

November 20, 2023 edition of the *Louisiana Register*, volume 49, pages 1969-1971. Pursuant to the board's consideration of comments and testimony received during the December 28, 2023 public hearing, the board proposes to amend the original proposed Rule in order to specifically address drug product storage and remove references to drug product delivery as part of this regulatory project.

Title 46
PROFESSIONAL AND OCCUPATIONAL
STANDARDS

Part LIII. Pharmacists

Chapter 11. Pharmacies

Subchapter A. General Requirements

§1103. Prescription Department Requirements

A. A prescription department of a pharmacy shall be maintained in a clean and orderly condition and shall provide sufficient floor space, fixtures, equipment and supplies commensurate with the nature and scope of the pharmacy's practice to ensure that drugs are compounded and dispensed in a dry, well-lighted, climate controlled, and safely enclosed structure.

B. - D. ...

E. Drug Inventory

1. Storage. The pharmacy shall provide an adequate prescription inventory in order to compound and dispense prescription orders. All areas where drugs are stored shall be maintained under environmental conditions which will ensure the integrity of the drug, as specified by the United States Pharmacopeia (USP) and/or manufacturer's or distributor's product information or labeling.

E.2. - J. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 23:1310 (October 1997), amended LR 29:2087 (October 2003), effective January 1, 2004, LR 39:315 (February 2013), amended by Department of Health, Board of Pharmacy, LR 46:579 (April 2020), LR 47:1642 (November 2021), LR 48:497 (March 2022), LR 49:1556 (September 2023), amended LR 50:

Chapter 25. Prescriptions, Drugs, and Devices

Subchapter A. General Requirements

§2501. Prescription Drugs and Devices

A. - A.2. ...

3. Storage

a. Prescription drugs or devices shall be stored in a permitted pharmacy under the immediate control and responsibility of a pharmacist.

b. All areas where drugs are stored shall be maintained under environmental conditions which will ensure the integrity of the drug, as specified by the United States Pharmacopeia (USP) and/or manufacturer's or distributor's product information or labeling.

B. - E.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1182.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Board of Pharmacy, LR 14:708 (October 1988), effective January 1, 1989, amended LR 29:2101 (October 2003), effective January 1, 2004, amended LR 50:

Public Hearing

A public hearing to solicit comments and testimony on the substantive changes to the proposed Rule is scheduled for 9:00 a.m. on Tuesday, May 28, 2024 at the Board office.

During the hearing, all interested persons will be afforded an opportunity to submit comments and testimony, either verbally or in writing. The deadline for the receipt of all comments and testimony is 12 p.m. that same day. To request reasonable accommodations for persons with disabilities, please call the board office at 225.925.6496.

M. Joseph Fontenot Jr.
Executive Director

2404#041

POTPOURRI

Department of Health
Health Standards Section

Public Hearing-Substantive Changes to
Proposed Rule: Hospitals Licensing Standards
(LAC 48:I.9303, 9305, 9309, 9317, 9321, 9323,
9331, 9411, 9479, 9483, 9497, and 9501)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Health, Health Standards Section published a Notice of Intent in the December 20, 2023 edition of the *Louisiana Register* (LR 49:2134-2159) to amend LAC 48:I.Chapters 93-95, and to adopt §9306, §9308, §9575, and §9583 - §9593 as authorized by R.S. 36:254 and R.S. 40:2100-2115. This Notice of Intent proposed to amend the provisions governing the licensing of hospitals in order to add and update definitions, update the existing licensure requirements, and to adopt requirements for issuing statements of deficiency, licensure inactivation due to disasters or emergencies, and mobile unit and burn center services.

As a result of comments received in response to the proposed Rule, the department determined that additional, non-technical revisions were necessary to the provisions of §9303, §9305, §9309, §9317, §9321, §9323, §9331, §9411, §9479, §9483, §9497, and §9501 of the December 20, 2023 Notice of Intent.

Taken together, these revisions will closely align the proposed Rule with the department's original intent and the concerns brought forth during the comment period for the Notice of Intent as originally published.

Title 48

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part I. General Administration

Subpart 3. Licensing and Certification

Chapter 93. Hospitals

Subchapter A. General Provisions

§9303. Definitions

* * *

Administrator—the person responsible for the operation of the hospital commensurate with the authority conferred by the governing body.

