

To: Attorney General Liz Murrill  
Attn: Department of Justice, Occupational Licensing Review Program

From: Joshua S. Force, Esq.  
Counsel  
Louisiana Board of Examiners of Certified Shorthand Reporters

Date: August 13, 2024

Subject: Proposed Amendments to LAC 46:XXI.611 and 613 Regarding On-Line Continuing Education Courses and Seminars

The Louisiana Board of Examiners of Certified Shorthand Reporters (“CSR Board”) has proposed amendments to LAC 46:XXI.611 (“CSR Board Rules 611”), “Activities Not Acceptable for Continuing Education Credits,” and LAC 46:XXI.613 (“CSR Board Rule 613”), “Provider Application Process.” The purpose of the proposed amendments is to allow court reporters to receive credit for on-line continuing education (“CE”) credits. On-line courses and seminars are currently not accepted for CE credit.

To facilitate the Department of Justice’s review of the proposed rules and statutory interpretation, the CSR Board provides answers to the following questions.

**1. Describe any relevant factual background to the occupational regulation and the purpose of the occupational regulation?**

Under Chapter 6 of the CSR Board Rules, court reporters are required to obtain at least twelve (12) CE credits during each two-year CE cycle to maintain their certifications. See LAC 46:XXI.603(A). Court reporters may obtain CE credits at courses and seminars sponsored by various local, state, regional, and national organizations and institutions and approved by the CSR Board. The CSR Board’s Rules currently provide that “attendance at or participation in tours, exhibits, entertainment, recreation, committee service, association business, home study, or *on-line courses or seminars* will not be accepted for continuing education credits, except that live webinars will be accepted for continuing education credits.” *Id.* 46:XXI.611(B) (emphasis added).

Court reporters have expressed an interest, to the CSR Board, in being able to obtain CE credits for on-line attendance at courses, seminars, and other training events. Enabling court reporters to satisfy their CE requirements through on-line programs may make it easier and less expensive for court reporters to maintain their certifications because they will not have to attend CE programs in person. CE providers may likewise be able to attract more attendees to their programs if allowed to offer CE credit to on-line attendees. The proposed rule change also aligns with the Louisiana Legislature’s interest in expanding reciprocity to out-of-state court reporters by making

Louisiana-approved CE courses and seminars more accessible. Accordingly, the CSR proposes to amend its Rules to permit court reporters to obtain CE credit by attending on-line courses, seminars, and other training events.

**2. Is the occupational regulation within the scope of the occupational licensing board's general authority to regulate in a given occupation or industry? If so, identify the law that provides the authority for the rule and describe how the occupational regulation is within the scope.**

Yes. The CSR Board promulgated CSR Board Rules 611 and 613 initially pursuant to its authority under La. R.S. 37:2554. La. R.S. 37:2554(A) authorizes the CSR Board to "determine the qualifications of persons applying for examination under this Chapter, make rules for the examination of applicants and for the issuance and maintenance of certificates herein provided for which shall be subject to legislative oversight review pursuant to the Administrative Procedure Act . . . ." La. R.S. 37:2554(G) provides further that the "maintenance and continued validity of any license issued by the board as provided for in this Chapter shall be dependent upon the satisfactory performance and completion by a certified reporter of those continuing education requirements as established by the board, subject to legislative oversight pursuant to the Administrative Procedures Act." The CSR Board proposes to amend Rules 611 and 613, which concern activities accepted for CE credit, in accordance with this statutory authority.

**3. Check all of the following that apply as reasons the occupational regulation is subject to review**

- Creates a barrier to market competition
- Fixes prices, limits price competition, or results in high prices for a product or service provided by or to a license holder.
- Reduces competition or excludes present or potential competitors from the occupation regulated by the board
- Limits output or supply in this state of any good or service provided by the members of the regulated occupation.
- Reduces the number of providers that can serve a particular set of customers
- Other activity (please describe)

As stated in the approved Fiscal and Economic Impact Statement, the proposed rule changes "may have an impact on competition and employment of continuing education providers. If a provider decides not to adopt the new methods of delivery of online education, it may see a decrease in participation by court reporters. Alternatively, if a provider decides to provide an online option, it may see an increase in participation by court reporters. The magnitude of the impact is indeterminable at this time."

**4. Identify the clearly articulated state policy (e.g., health, safety, welfare, or consumer protection) in state statute, or any supporting evidence of the harm the action/proposed action is intended to protect against?**

La. R.S. 37:2554 expressly requires the CSR Board to make rules for, *inter alia*, the “maintenance of [court reporting] certificates” and, in particular, “the satisfactory performance and completion . . . of those continuing education requirements as established by the board . . . .” CE assists court reporters in maintaining and enhancing their knowledge and understanding of the practice of court reporting in Louisiana. Consequently, CE is considered an essential requirement for court reporters to maintain their certifications.

