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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

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DIGEST

SB 104 Original 2022 Regular Session Mizell

Present law provides that a patient in facilities for mental illness or substance abuse are permitted unimpeded, private, and uncensored telephone communication with persons of the patient's choice by telephone under certain circumstances. Present law allows the director of certain mental illness and substance abuse facilities to temporarily limit patient use of communication devises under certain circumstances. Proposed law retains present law.

Proposed law requires all other healthcare facilities licensed by the Dept. of Health protect a patient's rights to unimpeded, private, and uncensored communications with persons by telephone.

Proposed law defines healthcare facility to include hospitals, nursing homes, rural health clinics, home health agencies, licensed adult day healthcare facilities, intermediate care facility for people with developmental disabilities, end stage renal disease facilities, outpatient abortion facilities, pediatric day healthcare facilities, community-based care facilities, free-standing birth center, ambulatory surgery centers, and other facilities licensed by the Dept. of Health.

Proposed law applies to both patients and residents of licensed healthcare facilities.

Proposed law provides that a violation of proposed law shall be considered a violation of a condition of licensure and subject to penalty provisions under present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 40:2006.3)