* * *

Chief Administrator—*Executive Officer (CEO)*—Repealed.

* * *

Employee—Repealed.

* * *

Off-Site Campus—all premises on which hospital services (inpatient and/or outpatient) are provided and that are not adjoining to the main hospital buildings or grounds. Each off-site campus of a hospital shall be licensed as a part of the main hospital. An off-site campus must be held out to the public as part of the hospital, appear on the hospital's cost report, and bill using the hospital's national provider identifier number. An off-site campus shall be located within 50 miles of the main hospital campus. Any building separated by a public road, not adjoined by a sky bridge or covered and enclosed walkway, or building not licensed or owned by the hospital is considered offsite.

a. ...

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), LR 29:2400 (November 2003), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 36:513 (March 2010), LR 37:3028 (October 2011), LR 38:1413 (June 2012), amended by the Department of Health, Bureau of Health Services Financing, LR 45:1475 (October 2019), LR 49:1221 (July 2023), amended by the Department of Health, Bureau of Health Services Financing, LR 49:1934 (November 2023), amended by the Department of Health, Health Standards Section, LR 50:

§9305. Licensing Process

A. - N.1.b. ...

2. Approval of Plans

a. ...

b. In the event that submitted materials do not appear to satisfactorily comply with the 2014 Edition of the Facility Guidelines Institute (FGI), Guidelines for Design and Construction of Hospitals and Outpatient Facilities, as adopted by the OSFM for building design and construction, the OSFM shall notify the party submitting the plans in writing, the particular items in question and request further explanation and/or confirmation of necessary modifications.

N.3. - P. ...

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

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 16:971 (November 1990), LR 21:177 (February 1995), LR 29:2401 (November 2003), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 38:1413 (June 2012), RS 40:1722 (January 2016), amended by the Department of Health, Health Standards Section, LR 50:

§9309. Exceptions

A. - A.1. ...

2. If a hospital is accredited by a CMS recognized accrediting organization, the Department shall accept such accreditation in lieu of its annual on-site re-survey. This accreditation will be accepted as evidence of satisfactory compliance with all provisions except those expressed in §9305.O and P.

2.a. - 3. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. R.S.36:254 and 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, LR 13:246 (April 1987), amended by the Department of Health and Hospitals,

Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), LR 29:2404 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:

Subchapter B. Hospital Organization and Services

§9317. Governing Body

A. The hospital shall have either an effective governing body or individual(s) who are legally responsible for the conduct of the hospital operations, including the conduct of all hospital staff, contracted, direct, or otherwise. In the absence of an organized governing body, there shall be written documentation that identifies the individual(s) who are legally responsible to carry out the functions specified in this part that pertain to the governing body. No contracts/arrangements or other agreements may limit or diminish the responsibility of the governing body.

B. - G.1.e. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), LR 29:2405 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:

§9321. Medical Staff

A. The medical staff develops and adopts bylaws and rules for self-governance of professional activity and accountability to the governing body. In addition to physicians and dentists, the medical staff membership shall include licensed healthcare practitioners as appropriate to adequately meet the needs of the patients served by the hospital. The bylaws and rules shall contain provisions for at least the following.

1. - 5. ...

6. There shall be a single chief of medical staff who reports directly to the governing body and who is responsible for all medical staff activities for the entire hospital, including any offsite facilities operating under the license of the hospital.

7. - 7.c....

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), LR 29:2406 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:

§9323. Administration

A. In accordance with the hospital policy, there shall be a full-time, administrator who is responsible for the operation of the hospital commensurate with the authority conferred by the governing body. Beginning June 1, 2025, no administrator shall be administrator of more than one licensed hospital.

B. - B.3. ...

a. hospital administrators employed in Louisiana licensed hospitals at the time the final regulations are adopted and become effective shall be deemed to meet the qualifications as long as the individual holds their current position. If the individual leaves their current position as hospital administrator, they shall meet one of the qualifications above to be re-employed into such a position.

C. - G.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), LR 29:2407 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:

§9331. Organ, Tissue, and Eye Procurement

A. The hospital shall have policies and procedures approved by the governing body, or its designee, for:

1. organ, tissue, and eye procurement; and
2. ensuring that appropriate hospital staff are trained on donation issues. The training shall be developed in cooperation with the OPO.

