

2022 Regular Session

HOUSE BILL NO. 826

BY REPRESENTATIVE BAGLEY

HEALTH/BEHAVIORAL: Includes addiction counselors and other behavioral health providers 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 and other behavioral health providers; to authorize the promulgation

7 of certain rules by the authority; to revise the definition of "healthcare provider"

8 within the Louisiana Telehealth Access 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.

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

2 §1223.3. Definitions

3 \* \* \*

4 (3) "Healthcare provider" means a person, partnership, limited liability  
5 partnership, limited liability company, corporation, facility, or institution licensed  
6 or certified by this state to provide healthcare or professional services as a physician  
7 assistant, hospital, nursing home, dentist, registered nurse, advanced practice  
8 registered nurse, licensed dietitian or nutritionist, licensed practical nurse, certified  
9 nurse assistant, offshore health service provider, ambulance service, licensed  
10 midwife, pharmacist, speech-language pathologist, audiologist, optometrist,  
11 podiatrist, chiropractor, physical therapist, occupational therapist, certified or  
12 licensed athletic trainer, psychologist, medical psychologist, social worker, licensed  
13 professional counselor, licensed perfusionist, licensed respiratory therapist, licensed  
14 radiologic technologist, licensed hearing aid dealer, licensed, certified, or registered  
15 addiction counselor, licensed, certified, or registered prevention professional,  
16 certified compulsive gambling counselor, behavioral health provider who works for  
17 a licensed agency or credentialed provider which provides community psychiatric  
18 support and treatment services or psychosocial rehabilitation services as defined in  
19 R.S. 40:2162, 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 Reengrossed                      2022 Regular Session                      Bagley

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

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; certified compulsive gambling counselors; and behavioral health providers who work for licensed agencies or credentialed providers which provide community psychiatric support and treatment services or psychosocial rehabilitation services.

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. Provides that such rules shall, 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))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Include within proposed law behavioral health providers who work for licensed agencies or credentialed providers which provide community psychiatric support and treatment services or psychosocial rehabilitation services.

#### The House Floor Amendments to the engrossed bill:

1. Delete from proposed law a defective reference to the Addictive Disorder Regulatory Authority regulating behavioral health professionals who provide community psychiatric support and treatment services or psychosocial rehabilitation services.