
DIGEST

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HB 335 Reengrossed

2022 Regular Session

Duplessis

Abstract: Identifies a person who is unable to protect himself from serious physical harm or significant psychiatric deterioration as gravely disabled, defines psychiatric deterioration, and provides information regarding Physician's reports and affidavits from certain medical health professionals.

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 or exercise judgment.

Proposed law removes content requirements for a Physician's Report to Court or an affidavit from a medical health professional when the Physician's Report to Court or affidavit accompanies a petition from present law.

Proposed law allows the court to appoint a physician, psychiatric mental health nurse practitioner, or psychologist who has been put forth by the petitioner.

Proposed law allows the court to accept a Physician's Report to Court that has been completed pursuant to an examination of the respondent within 10 days of the petition.

(Amends R.S. 28:2(13) and 69(B)(2); Adds R.S. 28:2(40); Repeals R.S. 28:68(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Allow the court to appoint a physician, psychiatric mental health nurse practitioner, or psychologist who has been put forth by the petitioner.
2. Allow the court to accept a Physician's Report to Court that has been completed pursuant

to an examination of the respondent within 10 days of the petition.

3. Remove content requirements for a Physician's Report to Court or an affidavit when the Physician's report or affidavit accompanies a petition.
4. Make technical corrections.

The House Floor Amendments to the engrossed bill:

1. Remove "the diminishing ability to control behavior" from the definition of "psychiatric deterioration".
2. Define "psychiatric deterioration" as a decline in mental functioning, which diminishes the person's capacity to reason or exercise judgment.