

2018 Regular Session

HOUSE BILL NO. 158

BY REPRESENTATIVE FOIL AND SENATOR CLAITOR

CORONERS: Provides relative to admissions to treatment facilities under an emergency certificate

1 AN ACT

2 To amend and reenact R.S. 28:53(G)(8), relative to admissions to treatment facilities by
3 emergency certificate; to provide relative to transfers between parishes; to provide
4 relative to duties of physicians and coroners; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 28:53(G)(8) is hereby amended and reenacted to read as follows:

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

8 * * *

9 G.

10 * * *

11 (8) As it relates to all other parishes, ~~the parishes of East Baton Rouge,~~
12 ~~Jefferson, Orleans, and Ouachita~~, the following shall apply:

13 (a) When a patient is transferred from another parish pursuant to an
14 emergency certificate, a second physician's emergency certificate, when appropriate,
15 shall be executed by a physician at the admitting facility.

16 (b) The coroner shall be notified immediately following the execution of the
17 second emergency certificate and shall conduct an independent examination within
18 seventy-two hours as provided in Paragraph (2) of this Subsection, in the manner
19 provided in accordance with Subparagraph (G)(7)(a) of this Section.

1 (c) Nothing herein shall be construed to authorize a period of commitment
2 to exceed fifteen days from the date and time the initial emergency certificate was
3 executed in the parish of origin.

4 * * *

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)]

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Abstract: Expands list of parishes to all in Louisiana that require notification to the coroner when a second physician's emergency certificate is executed following a patient's transfer from one parish to another.

Present law allows the admission and detention of a person to a treatment facility for observation and diagnosis by emergency certificate if the person is mentally ill or is suffering from substance abuse. However, treatment shall not exceed fifteen days under an emergency certificate.

Proposed law retains present law.

Present law, in the parishes of East Baton Rouge, Jefferson, Orleans, and Ouachita, requires that the coroner be notified when a patient is transferred from one parish to another and a second physician's emergency certificate is executed. Further requires the coroner to conduct an independent examination in such cases.

Proposed law maintains present law but expands present law to include all parishes of Louisiana.

Present law also contains requirements specific to St. Tammany Parish.

Proposed law retains present law.

(Amends R.S. 28:53(G)(8))