

ACT No. 53

Regular Session, 2014

HOUSE BILL NO. 330

BY REPRESENTATIVE LOPINTO

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AN ACT

To amend and reenact R.S. 28:53.2(D), relative to involuntary mental health treatment; to provide relative to the method of delivery of the custody order to law enforcement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 28:53.2(D) is hereby amended and reenacted to read as follows:

§53.2. Order for custody; grounds; civil liability; criminal penalty for making a false statement

* * *

D. The order for custody shall be effective for seventy-two hours from its issuance by the coroner or judge and shall be delivered to the appropriate law enforcement agency for execution by hand, facsimile, or other electronic means, including but not limited to e-mail. The law enforcement officer or transporting person shall deliver a copy of the order for custody to the coroner, or patient, and director of the treatment facility ~~by the individual who has transported the person.~~ The upon execution with the date and hour that the person is taken into protective custody shall be clearly written on the order. Without delay, and in no event more than twelve hours after being taken into protective custody, the person shall be delivered to a treatment facility or the office of the coroner or he shall be released. Upon arrival, the person in custody shall 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. The person in custody shall be

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 examined within twelve hours of his arrival at the treatment facility or coroner's
2 office or he shall be released.

3 * * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____