

## NOTICE OF INTENT

### OFFICE OF THE GOVERNOR BOARD OF EXAMINERS OF CERTIFIED SHORTHAND REPORTERS

In accordance with the Administrative Procedures Act, R. S. 49:950 et seq. Notice is hereby given that the Louisiana Board of Examiners of Certified Shorthand Reporters, proposes to adopt changes made to the continuing education rule and to add a paragraph to the code of ethics rule.

#### Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS Part XXI. Certified Shorthand Reporters

#### Chapter 6. Continuing Education

#### §601. Continuing Education Requirement

~~A.~~ The maintenance and continued validity of any license issued by the board shall be dependent upon the satisfactory performance and completion of those continuing education requirements as established and enforced herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 17:32 (January 1991).

#### §603. Continuing Education Credits

A. Beginning January 1, 1991, and thereafter, each certificate holder of a certificate issued by the Board of Certified Shorthand Reporters shall be required to obtain at least 12 continuing education credits during a period of two consecutive calendar years each two-year continuing education cycle. Each continuing education cycle shall consist of two consecutive years beginning January 1 of the odd-numbered year and ending December 31 of the even-numbered year, inclusive. The board shall award one continuing education credit for each half hour of instruction time.

B. Any certificate holder of a certificate issued by the board is exempt from the requirement of obtaining continuing education credits for the calendar year in which the certification is initially issued. If the certificate holder is certified in an odd-numbered year, the certificate holder shall be required to obtain at least six continuing education credits during the calendar year following the year in which the certification was issued. If the certificate holder is certified in an even-numbered year, the certificate holder shall be required to obtain at least 12 continuing education credits during the two calendar years following the year in which the certification was issued.

C. Any certificate holder who is or who becomes age 65 or older during a continuing education cycle is exempt from the requirement of obtaining continuing education credits.

D. The board may suspend or revoke the certification of any certificate holder who fails to satisfy and complete the continuing education requirements stated herein, pursuant to R.S. 37:2557.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554 and 2557.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 17:32 (January 1991), amended LR 20:412 (April 1994).

### **§605. Prohibited Excess Credits**

~~A. Any continuing education credit obtained for a requirement of the board in excess of the required amount of at least 12 continuing education credits per reporting period shall not be applied to any subsequent or future continuing education requirements reporting period.~~

~~B. The board shall suspend or revoke the certification of a certified reporter in the event the reporter fails to satisfy and complete the continuing education requirements, pursuant to R.S. 37:2557.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Commerce, Board of Examiners of Certified Shorthand Reporters, LR 17:33 (January 1991).

### **§607. Maintenance of Record**

~~A. Each reporter issued a certificate holder by the board shall maintain a record of the satisfaction and completion of the continuing education credits required by the board.~~

~~B. On or before January 31 of each odd-numbered calendar year, each reporter issued a certificate by the board shall submit or cause to be submitted to the board a written record of continuing education credits earned by the reporter for the preceding two calendar years, on a form provided by the board. The report shall contain information of the continuing education credits earned by the reporter for participation in approved seminar activities, formal courses, and special activities approved by the board and conducted on a national, regional, or state basis as contained in a standardized system of seminar registration, attendance control, and reporting as approved by the board and adhered to by the sponsoring organization or entity of the seminar activity, formal course, or special activity.~~

~~C. The form to record the attendance, satisfaction and completion of the continuing education activity shall be forwarded to the designated reporter at each respective seminar and forwarded to the board no later than 30 days after the completion of the activities of the seminar by the sponsoring entity. A certificate holder who teaches a course in which court reporters~~

receive continuing education credit may receive three continuing education credits for each continuing education credit awarded to a reporter enrolled in the course. In order to receive credit for teaching activities, the certificate holder must submit to the Continuing Education Committee the following: a copy of any promotional material or curriculum distributed to attendees, describing the course content; verification that the course was approved for continuing education credit in Louisiana; and a signed statement from the certificate holder attesting to the date and duration of training conducted by the certificate holder.

~~D. Any recordation of continuing education credit earned by a reporter certified by the board through participation in an academic course or classwork which does not maintain any documentation of the attendance and satisfaction of the course shall be forwarded to the board by adequate confirmation through a certified report of attendance, report card, or related record issued by the academic institution evidencing successful completion of the continuing education activity.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 17:33 (January 1991), amended LR 17:578 (June 1991), LR 19:1539 (December 1993).