**5. Do any less restrictive alternatives to the occupational regulation exist for addressing the same harm? If so, include a comparison of the occupational regulation to the alternatives and a justification for not pursuing a less restrictive alternative. If no less restrictive alternatives exist, explain why.**

The CSR Board is not aware of any less-restrictive alternative(s) to the proposed rule changes.

**6. Describe the process that the occupational licensing board followed in developing the proposed rule, including any public hearings held, studies conducted, and data collected or analyzed.**

At its December 8, 2023 meeting, in response to requests from court reporters, including CSR Board members, the CSR Board discussed amending its Rules to permit court reporters to obtain CE credits for on-line attendance at courses, seminars, and other training events. At its July 26, 2024 meeting, the CSR Board approved the proposed amendments to CSR Board Rules 611 and 613 (LAC 46:XXI.611 & 613) retroactive to April 5, 2024.

**7. Does the occupational regulation relate to a matter on which there is pending litigation or a final court order?**

No.

**8. Please identify the board members voting in favor of this rule, and state whether the member is an active market participant.**

The CSR Board unanimously approved the proposed amendments to CSR Board Rules 611 and 613 (LAC 46:XXI.611 & 613) at its July 26, 2024 meeting and made their approval retroactive to April 5, 2024. The following members of the CSR Board

attended the July 26, 2024 meeting and voted in favor of approving the proposed amendments:

Hon. Kimya M. Holmes – not an active-market participant

Ms. Lori Ceasar — active-market participant

Ms. Andrea Davis — active-market participant

Ms. Rosa Manale — holder of CDR and CCR licenses but employed as judicial administrator and not practicing court reporting

Ms. Janet McBride — active-market participant

Ms. Celeste Ware — active-market participant

**9. Is there anything else that the occupational licensing board would like the Department to know about the proposed rule?**

No.

**Attachments:**

1. Notice of Intent for Amendments to CSR Board Rules 611 and 613
2. Approved FEIS for Amendments to CSR Board Rules 611 and 613
3. Proposed Amendments to CSR Board Rule 611 and 613 (underline/strikethrough version)
4. Notice Published in the *Louisiana Register*
5. Board Meeting Minutes, December 8, 2023
6. Motion to Approve Proposed Amendments to Board Rules 611 and 613

## NOTICE OF INTENT

**Office of the Governor**  
**Board of Examiners of Certified Shorthand Reporters**  
**On-Line Continuing Education Courses and Seminars**  
**(LAC 46:XXI.611, 613)**

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:953(A), the Louisiana Board of Examiners of Certified Shorthand Reporters (CSR Board) proposes to amend LAC 46:XXI.611 and LAC 46:XXI.613. The proposed amendments will permit the CSR Board to approve on-line courses and seminars for continuing education credit. In particular, the proposed amendments will delete the phrase “or on-line courses or seminars” from Subsection B of Section 611 and will add the phrase “and/or if the training event will be offered on-line” to Subsection A.1 of Section 613. The CSR Board has the authority to amend these Sections pursuant to R.S. 37:2554.

### Title 46

#### Professional and Occupational Standards

#### Part XXI. Certified Shorthand Reporters

#### Chapter 6. Continuing Education

#### §611. Activities Not Acceptable for Continuing Education Credits

A. ...

B. Attendance at or participation in tours, exhibits, entertainment, recreation, committee service, association business, or home study will not be accepted for continuing education credits, except that live webinars will be accepted for continuing education credits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 21:931 (September 1995), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2420 (November 2007), LR 46:1565 (November 2020), LR 50:

#### §613. Provider Application Process

A. A provider must submit the following information to the continuing education committee at least 90 days before the date of a proposed training event:

1. the date, time, and place where the training will be conducted and/or if the training event will be offered on-line;

A.2. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2420 (November 2007), amended LR 50:

### **Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed amended rule on the family has been considered. The proposed amended rules are not anticipated to have an impact on family functioning, stability, or autonomy as described in R.S. 49:972.

### **Poverty Impact Statement**

The proposed amended rules are not anticipated to have an impact on poverty as defined by R.S. 49:473.

### **Small Business Analysis**

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating the proposed amended rules.

The proposed amended rules are not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared. Instead, the proposed amended rules are anticipated to have a positive impact on small businesses by making it easier and more cost effective for court reporters to obtain continuing education.

### **Provider Impact Statement**

The proposed amended rules are not anticipated to have an impact on providers of services as described in HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

### **Public Comments**

All interested persons may submit written comments, through August 10, 2024, to Judge Kimya M. Holmes, Chair of the Louisiana Board of Examiners of Certified Shorthand Reporters, 1450 Poydras St., Ste. 630, New Orleans, LA 70112. The Chair is responsible for responding to inquiries regarding this proposed amended rule.

**Judge Kimya M. Holmes**  
**Chair**

## **Fiscal and Economic Impact Statement**

### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (SUMMARY)**

The proposed rule change is not anticipated to result in any cost or savings to the state or local governmental units, other than the cost of promulgation.

