

2016 Regular Session

HOUSE BILL NO. 930

BY REPRESENTATIVE PYLANT

MENTAL HEALTH: Provides relative to the transport of a patient to a mental health treatment facility under a physician's emergency certificate

1 AN ACT

2 To amend and reenact R.S. 28:53(F) and (J)(2), relative to physician's emergency
3 certificates; to require the transportation by ambulance of a patient admitted by
4 physician's emergency certificate; to provide for an exception; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 28:53(F) and (J)(2) are hereby amended and reenacted to read as
8 follows:

9 §53. Admission by emergency certificate; extension; payment for services rendered

10 * * *

11 F. (1) An emergency certificate shall constitute legal authority to transport
12 a patient to a treatment facility and shall permit the director of ~~such~~ the treatment
13 facility to detain the patient for diagnosis and treatment for a period not to exceed
14 fifteen days, and to return the patient to the facility if he is absent with or without
15 permission during authorized periods of detention.

16 (2) If the emergency certificate is executed by a physician, the patient shall
17 be transported to the treatment facility by ambulance unless the physician determines
18 and certifies that the patient may be transported safely by alternative available
19 means. For the purposes of this Paragraph, "ambulance" shall have the same
20 meaning as defined in R.S. 40:1131.

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 930 Original

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Pylant

Abstract: Requires the transportation to a mental health treatment facility of a person admitted under a physician's emergency certificate to be by ambulance.

Present law provides that a person who is mentally ill or suffering from substance abuse and is determined to be dangerous to himself or others or to be gravely disabled may be admitted and detained at a treatment facility for observation, diagnosis, and treatment for a period not to exceed 15 days under an emergency certificate issued by a physician, psychiatric mental health nurse practitioner, or psychologist after an actual examination of the person.

Present law further provides that an emergency certificate constitutes legal authority to transport the patient to a treatment facility and permits the director of the treatment facility to detain the patient for diagnosis and treatment for a period not to exceed 15 days.

Proposed law retains present law but adds a requirement, if the emergency certificate is executed by a physician, for the patient to be transported to the treatment facility by ambulance unless the physician determines and certifies that the patient may be transported safely by alternative available means.

(Amends R.S. 28:53(F) and (J)(2))