B. Beginning June 1, 2025, the hospital shall have an agreement with the designated organ procurement organization (OPO) for the state and at least one tissue bank and one eye bank, if the OPO does not include these services. At a minimum the agreement shall address the following:

B.1. - K. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Office of the Secretary, LR 13:246 (April 1987), amended by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), LR 29:2408 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:

§9411. Buildings

A. - I. ...

J. For all new construction or renovations, hospitals shall follow the 2014 Edition of the Facility Guidelines Institute (FGI), Guidelines for Design and Construction of Hospitals and Outpatient Facilities, as adopted by the OSFM, for building design and construction.

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), amended LR 29:2417 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:

Subchapter P. Rehabilitation Services (Optional)

§9479. Organization and Staffing

A. - B.4. ...

5. provide services to the rehabilitation hospital on a full-time basis;

a. This provision does not apply to rehabilitation units.

b. The hospital shall define the term full-time as it applies to all of its employees.

B.6. - J.12. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), amended LR 29:2423 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:

§9483. Rehabilitation Hospital or Unit Physical Space

A. Space and equipment shall be appropriate for the types of rehabilitation services offered and shall be maintained for safe and efficient performance and in accordance with the 2014 Edition of the Hospital Units and Rehabilitation Units of the Facility Guidelines Institute (FGI) Guidelines for Design and Construction of Hospitals and Outpatient Facilities, as adopted by the OSFM, for building design and construction.

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), amended LR 29:2424 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:

Subchapter R. Psychiatric Services (Optional)

§9497. Psychiatric Hospital or Psychiatric Unit Physical Space

A. The layout and design of a psychiatric hospital or psychiatric unit shall be in accordance with the 2014 Edition of the Facility Guidelines Institute (FGI), Guidelines for Design and Construction of Hospitals and Outpatient Facilities, as adopted by the OSFM, for building design and construction. In addition to the FGI Guidelines, details, equipment, and furnishings shall be such that patients shall be under close observation and shall not be afforded opportunities for hiding, escape, or injury to themselves or others. The environment of the unit shall be characterized by a feeling of openness with emphasis on natural light and exterior views. Interior finishes, lighting, and furnishings shall suggest a residential rather than an institutional setting while conforming to applicable fire safety codes. Security and safety devices shall not be presented in a manner to attract or challenge tampering by patients.

B. - G. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 21:177 (February 1995), amended LR 29:2425 (November 2003), amended by the Department of Health, Health Standards Section, LR 50:

§9501. Staffing

A. - B. ...

C. In a psychiatric hospital, the director of nursing (DON) services, shall be provided by a full-time RN.

1. A DON hired or promoted prior to May 31, 2026, shall meet the following criteria for education and experience:

a. a master's degree in psychiatric or mental health nursing or its equivalent, from a school of nursing accredited by the National League for Nursing;

b. a master's degree in a related field such as psychology or nursing education, and five years nursing experience. Three years of this experience shall be in providing nursing care to the mentally ill; or

c. a bachelor's, associate degree or diploma in nursing with documented evidence of educational programs focused on treating psychiatric patients, which has occurred

at intervals sufficient enough to keep the nurse current on psychiatric nursing techniques. In addition, the nurse shall have at least five years of nursing experience, three years of which were providing nursing care to the mentally ill, or receive regular, documented supervision/consultation from a master's prepared psychiatric nurse.

2. A DON hired or promoted on or after June 1, 2026, shall meet the following criteria for education and experience:

a. a master's degree in psychiatric or mental health nursing or its equivalent, from a school of nursing accredited by the National League for Nursing; or

b. at least three years clinical RN experience in providing psychiatric nursing care, and on-going training in psychiatric nursing. Documentation from a RN with a master's degree in psychiatric nursing constitutes on-going training. Such documentation shall be maintained in the personnel file for the DON.

D. - F. ...

G. Psychological services shall be provided by or supervised by a psychologist licensed by the Louisiana State Board of Examiners of Psychologists.

H. - I.3.c. ...

NOTE: Examples of intervention modalities include, but are not limited to, creative arts (e.g., crafts, music, dance, drama, among others), sports, adventure programming, dance/movement, and leisure education.

