

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

To the extent the Welcome Home Act leads to an increase in the number of applicants, there may be an increase in competition and employment. The magnitude of such impact is indeterminable but is expected to be minimal.

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NOTICE OF INTENT

Department of Health Board of Medical Examiners

Fully-Trained Foreign Physicians
(LAC 46:XLV.321, 323, and 329)

Notice is hereby given that pursuant to the authority vested in it by the Louisiana Medical Practice Act, R.S. 37:1261-1292, and in accordance with the applicable provisions of the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., the Board of Medical Examiners (board) intends to amend its rules governing Fully Trained Foreign Physicians. The proposed rule changes will provide for the licensure of fully trained foreign physicians and establish qualifications for licensure. The proposed amendments are set forth below.

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XLV. Medical Professions

Subpart 2. Licensure and Certification

Chapter 3. Physicians

Subchapter C. International Medical Graduates and Fully-Trained Foreign Physicians

§321. Scope of Subchapter; Definitions

A. The rules of this Subchapter specify additional qualifications, requirements, and procedures for the licensing of physicians who are international medical graduates or fully trained foreign physicians.

B. As used in this Subchapter, the term *international medical graduate* or *IMG* means a graduate of a medical school or college not located in any state or in Canada, recognized and officially listed by the World Health Organization and not affirmatively approved by the board.

C. As used in this Subchapter, the term *fully trained foreign physician* or *FTFP* means a physician whose education, training, and work experience has occurred outside of the United States and who meets the requirements to apply for and receive an FTFP license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1271, 37:1272 and 37:1275.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 10:909 (November 1984), amended LR 12:528 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:514 (June 1990), LR 27:837 (June 2001), Department of Health, Board of Medical Examiners, LR 51:

§323. Qualifications for License-IMG

A. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1272 and 37:1275.1.

HISTORICAL NOTE: Promulgated by the Department of Health and Human Resources, Board of Medical Examiners, LR 10:909 (November 1984, amended LR 12:528 (August 1986), amended by the Department of Health and Hospitals, Board of Medical Examiners, LR 16:514 (June 1990), LR 27:837 (June 2001), LR 47:729 (June 2021), Department of Health, Board of Medical Examiners, LR 51:

§329. Qualifications for License—FTFP

A. To be eligible for an FTFP license, a fully trained foreign physician applicant shall:

1. be at least 21 years of age;
2. be of good moral character as defined by §303.A;
3. possess a doctor of medicine or equivalent degree duly issued and conferred by a medical school or college approve by the board;
4. possess current and valid legal authority to reside and work in the United States and a valid Social Security number;
5. have completed USMLE steps 1-3;
6. have completed a residency program of 3 or more years (non-preceptorship), or provide a malpractice history with loss run from all liability carriers or other equivalent indemnity entities;
7. provide a detailed work history from graduation to the date of application;
8. provide a letter of current good standing from home licensing agency;
9. have a current offer for two years of employment in hospital in a rural or medically underserved area, or a current job offer for two years of employment in a hospital to fill a chronically understaffed position.

B. The FTFP license authorizes the licensee to work solely for the employer making the original job offer for a period of two years. Upon successful completion of two years of practice in the sponsoring employment, and upon providing a statement from the employer that the licensee has not had any deficiencies during that time, the physician is eligible for a full and unrestricted license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:1270, 37:1272 and 37:1275.1.

HISTORICAL NOTE: Promulgated by the Department of Health, Board of Medical Examiners, LR 51:

Family Impact Statement

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on the family has been considered. It is not anticipated that the proposed amendments will have any impact on family, formation, stability or autonomy, as described in R.S. 49:972.

Poverty Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on those that may be living at or below one hundred percent of the federal poverty line has been considered. It is not anticipated that the proposed amendments will have any impact on child, individual or family poverty in relation to individual or community asset development, as described in R.S. 49:973.

Small Business Analysis

It is not anticipated that the proposed amendments will have any adverse impact on small businesses as defined in the Regulatory Flexibility Act, R.S. 49:978.1 et seq.

Provider Statement

In compliance with HCR 170 of the 2014 Regular Session of the Louisiana Legislature, the impact of the proposed amendments on organizations that provide services for individuals with developmental disabilities has been considered. It is not anticipated that the proposed amendments will have any impact on the staffing, costs or overall ability of such organizations to provide the same level of services, as described in HCR 170.