### **§609. Continuing Education Guidelines**

A. The following general subject matter and enumerated continuing education credits may be approved by the board or, at the board's direction, by the Continuing Education Committee, in the event the subject matter ~~contributes~~ is germane to the professional competence of the ~~practitioner of court reporting~~ certificate holder.

1. The board may approve sSeminars and workshops sponsored by ~~or at the~~ the National Court Reporters Association (NCRA) or the National Verbatim Reporters Association (NVRA) at national, regional, state, or local meetings, by public institutions of higher learning, and by judicial organizations, including the following subjects:

- a. English;
- b. medical;
- c. legal;
- d. technical subjects presented by experts dealing with terminology and concepts encountered by the ~~reporter~~ certificate holder during depositions and at trials;
- e. new developments and knowledge in the field directly related to making the record;
- f. general court and deposition procedures;

- g. general court and deposition transcript preparation;
- h. ~~management~~ financial planning and administration;
- i. professionalism; ~~or~~
- j. office procedures, and record-keeping; ~~health, and the~~  
"consummate" person.
- k. ethics; or
- l. technology related to new developments in the field of court reporting;

2. ~~The board may approve continuing education credit for~~ Formal courses sponsored ~~conducted~~ by ~~or instituted for~~ universities and colleges, ~~postgraduate courses held by court reporting schools, duly licensed by the state, adult education schools, duly licensed by the state, and related organizations, established and approved by the appropriate educational authority, to administer continuing education courses, subject to the approval of the Board of the Academy of Professional Reporters with formal enrollment and recordation by official transcript of the completion of the courts, including:~~ A certificate holder who has enrolled in an accredited university or college and has successfully completed an academic or technical course, the subject matter of which is consistent with §609(A)(1)(a-1) above, and who received a passing grade of C or better shall receive four C.E. credits per academic hour.

a. ~~Universities and Colleges~~

i. ~~A reporter who has formally enrolled in an accredited university or college and has successfully completed an academic or technical subject and received a passing grade of C or better shall receive the following credits:~~

- (a). ~~one semester credit — four C.E. credits;~~
- (b). ~~one trimester credit — three C.E. credits;~~
- (c). ~~one quarter credit — two C.E. credits.~~

ii. ~~A reporter who has formally enrolled in an academic or technical subject at an accredited university or college shall receive the following credits:~~

- (a). ~~one semester credit — two C.E. credits;~~
- (b). ~~one trimester credit — one C.E. credit;~~
- (c). ~~one quarter credit — one C.E. credit.~~

b. ~~Postgraduate Courses in Court Reporting Schools—A reporter who successfully completes a postgraduate course (excluding dictation practice) in an accredited court reporting school and receives a passing grade shall receive two C.E. credits for every postgraduate course completed;~~

e. ~~Adult Education School—A reporter who successfully completes an adult education course in an academic subject at an accredited school shall receive one C.E. credit for every two contact hours.~~

3. ~~d.~~ The board may recognize credits from other institutions and organizations giving continuing education courses if the course concerns subject matter ~~that meets the needs of the reporter's professional or career goals in shorthand reporting.~~ directly related to enhancing the certificate holder's knowledge, ability, or competence to perform reporting duties.

~~3. Special activities including a certificate of merit test or speed contest administered by the National Court Reporters Association (NCRA) or a board-sponsored speed contest or award of excellence, with the award of excellence credit limited to no more than one continuing education credit per reporting period, as follows.~~

a. ~~Certificate of Merit Test~~

i. ~~An NCRA-tested Registered Professional Reporter (RPR) passing any one section of the Certificate of Merit Test for the first time shall receive five C.E. credits.~~

ii. ~~A state-tested Certified Court Reporter (C.C.R.) holding RPR status passing all three parts of the skills section at the same time shall receive five C.E. credits for each part.~~

b. ~~NCRA Speed Contest. A reporter qualifying on any one section of the NCRA Speed Contest shall receive five C.E. credits.~~

e. ~~State-sponsored Speed Contest or Award of Excellence. A reporter qualifying on any one section of state-sponsored speed contest or an Award of Excellence shall receive the following credits, provided such section equals or exceeds the requirements of the NCRA Certificate of Merit Exam:~~