The proposed rule change allows the Board of Examiners of Certified Shorthand Reporters (CSR Board) to approve online courses, seminars, and other training events for continuing education credits and permits court reporters to obtain continuing education credits through online seminars, courses, and training events.

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

The proposed rule change is not anticipated to have any effect on the revenue collections of the state or local governmental units.

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

The proposed rule change will likely affect court reporters and continuing education providers, such as court reporting associations. The proposed rule changes may reduce the costs for court reporters to obtain required continuing education credits because court reporters will be able to receive credits from online attendance at seminars, courses, and other training events and will not have to attend those events in person. The proposed rule changes will likely have no or a negligible effect on the costs of continuing education providers incur to host continuing education events.

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

The proposed rule change may have an impact on competition and employment of continuing education providers. If a provider decides not to adopt the new methods of delivery of online education, it may see a decrease in participation by court reporters. Alternatively, if a provider decides to provide an online option, it may see an increase in participation by court reporters. The magnitude of the impact is indeterminable at this time.

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES

Person Preparing Statement:	<u>Victoria Nhung Nguyen</u>	Dept.:	<u>Office of the Governor</u>
Phone:	<u>(504) 568-2650</u>	Office:	<u>LA Board of Examiners of Certified Shorthand Reporters</u>
Return Address:	<u>1450 Poydras St.</u>	Rule Title:	<u>Activities Not Acceptable for Continuing Education Credits</u>
	<u>Suite 630</u>		<u>LAC 461.613</u>
	<u>New Orleans, LA 70112</u>	Date Rule Takes Effect:	<u>Upon Promulgation</u>

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 proposed rule change is not anticipated to result in any cost or savings to the state or local governmental units, other than the cost of promulgation.

The proposed rule change allows the Board of Examiners of Certified Shorthand Reporters (CSR Board) to approve online courses, seminars, and other training events for continuing education credits and permits court reporters to obtain continuing education credits through online seminars, courses, and training events.

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

The proposed rule change is not anticipated to have any effect on the revenue collections of the state or local governmental units.

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

The proposed rule change will likely affect court reporters and continuing education providers, such as court reporting associations. The proposed rule changes may reduce the costs for court reporters to obtain required continuing education credits because court reporters will be able to receive credits from online attendance at seminars, courses, and other training events and will not have to attend those events in person. The proposed rule changes will likely have no or a negligible effect on the costs of continuing education providers incur to host continuing education events.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change may have an impact on competition and employment of continuing education providers. If a provider decides not to adopt the new methods of delivery of online education, it may see a decrease in participation by court reporters. Alternatively, if a provider decides to provide an online option, it may see an increase in participation by court reporters. The magnitude of the impact is indeterminable at this time.



Judge Kimya M. Holmes by Victoria N. Nguyen  
Signature of Head or Designee

Judge Kimya Holmes, CSR Board Chair, by Victoria  
N. Nguyen, CSR Board Administrator

Typed Name & Title of Agency Head or Designee

04/15/2024

Date of Signature

J. Anne Holmes, Deputy Fiscal Officer  
Legislative Fiscal Officer or Designee

4/15/2024

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).

The proposed rule change amends Rules 611(B) and 613(A) (LAC 46:XXI.611(B) and LAC 46:XXI.613(A)(1)) to permit court reporters to obtain continuing education credits through online seminars, courses, and training events.

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

Court reporters must obtain twelve (12) continuing education credits during a two-year continuing education cycle. See LAC 46:XXI.603(A). The CSR Board's current rules do not allow a court reporter to obtain continuing education credits by attending or participating in online courses or seminars. See LAC 46:XXI.611(B). The CSR Board has received requests from court reporters and continuing education providers to permit online seminars, course, and other training events to satisfy the continuing education credit requirements because online programs are less expensive and more accessible for court reporters. Accordingly, the CSR Board proposes to amend Rule 611 and 613 to allow for online continuing education events.

- 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 create any increase in the expenditure of funds.

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

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

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 proposed rule change will not result in any implementation costs (or savings) to state or local governmental units, other than those one-time costs directly associated with the publication and dissemination of the rule changes.

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

SOURCE	FY 24	FY 25	FY 26
STATE GENERAL FUND	\$0	\$0	\$0
AGENCY SELF-GENERATED	\$0	\$0	\$0
DEDICATED	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0
OTHER (Specify)	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0

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

The proposed rule change will not result in any implementation costs, other than those one-time costs directly associated with the publication and dissemination of the rule change. The CSR Board has sufficient funds to implement the proposed rule change.

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 cost or savings to local governmental units as a result of the proposed rule change.

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 24	FY 25	FY 26
STATE GENERAL FUND	\$0	\$0	\$0
AGENCY SELF-GENERATED	\$0	\$0	\$0
DEDICATED	\$0	\$0	\$0
FEDERAL FUNDS	\$0	\$0	\$0
LOCAL FUNDS	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0

\*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 proposed rule change is not anticipated to have any effect on revenue collections.