AUTHORITY NOTE: Promulgated in accordance with R.S.36:254 and R.S. 40:2100-2115.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 29:2426 (November 2003), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 41:1489 (August 2015), amended by the Department of Health, Health Standards Section, LR 50:

Interested persons may submit written comments to Tasheka Dukes, RN, Health Standards Section, P.O. Box 3767, Baton Rouge, LA 70821. Ms. Dukes is responsible for responding to inquiries regarding these substantive changes to the proposed Rule. A public hearing on the substantive changes to the proposed Rule is scheduled for May 28, 2024 at 9:00 a.m. in Room 118, Bienville Building, 628 North Fourth Street, Baton Rouge, LA. At that time all interested persons will be afforded an opportunity to submit data, views, or arguments either orally or in writing. The deadline for receipt of all written comments is May 30, 2024 at 4:30 p.m.

Ralph L. Abraham, M.D.
Secretary

2404#049

POTPOURRI

Louisiana Department of Justice

Occupational Licensing Review Program
Accepting Participants for FY 2024-2025

The Louisiana Department of Justice is currently accepting occupational licensing boards into its Occupational Licensing Review Program established by R.S. 49:260. This program provides active state supervision for the occupational rulemaking and disciplinary actions of

participating boards to ensure that boards and board members avoid liability under federal antitrust laws. Participants for the 2024-2025 Fiscal Year will be accepted into the program through May 31, 2024. For information about participating in the program, contact Nicol Hebert at hebertn@ag.louisiana.gov.

Nicol M. Hebert
Assistant Attorney General

2404#058

POTPOURRI

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Public Hearing—Substantive Changes to Notice of Intent
Bear Hunting Areas, Seasons, Rules and Bag Limits
(LAC 76:XIX.109)

The Department of Wildlife and Fisheries (department) and the Wildlife and Fisheries Commission (commission) published a Notice of Intent to adopt a Louisiana Black Bear hunting season for the 2024 hunting season in the January 20, 2024 edition of the *Louisiana Register*. The commission's changes to the original Notice of Intent include adjusting the 2024 bear season regulations, the proposed general rules, landowner permits, establishes a lottery, allows for a non-refundable lottery application fee, lottery system preference points and methods of take.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this amended Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the amended Notice of Intent and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the amended proposed rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

Title 76

WILDLIFE AND FISHERIES

Part XIX. Hunting and WMA Regulations

Chapter 1. Resident Game Hunting Season

§109. Bear Hunting Areas, Seasons, Rules and Bag Limits

A. Bear Hunting Season - 2024

1. Hunting is only allowed in Bear Area 4.

2. Bear season opens the first Saturday in December and remains open through Sunday following the third Saturday in December.

B. General Rules

1. Bears may only be harvested one-half hour before sunrise to one-half hour after sunset.

2. Harvest limit is one bear per harvest permit per season.

3. Bear hunting is limited to still hunt only. The use of dogs when hunting bear is prohibited.

4. Harvest of cubs and females with cubs is prohibited. A cub is defined as any bear 75 pounds or less.

5. Bear hunting is restricted to bona fide resident hunters who are properly licensed, hunter safety certified, and possess a valid bear hunting permit issued by the department. The number of bear harvest permits issued will be determined based on Bear Area specific population estimates and vital rate data acquired at regular intervals. The number of bear harvest permits issued at any given time during the season shall not allow the harvest to exceed the number of bears of either sex in any Bear Area that would compromise the long-term sustainability of the Bear Area population.

6. Harvest of bears without a harvest permit is prohibited. Bear harvest permits will consist of three types: Wildlife Management Area (WMA), Private Landowner, and General.

a. WMA Permits will authorize bear harvest for specified WMAs.

b. Private Landowner Permits will be allocated to qualifying private landowners, their designee, or lessee in Bear Areas with an open season for that permit year. To qualify for a Private Landowner Permit, applicants must provide evidence of qualifying acreage (40+ contiguous acres), proof of ownership, and payment of property taxes for property within the Bear Area for which they apply. Landowner designees must provide evidence deemed sufficient by the department that they have full agency and authority to act on behalf of a qualifying private landowner. Lessees of qualifying private lands must provide a duly executed and properly recorded lease agreement evidencing they have the right to hunt bear upon the qualifying acreage.

c. General Permits authorize hunting on private property, with landowner permission, within Bear Areas with an open season for that permit year. Individuals receiving a General Permit are responsible for coordinating with landowners to gain permission and access to hunting on their property.