i. ~~state-sponsored speed contest—four credits;~~

ii. ~~Award of Excellence—four credits.~~

4. The board may award 12 credits for the two-year C.E. cycle within which a certificate holder attains certification for the first time from a national association as follows:

a. NCRA Registered Professional Reporter (RPR), Registered Merit

Reporter (RMR), or Certified Realtime Reporter (CRR) certification; or

b. NVRA Certified Verbatim Reporter (CVR), Certificate of Merit (CM), or Real-time Verbatim Reporter (RVR) certification.

B. A certificate holder will not receive C.E. credit unless the seminar, workshop, course, or other activity has been approved by the board or, at the board's direction, by the Continuing Education Committee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 17:33 (January 1991), amended LR 19:1539 (December 1993).

### **§611. Activities Not Acceptable for Continuing Education Credits**

A. Completion of any certified pulmonary respiratory course will not be accepted for continuing education credits.

B. Attendance at or participation in tours, exhibits, entertainment, recreation, committee service, association business, home study, or on-line courses or seminars will not be accepted for continuing education credits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:2554.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 21:931 (September 1995).

### **§613. Provider Application Process**

A. A provider must submit the following information to the Continuing Education Committee at least 90 days before the date of a proposed training event:

1. The date, time, and place where the training will be conducted;
2. A list and detailed description or agenda of the courses that will be taught, identifying for each course the number of minutes allocated to instruction time and the number of credit hours requested;
3. A description of the provider's experience and qualifications to conduct such training;
4. A description of the registration and course attendance procedures that will be used by the provider;
5. A copy of the evaluation form that will be distributed to participants at the end of the training to solicit their assessment of the program's educational value and

effectiveness;

6. A copy of the provider verification form that will be given to each participant upon completion of the training, indicating the courses completed and credit hours awarded to that participant;

7. The names and qualifications of instructors, identifying which courses they will be teaching in the training; and

8. A signed statement from the provider agreeing to submit to the Continuing Education Committee within 15 days after the training a list of certificate holders who attended all or a portion of the training event and the number of credit hours for which each is eligible, as well as a summary of the evaluation responses completed by participants in the training.

B. The Continuing Education Committee will respond within 30 days after receiving a completed provider application, approving or denying continuing education credit for courses in the proposed training event. The Committee may request further information or clarification from the provider and may extend the 30-day period by the additional days required to receive and consider a response from the provider.

C. A provider may advertise the training as eligible for continuing education credit in Louisiana only after receiving approval from the Continuing Education Committee.

D. Within 15 days after completion of the training, a provider must submit the following information to the Continuing Education Committee:

1. A list of participants in the training, the courses each participant attended, and the credit hours awarded to each participant;

2. A summary of the evaluation forms completed by participants; and

3. A description of any problems encountered or complaints received during the training and the provider's plan for responding to such problems or complaints in this or any future training.

E. A provider who fails to comply with any continuing education requirements or commitments may be rendered ineligible to conduct training in Louisiana upon motion of the Continuing Education Committee and approval by the board.

## **Chapter 13. Code of Ethics**

### **1301. Guidelines for Professional Practice**

A. - B.10. ...

C. When a deposition is taken, an original transcript must be produced by the reporter in a prompt manner and delivered to the noticing attorney, in satisfaction of the attorney's duty to serve as custodian of the records and in order to assure full compliance with the reporter's statutory and ethical obligations.

AUTHORITY NOTE: Promulgated in accordance with R. S. 37:2553(A.),37:2554 and 37:2557(A).

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Board of Examiners of Certified Shorthand Reporters, LR 25:1215 (July 1999).

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

A public hearing will be held on August 24, 2007, from 11a.m. to 1p.m. in the State National Life Building, 263 Third Street, Third Floor Conference Room, Baton Rouge, LA 70801. Interested persons are invited to attend and submit oral comments on the proposed amendments.

Interested persons may submit comments in writing, to Phyllis Pool, Louisiana Board of Examiners of Certified Shorthand Reporters, P. O. Box 3257, Baton Rouge, LA 70821-3257.

Judge Guy P. Holdridge,  
Chairman