FISCAL AND ECONOMIC IMPACT STATEMENT  
WORKSHEET

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

- A. 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 proposed rule changes will likely affect court reporters and continuing education providers, such as court reporting associations. The proposed rule changes may reduce the costs for court reporters to obtain required continuing education credits because court reporters will be able to receive credits from online attendance at seminars, courses, and other training events and will not have to attend those events in person. The proposed rule changes will likely have no or a negligible effect on the costs of continuing education providers incur to host continuing education events.

- 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.

The proposed rule changes are anticipated to have no impact on court reporters' or continuing education providers' receipts and/or income.

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 rule change may have an impact on competition and employment of continuing education providers. If a provider decides not to adopt the new methods of delivery of online education, it may see a decrease in participation by court reporters. Alternatively, if a provider decides to provide an online option, it may see an increase in participation by court reporters. The magnitude of the impact is indeterminable at this time.

**Redline of CSR Board's Proposed Amendments to LAC 46:XXI.611 and 46:XXI.613**

**§611. Activities Not Acceptable for Continuing Education Credits**

A. ...

B. Attendance at or participation in tours, exhibits, entertainment, recreation, committee service, association business, or home study, ~~or on-line courses or seminars~~ will not be accepted for continuing education credits, except that live webinars will be accepted for continuing education credits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 21:931 (September 1995), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2420 (November 2007), LR 46:1565 (November 2020), LR 50:

**§613. Provider Application Process**

A. A provider must submit the following information to the continuing education committee at least 90 days before the date of a proposed training event:

1. the date, time, and place where the training will be conducted and/or if the training event will be offered on-line;

A.2. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2420 (November 2007), amended LR 50:

<b>If Your Batteries:</b>	<b>And If You:</b>	<b>Then You:</b>	<b>And You:</b>
10. will be reclaimed other than through regeneration.	import these batteries from foreign country and don't store these batteries before you reclaim them.	are exempt from LAC 33:V.Chapters 3, 5, 7, 10 (except for 1005), 11 (except for Subchapter B), 13, 15, 17,19, 21, 23, 25, 27, 28, 29, 30, 32, 33, 35, 37, 43, and the notification requirements at Section 3010 of RCRA.	are subject to LAC 33:V. Chapters 1 and 49, LAC 33:V.1005, 1017, and 3105, Table 1, LAC 33:V.Chapter 11.Subchapter B, and applicable provisions under LAC 33:V.Chapter 22.

B. - B.2.d. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Hazardous Waste Division, LR 11:988 (October 1985), amended LR 11:1139 (December 1985), LR 13:237 (April 1987), LR 23:579 (May 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:287 (February 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 32:611 (April 2006), LR 32:830 (May 2006), LR 38:790 (March 2012), amended by the Office of the Secretary, Legal Affairs Division, LR 46:945 (July 2020), LR 50:

**Chapter 49. Lists of Hazardous Wastes**

[Editor's Note: Chapter 49 is divided into two Sections: category I hazardous wastes, which consist of hazardous wastes from nonspecific and specific sources (F and K wastes), acute hazardous wastes (P wastes), and toxic wastes (U wastes) (LAC 33:V.4901); and category II hazardous wastes, which consist of wastes that are ignitable, corrosive, reactive, or toxic (LAC 33:V.4903).]

**§4911. Conditional Exclusion for Used, Broken Cathode Ray Tubes (CRTs) Undergoing Recycling**

A. - A.5. ...

a. In addition to the applicable conditions specified in Paragraphs A.1-4 of this Section, exports of used, broken CRTs shall comply with the requirements of the *Code of Federal Regulations* at 40 CFR 261.39 (conditional exclusions for used, broken cathode ray tubes (CRTs), and processed CRT glass undergoing recycling), up to date as of July 1, 2021, which is hereby incorporated by reference.

B. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq. and in particular R.S. 30:2180 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 31:3122 (December 2005), amended LR 34:645 (April 2008), amended by the Office of the Secretary, Legal Division, LR 41:2601 (December 2015), amended by the Office of the Secretary, Legal Affairs Division, LR 50:

**Family Impact Statement**

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

**Poverty Impact Statement**

This Rule has no known impact on poverty as described in R.S. 49:973.

**Small Business Analysis**

This Rule has no known impact on small business as described in R.S. 49:978.1 - 978.8.

**Provider Impact Statement**

This Rule has no known impact on providers as described in HCR 170 of 2014.

**Public Hearing**

A public hearing will be held on August 27, 2024, at 1:30 p.m. in the Galvez Building, Oliver Pollock Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are

invited to attend in person or via Zoom at <https://deqlouisiana.zoom.us/j/6836133613?omn=94218724960> or by telephone at (646) 255-1997 using the Meeting ID 683 613 3613. Should individuals with a disability need an accommodation in order to participate, contact Doug Bordelon at the address given below, or at (225) 219-1325.

