

SENATE BILL NO. 185

BY SENATOR MILLS

1 AN ACT

2 To amend and reenact R.S. 28:53(F), relative to emergency certificates; to provide for the  
3 use of a copy of the emergency certificate transmitted by facsimile or other  
4 electronic device; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 28:53(F) is hereby amended and reenacted to read as follows:

7 §53. Admission by emergency certificate; extension

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9 F. An emergency certificate shall constitute legal authority to transport a  
10 patient to a treatment facility and shall permit the director of such treatment facility  
11 to detain the patient for diagnosis and treatment for a period not to exceed fifteen  
12 days, and to return the patient to the facility if he is absent with or without  
13 permission during authorized periods of detention. If necessary, peace officers shall  
14 apprehend and transport, or ambulance services, under appropriate circumstances,  
15 may locate and transport, a patient on whom an emergency certificate has been  
16 completed to a treatment facility at the request of either the director of the facility,  
17 the certifying physician, psychiatric mental health nurse practitioner, or psychologist,  
18 the patient's next of kin, the patient's curator, or the agency legally responsible for  
19 his welfare. In the case of an emergency certificate issued pursuant to an examination  
20 conducted by telemedicine pursuant to Paragraph (B)(1) of this Section, or where  
21 the valid original is not provided to the transporter, a copy transmitted by  
22 facsimile or other electronic device shall be sufficient authority for the peace officer  
23 or ambulance worker to transport the patient to a treatment facility and for the  
24 director to accept such patient. The psychiatrist shall cause the original certificate to  
25 be deposited in the United States mail properly addressed to the director of the  
26 treatment facility by the next business day following the date of examination. The  
27 director of the treatment facility shall notify the patient's nearest relative, if known,

1 or designated responsible party, if any, in writing, of the patient's admission by  
2 emergency certificate as soon as reasonably possible.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_