

2026 Regular Session

HOUSE BILL NO. 1139

BY REPRESENTATIVE FISHER

MENTAL HEALTH: Requires certain behavioral health services for patients receiving treatment pursuant to an emergency certificate

1 AN ACT

2 To amend and reenact R.S. 28:53.1, relative to behavioral healthcare services; to require
3 certain procedures upon admission and discharge; to provide for patients admitted
4 to treatment pursuant to an emergency certificate; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

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

7 §53.1. ~~Discharge~~ Requirements; medical evaluation; discharge plan; healthcare
8 provider notification requirements

9 If a patient is admitted for inpatient behavioral healthcare services pursuant
10 to an emergency certificate issued in accordance with R.S. 28:53, the admitting
11 healthcare facility shall provide certain services upon admission and discharge.

12 (1) Within seventy-two hours of admission, the healthcare facility shall do
13 all of the following:

14 (a) Ensure that a licensed healthcare professional conducts a behavioral
15 health evaluation of the patient for underlying behavioral conditions.

16 (b) Contact the patient's primary healthcare provider or licensed healthcare
17 professional providing behavioral health services, if known, to establish a patient
18 treatment history.

1 ~~(2)~~ Upon discharge, the individual who is responsible for discharge planning
2 at the healthcare facility where the patient has been admitted shall make a reasonable
3 effort to do all of the following:

4 ~~(1)~~ (a) Provide written or telephonic notification to any healthcare
5 professional that is currently providing behavioral health services or primary care
6 services to the patient, if known, of the date and time that the patient is scheduled to
7 be discharged unless the patient objects to that information being communicated. If
8 the patient does not have a healthcare professional who is currently providing
9 behavioral health services, the discharging healthcare facility shall refer the patient
10 to the appropriate healthcare service, including behavioral and primary care
11 providers.

12 ~~(2)~~ (c) Provide written or telephonic notification within twenty-four hours
13 of discharge to any healthcare professional that the patient is being referred to for
14 follow-up behavioral health services. The healthcare professional that the patient is
15 being referred to shall be provided with a summary of the patient's medical history
16 and any current mental health conditions that the patient is suffering from at the time
17 of discharge. The summary shall be transmitted no later than the date that the patient
18 has been scheduled for follow-up behavioral services.

19 ~~(3)~~ (d) Provide to the patient educational documents published by the
20 Louisiana Department of Health prior to or at the time of discharge. The Louisiana
21 Department of Health shall create and publish educational documents that provide
22 information directed to the patient and the patient's family members, caregivers, or
23 friends about the warning signs of self-harm and the importance of seeking
24 behavioral health services after an admission pursuant to an emergency certificate
25 has ended. The documentation shall instruct the patient and the patient's family
26 members, caregivers, or friends to seek assistance from a healthcare professional to
27 provide ongoing care and clarify that medical privacy laws do not prevent a family
28 member, friend, or other loved one from communicating the patient's condition to
29 a healthcare professional treating the patient.

- 1 (e) Provide, at a minimum, a fourteen-day supply of medication prescribed
2 to treat a behavioral health condition.

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 1139 Original

2026 Regular Session

Fisher

Abstract: Requires a healthcare facility treating a patient admitted by an emergency certificate to provide certain behavioral health services.

Proposed law provides that if a patient is admitted to a healthcare facility, the facility is required, within 72 hours of admission, to do all of the following:

- (1) Ensure that the licensed healthcare professional conducts a behavioral health evaluation of the patient for underlying behavioral conditions.
- (2) Contact the patient's primary healthcare provider or licensed healthcare professional, who provides behavioral health services, if known, in order to establish a patient treatment history.

Present law provides that if a patient is admitted for inpatient behavioral healthcare services pursuant to an emergency certificate issued in accordance with present law (R.S. 28:53), the individual who is responsible for discharge planning at the healthcare facility where the patient has been admitted shall make a reasonable effort to do all of the following:

- (1) Provide written or telephonic notification to any healthcare professional that is currently providing behavioral health services to the patient, if known, of the date and time that the patient is scheduled to be discharged, unless the patient objects to that information being communicated.
- (2) Provide written or telephonic notification within 24 hours of discharge to any healthcare professional that the patient is being referred to for follow-up behavioral health services. Present law requires the healthcare professional to be provided with a summary of the patient's medical history and current mental health conditions.
- (3) Provide the patient with educational documents published by the La. Dept. of Health (LDH) prior to or at the time of discharge. Present law provides what information shall be included in the educational documents.

Proposed law modifies present law by adding additional requirements upon discharge. A healthcare facility is required to do all of the following:

- (1) Refer the patient to the appropriate healthcare professional, if the patient does not have a healthcare professional that is currently providing primary or behavioral health services.
- (2) Provide, at a minimum, a 14-day supply of medication prescribed to treat a behavioral health condition.

(Amends R.S. 28:53.1)