Licensed Clinical Social Workers (LCSWs) could also benefit by being able to hire additional LCSWs to expand the clinical services they offer to clients.

The proposed enactment of section 307(E) authorizes LMSWs pursuing clinical licensure to take the LCSW examination up to six months before completing their required postgraduate supervision.

The proposed enactment of section 325 implements inactive status for licensed social workers not actively providing client services. Social workers in this status, for up to five consecutive years or a maximum of ten cumulative years, would have their annual continuing education requirement reduced from 20 hours to 10.

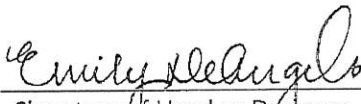
The proposed enactment of section 327 establishes emeritus (retired) status for licensed social workers who are disabled or at least 60 years old and have been credentialed for at least 30 years. This status reduces the annual continuing education requirement from 20 hours to 10 and sets the emeritus status fee at half of the regular license renewal fee.


The proposed enactment of section 509 authorizes telesupervision for social workers pursuing clinical licensure. Telesupervision is anticipated to provide economic benefits by reducing or eliminating costs associated with traveling to supervision meetings.

The proposed enactment of section 1311 allows up to 10 surplus continuing education hours completed during one collection period to carry over to the next collection period. It also permits continuing education hours to be earned by attending committee meetings.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed enactment of section 307(E), which allows early testing for LMSWs pursuing clinical licensure, may positively impact competition and employment. LMSWs who pass the LCSW examination before completing all licensure requirements could obtain LCSW positions earlier, increasing their employment opportunities and enhancing competition in the field. However, LMSWs will still be required to fulfill all licensure requirements, including supervised practice hours, before being officially licensed as an LCSW.

  
Signature of Head or Designee  
Emily DeAngelo, Administrator  
Typed Name & Title of Agency Head or Designee  
01/09/2025  
Date of Signature

  
Legislative Fiscal Officer or Designee  
1/09/2025  
Date of Signature

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

Chapter 1. Standards of Practice

1. The proposed amendment to section 101 makes the rule consistent with the definitions in R.S. 37:2703 as amended by Act 215 (2021).
2. The proposed amendment to section 111(F) clarifies that consent to services must be documented. The proposed amendment to section 111(G) requires social workers supervising students in field placement to indicate their supervisory function when cosigning records and clarifies that a social worker shall not access records of an individual without a legitimate purpose.
3. The proposed amendment to section 113(A) clarifies duties of social workers. The proposed amendment to section 113(B) clarifies the duties of social workers providing services to two or more individuals who have a relationship and clarifies responsibilities of social workers regarding personal relationships with clients and former clients.
4. The proposed enactment of section 125 sets forth the duties and responsibilities for social work educators.

Chapter 3. General Provisions

6. The proposed amendment to section 301(A) defines the following terms: adjudicative hearing, administrative complaint, administrator, applicant, chairperson or chair, client, complainant, compliance hearing, consent discipline, en banc panel, general counsel, hearing panel, standard panel, limited panel, interlocutory, licensee, person, prosecuting officer, provisional officer, provisional dismissal, respondent, social work educator, and social work services, unless another definition is provided in another Chapter.
7. The proposed amendment to section 305(C) removes the requirement of a CSW to hold a certification up to three years, if the individual takes the examination approved by the board within the first 6 months after certification, the requirement of the CSW provides proof of the examination to the board office once each year, and removes the requirement for a CSW who does not take the LMSW examination within the first 6 months of issuance of original certificate or yearly thereafter, the CSW certificate will be subject to recall by the board and CSW will be recorded as invalid in the board's database.
8. The proposed amendment to section 305(D) reduces the number of hours of supervised postgraduate social work practice for social workers pursuing clinical licensure who begin supervision on or after January 1, 2022, from 5760 to 3000 to be consistent with R.S. 37:2708(A)(3) as amended by Act 215 (2021).
9. The proposed enactment of section 307(E) authorizes early testing and requirements for candidates to participate in early testing and further provides that LMSWs in their final six months of supervision may request approval to sit for the examination recognized by the board for the LCSW credential.
10. The proposed amendment to section 309 updates application procedures.
  - A. The proposed amendment to section 309(A) requires applications to be completed electronically.
  - B. The proposed amendment to section 309(D) adds "required documents" to be included with application upon submission and replaces "submitted" with "received."
  - C. The proposed amendment to section 309(E) clarifies that incomplete applications are not

considered submitted.

D. The proposed amendment to section 309(G) provides applicants are responsible for submitting all documentation required by R.S. 37:2706, 37:2707, 37:2708, or 37:2724, and §305 with submission of the application.

