The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Amanda Trapp.

DIGEST

SB 231 Original | 2024 Regular Session | Duplessis

Present law allows a petition for an order authorizing involuntary outpatient treatment to be filed in the judicial district in the parish in which the respondent is present or reasonably believed to be present.

Proposed law adds that the petition may be filed in the judicial district where the respondent resides.

Present law requires the court to assign a time and place for a hearing within 18 days after a petition is filed.

Proposed law provides that the 18 day time frame only applies if the respondent is involuntarily confined in an inpatient facility and further provides that the time frame is 30 days after the filing of the petition if the respondent is not confined in a facility.

Present law requires the court to appoint a physician, psychiatric mental health nurse practitioner, or psychologist to provide a Physician's Report to Court and testify at the hearing.

Proposed law requires the psychologist to be a medical psychologist.

Present law requires the examining healthcare provider to provide the court with a written treatment plan and requires the plan to include appropriate services to provide care coordination.

Present law provides for services that may be included in the plan. Proposed law requires that the services must be included in the plan.

Present law provides that if the court finds by clear and convincing evidence that the respondent meets the criteria for involuntary outpatient treatment, and a written proposed treatment plan has not been approved, the court shall order the director of the local governing entity to provide a plan and testimony within five days of the date of the order.

Proposed law provides instead that the court may order the service provider to provide a plan and testimony within 14 days of the date of the order.

Effective August 1, 2024.

(Amends R.S. 28:67(intro para), R.S. 28:68(A), 69(A)(1), (B)(2) and (3), (D), and (E), 70(D)(1), and 71(C))