

2017 Regular Session

HOUSE BILL NO. 159

BY REPRESENTATIVE DUSTIN MILLER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH/BEHAVIORAL: Requires certain mental health providers to be licensed under the Behavioral Health Services Provider Licensing Law

1 AN ACT

2 To enact R.S. 40:2154.1 and to repeal R.S. 40:2154(A)(14), relative to behavioral health
3 services providers; to provide for healthcare provider licensing and regulatory
4 functions of the Louisiana Department of Health; to provide for applicability of the
5 Behavioral Health Services Provider Licensing Law; to require certain healthcare
6 providers to be licensed as behavioral health services providers; to require such
7 providers to complete applications for licenses by a certain date; and to provide for
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 40:2154.1 is hereby enacted to read as follows:

11 §2154.1. Accredited mental health rehabilitation providers; licensure required

12 A. Any healthcare provider that meets all of the following criteria is hereby
13 required to obtain a license in accordance with the provisions of this Part prior to
14 April 1, 2018, in order to provide behavioral health services:

15 (1) Was an accredited mental health rehabilitation provider enrolled in the
16 Louisiana Medicaid program as of February 28, 2012.

17 (2) Was enrolled with the statewide management organization for the
18 Louisiana Behavioral Health Partnership as of March 1, 2012.

19 (3) Maintains continuous, uninterrupted accreditation through an approved
20 accreditation organization.

1 (4) Maintains continuous, uninterrupted enrollment with the statewide
2 management organization for the Louisiana Behavioral Health Partnership.

3 B. Each healthcare provider required by the provisions of this Section to
4 obtain a license shall submit a completed application to the department for such
5 license on or before December 1, 2017.

6 Section 2. R.S. 40:2154(A)(14) is hereby repealed in its entirety.

7 Section 3. This Act shall become effective upon signature by the governor or, if not
8 signed by the governor, upon expiration of the time for bills to become law without signature
9 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
10 vetoed by the governor and subsequently approved by the legislature, this Act shall become
11 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 159 Engrossed

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Abstract: Requires mental health rehabilitation providers meeting certain criteria to be licensed in accordance with the Behavioral Health Services Provider Licensing Law.

Present law known as the Behavioral Health Services Provider Licensing Law, R.S. 40:2151 et seq., authorizes the La. Dept. of Health (LDH) to provide for the health, safety, and welfare of persons receiving behavioral health services through licensure and regulation of behavioral health services providers.

Present law defines "behavioral health services provider" as a facility, agency, institution, person, society, corporation, partnership, unincorporated association, group, or other legal entity that provides behavioral health services and presents itself to the public as a provider of behavioral health services.

Proposed law retains above provisions of present law.

Present law exempts certain types of providers from the requirement for licensure as a behavioral health services provider established in present law. Proposed law repeals present law exempting healthcare providers meeting all of the following criteria from the requirement for licensure as a behavioral health services provider:

- (1) Was an accredited mental health rehabilitation provider enrolled in the La. Medicaid program as of Feb. 28, 2012.
- (2) Was enrolled with the statewide management organization for the La. Behavioral Health Partnership as of March 1, 2012.

- (3) Maintains continuous, uninterrupted accreditation through an approved accreditation organization.
- (4) Maintains continuous, uninterrupted enrollment with the statewide management organization for the La. Behavioral Health Partnership.

Proposed law requires mental health rehabilitation providers meeting the criteria above to be licensed as behavioral health services providers in accordance with present law and proposed law prior to April 1, 2018, in order to provide behavioral health services.

Proposed law requires each provider subject to proposed law to submit a completed application to LDH for a behavioral health services provider license on or before Dec. 1, 2017.

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

(Adds R.S. 40:2154.1; Repeals R.S. 40:2154(A)(14))