

ETHICS BOARD REC'D
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LOUISIANA STATE BOARD
OF EXAMINERS OF
PSYCHOLOGISTS

4334 South Sherwood Forest Boulevard, #C-150
Baton Rouge, Louisiana 70816

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June 1, 2021

Louisiana Ethics Administration
Attention: Latoya Jordan, JD
P.O. Box 4368
Baton Rouge, LA 70821

RE: Request for Opinion Regarding Continued Service by Board Members following
Expired Term

Dear Ms. Jordan:

I am the Chairperson of the Louisiana State Board of Examiners of Psychologists (LSBEP) which enabling statutes are found in the Louisiana Revised Statutes, Chapter 28. Psychologists §§2351-2367. You may recall an informal and unofficial phone inquiry from Dr. Greg Gormanous, speaking as an individual, with reference to former board members donating services during a period of two years following the termination of public service.

As a follow up to that inquiry, the LSBEP, during its meeting of March 26, 2021, has authorized and is requesting a **formal opinion** regarding the permissibility or prohibition of the following:

1. Can a former board member donate his/her services to the board by volunteering for a board committee or workgroup within *a period of two years following the termination of his/her public service?*
2. Can a former board member receive travel expenses and other reimbursements within *a period of two years following the termination of his/her public service?*
3. Can a former board member receive a per diem under existing statutory authority, state travel guidelines or policy in the same manner as current board members within *a period of two years following the termination of his/her public service?*

Concerning these questions, our request is in reference to the sections below:
R.S. 42:1121.A(2) *"No former member of a board or commission shall, for a period of two years following the termination of his public service on such board or commission, contract*

with, be employed in any capacity by, or be appointed to any position by that board or commission."

However, under R.S. 42:1123.(30) Exceptions, it states:

"This Part shall not preclude: ... (30) A public servant, a legal entity in which he has a controlling interest, or a member of his immediate family, from donating services, movable property, or funds to his agency. Nothing herein shall be construed to allow a public servant to make an appointment of a person which is otherwise prohibited by this Chapter..."

Thank you for your consideration!

Sincerely,



Amy Henke, Psy.D.
LSBEP Chairperson

GKG/JM

NOTICE: In compliance with Act 655 of the 2018 Regular Session, the LSBEP hereby gives notice to its licensees and applicants of their opportunity to file a complaint about board actions and board procedures. You may submit such complaints to one or more of the following organizations:

- Louisiana State Board of Examiners of Psychologists: **Submit in writing to:** LSBEP, 4334 S. Sherwood Forest, Blvd., #C-150, Baton Rouge, LA 70816; admin.lsbep@la.gov; (225)295-8410
- Committee on House & Governmental Affairs, La. House of Representatives: **Submit to:** H&GA@legis.la.gov or Committee on House & Governmental Affairs, La. House of Representatives, PO Box 44486, Baton Rouge, LA 70804; (225) 342-2403
- Committee on Senate & Governmental Affairs; La Senate: **Submit to:** s&g@legis.la.gov or Committee on Senate & Governmental Affairs; La Senate PO Box 94183, Baton Rouge, LA 70804; (225)342-9845

LA R.S. 42:14.D. Public comments – In accordance with LA R.S. 42:14.D., the LSBEP shall allow public comments at any point during a meeting of the LSBEP prior to action on an agenda item upon which a vote is to be taken. Individuals who wish to comment on a matter must sign in and state their intent to comment on a matter.

La. R.S. 44:33.1 - In compliance with La. R.S. 44:33.1, the LSBEP hereby gives notice that information submitted to the LSBEP may become public record pursuant to the provisions of Louisiana Public Records Law, La. R.S. 44:1, *et seq.*



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