



State of Louisiana

Department of Children and Family Services

September 25, 2026

The Honorable Patrick McMath
Chairman, Senate Committee on Health and Welfare
Via Email: apa.s-h&w@legis.la.gov

The Honorable Dustin Miller
Chairman, House Committee on Health and Welfare
Via Email: apa.h-hw@legis.la.gov

RE: Department of Children and Family Services (DCFS) Rulemaking

The Department of Children and Family Services (DCFS) hereby announces its plan to proceed with rulemaking by finalizing the rulemaking endeavor titled "Substance Abuse Testing" that was published on pages 1398-1400 of the August 20, 2026, *Louisiana Register*.

The proposed rule will repeal LAC 67:I.Chapter 1, State Central Registry.

This rulemaking action proposes to repeal language contained in LAC 67:I.Chapter 1. This Chapter's content consists of internal agency policy related to employment practices, workplace standards, and associated consequences. Such material is operational in nature and is not appropriate for inclusion in the *Louisiana Administrative Code*. Drug testing for public employees is authorized under R.S. 49:1015, and pursuant to this statute, substance abuse testing has been promulgated by agency policy.

No comments were received on this proposal; therefore, no public hearing was held. At this time, the Department intends to submit the Final Rule to the Office of State Register for promulgation in the November 20, 2026, issue of the *Louisiana Register*. The intended effective date is November 20, 2026.

Please contact me at (225) 219-0210 if the department may be of any assistance to you concerning this matter.

Sincerely,

Catherine S. Brindley
Policy and Rulemaking Director

cc: The Honorable Cameron Henry, Jr., President, Louisiana Senate
Office of the State Register

Poverty Impact Statement

The proposed Rule should not have any known or foreseeable impact on any child, individual, or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable impact on:

1. the effect on household income, assets, and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Small Business Analysis

The proposed Rule should have no adverse impact on small business as defined in the Regulatory Flexibility Act.

Provider Impact Statement

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of the 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

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rule via U.S. Mail or hand delivery. Written submissions must be directed to Richard Miller, Director, Seed Programs, Louisiana Department of Agriculture and Forestry, 5825 Florida Blvd., LA 70806, and must be received no later than 4:00 p.m. on September 10, 2026. All written comments must be signed and dated.

Public Hearing

A public hearing will be held on October 5, 2026, from 8:30 a.m. - 12:30 p.m. in the Veterans' Auditorium at the Louisiana Department of Agriculture and Forestry, 5825 Florida Blvd., Baton Rouge, LA 70806. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Richard Miller at the address given above in the Public Comments section or at 225-952-8053.

Mike Strain, DVM
Commissioner

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Removal of Sampling for the Yellow Leaf Virus in the Field

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

The proposed rule change is not anticipated to result in any costs to state or local governmental units. The proposed rule change eliminates sampling and testing requirements for sugarcane yellow leaf virus; however, a field inspection will still

occur for certification purposes. LSU may realize some nominal savings as they are no longer required to test the leaf samples for Sugarcane Yellow Leaf Virus.

Currently, three field inspections are required annually by the Louisiana Department of Agriculture and Forestry (LDAF) to verify that certified seedcane meets standards. During the second inspection, leaf samples are taken and submitted to LSU for testing for Sugarcane Yellow Leaf Virus. Due to testing technology, the sensitivity of detecting this disease has increased the likelihood of many of the fields being rejected. The proposed rule change will eliminate the sampling for this disease in field-grown seedcane.

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

The proposed rule change is not anticipated to result in any effect on revenue collections. Currently, there is no fee charged for the testing of sugarcane yellow leaf virus.

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

The proposed rule change may result in an economic benefit for farmers that previously had their field sampling rejected. The proposed rule change eliminates this sampling; to the extent that field inspections are now allowed to pass inspection and provide seedcane, these farmers will benefit.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is not anticipated to have any effect on competition or employment, in either the public or private sectors.