E. The proposed amendment to section 309(O) provides that the initial social work credentials issued 3 months prior the renewal deadline are not required to be renewed for the next fiscal year.

F. The proposed amendment to section 309(P) provides that section 309 applies to all applications and the applicant is responsible for submitting documentation to establish the applicant meets the criteria of R.S. 37:2950. The proposed amendment removes the requirement for an applicant to provide the contact information of the judge who imposed the sentence and who presided at the trial. The proposed amendment also removes subpart 3(a) through 3(d).

11. The proposed amendment to section 311 repeals section 311(A) and (C) through (G) and requires LCSWs to list all their LMSWs and CSWs under their supervision on their renewal forms for licensure requirements.

12. The proposed amendment to section 313 increases license renewal fees for LCSWs, CSWs, LMSWs, and RSWs. Additionally, the proposed amendment increases the fees to late renewals and for written verification of licenses, certificates and registrations. The proposed amendment further removes the fee for reissuing lost or duplicate identification card and postage for shipping and handling for mailing lists now sent electronically. The proposed amendment also includes the current e-commerce fee in the rules.

13. The proposed amendment redesignates section 317 as Chapter 13 entitled Continuing Education.

14. The proposed amendment to section 319 provides the process for the board to grant license, certification, or registration to a social worker in another state, territory, commonwealth, or district in accordance with R.S. 37:2712.

15. The proposed enactment of section 325 provides in inactive status for licensed social workers not providing services to clients.

16. The proposed enactment of section 327 provides for in emeritus (retired) status.

#### Chapter 5. Minimum Supervision Requirements

17. The proposed amendment to section 503 decreases the number of hours necessary to obtain the LCSW credential in accordance with La. R.S. 37:2708(A)(3).

18. The proposed amendment to section 505(A) provides with respect to supervision for LMSWs not supervised by a BACS and CSWs not eligible for BACS supervision to deliver clinical services.

19. The proposed enactment of section 509 telesupervision. Act No. 457 (2024) requires the Social Work Board to establish rules and regulations regarding telesupervision.

#### Chapter 7. Impaired Recovering Professional Program Authority

20. The proposed amendment to the title of Chapter 7 changes "impaired" to "recovering."

21. The proposed amendment to section 701 provides for submission to a physical or mental examination, evaluation, test, or drug/alcohol screen if the board receives verifiable information indicating the applicant or licensee may be unable to practice social work safely.

22. The proposed amendment to section 703(C) clarifies that professionals who evaluate, monitor or treat applicants or licensees participating in the Recovering Professional Program must be recognized and by the board.

23. The proposed amendment to section 705 clarifies the Recovering Professional Program.

#### Chapter 9A. Procedural Rules for Disciplinary Hearings replaces Chapter 9. Procedural Rules.

24. The proposed repeal of Chapter 9 and enactment of Chapter 9A revises the procedures for disciplinary hearings.

#### Chapter 11. Procedural Rules for Other Hearings

25. The proposed enactment of Chapter 11 provides procedures for compliance hearings, declaratory orders, and hearings on matters other than disciplinary matters.

#### Chapter 13. Continuing Education

26. The proposed enactment of Chapter 13 revises provisions related to continuing education.

27. The proposed enactment of section 1307 authorizes continuing education credit for teaching an approved education activity or a course in a program accredited by the Council on Social Work Education.

28. The proposed enactment of section 1311 authorizes social workers to carry over up to ten continuing education credit earned.

29. The proposed enactment of section 1313 to authorize up to 10 hours of asynchronous distance or virtual learning or teaching and clarifies that synchronous, interactive webinars are in-person hours.

30. The proposed enactment of section 1315 pro-rates the number required for continuing education for the initial year of a credential.

B. Summarize the circumstances, which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

The proposed rule is necessary to update existing regulations to conform with revisions to the Louisiana Social Work Practice Act, R.S. 37:2701–2724, as amended by Act 215 (2021), effective January 1, 2022, and Act 457 (2024), effective August 1, 2024.

Act 215 (2021) revised the collection period for continuing education hours, adjusted the effective date for the application of the lapsed license renewal fee, and redefined the term "social worker" as "a person who holds a degree in social work, having successfully completed an undergraduate or graduate-level academic social work program," requiring amendments to section 101. Additionally, Act 215 (2021) necessitates changes to the six-month and one-year testing requirements for CSWs and updates the supervised work experience required for the LCSW credential.

The proposed amendments address technological advancements and incorporate requests from licensees, including the authorization of continuing education to be completed virtually, and the creation of inactive license and emeritus status options.