**Public Comments**

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by HW127ft. Such comments must be received no later than August 27, 2024, at 4:30 p.m., and should be sent to William Little, Attorney Supervisor, Office of the Secretary, Legal Affairs and Criminal Investigations Division, P.O. Box 4302, Baton Rouge, LA 70821-4302, fax (225) 219-4068, or E-mail to [DEQ.Reg.Dev.Comments@la.gov](mailto:DEQ.Reg.Dev.Comments@la.gov). The comment period for this Rule ends on the same date as the public hearing. Copies of this proposed regulation can be purchased by contacting the LDEQ Public Records Center at (225) 219-3168. Check or money order is required in advance for each copy of HW127ft. This regulation is available on the Internet at <https://deq.louisiana.gov/page/monthly-regulation-changes-2024%20>.

This proposed regulation is available for inspection at the following LDEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 508 Downing Pines Road, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Gadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70374; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Aurelia S. Giacometto  
Secretary

2407#024

**NOTICE OF INTENT**

**Office of the Governor**

**Board of Examiners of Certified Shorthand Reporters**

On-Line Continuing Education Courses and Seminars  
(LAC 46:XXI.611 and 613)

In accordance with the provisions of the Administrative Procedures Act, R.S. 49:953(A), the Board of Examiners of Certified Shorthand Reporters (CSR Board) proposes to amend LAC 46:XXI.611 and LAC 46:XXI.613. The proposed amendments will permit the CSR Board to approve on-line courses and seminars for continuing education credit. In particular, the proposed amendments will delete the phrase "or on-line courses or seminars" from Subsection B of Section 611 and will add the phrase "and/or if the training

event will be offered on-line” to Subsection A.1 of Section 613. The CSR Board has the authority to amend these Sections pursuant to R.S. 37:2554.

#### **Title 46**

### **Professional and Occupational Standards**

## **Part XXI. Certified Shorthand Reporters**

### **Chapter 6. Continuing Education**

#### **§611. Activities Not Acceptable for Continuing Education Credits**

A. ...

B. Attendance at or participation in tours, exhibits, entertainment, recreation, committee service, association business, or home study will not be accepted for continuing education credits, except that live webinars will be accepted for continuing education credits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 21:931 (September 1995), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2420 (November 2007), LR 46:1565 (November 2020), LR 50:

#### **§613. Provider Application Process**

A. A provider must submit the following information to the continuing education committee at least 90 days before the date of a proposed training event:

1. the date, time, and place where the training will be conducted and/or if the training event will be offered on-line;

A.2. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2420 (November 2007), amended LR 50:

#### **Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed amended Rule on the family has been considered. The proposed amended rules are not anticipated to have an impact on family functioning, stability, or autonomy as described in R.S. 49:972.

#### **Poverty Impact Statement**

The proposed amended rules are not anticipated to have an impact on poverty as defined by R.S. 49:473.

#### **Small Business Analysis**

Pursuant to R.S. 49:965.6, methods for reduction of the impact on small business, as defined in the Regulatory Flexibility Act, have been considered when creating the proposed amended rules.

The proposed amended rules are not anticipated to have an adverse impact on small businesses; therefore, a Small Business Economic Impact Statement has not been prepared. Instead, the proposed amended rules are anticipated to have a positive impact on small businesses by making it easier and more cost effective for court reporters to obtain continuing education.

#### **Provider Impact Statement**

The proposed amended rules are not anticipated to have an impact on providers of services as described in HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;

2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or

3. the overall effect on the ability of the provider to provide the same level of service.

#### **Public Comments**

All interested persons may submit written comments, through August 10, 2024, to Judge Kimya M. Holmes, Chair of the Louisiana Board of Examiners of Certified Shorthand Reporters, 1450 Poydras St., Ste. 630, New Orleans, LA 70112. The Chair is responsible for responding to inquiries regarding this proposed amended Rule.

Judge Kimya M. Holmes  
Chair

### **FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: On-Line Continuing Education Courses and Seminars**

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

The proposed rule change is not anticipated to result in any cost or savings to the state or local governmental units, other than the cost of promulgation.

The proposed rule change allows the Board of Examiners of Certified Shorthand Reporters (CSR Board) to approve online courses, seminars, and other training events for continuing education credits and permits court reporters to obtain continuing education credits through online seminars, courses, and training events.

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

The proposed rule change is not anticipated to have any effect on the revenue collections of the state or local governmental units.

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

The proposed rule change will likely affect court reporters and continuing education providers, such as court reporting associations. The proposed rule changes may reduce the costs for court reporters to obtain required continuing education credits because court reporters will be able to receive credits from online attendance at seminars, courses, and other training events and will not have to attend those events in person. The proposed rule changes will likely have no or a negligible effect on the costs of continuing education providers incur to host continuing education events.

