
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)]

HB 181 Original

2023 Regular Session

DeVillier

Abstract: Allows coroners, deputy coroners, and assistant coroners to execute an emergency certificate via actual examination or telemedicine examination and establishes provisions for such persons.

Present law provides that certain healthcare professionals, licensed or permitted in accordance with present law, may execute an emergency certificate only after an actual examination of a person, who is alleged to have a mental illness or be suffering from a substance-related or addictive disorder and, after the determination made by the healthcare professional, is considered to need immediate care and treatment in a treatment facility.

Present law also provides that the actual examination of the person may be conducted by a psychiatrist or psychiatric mental health nurse practitioner via telemedicine, utilizing video conferencing technology.

Proposed law provides that the actual examination of the person may be conducted by any medical professional listed in proposed law, including coroners, deputy coroners, and assistant coroners, via telemedicine.

Present law provides that if the actual examination by the psychiatrist is conducted via telemedicine, the 72-hour independent examination by the coroner shall be conducted in person.

Proposed law extends present law to allow deputy coroners or assistant coroners to conduct the 72-hour independent examination.

Present law provides that when the coroner or his deputy examines the person and executes an emergency certificate and a reexamination of the person and reexecution of a certificate is necessary to ensure the validity of the certificate, both the first examiner and the reexaminer shall be entitled to the fee for the service.

Proposed law extends present law to include instances when assistant coroners examine the person and execute an emergency certificate, and a reexamination of the person and reexecution of a certificate is necessary to ensure the validity of the certificate.

Present law provides that where the coroner or his deputy executes the first emergency certificate, the second emergency certificate shall not be executed by the coroner or his deputy.

Proposed law extends present law to include instances when the assistant coroner executes the first emergency certificate.

(Amends R.S. 28:53(B)(1), (G)(2) and (4), and (J)(3))