



## The Office of Secretary of State

### **NOTICE OF INTENT TO ADOPT PROPOSED RULES AND NOTICE OF PUBLIC HEARING**

#### **RULES CHAPTER 590-12 LACTATION CONSULTANTS**

#### **TO ALL INTERESTED PARTIES:**

Notice is hereby given that pursuant to the authority set forth below, the Professional Licensing Boards Division of the Office of Secretary of State (hereinafter “agency”) proposes to adopt rules chapter 590-12.

This notice, together with an exact copy of the synopsis of the proposed rules, is being distributed to all persons who have requested, in writing, that they be placed on the interested party notification list. A copy of this notice and a synopsis of the proposed rule may be reviewed during normal business hours (8:00 am to 5:30 pm Monday through Friday, except official State holidays) at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the agency’s web page at [www.sos.ga.gov/index.php/licensing/plb/63](http://www.sos.ga.gov/index.php/licensing/plb/63). Copies may also be requested by contacting the agency at (478) 207-2440.

Any interested party affected by the rule may present comments to the agency no later than July 3, 2017. Written comments should be addressed to Jim Cleghorn, Executive Director, 237 Coliseum Drive, Macon, Georgia 31217. Comments may be submitted by fax to (877) 371-5712.

A public hearing is scheduled to begin at 9:00 am on July 10, 2017 at the Professional Licensing Boards Division, located at 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide input into the proposed rules.

The agency posted this Notice of Intent on June 8, 2017. The agency also determined that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 50-13-3, 43-22A-7 and 43-22A-9 and that it is not legal or feasible to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of music therapy.

The proposed rules will be considered for adoption by the agency at its meeting scheduled to begin at 1:00 p.m. July 10, 2017 at the Professional Licensing Boards Division at 237 Coliseum Drive, Macon, Georgia 30217. According to the Department of Law, State of Georgia, the agency has the authority to adopt the proposed rules pursuant to authority contained in O.C.G.A. §§ 50-13-3, 43-22A-7, and 43-22A-9.

For further information, contact the agency at 478-207-2440.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This 8 day of June, 2017

A handwritten signature in blue ink, appearing to read "Lisa Durden", written over a horizontal line.

Lisa Durden  
Division Director  
Professional Licensing Boards Division

Posted:

## SYNOPSIS OF PROPOSED RULE 590-12-1-.01

### APPLICATION FOR LICENSURE

**Purpose/Main Feature:** The purpose of the rule is to define the application process for applicants for licensure as a lactation consultant.

#### **590-12-1-.01 Application for Licensure**

(1) Applicants for licensure as a lactation consultant must submit the following:

(a) A completed application, on the appropriate form, accompanied by the required fee;

(b) Completed information and forms needed to submit the results of a fingerprint background check as required by O.C.G.A. § 43-22A-7(3);

(c) Verification of certification as an International Board Certified Lactation Consultant from the International Board of Lactation Consultant Examiners or its successor organization;

(e) Secure and verifiable documentation of United States citizenship or lawful presence in the United States as required by Georgia law;

(f) Any additional information requested by the Secretary of State to establish eligibility.

(2) An application is active for one year, after which a new application and fee are required.

Authority: O.C.G.A. § 43-22A-7

## SYNOPSIS OF PROPOSED RULE 590-12-1-.02

### LICENSURE RENEWAL

**Purpose/Main Feature:** The purpose of the rule is to define the licensure renewal process for individuals licensed as a lactation consultant.

#### **590-12-1-.02 Licensure Renewal**

(1) Licenses shall expire on March 31 of even years. Completed license renewal applications, accompanied by the appropriate fee and any other required documentation shall be submitted by the posted deadline.

(2) License renewal applications submitted or postmarked after the renewal deadline will be void and the license will be forfeited.

Authority: O.C.G.A. § 43-22A-9

## SYNOPSIS OF PROPOSED RULE 590-12-1-.03

### INACTIVE STATUS

**Purpose/Main Feature:** The purpose of the rule is to define the process for individuals licensed as a lactation consultant to inactivate their license.

#### **590-12-1-.03 Inactive Status**

(1) A currently licensed lactation consultant who wishes to maintain his or her license but who does not wish to practice as a lactation consultant in this State may apply for inactive licensure status by submitting an application for inactive status and paying the required fee. A licensee granted inactive status is exempt from filing a biennial license renewal application and paying a license renewal fee. A licensee who holds an inactive license shall not practice as a lactation consultant in this State.

(2) An inactive license may be changed to active status by filing an application for licensure and complying with all licensure requirements.

Authority: O.C.G.A. § 43-22A-9

## **SYNOPSIS OF PROPOSED RULE 590-12-1-.01**

### **APPLICATION FOR LICENSURE**

**Purpose/Main Feature:** The purpose of the rule is to define the application process for applicants for licensure as a lactation consultant.

#### **590-12-1-.01 Application for Licensure**

- (1) Applicants for licensure as a lactation consultant must submit the following:
  - (a) A completed application, on the appropriate form, accompanied by the required fee;
  - (b) Completed information and forms needed to submit the results of a fingerprint background check as required by O.C.G.A. § 43-22A-7(3);
  - (c) Verification of certification as an International Board Certified Lactation Consultant from the International Board of Lactation Consultant Examiners or its successor organization;
  - (e) Secure and verifiable documentation of United States citizenship or lawful presence in the United States as required by Georgia law;
  - (f) Any additional information requested by the Secretary of State to establish eligibility.
- (2) An application is active for one year, after which a new application and fee are required.

Authority: O.C.G.A. § 43-22A-7

## **SYNOPSIS OF PROPOSED RULE 590-12-1-.02**

### **LICENSURE RENEWAL**

**Purpose/Main Feature:** The purpose of the rule is to define the licensure renewal process for individuals licensed as a lactation consultant.

#### **590-12-1-.02 Licensure Renewal**

- (1) Licenses shall expire on March 31 of even years. Completed license renewal applications, accompanied by the appropriate fee and any other required documentation shall be submitted by the posted deadline.
- (2) License renewal applications submitted or postmarked after the renewal deadline will be void and the license will be forfeited.

Authority: O.C.G.A. § 43-22A-9

## **SYNOPSIS OF PROPOSED RULE 590-12-1-.03**

### **INACTIVE STATUS**

**Purpose/Main Feature:** The purpose of the rule is to define the process for individuals licensed as a lactation consultant to inactivate their license.

#### **590-12-1-.03 Inactive Status**

(1) A currently licensed lactation consultant who wishes to maintain his or her license but who does not wish to practice as a lactation consultant in this State may apply for inactive licensure status by submitting an application for inactive status and paying the required fee. A licensee granted inactive status is exempt from filing a biennial license renewal application and paying a license renewal fee. A licensee who holds an inactive license shall not practice as a lactation consultant in this State.

(2) An inactive license may be changed to active status by filing an application for licensure and complying with all licensure requirements.

Authority: O.C.G.A. § 43-22A-9