

2022 Regular Session

HOUSE BILL NO. 826

BY REPRESENTATIVE BAGLEY

HEALTH/BEHAVIORAL: Includes addiction counselors within the definition of "healthcare provider" in the La. Telehealth Access Act

1 AN ACT

2 To amend and reenact R.S. 40:1223.3(3) and to enact R.S. 37:3386.3(B)(3), relative to  
3 healthcare services delivered through telehealth; to provide for powers and duties of  
4 the Addictive Disorder Regulatory Authority; to provide relative to telehealth  
5 services delivered by certain professionals who are licensed, certified, or registered  
6 by the authority; to authorize the promulgation of certain rules by the authority; to  
7 revise the definition of "healthcare provider" within the Louisiana Telehealth Access  
8 Act; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 37:3386.3(B)(3) is hereby enacted to read as follows:

11 §3386.3. Powers and duties of the Addictive Disorder Regulatory Authority

12 \* \* \*

13 B. The board may do all of the following:

14 \* \* \*

15 (3) Promulgate rules for the provision of telehealth services by licensed,  
16 certified, or registered addiction counselors; licensed, certified, or registered  
17 prevention professionals; and certified compulsive gambling counselors that, at a  
18 minimum, comply with the applicable requirements and standards of the Louisiana  
19 Telehealth Access Act, R.S. 40:1223.1 et seq.

20 Section 2. R.S. 40:1223.3(3) is hereby amended and reenacted to read as follows:

1 §1223.3. Definitions

2 \* \* \*

3 (3) "Healthcare provider" means a person, partnership, limited liability  
4 partnership, limited liability company, corporation, facility, or institution licensed  
5 or certified by this state to provide healthcare or professional services as a physician  
6 assistant, hospital, nursing home, dentist, registered nurse, advanced practice  
7 registered nurse, licensed dietitian or nutritionist, licensed practical nurse, certified  
8 nurse assistant, offshore health service provider, ambulance service, licensed  
9 midwife, pharmacist, speech-language pathologist, audiologist, optometrist,  
10 podiatrist, chiropractor, physical therapist, occupational therapist, certified or  
11 licensed athletic trainer, psychologist, medical psychologist, social worker, licensed  
12 professional counselor, licensed perfusionist, licensed respiratory therapist, licensed  
13 radiologic technologist, licensed hearing aid dealer, licensed, certified, or registered  
14 addiction counselor, licensed, certified, or registered prevention professional,  
15 certified compulsive gambling counselor, or licensed clinical laboratory scientist.

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#### 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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HB 826 Original

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Bagley

**Abstract:** Expands the definition of "healthcare provider" in the La. Telehealth Access Act to include certain addiction counselors, prevention professionals, and compulsive gambling counselors.

Present law known as the La. Telehealth Access Act, R.S. 40:1223.1 et seq., defines "healthcare provider", for purposes of present law, as any of the following state-licensed or state-certified health professionals and facilities: physician assistants, hospitals, nursing homes, dentists, registered nurses, advanced practice registered nurses, licensed dietitians or nutritionists, licensed practical nurses, certified nurse assistants, offshore health service providers, ambulance services, licensed midwives, pharmacists, speech-language pathologists, audiologists, optometrists, podiatrists, chiropractors, physical therapists, occupational therapists, certified or licensed athletic trainers, psychologists, medical psychologists, social workers, licensed professional counselors, licensed perfusionists, licensed respiratory therapists, licensed radiologic technologists, licensed hearing aid dealers, or licensed clinical laboratory scientists.

Proposed law retains present law and expands the definition of "healthcare provider" therein to include licensed, certified, or registered addiction counselors; licensed, certified, or registered prevention professionals; and certified compulsive gambling counselors.

Present law known as the Addictive Disorders Practice Act, R.S. 37:3386 et seq., provides for powers and duties of the Addictive Disorder Regulatory Authority (ADRA) with respect to licensure, certification, registration, and regulation of certain professionals who provide addictive disorder treatment services.

Proposed law retains present law and adds thereto an authorization for the ADRA to promulgate rules for the provision of telehealth services by licensed, certified, or registered addiction counselors; licensed, certified, or registered prevention professionals; and certified compulsive gambling counselors that, at a minimum, comply with the applicable requirements and standards of present law comprising the La. Telehealth Access Act.

(Amends R.S. 40:1223.3(3); Adds R.S. 37:3386.3(B)(3))