

2022 Regular Session

HOUSE BILL NO. 335

BY REPRESENTATIVE DUPLESSIS

MENTAL HEALTH: Provides relative to behavioral health

1 AN ACT

2 To amend and reenact R.S. 28:2(13) and to enact R.S. 28:2(40), relative to behavioral
3 health; to provide for a definition of the term "psychiatric deterioration"; to amend
4 the definition of "gravely disabled"; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 28:2(13) is hereby amended and reenacted and R.S. 28:2(40) is
7 hereby enacted to read as follows:

8 §2. Definitions

9 Whenever used in this Title, the masculine shall include the feminine, the
10 singular shall include the plural, and the following definitions shall apply:

11 * * *

12 (13) "Gravely disabled" means the condition of a person who is unable to
13 provide for his own basic physical needs, such as essential food, clothing, medical
14 care, ~~and~~ or shelter, as a result of serious mental illness or a substance-related or
15 addictive disorder and is unable to survive safely in freedom or protect himself from
16 serious physical harm or significant psychiatric deterioration. The term also includes
17 incapacitation by alcohol, which means the condition of a person who, as a result of
18 the use of alcohol, is unconscious or whose judgment is otherwise so impaired that

1 he is incapable of realizing and making a rational decision with respect to his need
2 for treatment.

3 * * *

4 (40) "Psychiatric deterioration" means a decline in mental functioning, which
5 diminishes the person's capacity to reason, exercise judgment, or control his
6 behavior.

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 335 Original

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Duplessis

Abstract: Identifies a person who is unable to protect himself from serious physical harm or significant psychiatric deterioration as gravely disabled and defines psychiatric deterioration.

Present law defines "gravely disabled" as the condition of a person who is unable to provide for his own basic physical needs as a result of serious mental illness or a substance-related or addictive disorder and is unable to survive safely in freedom or protect himself from serious harm.

Proposed law expands the definition of "gravely disabled" to include a person who is unable to protect himself from serious physical harm or significant psychiatric deterioration.

Proposed law defines "psychiatric deterioration" as a decline in mental functioning, which diminishes the person's capacity to reason, exercise judgment, or control his behavior.

(Amends R.S. 28:2(13); Adds R.S. 28:2(40))