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## DIGEST

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Lopinto

HB No. 330

**Abstract:** Authorizes the use of electronic means for the delivery of an order for protective custody and transportation to the sheriff.

Present law authorizes any parish coroner or judge of a court of competent jurisdiction to order a person to be taken into protective custody and transported to a treatment facility or the office of the coroner for immediate examination when a peace officer or other credible person executes a statement under private signature specifying that, to the best of his knowledge and belief, the person is mentally ill or suffering from substance abuse and is in need of immediate treatment to protect the person or others from physical harm.

Proposed law retains present law.

Present law provides that the order for custody shall be effective for 72 hours from its issuance and shall be delivered to the coroner or director of the treatment facility by the individual who has transported the person. Present law requires the date and hour that the person is taken into protective custody to be written on the order.

Proposed law provides that the order for custody shall be effective for 72 hours from its issuance by the coroner or judge and shall be delivered to the sheriff for execution by facsimile or other electronic means, including but not limited to e-mail. Proposed law requires the sheriff or transporting person to deliver a copy of the order for custody to the coroner, patient, and director of the treatment facility upon execution with the date and hour that the person is taken into protective custody clearly written on the order.

Present law requires the person in custody, without delay and in no event more than 12 hours after being taken into protective custody, to be delivered to a treatment facility or the office of the coroner or be released.

Proposed law retains present law.

Present law requires the person in custody, upon arrival, to be examined immediately by the coroner or, if at a treatment facility, by a physician, preferably a psychiatrist, medical psychologist, or psychiatric mental health nurse practitioner, who shall determine if the person shall be voluntarily admitted, admitted by emergency certificate, admitted as a noncontested admission, or discharged.

Proposed law retains present law.

Present law requires the person in custody to be examined within 12 hours of arrival at the treatment facility or coroner's office or be released.

Proposed law retains present law.

(Amends R.S. 28:53.2(D))