

2024 Regular Session

HOUSE BILL NO. 849

BY REPRESENTATIVE ILLG

HEALTH CARE/FACILITIES: Provides relative to healthcare outcomes for patient's suffering with behavioral health issues

1 AN ACT

2 To enact R.S. 28:53.1 and R.S. 40:1165.1(A)(5), relative to care for patients with behavioral
3 health issues; to provide for discharge procedures; to provide for communication
4 between healthcare professionals, patients, and patient's family, caregivers, and loved
5 ones; to require the provision of educational documents; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 28:53.1 is hereby enacted to read as follows:

9 §53.1. Healthcare provider notification requirements

10 If a patient is admitted for inpatient behavioral healthcare services pursuant
11 to an emergency certificate issued in accordance with R.S. 28:53, the healthcare
12 professional with the authority to discharge the patient and the healthcare facility to
13 which the patient is admitted shall make a reasonable effort to do all of the
14 following:

15 (1) Send written or telephonic notification to any healthcare professional of
16 the date and time the patient is scheduled to be discharged if the patient requests for
17 that information be communicated to a designated healthcare professional.

18 (2) Send written or telephonic notification to any healthcare professional that
19 the patient is scheduled to visit for follow-up behavioral health services within
20 twenty-four hours of discharge. The discharging healthcare professional shall

1 include a summary of the patient's medical history and any current mental health
2 conditions the patient is suffering from at the time of discharge. The summary shall
3 be sent to any healthcare professional or healthcare professional that patient has
4 agreed to visit after being discharged. The summary shall be transmitted no later
5 than the date the patient has been scheduled for follow-up behavioral services.

6 (3) Provide to the patient educational documents published by the Louisiana
7 Department of Health prior to or at the time of discharge. The Louisiana Department
8 of Health shall create and publish educational documents that provide information
9 directed to the patient and the patient's family about the warning signs of self-harm
10 and the importance of seeking behavioral health services after an admission pursuant
11 to an emergency certificate has ended. The documentation shall instruct the patient
12 and the patient's family to seek assistance from a healthcare professional to provide
13 ongoing care and clarify that medical privacy laws do not prevent a family member,
14 friend, or other loved one from communicating the patient's condition to a healthcare
15 professional treating the patient.

16 Section 2. R.S. 40:1165.1(A)(5) is hereby enacted to read as follows:

17 §1165.1. Healthcare information; records

18 A.

19 * * *

20 (5) A healthcare professional or healthcare provider that offers behavioral
21 health services may accept documents, records, photos, testimonials, and other
22 significant health-related collateral information provided by a patient's family
23 member, caregiver, friend, or healthcare professional. These materials may be
24 included in a patient's medical record in the event the mental health professional
25 believes that it is in the best interest of the patient.

26 * * *

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 849 Engrossed

2024 Regular Session

Illg

Abstract: Establishes procedures for healthcare professionals providing care for patients suffering from behavioral health issues.

Proposed law states that if a patient is admitted for inpatient behavioral healthcare services as a result of an emergency certificate issued by a physician, the inpatient healthcare facility shall make a reasonable effort to do all of the following:

- (1) Notify any healthcare professional treating the patient for a behavioral healthcare condition that the patient is to be discharged if such notification is requested by the patient.
- (2) Notify any healthcare professional scheduled to provide follow-up behavioral healthcare services of the patient's discharge no later than date that the patient is scheduled for follow-up services. The notice shall include of a summary of the patient's condition and any medically relevant information.
- (3) Provide the patient educational documents created and published by the La. Department of Health prior to discharge explaining the signs of self-harm and the importance of seeking follow-up care.

Proposed law provides that a healthcare professional that offers behavioral health services may accept documents from the family, friends, loved ones, and caregivers of the patient about the patient's condition. Proposed law further provides that healthcare professional may add relevant documentation to the patient's medical record.

(Adds R.S. 28:53.1 and R.S. 40:1165.1(A)(5))

Summary of Amendments Adopted by House

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

1. Add that healthcare professionals may communicate via telephone conversation to satisfy the requirements of this proposed law.
2. Add that the La. Department of Health shall create and publish educational documents about the risks to a patient after discharge from an admission pursuant to an emergency certification.
3. Provide that a healthcare provider has the discretion to include collected documentation from family, friends, loved ones, and caregivers about the patient's condition in the patient's medical record.