

2024 Regular Session

HOUSE BILL NO. 849

BY REPRESENTATIVE ILLG

HEALTH CARE/FACILITIES: Provides relative to healthcare outcomes for patient's suffering with behavioral health issues

1 AN ACT

2 To enact R.S. 28:53.1 and R.S. 40:1165.1(A)(5), relative to care for patients with behavioral
3 health issues; to provide for discharge procedures; to provide for communication
4 between healthcare professionals, patients, and patient's family, caregivers, and loved
5 ones; to require the provision of educational documents; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 28:53.1 is hereby enacted to read as follows:

9 §53.1. Healthcare provider notification requirements

10 If a patient is confined for inpatient behavioral healthcare services pursuant
11 to an emergency certificate issued in accordance with R.S. 28:53, the healthcare
12 professional with the authority to discharge the patient and the healthcare facility
13 housing the patient during confinement shall make a reasonable effort to do all of the
14 following:

15 (1) Notify any healthcare professional providing behavioral health services
16 to the patient prior to confinement of the date and time the patient is scheduled to be
17 discharged. The notification required by this Paragraph shall be in writing and occur
18 at least twenty-four hours before the patient is discharged.

19 (2) Notify any third-party healthcare professional that the patient is
20 scheduled to visit for follow-up behavioral health services within twenty-four hours

1 of discharge. The discharging healthcare facility shall include a summary of the
2 patient's medical history and any current mental health conditions the patient is
3 suffering from at the time of discharge. The summary shall be sent to any healthcare
4 professional or healthcare facility that patient has agreed to visit after being
5 discharged. The summary shall be transmitted no later than the time the patient is
6 discharged.

7 (3) Provide to the patient educational documents prior to or at the time of
8 discharge. The educational documents shall provide information directed to the
9 patient and the patient's family about the warning signs of self-harm and the
10 importance of seeking behavioral health services after confinement has ended. The
11 documentation shall instruct the patient and the patient's family to seek assistance
12 from a healthcare professional to provide ongoing care and clarify that medical
13 privacy laws do not prevent a family member, friend, or other loved one from
14 communicating the patient's condition to a healthcare professional treating the
15 patient.

16 Section 2. R.S. 40:1165.1(A)(5) is hereby enacted to read as follows:

17 §1165.1. Healthcare information; records

18 A.

19 * * *

20 (5) A healthcare professional or healthcare provider that offers behavioral
21 health services shall accept documents, records, photos, testimonials, and other
22 significant health-related collateral information provided by a patient's family
23 member, caregiver, friend, or healthcare professional. These materials shall be
24 included in a patient's medical record.

25 * * *

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 849 Original

2024 Regular Session

Illg

Abstract: Establishes procedures for healthcare professionals providing care for patients suffering from behavioral health issues.

Proposed law states that if patient confined to inpatient behavioral healthcare services as a result of an emergency certificate issued by a physician, the inpatient healthcare facility shall make a reasonable effort to do all of the following:

- (1) Notify any healthcare professional treating the patient by providing behavioral healthcare services that the patient is to be discharged. The notice shall be transmitted to the appropriate individuals at least 24 hours prior to discharge.
- (2) Notify any healthcare professional scheduled to provide follow-up behavioral healthcare services of the patients discharge 24 hours prior to discharge. The notice shall include of a summary of the patient's condition and any medically relevant information.
- (3) Provide the patient educational documents prior to discharge explaining the signs of self-harm and the importance of seeking follow-up care.

Proposed law requires a healthcare professional that offers behavioral health services to accept documents from the family, friends, loved ones, and caregivers of the patient about the patient related to the patient's behavioral health issues.

(Adds R.S. 28:53.1 and R.S. 40:1165.1(A)(5))