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

The proposed rule change may have an impact on competition and employment of continuing education



providers. If a provider decides not to adopt the new methods of delivery of online education, it may see a decrease in participation by court reporters. Alternatively, if a provider decides to provide an online option, it may see an increase in participation by court reporters. The magnitude of the impact is indeterminable at this time.

Judge Kimya Holmes  
Board Chair  
2407#053

Patrice Thomas  
Deputy Fiscal Officer  
Legislative Fiscal Office

**NOTICE OF INTENT**

**Office of the Governor  
Division of Administration  
Office of Group Benefits**

Primary Plan of Benefits and  
Additional Plans and Operations  
(LAC 32:III.105, and V.203, 303, and 503)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., as authorized pursuant to R.S. 42:801 and 42:802, the Office of the Governor, Division of Administration, Office of Group Benefits, proposes to amend Chapter 1 of LAC 32:III., Primary Plan of Benefits, and Chapters 2, 3, and 5 of LAC 32:V., Additional Plans and Operations. The revisions amend the Out-of-Pocket Maximums to comply with the federal Inflation Reduction Act (IRA) which limits plan participants with Medicare Part D coverage to a maximum out-of-pocket amount of \$2,000 for prescription drugs. The revisions also amend these rules to create a division between medical and prescription maximum out-of-pocket amounts to comply with the IRA.

**Title 32  
EMPLOYEE BENEFITS  
Part III. Primary Plan of Benefits  
Chapter 1. Operation of Primary Plan  
§105. Out of Pocket Maximums**

A. Plan Participants When OGB Is the Primary Payer for All Plan Participants

<b>Out-of-Pocket Maximum Per Benefit Period (Includes All Eligible Copayments, Coinsurance Amounts and Deductibles)</b>		
	<b>Network</b>	<b>Non-Network</b>
<b>Individual:</b>		
Active Employee/Retirees on or after March 1, 2015	\$3,500	No Coverage
Retirees prior to March 1, 2015	\$2,000	No Coverage
<b>Individual, Plus One Dependent:</b>		
Active Employee/Retirees on or after March 1, 2015	\$6,000	No Coverage
Retirees prior to March 1, 2015	\$3,000	No Coverage
<b>Individual, Plus Two or More Dependents:</b>		
Active Employee/Retirees on or after March 1, 2015	\$8,500	No Coverage
Retirees prior to March 1, 2015	\$4,000	No Coverage

B. Plan Participants When Medicare Is the Primary Payer for at Least One Plan Participant

<b>Out-of-Pocket Maximum<sup>1</sup> Per Benefit Period (Includes All Eligible Copayments, Coinsurance Amounts and Deductibles)</b>		
	<b>Network</b>	<b>Non-Network</b>
<b>Individual:</b>		
Active Employee/Retirees on or after March 1, 2015	Medical: \$1,500 Prescription: \$2,000	No Coverage
Retirees prior to March 1, 2015	Medical: \$500 Prescription: \$1,500	No Coverage
<b>Individual, Plus One Dependent (Medicare Paying Primary for One):</b>		
Active Employee/Retirees on or after March 1, 2015	Medical: \$4,000 Prescription: \$2,000	No Coverage
Retirees prior to March 1, 2015	Medical: \$1,500 Prescription: \$1,500	No Coverage
<b>Individual, Plus One Dependent (Medicare Paying Primary for Two):</b>		
Active Employee/Retirees on or after March 1, 2015	Medical: \$2,000 Prescription: \$2,000 per participant	No Coverage
Retirees prior to March 1, 2015	Medical: \$0 Prescription: \$1,500 per participant	No Coverage
<b>Individual, Plus Two or More Dependents (Medicare Paying Primary for One):</b>		
Active Employee/Retirees on or after March 1, 2015	Medical: \$6,500 Prescription: \$2,000 per participant	No Coverage
Retirees prior to March 1, 2015	Medical: \$2,500 Prescription: \$1,500 per participant	No Coverage
<b>Individual, Plus Two or More Dependents (Medicare Paying Primary for Two):</b>		
Active Employee/Retirees on or after March 1, 2015	Medical: \$4,000 Prescription: \$2,000 per participant	No Coverage
Retirees prior to March 1, 2015	Medical: \$1,000 Prescription: \$1,500 per participant	No Coverage
<b>Individual, Plus Two or More Dependents (Medicare Paying Primary for Three):</b>		
Active Employee/Retirees on or after March 1, 2015	Medical: \$2,500 Prescription: \$2,000 per participant	No Coverage

THE LOUISIANA BOARD OF EXAMINERS OF  
CERTIFIED SHORTHAND REPORTERS

BOARD MEETING MINUTES  
DECEMBER 8, 2023

Pursuant to notice, the meeting was called to order at 12:05 p.m., Friday, December 8, 2023, originating from the LA Board of Examiners of Certified Shorthand Reporters, Orleans Parish Criminal District Court, Section D, 2700 Tulane Avenue, New Orleans, Louisiana, in person and via Zoom Video Conference and/or Telephone Conference. Present were:

Judge Kimya M. Holmes

Lori Ceasar, Secretary

Rosa M. Manale, Treasurer (via Zoom)

Celeste P. Ware

Andrea Davis

Margaret Kramer

ALSO PRESENT: Vickie Nguyen, Administrator  
Josh Force, CSR Board Attorney

PRELIMINARIES

Judge Holmes called the meeting to order and the pledge of allegiance was recited. Vickie Nguyen made the roll call and it was determined a quorum was present. Lori Ceasar announced that a revision was made to the January 2023 meeting. Rosa Manale made the motion to accept the revision, seconded by Celeste Ware. The motion was approved.