7. Except as otherwise provided by law, bear harvest permits shall only be issued by lottery. Applicants shall apply to LDWF on department-approved applications prior to each season. All applications require a non-refundable application fee. Applicants for the General and WMA Permits must possess a valid resident basic hunting license and bear hunting license, or a combination license conveying equivalent privileges to apply.

a. Applicants not selected will be given an additional preference point for each subsequent year in which they apply. Each preference point serves as an additional lottery opportunity. Preference points are capped at five. Applicants must apply every year in order to earn and retain preference points. Failure to apply in any given year will result in forfeiture of previously acquired preference points for any subsequent application. Successful lottery applicants are not allowed to apply for another bear permit for two years after being drawn.

8. Transferability of bear permits: Only the private landowner permits are transferrable. Transferees must be a bona fide Louisiana resident who is properly licensed and hunter safety certified. Permits being transferred must be arranged prior to the mandatory training session. A permit may only be transferred one time. The department shall be notified once a permit has been transferred and provided the transferees name, address, and phone number.

9. Bear hunter training: All successful applicants or transferees will be required to attend a department bear hunter training course prior to hunting. Individuals not attending a department bear hunter training course will be prohibited from hunting. Successful youth applicants must attend bear hunting training with a properly licensed adult. The adult attending the training is responsible for supervising the youth during the bear hunt and must be within arm's reach or within the same stand or blind as the youth. A bear tag will be issued to harvest permit holders upon completion of the training course.

10. Baiting and scent attractants: Baiting is allowed two weeks prior to season opening to the day the season closes. Hunting over raw or processed bait and the use of a scent lure is allowed. No person shall use raw sweet potatoes or chocolate as bait or scent. The use of salt, grain or other feed that could serve as an attractant to deer is prohibited in CWD Control Areas. The department shall provide a list of approved baits to each successful applicant at the bear hunting training course.

11. Harvested bears must be tagged immediately upon harvest and prior to being moved from site of harvest. All successful bear hunters must immediately contact their designated department biologist (see permit) to report their kill and schedule biological data collection.

12. Hunter Orange or Blaze Pink: Any person hunting bears shall display on his head, chest and/or back a total of not less than 400 square inches of "hunter orange" or "blaze pink". Persons hunting on privately owned land may wear a "hunter orange" or "blaze pink" cap or hat in lieu of the 400 square inches. These provisions shall not apply to persons hunting bear from elevated stands on property that is privately owned or to archery bear hunters hunting on lands where firearm hunting is not allowed by agreement of the landowner or lessee. However, anyone hunting bear on such lands where hunting with firearms is allowed shall be required to display the 400 square inches or a "hunter orange" or "blaze pink" cap or hat while walking to and from elevated stands. While a person is hunting from an elevated stand, the 400 square inches or cap or hat may be concealed.

13. Harvested bears may be field dressed, but all other portions of the bear shall be removed from the hunting grounds. Thereafter, all edible portions of meat shall be removed from the bear for consumption. "Edible portions" include, at a minimum, all four quarters, all backstraps and tenderloins along the backbone.

14. Methods of take:

a. Bear may be taken with the following firearms, any of which may be fitted with a magnified scope:

i. Centerfire firearms .25 caliber or larger, rimfire firearms .30 caliber or larger, and shotguns 10 gauge and smaller using slugs, all of which must load exclusively from the breech.

ii. Rifles and pistols, .44 caliber or larger, or shotguns 10 gauge and smaller, all of which must load exclusively from the muzzle, use black powder or approved substitute only, take ball or bullet projectile only, including sabot bullets.

iii. Pre-charged pneumatic devices that fire a projectile of at least .30 caliber in diameter and at least 150 grains in weight with a minimum muzzle velocity of 800

feet per second or any combination of bullet weight and muzzle velocity that produces muzzle energy of at least 215 foot pounds of energy. Arrows or bolts used with a pre-charged pneumatic device shall only be used with well sharpened broadhead points.

b. Bear may be taken by legal archery gear with a minimum draw weight of no less than 30 pounds, including traditional bow, compound bow, crossbow, or any bow drawn, held or released by mechanical means.

c. All other methods of take are prohibited.

