



LNHA Regulatory Update: September 2025

Final Rule

Nurse Aide Training and Competency Evaluation Program Licensing Standards (LAC 48:1. Chapter 100)

In the *Louisiana Register* [June 2025](#) edition, the Louisiana Department of Health (LDH) Health Standards Section published a Notice of Intent amending the regulations regarding employers' responsibilities to check databases prior to hiring a certified nurse aide (CNA) and then monthly thereafter. As a reminder, the requirements are as follows:

§10033. General Provisions

A. – B. ...

C. Employers shall use the registry to determine if a prospective hire is a certified nurse aide (CNA) and to check if there is a finding placed on the registry that he/she has abused or neglected a resident or misappropriated a resident's property or funds.

1. Employers shall ensure checks of the following databases prior to making an offer of employment or offer to contract with a CNA:
 - a. Louisiana certified nurse aide registry (LCNAR);
 - b. Louisiana adverse actions list; and
 - c. Office of Inspector General's (OIG) list of excluded individuals and entities (LEIE).
2. Once a CNA is hired or contracted, the employer shall ensure monthly checks of the databases below:
 - a. LCNAR;
 - b. Louisiana adverse actions list; and
 - c. OIG's LEIE.
3. If a finding exists on the LCNAR, the Louisiana adverse actions list, and/or the OIG's LEIE, the employer shall not continue to employ or contract with the CNA.

§10045. Employer Responsibilities

A. ...

- B. A person shall not be employed or contracted to work as a CNA or CNA trainee if there is a final administrative or judicial court decision that the CNA or CNA trainee has:
1. committed abuse, neglect, or mistreatment of the elderly, infirm, or nursing facility resident;
 2. misappropriated a resident's property;
 3. been convicted of a non-hirable offense as specified in R.S 40:1203.3; or
 4. a finding of abuse, neglect, or misappropriation of a resident's property on the:
 - a. LCNAR;
 - b. Louisiana adverse actions list; and/or
 - c. OIG's LEIE.

The amendment is now a final rule that has been properly promulgated in accordance with the Administrative Procedures Act. The final rule is effective as of September 20, 2025. The full text of the final rule can be found on page 32 of the [PDF](#).

Nurse Aide Training and Competency Evaluation Program Licensing Standards (LAC 48:I.10001 and 10015)

In the *Louisiana Register* June 2025 edition, the Louisiana Department of Health (LDH) Health Standards Section published a Notice of Intent amending the regulations regarding nurse aide training programs. The amendments added definitions and provisions for the utilization of virtual classroom training. The full text of the amendments can be found on page 33 of the [PDF](#). The amendments are now a final rule that has been properly promulgated in accordance with the Administrative Procedures Act. The final rule is effective as of September 20, 2025.

Notice of Intent

Louisiana Workforce Commission, Office of Unemployment Insurance Administration Separation Notices (LAC 40:IV.323)

[Act 340](#) of the 2025 Louisiana Regular Session changed the time for employers to provide separation notices to employees either by mail, delivery or transmission to the employee. In addition, the notice must be electronically delivered to the administrator of the Louisiana Workforce Unemployment Insurance. The proposed amendment to existing rules is necessary to reflect the statutory change. The proposed amendment can be found on page 211 of the [PDF](#). It states:

§323. Separation Notices

A. Individual Separation Notices

1. Under Conditions Which May Disqualify. Whenever a worker is separated from his employment permanently or for an indefinite period or for an unexpected duration of seven or more days, under conditions which may disqualify him for benefits pursuant to the provisions of R.S. 23:1601, his employer shall within ten days after such separation give him, or if such delivery is impossible or impracticable, mail to his last known address or transmit electronically to his last known email address, a separation notice alleging disqualification on which the employer has entered the required information. Within the same period of time, the employer shall electronically transmit a copy of such separation notice, certified by himself or his duly authorized agent, to the administrator.

B. - B.1. ...

C. Labor Dispute Notices

1. In case of a separation due to a labor dispute, the employer shall within ten days after such separation electronically file with the administrator notice setting forth the existence of such a dispute and the approximate number of workers affected.

Interested parties may submit written comments to this amended rule to Christina Crews, ORS director, P.O. Box 94094 Baton Rouge, LA 70804, or by email at CCrews@lwc.la.gov. All comments must be received no later than 4:30 p.m., October 10, 2025.

Potpourri

Public Hearing- Substantive Changes to Proposed Rule: Nurse Staffing Agencies- Licensing Standards (LAC 48:I.Chapter 77)

In accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Louisiana Department of Health (LDH) Health Standards Section published a Notice of Intent in the June 20, 2025, edition of the *Louisiana Register* (LR 51:888-894) to amend LAC 48:I.Chapter 77 as authorized by R.S. 36:254. This Notice of Intent proposed to amend the provisions governing the licensing of nurse staffing agencies to add and update definitions, adjust social media policy



requirements, revise administrator requirements, and modify initial licensure, renewal of licensure, and change of ownership requirements.

As a result of comments received in response to the proposed rule, LDH determined that additional, non-technical revisions were necessary to the provisions of the June 20, 2025, Notice of Intent.

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

The full text of the revisions can be found beginning on page 218 of the [PDF](#).

Questions

If you have comments or concerns regarding this update, contact LNHA Legal and Policy Director Wes Hataway at whataway@lnha.org.