COMMITTEE REPORTS

LICENSING AND CONTINUING EDUCATION

1. Disqualified Examinee Sage LeBlanc appeared before the board in person to report he was disqualified from the CCR examination and requested reconsideration. Mr. LeBlanc stated that he failed to turn in the audio on a jump drive before exiting the examination and was, therefore, disqualified. After remarks were made by Lori Ceasar, Celeste Ware and Vickie Nguyen, it was determined Mr. LeBlanc will remain disqualified and is eligible to take the next examination scheduled for April 26, 2024.

FINANCE

1. Rosa Manale gave the report from the finance committee meeting of the July through October financial report citing everything is in order and moved to accept the financial report. Lori Ceasar seconded that motion and the motion carried.

2. Rosa Manale gave the report from the finance committee meeting of the July through October operating statements citing everything is in order and moved to accept the operating statements as presented. Lori Ceasar seconded that motion and the motion carried.

3. On the Stenotype grader contract, Rosa Manale made a motion to increase the contract fee from \$1,500.00 to \$2,000.00. Lori Ceasar seconded the motion and the motion carried.

4. On the Stenomask grader contract, Rosa Manale made a motion to increase the contract fee from \$1,500.00 to \$2,000.00. Lori Ceasar seconded the motion and the motion carried.

5. Rosa Manale gave the report on the LLA Audit, Page 7, Number 6, concerning acquiring a bond for Vickie Nguyen, Administrator. A motion was made by Ms. Manale to accept the recommendation of the finance committee as it relates to acquiring a bond for Vickie Nguyen, Administrator. The motion was seconded by Andrea Davis, and the motion carried. Any other discussion of the LLA Audit report was deferred to the January 2024 meeting.

6. Rosa Manale requested to add an item to the agenda that was discussed in the financial committee meeting concerning an additional grading fee. The item was approved to be added, and Ms. Manale made a motion to charge an additional \$50.00 to any tester that requests a regrading of their examination. Lori Ceasar seconded the motion and the motion carried.

## B. LICENSING AND CONTINUING EDUCATION

### 2. LA Ethics/Rules and Regulations Webinar

Two new Ethics/Rules and Regulations dates will be selected. Ms. Ware requested to defer the announcement of these dates to the next board meeting.

### 3. CE Summary Access Database-Webmaster

The progress of creating easier access to our CE summary information is deferred to David Rigemar with Audio Nola for a report at the next board meeting.

### 4. Spring CCR and CDR Exam Dates

CCR test examinations will be held in the board office on April 26, 2024;  
CDR test examinations will be held on March 22, 2024 with Liberty equipment at the 24th JDC location, and CDR test examinations will be held on March 15, 2024 with FTR equipment at a place and time to be announced. A motion was made by Celeste Ware to approve the above mentioned test dates. The motion was seconded by Lori Ceasar, and the motion carried.

### 5. Seal Requirements

Lori Ceasar asked for guidance on what type of new seal would be acceptable, and this matter was deferred to the next board meeting.

### 6. Acceptance of Live and Pre-recorded Webinars

Lori Ceasar suggested a rule change to allow for prerecorded webinars. Josh Force will research the existing rule and advise of how to draft an amendment to allow for prerecorded webinars. This matter was deferred to the January 2024 meeting.

## III. LICENSING

A motion was made by the licensing and continuing education committee to approve the following continuing education requests. The motion carried.

1. Carrie Barbazon, NCRA (16 hrs.) 2023-2024 cycle
2. Dawn Bloemker, ESP VirtuCon 5 (23.5 hrs.) 2023-2024 cycle
3. Audie Brooks, GCRA (12.5 hrs.) 2023-2024 cycle
4. Micheline Cosse' Buras, SUN (12 hrs.) 2023-2024 cycle
5. Kristina Marie Carter, AudioScribe (12 hrs.) 2023-2024 cycle
6. Lori Ceasar, Jeff Justice (10 hrs.) 2023-2024 cycle

