

RÉSUMÉ DIGEST

ACT 191 (HB 449)

2020 Regular Session

Echols

Existing law, the Louisiana Telehealth Access Act (R.S. 40:1223.1 et seq.), defines "telehealth", in 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. New law amends this definition to provide that healthcare services delivered via telehealth include behavioral health services. Stipulates that, for purposes of new law, "behavioral health services" means those services as defined in existing 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.

Existing 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. New law adds an authorization for the provision of behavioral health services through telehealth. New law stipulates that the provision of behavioral health services in any authorized setting shall be subject to rules and regulations of LDH.

Existing law requires LDH to promulgate rules and regulations for behavioral health services providers. New law adds a requirement that such rules and regulations address the delivery of behavioral health services through telehealth.

Existing 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. New law authorizes psychiatric mental health nurse practitioners to perform these examinations, and to do so via telemedicine as existing law authorizes for psychiatrists.

Effective Aug. 1, 2020.

(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))