C. Description of Bear Areas

1. Area 1

a. All of the following parishes:

i. Acadia, Assumption, Cameron, Iberia, Jefferson, Lafayette, Lafourche, St. Mary, Terrebonne, and Vermillion.

b. Portions of the following parishes:

i. Allen—that portion south of US 190 and east of US 165;

ii. Ascension—that portion west of the Mississippi River;

iii. Calcasieu—that portion south of Interstate 10;

iv. Iberville—that portion south of Interstate 10 and west of the Mississippi River;

v. Jefferson—that portion west of the Mississippi River;

vi. Orleans—that portion west of the Mississippi River;

vii. Plaquemines—that portion west of the Mississippi River;

viii. St. Charles—that portion west of the Mississippi River;

ix. St. James—that portion west of the Mississippi River;

x. St. John the Baptist—that portion west of the Mississippi River;

xi. St. Martin—that portion south of Interstate 10;

xii. West Baton Rouge—that portion south of Interstate 10.

2. Area 2

a. All of the following parishes: Pointe Coupee, West Feliciana.

b. Portions of the following parishes:

i. Iberville—that portion north of Interstate 10;

ii. St. Landry—that portion east of Interstate 49;

iii. St. Martin—that portion north of Interstate 10;

iv. West Baton Rouge—that portion north of Interstate 10.

3. Area 3

a. All of the following parishes: Avoyelles, Concordia, LaSalle.

b. Portions of the following parish:

i. Catahoula—that portion west of US Highway 425.

4. Area 4

a. All of the following parishes: East Carroll, Madison, Tensas, West Carroll.

b. Portions of the following parishes:

i. Catahoula—that portion east of US Highway 425;

ii. Franklin—that portion east of US Highway 425;

iii. Richland—that portion east of US Highway 425.

5. Area 5

a. All of the following parishes: Caldwell, Ouachita, Morehouse, Union.

b. Portions of the following parishes:

i. Franklin—that portion west of US Highway 425;

ii. Richland—that portion west of US Highway 425.

6. Area 6

a. All of the following parishes: Beauregard, Bienville, Bossier, Caddo, Claiborne, Desoto, Evangeline, Grant, Jackson, Lincoln, Natchitoches, Rapides, Red River, Sabine, Webster, Winn.

b. Portions of the following parishes:

i. Allen—that portion north of US 190 and west of US 165;

ii. Calcasieu—that portion north of Interstate 10;

iii. Jefferson Davis—that portion south of US 190 and east of US 165;

iv. St. Landry—that portion west of Interstate 49.

7. Area 7

a. All of the following parishes: East Baton Rouge, East Feliciana, Livingston, St. Bernard, St. Helena, St. Tammany, Tangipahoa, Washington.

b. Portions of the following parishes:

i. Ascension—that portion east of the Mississippi River;

ii. Iberville—that portion east of the Mississippi River;

iii. Jefferson—that portion east of the Mississippi River;

iv. Orleans—that portion east of the Mississippi River;

v. Plaquemines—that portion east of the Mississippi River;

vi. St. Charles—that portion east of the Mississippi River;

vii. St. James—that portion east of the Mississippi River;

viii. St. John the Baptist—that portion east of the Mississippi River.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:109(B) and R.S. 56:141(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR

Public Hearing

In accordance with R.S. 49:966(H)(2), a public hearing on the proposed substantive changes will be held by the Department of Wildlife and Fisheries on May 21, 2024 at 10 a.m. at the Wildlife and Fisheries Monroe Office, 368 Technology Drive, Monroe, LA, 71203.

Brandon J. DeCuir
Chairman

2404#053

CUMULATIVE INDEX
(Volume 50, Number 4)

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ER—Emergency Rule
R—Rule
N—Notice of Intent
CR—Committee Report
GR—Governor's Report
L—Legislation
P—Potpourri
QU—Administrative Code Quarterly Update

ADMINISTRATIVE CODE UPDATE

Cumulative

January 2023-December 2023, 146QU
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AGRICULTURE AND FORESTRY

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