7. Sandra Files, CR Seminars (8 hrs.) 2023-2024 cycle
8. Betty Glissman, STAR (13 hrs.) 2023-2024 cycle
9. Brandy Harmon, Voice 2-Tech (5 hrs.) 2023-2024 cycle
10. Aimee' Hoffpauir, NVRA (10 hrs.) 2023-2024 cycle
11. Martha Kibler, NVRA (11 hrs.) 2023-2024 cycle
12. Candy Leger, Otter AI (2 hrs.) 2021-2022 cycle
13. Laura Locascio, NCRA (9.25 hrs.) 2023-2024 cycle
14. Maury Parker, MS Jud. College CR Spring 2023 (12 hrs.) 2023-2024 cycle
15. Yolanda Pena, NCRA, (30 hrs.) 2023-2024 cycle
16. Cori Rodgers, NVRA (9.5 hrs.) 2023-2024 cycle
17. Anna Roth, CR Seminars (8 hrs.) 2023-2024 cycle
18. Ashley Roussel, CR Seminar (10 hrs.) 2023-2024 cycle
19. Denice Sanders, NCRA (13 hrs.) 2023-2024 cycle
20. Trena L. Soileau, NCRA (13 hrs.) 2023-2024 cycle
21. Ronda Taylor, NVRA (11 hrs.) 2023-2024 cycle
22. Susan Jacks Thomas, (10 hrs.) 2023-2024 cycle

#### B. Discontinued CDR

A motion was made by the licensing and continuing education committee to approve the following discontinued digital reporter requests. The motion carried.

1. Caroline Brouillette, May 31, 2023
2. Melissa Lively Payne, April 21, 2023
3. Patricia Timm, July 15, 2023
4. Jackson Watson, May 31, 2023

#### IV. NEW BUSINESS

##### A. Whistleblower Policy

Josh Force advised that the board provisionally approved the Whistleblower policy that stemmed from the settlement of the Veritext lawsuit. This policy affects the method both board members and the public may make complaints to the board regarding certain antitrust matters. Mr. Force made the recommendation that the board prepare a formal rule and go through the promulgation process. A motion was made by Lori Ceasar to redraft the policy as a formal rule of the Board, and seconded by Andrea Davis. The motion carried.

##### V. SCHEDULING OF NEXT BOARD MEETING

The next board meeting was scheduled for January 12, 2024. There being no further business, Lori Ceasar made the motion to adjourn the meeting, seconded by Celeste Ware, and the meeting was adjourned at 12:40 p.m.

**Motion to Approve Proposed Amendments to Board Rules 611 and 613**

I, ANDREA DAVIS, move that the Board approve the proposed amendments to CSR Board Rules 611 and 613 (LAC 46:XXI.611 & 613) to permit the acceptance of approved online courses, seminars, and other training events for continuing education credit and to make this approval retroactive to April 5, 2024. A copy of the proposed amendments is attached to this motion.

Seconded by: LORI CEASAR

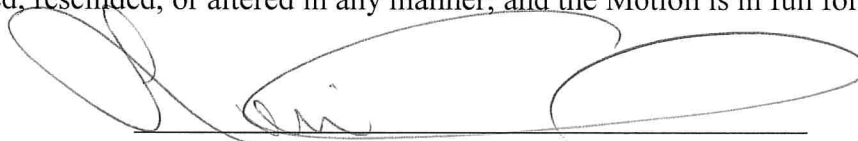
**Vote:**

Aye's: 6

Nay's: 0

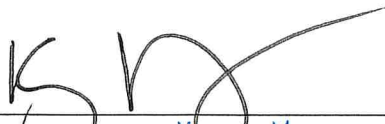
Abstentions: 0

I, Lori Ceasar, Secretary of the Louisiana Board of Examiners of Certified Shorthand Reporters, under the authority vested in me under the law, hereby certify the above and foregoing to be a true and exact copy of Motion adopted by the Board of Examiners of Certified Shorthand Reporters at its meeting held on July 26, 2024, at which a quorum was present; the Motion has not been revoked, rescinded, or altered in any manner; and the Motion is in full force and effect.



Lori Ceasar, Secretary  
La. Board of Examiners of Certified Shorthand Reporters

Witnessed, this 26<sup>TH</sup> day of July 2024.

  
Printed Name: HON KIMYA M. HOLMES  
Printed Name: ANDREA DAVIS

**Redline of CSR Board's Proposed Amendments to LAC 46:XXI.611 and 46:XXI.613**

**§611. Activities Not Acceptable for Continuing Education Credits**

A. ...

B. Attendance at or participation in tours, exhibits, entertainment, recreation, committee service, association business, or home study, ~~or on-line courses or seminars~~ will not be accepted for continuing education credits, except that live webinars will be accepted for continuing education credits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 21:931 (September 1995), amended by the Office of the Governor, Board of Examiners of Certified Shorthand Reporters, LR 33:2420 (November 2007), LR 46:1565 (November 2020), LR 50:

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A. A provider must submit the following information to the continuing education committee at least 90 days before the date of a proposed training event:

1. the date, time, and place where the training will be conducted and/or if the training event will be offered on-line;

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