

RÉSUMÉ DIGEST

ACT 166 (SB 231)

2024 Regular Session

Duplessis

Existing 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.

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

Existing law requires the court to assign a time and place for a hearing within a certain time frame after a petition is filed.

New law changes the time frame from 18 days to 30 days after a petition is filed.

Existing 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.

New law adds medical psychologists to the list of medical professionals that can be appointed.

New law requires the examination of the respondent for the purpose of the Physician's Report to Court to be conducted within ten days prior to the filing of the petition or ten days after the filing of the petition.

Existing 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.

Prior law provided for services that may be included in the plan.

New law requires that the services must be included in the plan.

Prior law provided 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.

New 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, that the court may order the service provider to provide a plan and testimony within 30 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))