The proposed rule defines terms used in Chapter 9A regarding complaints and procedures involving disciplinary actions against social workers, extend the timeframe for licensed social workers to report an arrest to the Social Work Board, and clarify the definition of "client" to address issues of exploitation and dual relationships. Additionally, social work educators are now categorized under their own section in the standards of practice. The rules also require notification of supervisees as part of the renewal process for licensed clinical social workers.

Outdated language and procedures have prompted revisions to application processes, reciprocity and endorsement requirements, the impaired professional program, and Chapter 9. Social workers must be licensed within 90 days of beginning practice; therefore, early testing is proposed to expedite licensure.

Operational costs of the board, including maintaining up-to-date technology and the licensing platform, require fees to be increased to the statutory maximum. The introduction of inactive and emeritus status options has been proposed at the request of the profession.

Since the COVID-19 pandemic, the board has streamed its meetings to provide greater public access, necessitating the enactment of public comment parameters to ensure fairness and orderly proceedings. Several aspects of continuing education are also proposed to be amended, which necessitate the creation of a separate chapter dedicated to continuing education.

Act 457 (2024), effective August 1, 2024, requires the board to establish rules and regulations for telesupervision. The proposed enactment of section 509 fulfills this mandate by establishing rules and regulations regarding telesupervision.

C. Compliance with Act 11 of the 1986 First Extraordinary Session

- (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

The proposed rule change will not require any additional funding or expenditure funds. Any increase in the expenditure of funds would be paid for by the Social Work Board with self-generated funds. No state general funds are appropriated to the Social Work Board.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) \_\_\_\_\_ YES. If yes, attach documentation.

(b) XX NO. If no, provide justification as to why this rule change should be published at this time

The proposed rule change should be published at this time for the reasons set forth in Section A and B, above.

FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 25	FY 26	FY 27
PERSONAL SERVICES	\$0	\$0	\$0
OPERATING EXPENSES	INCREASE	\$0	\$0
PROFESSIONAL SERVICES	\$0	\$0	\$0
OTHER CHARGES	\$0	\$0	\$0
EQUIPMENT	\$0	\$0	\$0
MAJOR REPAIR & CONSTR.	\$0	\$0	\$0
TOTAL	INCREASE	\$0	\$0
POSITIONS (#)	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A. 1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

The Louisiana State Board of Social Work Examiners ("Social Work Board") will incur an approximate cost of \$213 per page to publish the notice and the rule in the *Louisiana Register*.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 25	FY 26	FY 27
STATE GENERAL FUND	\$0	\$0	\$0
AGENCY SELF-GENERATED	INCREASE	\$0	\$0
DEDICATED	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0
OTHER (Specify)	\$0	\$0	\$0
TOTAL	INCREASE	\$0	\$0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

Yes, the Louisiana State Board of Social Examiners currently has sufficient funds to implement the proposed action.

5.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There is no anticipated impact of the proposed action on local government units.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

Not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 25	FY 26	FY 27
STATE GENERAL FUND	\$0	\$0	\$0
AGENCY SELF-GENERATED	\$0	INCREASE	INCREASE
DEDICATED	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0
LOCAL FUNDS	\$0	\$0	\$0
TOTAL	\$0	INCREASE	INCREASE

\*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

The Louisiana State Board of Social Work Examiners ("Social Work Board") will incur an approximate cost of \$213 per page to publish the notice and the rule in the *Louisiana Register*. There are no other implementation costs or savings for state or local governmental units resulting from promulgation of this proposed rule change.



FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NONGOVERNMENTAL GROUPS

What persons, small businesses, or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The implementation of inactive and emeritus statuses is anticipated to provide economic benefits to licensed social workers who are not actively practicing and to retired licensed social workers by reducing the number of required continuing education hours. Additionally, emeritus status is expected to provide an economic benefit through reduced fees for eligible social workers.

Allowing social workers to carry over up to 10 hours of continuing education to the subsequent renewal period may also offer economic benefits to some licensees.

The removal of testing deadlines for certified social workers, enabling them to take the exam when it is financially feasible, may reduce financial strain for some individuals.

The proposed enactment of section 509, which allows social workers pursuing clinical licensure to complete some or all required supervision hours via telesupervision, may further provide economic benefits by reducing or eliminating travel costs associated with supervision sessions.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

There is no anticipated impact on receipts and / or income resulting from change.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

The proposed enactment of section 307(E), which allows early testing for LMSWs pursuing clinical licensure, may positively impact competition and employment. LMSWs who pass the LCSW examination before completing all licensure requirements could obtain LCSW positions earlier, increasing their employment opportunities and enhancing competition in the field. However, LMSWs will still be required to fulfill all licensure requirements, including supervised practice hours, before being officially licensed as an LCSW.