

RÉSUMÉ DIGEST

ACT 151 (HB 334)

2022 Regular Session

Duplessis

New law provides that, for its purposes, "peer support specialist" means a behavioral health staff member who possesses lived experience with his own behavioral health condition and with navigating the behavioral health services network who seeks employment with a behavioral healthcare facility or program serving people with behavioral health conditions.

New law stipulates that its provisions shall apply exclusively to peer support specialists employed or contracted with a behavioral health services provider licensed by the La. Department of Health, and shall not be construed to apply to any other person or any licensed personnel.

New law provides that a person shall not be prohibited or disqualified from employment as a peer support specialist with a licensed behavioral health services provider if the person's criminal background check reveals he has been convicted of one of the following offenses established in existing law and he meets other requirements specified in new law:

- (1) Mingling harmful substances (R.S. 14:38.1).
- (2) Theft (R.S. 14:67).
- (3) Distribution or possession with the intent to distribute controlled dangerous substances (R.S. 40:961 et seq.).

New law provides further that if a person has been convicted of an offense listed above, he may not be employed as a peer support specialist with a behavioral health services provider unless he meets all of the following requirements:

- (1) No less than three years prior to being hired as a peer support specialist, the person satisfactorily completed his sentence or was lawfully released from confinement, supervision, or probation imposed by a court for the person's most recent conviction for an offense listed above.
- (2) After satisfactorily completing his sentence or after being lawfully released from confinement, supervision, or probation for his most recent conviction for an offense listed above, the person successfully completed all training and requirements established by the La. Department of Health for a peer support specialist.

New law stipulates that nothing therein shall be construed as creating an obligation upon an employer to offer employment to a person.

Effective August 1, 2022.

(Amends R.S. 40:1203.3(A)(intro. para.); Adds R.S. 40:1203.3(E))