Louisiana’s 2021 regularly-scheduled, fiscal-only session of the Legislature adjourned sine die on Thursday, June 10, at 6 p.m. For LSMS and our membership, the session was dominated by non-fiscal legislation, but we would be remiss in not sharing the passage of five bills pushed by legislative leaders with the backing of the business community.

The first four bills are a package including a constitutional amendment that must pass a vote of the people prior to any taking effect:

- **SB 159** by Sen. Bret Allain (R-Franklin) is a Constitutional Amendment which would remove the requirement of a federal income tax deduction and would cap the maximum individual income tax rate at 4.75 percent. It will appear on the October 9 ballot.
- **SB 161**, also by Sen. Allain, eliminates the federal income tax deduction and phases in lower franchise tax rates gradually as certain positive economic and tax revenue triggers are met.
- **HB 278** by Rep. Stuart Bishop (R-Lafayette) eliminates the federal income tax deduction and lowers individual income tax rates with similar tax revenue triggers.
- **HB 292** by Rep. Neil Riser (R-Columbia) reduces the number of tax brackets for corporate income taxes, lowers rates and eliminates the federal income tax deduction.

**HB 199** by Speaker Clay Schexnayder (R-Gonzales) creating the State and Local Streamlined Sales and Use Tax Commission will also be on the October 9 ballot. If approved by the voters, this commission will be tasked with the promulgation of rules aimed at simplifying electronic filing and remittance of local sales taxes. It will also serve as the entity to perform audit functions for out-of-state businesses and develop rules to streamline the audit process for companies with a physical presence in Louisiana.

For physicians, the 2021 session focused on two controversial issue areas: scope of practice and noncompete clauses. Incredibly, LSMS members delivered more than 75,000 messages through email and text to legislators on the following bills. We thank you for your advocacy on behalf of your profession!
On scope of practice, we had four pieces of legislation that we focused on:

- **HB 495** by Rep. Barry Ivey (R-Baton Rouge) would have granted full practice authority to advanced practice registered nurses. This legislation was the most contentious bill of the entire session and finally died on the calendar with the legislature adjourned. LSMS and other physician groups fought hard to educate legislators as to the dangers associated with the bill. As the legislature adjourned, the Louisiana Association of Nurse Practitioners has already challenged its membership to continue advocating and promised to return next year. It is incredibly important for our membership to remain engaged and work to educate your legislators on our concerns.

- **HB 442** by Rep. Larry Bagley (R-Stonewall) would have changed how all physician assistants practice by removing physician involvement from any requirement of oversight. This bill died on the house floor with a 39 to 39 tie vote.

- **HB 181** by Rep. Dustin Miller (D-Opelousas) was intended to provide mental health nurse practitioners the ability to admit patients to inpatient mental health hospitals among other items. The bill was amended to only allow these items to occur if authorized by a collaborative practice agreement. The bill has fully passed the legislature and awaits action by the Governor.

- **HB 187** by Rep. Larry Bagley (R-Stonewall) allows nurse practitioners and physicians assistants to order home health. While LSMS did oppose the bill, it is reflective of changes made by CMS during COVID-19. The bill passed the legislature and awaits action by the Governor.

- **HCR 94** by Rep. Stuart Bishop (R-Lafayette) and **SCR 73** by Sen. Patrick McMath (R-Covington) was requested by LSMS in response to many legislators who sought a different way to review scope of practice increases. The resolution would have required all healthcare professional licensing boards to review processes utilized in other states and report back to the Health and Welfare Committees which ones would work for them and which ones would not work. After being egregiously mischaracterized in House Health and Welfare, the legislation was defeated by a vote of 2 to 10.

Noncompete clauses in physician contracts was the subject of two bills. Both bills addressed certain aspects of the clauses and were successful leaving the House before meeting increased opposition on the Senate side. Although HBs **483** by Rep. Mark Wright (R-Covington) and **561** by Rep. Larry Bagley (R-Stonewall) stalled out in the Senate Commerce Committee, Representative Wright has filed **HCR 125** which directs a joint subcommittee of the House and Senate Commerce Committees to study various aspects of noncompetition agreements relative to physicians in the state and to report the findings of the joint committee to the legislature prior to the convening of the 2022 Regular Session of the Legislature of Louisiana. Then, with less than thirty minutes left before Sine Die, Representative Bagley introduced HR 223 which directs a joint committee of the House Committee on Commerce and the House Committee on Health and Welfare to study the issue and report their findings to the House of Representatives. We look forward to continuing to educate the members of the legislature on the negative impacts to patients and physicians of such provisions during the interim. If you have specific ideas or stories relative to noncompete agreements please feel free to contact Lauren Bailey at lbailey@lsms.org.