Public Comments

Interested persons may submit written data, views, arguments, information or comments on the proposed amendments to Jacintha Duthu, LSBME, 630 Camp Street, New Orleans, LA 70130. She is responsible for responding to inquiries. Written comments will be accepted until 4 p.m., Tuesday, August 27, 2025.

Public Hearing

A request pursuant to R.S. 49:953(A)(2) for a public hearing must be made in writing and received by the Board within 20 days of the date of this notice. If a public hearing is requested to provide data, views, arguments, information or comments orally in accordance with the Louisiana Administrative Procedure Act, the hearing will be held on Tuesday, August 27, 2025 at 9 a.m., at the office of the LSBME, 630 Camp Street, New Orleans, LA 70130. Any person wishing to attend should call in advance to confirm.

Vincent A. Culotta, Jr., M.D.
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Fully-Trained Foreign Physicians

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

Other than the cost of rulemaking, there are no estimated implementation costs or savings for state or local government units resulting from the promulgation of the proposed rule change. The cost for the Louisiana State Board of Medical Examiners is approximately \$1,500 in FY 25 for the notice and rule publication in the *Louisiana Register*.

Proposed rule amends LAC 46:XLV.321, 323, and 328 to implement Act 286 of the 2024 Regular Session by establishing a licensure pathway for Fully Trained Foreign Physicians (FTFPs) who completed their education, training, and experience outside the United States. The rule defines eligibility criteria, including completion of USMLE Steps 1–3, possession of a medical degree from a board-approved international school, valid U.S. work authorization, and a two-year employment offer at a hospital located in a rural or medically underserved area, or in a chronically understaffed facility. FTFP licensees will be authorized to practice only for the sponsoring employer for two years, after which they may become eligible for a full and unrestricted license. The rule is intended to expand access to care in shortage areas by utilizing qualified international medical professionals.

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

The proposed rule is anticipated to increase self-generated revenue collections for the Louisiana State Board of Medical Examiners. The agency estimates that the application fee for the new Fully Trained Foreign Physician (FTFP) license will be approximately \$385, with an annual renewal fee of approximately \$325. Revenue impact will depend on the number of licenses issued each year; however, the creation of a

new licensure category is expected to generate additional recurring revenue from both initial applications and annual renewals.

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

The proposed rule may result in minimal costs to individuals applying for licensure as Fully Trained Foreign Physicians. However, the rule is expected to create economic benefits by expanding employment opportunities for qualified foreign-trained physicians and increasing access to medical care in underserved areas. No impact is anticipated for small businesses or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

These changes will provide an additional pathway to licensure for applicants who have completed all of their training outside of the USA. Thus, these changes will allow for more applicants to come into Louisiana, increasing competition and employment.

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NOTICE OF INTENT

Department of Health Bureau of Health Services Financing

Hospital Services
Coverage of Gene Therapies for Sickle Cell Disease
(LAC 50:V.120)

The Department of Health, Bureau of Health Services Financing proposes to adopt LAC 50:V.120 in the Medical Assistance Program as authorized by R.S. 36:254 and pursuant to Title XIX of the Social Security Act. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

Effective July 1, 2025 the Department of Health, Bureau of Health Services Financing adopted cell and gene therapy model that provides additional supplemental and federal rebates for gene therapies for sickle cell disease. To receive these rebates, the department amended the provisions governing inpatient hospital services to allow reimbursement for gene therapies for sickle cell disease outside the per diem rate and paid based on the actual acquisition cost. This proposed Rule is being promulgated to continue the provisions of the July 1, 2025 Emergency Rule (*Louisiana Register*, Volume 51, Number 7).

Title 50

PUBLIC HEALTH—MEDICAL ASSISTANCE

Part V. Hospital Services

Subpart 1. Inpatient Hospitals Services

Chapter 1. General Provisions

§120. Coverage of Gene Therapies for Sickle Cell Disease

A. Effective for dates of service on or after July 1, 2025, gene therapies for sickle cell disease administered during an inpatient stay shall be reimbursed outside of the per diem rate for the inpatient stay. Claims for gene therapies for sickle cell disease shall be reimbursed at actual acquisition cost.