

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 449

2020 Regular Session

Echols

HEALTH SERVICES: Provides relative to behavioral health services delivered via telehealth

Synopsis of Senate Amendments

1. Amends present law known as the Behavioral Health Law, R.S. 28:1 et seq., to authorize a psychiatric mental health nurse practitioner to conduct the examination required by R.S. 28:53 of a person with a behavioral health condition who is subject to admission by emergency certificate to a treatment facility. Provides that the psychiatric mental health nurse practitioner may conduct the examination via telemedicine utilizing video conferencing if a licensed healthcare professional who can adequately and accurately assist with obtaining any necessary information is in the examination room with the patient at the time of the video conference.

Digest of Bill as Finally Passed by Senate

Present law, the Louisiana Telehealth Access Act (R.S. 40:1223.1 et seq.), defines "telehealth", in pertinent part, as a mode of delivering healthcare services that utilizes information and communication technologies to enable the diagnosis, consultation, treatment, education, care management, and self-management of patients at a distance from healthcare providers. Proposed law amends this definition to provide that healthcare services delivered via telehealth include behavioral health services. Stipulates that, for purposes of proposed law, "behavioral health services" means those services as defined in present law that are appropriate for the patient and delivered by a licensed mental health professional, acting within the scope of applicable state laws and his professional license for services identified by the Louisiana Department of Health (LDH), to treat mental illness or substance use.

Present law, the Behavioral Health Services Provider Licensing Law (R.S. 40:2151 et seq.), authorizes the provision of behavioral health services in residential settings, clinic settings on an outpatient basis, and in home or community settings. Proposed law amends present law to authorize the provision of behavioral health services through telehealth. Stipulates that the provision of behavioral health services in any authorized setting shall be subject to rules and regulations of LDH.

Present law requires LDH to promulgate rules and regulations for behavioral health services providers. Proposed law provides that such rules and regulations shall address the delivery of behavioral health services by those providers through telehealth.

Present law known as the Behavioral Health Law (R.S. 28:1 et seq.) authorizes psychiatrists to conduct via telemedicine a required examination of a person with a behavioral health condition who is subject to admission by emergency certificate to a treatment facility. Provides that the examination by a psychiatrist may utilize video conferencing if a licensed healthcare professional who can adequately and accurately assist with obtaining any necessary information is in the examination room with the patient at the time of the video conference. Proposed law retains present law and authorizes psychiatric mental health nurse practitioners to perform these examinations, and to do so via telemedicine as present law authorizes for psychiatrists.

(Amends R.S. 28:53(B)(1) and R.S. 40:1223.3(6) and 2153(1); Adds R.S. 40:2153(16) and 2156(B)(16))