

Regular Session, 2011

SENATE BILL NO. 26

BY SENATOR NEVERS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PHYSICIANS. Allows for an out-of-state physician to order certain diagnostic tests under certain circumstances. (8/15/11)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

AN ACT

To enact R.S. 37:1291.1, relative to out-of-state physician orders; to provide for an out-of-state physician to order diagnostic tests under certain conditions; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1291.1 is hereby enacted to read as follows:

**§1291.1. Out-of-state physician orders**

**A. The board may adopt rules, in accordance with the Administrative Procedure Act, exempting application of this Part to an out-of-state physician who orders routine diagnostic testing for an established patient, provided the physician-patient relationship was initiated through an in-person, face-to-face visit with the physician in another state, the order can be verified, and the results of all testing are provided directly to the ordering out-of-state physician.**

**B. This Section shall not apply to treatment initiated by an out-of-state physician for a patient in this state, or to diagnostic testing of a new condition of the patient. A health care facility or provider that is presented such an order may choose not to recognize such an order.**

1                    **C. For the purposes of this Section, "out-of-state physician" means a**  
2                    **physician who is duly licensed to practice medicine in any state or jurisdiction**  
3                    **in the United States other than Louisiana.**

---

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

---

DIGEST

Proposed law authorizes the Board of Medical Examiners to adopt rules to allow an out-of-state physician to order routine diagnostic testing under certain circumstances as provided in proposed law.

Effective August 15, 2011.

(Adds R.S. 37:1291.1)