

**NOTICE OF INTENT**  
**Department of Children and Family Services**  
**Licensing Section**

Child Placing Agencies (LAC 48:I.Chapter 41 and LAC 67:V.Chapters 65 and 67)

In accordance with the Administrative Procedure Act, R.S. 49:953(B), the Department of Children and Family Services (DCFS), Division of Programs, Licensing Section is providing notice of its intent to repeal and amend sections of the LAC to comply with Act 64 of the 2010 Regular Session of the Louisiana Legislature. Title 48, Part I, Subpart 3, Chapter 41 and Title 67, Part V, Subpart 8, Chapter 65 are being repealed. Licensing regulations previously contained in these chapters have been consolidated and rewritten and will be promulgated as Title 67, Part V., Subpart 8, Chapter 73, Child Placing Agencies, in accordance with R.S. 46:1401 et seq.

**Family Impact Statement**

1. What effect will this rule have on the stability of the family? This Rule will improve the stability of the family by providing a least restrictive alternative to residential care for children who are in out-of-home care on a regular or long term basis.
2. What effect will this have on the authority and rights of persons regarding the education and supervision of their children? Parents and guardians of children will have an alternative to restrictive care which enables them to use their authority to make better decisions regarding the care and supervision of their children.

3. What effect will this have on the functioning of the family? There will be no effect on the functioning of the family.
4. What effect will this have on family earnings and family budget? There will be no effect on family earnings and family budget.
5. What effect will this have on the behavior and personal responsibility of children? This Rule will have no effect on the behavior and personal responsibility of children.
6. Is the family or local government able to perform the function as contained in this proposed Rule? No, this is strictly an agency function.

### **Small Business Statement**

The impact of the proposed rule on small businesses as defined in the Regulatory Flexibility Act has been considered. It is estimated that the proposed action is not expected to have a significant adverse impact on small businesses.

### **Public Comments**

Interested persons may submit written comments by the close of business Thursday, December 23, 2010 to Mr. Guy Sylvester, Administrator, Licensing Section, P. O. Box 3318, Baton Rouge, LA 70821. He is responsible for responding to inquiries regarding this proposed Rule.

### **Public Hearing**

A public hearing on the proposed rule will be held on Wednesday, December 29, 2010 at the Department of Children and Family Services, Iberville Building, 627 North Fourth Street, First Floor, Room 1-127, Baton Rouge, LA,

beginning at 9:00a.m. All interested persons will be afforded an opportunity to submit data, views, arguments, orally and in writing, at said hearing. Individuals with disabilities who require special services should contact the Bureau of Appeals at least 7 working days in advance of the hearing. For assistance, call 225-342-4120 (Voice and TDD).

Ruth Johnson

Secretary

**FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Child Placing Agencies**

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

This rule expands and clarifies the definition and authority of licensed Child Placing Agencies to include the placement of youth ages 16 to 21. In accordance with Act 64 of the 2010 Regular Session of the Legislature, this rule does the following:

(1) repeals LAC Title 48, Part I, Subpart 3 Chapter 41—Child Placing Agencies with and without Adoption Services; (2) repeals LAC Title 67, Part V, Subpart 8 Chapter 65—Transitional Living; and (3) promulgate these previous repealed licensing charters as LAC Title 67, Part V, Subpart 8, Chapter 73—Child Placing Agencies General Provisions. Previously, agencies that placed youth between the ages of 16 to 21 were licensed under Transitional Living (LAC Title

67, Part V, Subpart 8 Chapter 65). Act 64 repealed the Transitional Living laws and expanded the definition of Child Placing Agencies to include the placement of youth ages 16 to 21. Also, in Act 64, child placing agencies within DCFS shall be exempt from licensure but shall be required to perform its child placing functions in accordance with the licensing *Louisiana Register Vol. 36, No. 11 November 20, 2010* 2648 standards. The estimated cost associated with this rule is the cost of publishing that is estimated to be \$15,456.

Rulemaking Costs:

1. October 1, 2010 Emergency Rule - \$168 per page X 23 pages = \$3,864
  2. Notice of Intent - \$168 per page X 23 pages = \$3,864
  3. 2nd Emergency Rule - \$168 per page X 23 pages = \$3,864
  4. Final Rule - \$168 per page X 23 pages = \$3,864
- This rule will be published twice as an Emergency Rule, once as a Notice of Intent and a Final Rule. The printing of each publication will cost \$3,864 for a total of \$15,456.

## **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE**

**OR LOCAL GOVERNMENTAL UNITS (Summary)** The Department of Children and Family Services (DCFS) estimates there will be no effect on revenue collections of state or local governmental units as a result of this rule. The department does not expect any new Child Placing Agencies to be licensed as a result of proposed rule.

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

DCFS estimates that there will be no increased cost or economic benefits to licensed providers. Agencies that placed youth ages 16 to 21 will be licensed under Child Placing Agencies instead of Transitional Living. The cost of licensure will remain unchanged.

#### **IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT**

(Summary) This rule will have no impact on competition and employment.

Michael Dailey

Deputy Secretary

Robert E. Hosse

Staff Director

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