Dane Morgan
Assistant Commissioner
2608#052

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Children and Family Services Office of Management and Finance

Substance Abuse Testing (LAC 67:I.Chapter 1)

The Department of Children and Family Services, Office of Management and Finance (the department) proposes to repeal LAC 67:I.Chapter 1 as authorized by R.S. 36:474 and R.S. 46:102. This proposed Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq.

This rulemaking action proposes to repeal language contained in LAC 67:I.Chapter 1. This Chapter's content consists of internal agency policy related to employment practices, workplace standards, and associated consequences. Such material is operational in nature and is not appropriate for inclusion in the *Louisiana Administrative Code*. Drug testing for public employees is authorized under R.S. 49:1015, and pursuant to this statute, substance abuse testing has been promulgated by agency policy.

This Chapter's content does not meet the definition of a rule under R.S. 49:951, and its removal from this *Louisiana Administrative Code* title has been initiated as a result of a review dictated by Act 192 of the 2024 Regular Legislative Session and Executive Order JML 25-038.

This Notice of Intent has been drafted utilizing plain language principles to ensure clarity and accessibility for all users. It has also been reviewed and tested for compliance with web accessibility standards.

Title 67
SOCIAL SERVICES
Part I. General Administration

Chapter 1. Substance Abuse Testing

§101. Introduction and Purpose

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:1001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 25:1145 (June 1999), amended by the Department of Social Services, Office of Management and Finance, LR 32:114 (January 2006), LR 35:967 (May 2009), repealed LR 52:

§103. Applicability

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:1001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 25:1145 (June 1999), repealed LR 52:

§105. Definitions

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:1001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 25:1145 (June 1999), amended by the Department of Social Services, Office of Management and Finance, LR 32:114 (January 2006), repealed LR 52:

§107. DSS Drug-Free Workplace Policy

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:1001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 25:1146 (June 1999), amended by the Department of Social Services, Office of Management and Finance, LR 32:114 (January 2006), LR 35:967 (May 2009), repealed LR 52:

§109. Conditions Requiring Drug Tests

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:1001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 25:1146 (June 1999), amended by the Department of Social Services, Office of Management and Finance, LR 32:114 (January 2006), LR 35:967 (May 2009), repealed LR 52:

§111. Procedure

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:1001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 25:1146 (June 1999), amended by the Department of Social Services, Office of Management and Finance, LR 32:115 (January 2006), LR 35:967 (May 2009), repealed LR 52:

§113. Confidentiality

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:1001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 25:1147 (June 1999), amended by the Department of Social Services, Office of Management and Finance, LR 32:115 (January 2006), repealed LR 52:

§115. Responsibilities

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:1001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 25:1147 (June 1999), amended by the Department of Social Services, Office of Management and Finance, LR 32:115 (January 2006), LR 35:967 (May 2009), repealed LR 52:

§117. Violation of the Policy

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:1001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 25:1147 (June 1999), amended by the Department of Social Services, Office of Management and Finance, LR 32:115 (January 2006), LR 35:968 (May 2009), repealed LR 52:

§119. Attachment A—Safety-Sensitive and Security-Sensitive Positions within DSS

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:1001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 25:1148 (June 1999), amended by the Department of Social Services, Office of Management and Finance, LR 32:116 (January 2006), repealed LR 52:

§121. Attachment B—Procedures for Scheduling Drug Testing

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:1001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Social Services, Office of the Secretary, LR 25:1148 (June 1999), amended LR 35:968 (May 2009), repealed LR 52:

Family Impact Statement

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

Poverty Impact Statement

In compliance with Act 854 of the 2012 Regular Session of the Louisiana Legislature, the poverty impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will not have an 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

In compliance with the Small Business Protection Act, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will not have a fiscal impact on small businesses.

