The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 437 Original | 2026 Regular Session | Abraham

Present law provides for the regulation of facilities that are not otherwise required to be licensed by the La. Dept. of Health or the Dept. of Children and Family Services, that provide housing or temporary residence for individuals who have been arrested for the commission of a crime, and who are referred by a judicial agency.

Present law prohibits a facility from providing treatment to an individual and a judicial agency from referring an individual to a facility providing treatment until the La. Dept. of Health has adopted rules and certified that the facility is in compliance with its rules.

Proposed law repeals present law requirements for La. Dept. of Health approval.

Proposed law prohibits a facility from providing residential substance use treatment to any individual, unless the facility is licensed by the La. Dept. of Health as a behavioral health service provider with the residential substance use treatment module.

Proposed law further prohibits any judicial agency from referring any individual to a facility providing residential substance use treatment until that facility has been surveyed and licensed by the La. Dept. of Health as a behavioral health service provider with the residential substance use treatment module.

Proposed law provides that any complaint regarding a residential facility providing residential substance use treatment without a license may be filed with the licensing section of the La. Dept. of Health for investigation.

Proposed law provides that nothing in proposed law prohibits a licensed physician, mental health professional, or behavioral health service provider from providing services to persons in their place of residence.

Effective August 1, 2026.

(Amends R.S. 40:2852(C)(2); adds R.S. 40:2852(C)(3)-(5))