

2023 Regular Session

HOUSE BILL NO. 181

BY REPRESENTATIVE DEVILLIER

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

CORONERS: Provides relative to telemedicine access for coroners

1 AN ACT

2 To amend and reenact R.S. 28:53(B)(1), (G)(2) and (4), and (J)(3), relative to coroner
3 authority for telemedicine examinations; to clarify those persons who may execute
4 an emergency certificate via actual examination or telemedicine examination; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 28:53(B)(1), (G)(2) and (4), and (J)(3) are hereby amended and
8 reenacted to read as follows:

9 §53. Admission by emergency certificate; extension; payment for services rendered

10 * * *

11 G.

12 * * *

13 (2) Within seventy-two hours of admission, the person shall be
14 independently examined by the coroner or his deputy who shall execute an
15 emergency certificate, pursuant to Subsection B of this Section, which shall be a
16 necessary precondition to the person's continued confinement. Except as provided
17 in Paragraph (7) of this Subsection, if the actual examination by the psychiatrist,
18 psychiatric mental health nurse practitioner, coroner who is a licensed physician, or
19 deputy coroner who is a licensed physician referred to in Paragraph (B)(1) of this

1 Section is conducted by telemedicine, the seventy-two-hour independent
2 examination by the coroner or his deputy shall be conducted in person.

3 * * *

4 (4) In making either the initial examination or the second examination, when
5 the coroner or his deputy examines the person and executes an emergency certificate
6 and a reexamination of the person and reexecution of a certificate is necessary for
7 any reason to ensure the validity of the certificate, both the first examiner and the
8 reexaminer shall be entitled to the fee for the service, unless they are one and the
9 same.

10 * * *

11 J.

12 * * *

13 (3) In any instance where the coroner or his deputy executes the first
14 emergency certificate, the second emergency certificate shall not be executed by the
15 coroner or his deputy, but the second emergency certificate may be executed by any
16 other physician including a physician at the treatment facility. However, if the first
17 examination by the coroner is conducted by a psychiatrist utilizing video
18 conferencing technology, the second examination shall be conducted in person.

19 * * *

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 181 Reengrossed

2023 Regular Session

DeVillier

Abstract: Allows coroners and deputy coroners who are physicians to execute certain examinations via telemedicine and establishes provisions for such persons.

Present law provides that if the actual examination by the psychiatrist is conducted via telemedicine, the 72-hour independent examination by the coroner shall be conducted in person.

Proposed law extends present law to allow psychiatric mental health nurse practitioners, coroners who are licensed physicians, or deputy coroners who are licensed physicians to conduct the actual examination via telemedicine. Proposed law otherwise retains present law.

(Amends R.S. 28:53(B)(1), (G)(2) and (4), and (J)(3))

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Restore present law relative to the actual examinations and reexaminations via telemedicine.
2. Allow psychiatric mental health nurse practitioners, coroners who are licensed physicians, or deputy coroners who are licensed physicians to conduct the 72-hour independent examination.
3. Make technical corrections.