Provider Impact Statement

In compliance with House Concurrent Resolution (HCR) 170 of the 2014 Regular Session of the Louisiana Legislature, the provider impact of this proposed Rule has been considered. It is anticipated that this proposed Rule will not have a fiscal impact on providers.

Public Comments

Interested individuals may submit written comments to Catherine S. Brindley, DCFS Policy and Rulemaking Director, Department of Children and Family Services, P.O. Box 3776, Baton Rouge, LA 70821. The deadline for submitting written comments is 4:30 p.m. on September 9, 2026.

Christopher Bahm
Undersecretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Substance Abuse Testing

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

It is not anticipated that state or local government units will incur any costs or savings as a result of this proposed rule.

The Department of Children and Family Services (DCFS) proposed to repeal Sections 101, 103, 105, 107, 109, 111, 113, 115, 117, 119, and 121 of Chapter 1 (Substance Abuse Testing) within Part I of Title 67 (Social Services) of the Louisiana Administrative Code. The proposed rule removes language related to internal agency policies governing employment practices, workplace standards, and associated disciplinary actions. Due to the operational nature of these matters, they are not appropriate for inclusion in the Louisiana Administrative Code. Drug testing for public employees is authorized by R.S. 49:1015, and, pursuant to that statute, the agency has established its substance abuse testing requirements through internal policy.

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

There is no anticipated effect on revenue collections of state or local governmental units.

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

There are no anticipated costs or economic benefits to directly affected persons, small businesses, or non-governmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Implementation of this proposed rule is not anticipated to have an effect on competition and employment.

DeEdra Lamotte
Deputy Undersecretary
2608#038

Patrice Thomas
Deputy Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Environmental Quality Office of the Secretary Legal Affairs Division

Definitions (LAC 33:V.3813)

Under the authority of the Louisiana Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Hazardous Waste regulations, LAC 33:V.3813 (HW141).

Act 658 of the 2026 Regular Legislative Session facilitates recycling of electronics associated with renewable energy

resource components. The proposed Rule will update the current definition of electronics or electronic device. The previous definition was created prior to the widespread advent of utilizing renewable energy, which entails multiple forms of electronic devices that are valuable and can be recycled. The basis and rationale for the proposed Rule are to facilitate the recycling of renewable energy resource electronic components. The proposed Rule meets an exception listed in R.S. 30:2019(D)(2) and R.S. 49:963.B(3); therefore, no report regarding environmental/health benefits and social/economic costs is required.

Title 33

ENVIRONMENTAL QUALITY

Part V. Hazardous Waste and Hazardous Materials

Subpart 1. Department of Environmental Quality— Hazardous Waste

Chapter 38. Universal Wastes

Subchapter A. General

§3813. Definitions

* * *

Electronics or Electronic Device—a device or a component thereof that contains one or more circuit boards and is used primarily for:

1. data transfer or storage, communication, or entertainment purposes, including but not limited to, desktop and laptop computers, computer peripherals, monitors, copying machines, scanners, printers, radios, televisions, camcorders, video cassette recorders (VCRs), compact disc players, digital video disc players, MP3 players, telephones, including cellular and portable telephones, and stereos; and/or

2. energy production, including but not limited to a: component from renewable energy production, energy transmission, and/or ancillary equipment associated with energy production and/or transmission.

* * *

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 23:570 (May 1997), amended by the Office of Waste Services, Hazardous Waste Division, LR 24:1760 (September 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:287 (February 2000), LR 27:302 (March 2001), amended by the Office of the Secretary, Legal Affairs Division, LR 31:3118 (December 2005), LR 51:1852 (November 2025), LR 52:

Family Impact Statement

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

Poverty Impact Statement

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

Small Business Analysis

Small businesses should not be significantly impacted by the proposed Rule as described in R.S. 49:974.1 - 974.8. This is a technical clarification in the universal waste category simplifying the handling of these items, reducing the regulatory burden compared to managing them as fully hazardous waste.

Provider Impact Statement

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