

Regular Session, 2010

SENATE BILL NO. 684

BY SENATOR CROWE

CORONERS. Provides relative to the conduct of examinations and execution of emergency commitment certificates in certain parishes. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 28:53(G)(2) and to enact R.S. 28:53(G)(7), relative to coroners;
3 to provide relative to admission by emergency certificate and the coroner's seventy-
4 two-hour rule regarding patients who are out of the parish at the time of
5 commitment; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 28:53 (G)(2) is hereby amended and reenacted and R.S. 28:53(G)(7)
8 is hereby enacted to read as read as follows:

9 §53. Admission by emergency certificate; extension

10 * * *

11 G.(1) * * *

12 (2) Within seventy-two hours of admission, the person shall be independently
13 examined by the coroner or his deputy who shall execute an emergency certificate,
14 pursuant to Subsection B of this Section, which shall be a necessary precondition to
15 the person's continued confinement. **if Except as provided in Paragraph (7) of this**
16 **Subsection, if** the actual examination by the psychiatrist in Paragraph (1) of
17 Subsection B of this Section is conducted by telemedicine, the seventy-two-hour

1 independent examination by the coroner shall be conducted in person.

2 * * *

3 (7) As it relates to a parish which has a population between one hundred
4 and ninety-one thousand and one hundred ninety-two thousand residents,
5 according to the latest federal decennial census, all of the following shall apply:

6 (a) The coroner or deputy coroner, who is a physician, may conduct an
7 examination and execute an emergency certificate, as provided in
8 Subparagraph (b) of this Paragraph by telemedicine utilizing video
9 conferencing equipment, provided that all of the following are met:

10 (i) A licensed health care professional, who can adequately and
11 accurately assist with obtaining any necessary information including but not
12 limited to that information in Paragraph (B)(4) of this Section and where such
13 health care professional will be present in the examining room with the patient
14 at the time of the video conferencing.

15 (ii) The coroner or deputy coroner shall comply with all of the
16 provisions in Subsection F of this Section.

17 (b) The coroner or deputy coroner, who is a physician, may conduct an
18 examination and execute an emergency certificate, as provided in
19 Subparagraph (a) of this Paragraph by telemedicine under all of the following
20 circumstances:

21 (i) If the initial examination, pursuant to Subparagraph (B)(1) of this
22 Section, has been made in person by a psychiatrist, psychiatric mental health
23 nurse practitioner, or a psychologist.

24 (ii) If the coroner conducted the initial examination, pursuant to
25 Paragraph (3) of this Subsection, by telemedicine and has executed the first
26 emergency commitment certificate, a second examination shall be made in
27 person within the seventy-two hour period set forth in this Part by any
28 psychiatrist, psychiatric mental health nurse practitioner, or a psychologist at
29 the treatment facility where the person is confined.

2. The coroner or deputy coroner, who is a physician, may conduct an examination and execute an emergency certificate by telemedicine utilizing video conferencing equipment if the initial examination was made in person by a psychiatrist, psychiatric mental health nurse practitioner, or by a psychologist.
3. If the coroner conducted the initial examination by telemedicine and executed the first emergency commitment certificate, a second examination must be made in person within the 72-hour period prescribed in present law by any psychiatrist, psychiatric mental health nurse practitioner, or by a psychologist at the treatment facility where the person is confined.
4. When a patient is transferred from another parish, a second physician's emergency certificate must be executed by a physician at the admitting facility.
5. The coroner must be notified immediately following the execution of the second emergency certificate and shall conduct an independent examination within 72 hours as provided in present law and in the manner provided in proposed law.
6. Provides that nothing in proposed law shall be construed to authorize a period of commitment of more than 15 days from the date of the initial physician emergency certificate in the transporting parish in accordance with present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 28:53(G)(2); adds R.S. 28:53(G)(7))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

1. Deletes provisions that generally allow a coroner or deputy coroner to conduct an examination by telemedicine.
2. Provides for a parish with a population between 191,000 and 192,000:
 - a. Provides that the coroner or deputy coroner may conduct an examination prior to the execution of an emergency commitment certificate via telemedicine, under certain circumstances.
 - b. Provides for a second examination by certain medical personnel at the treatment facility where the person is confined, if the initial examination was made by the coroner.
 - c. Provides for execution of a second physician's emergency certificate when a patient is transferred from another parish.
 - d. Provides for notification to the coroner immediately after the execution of the second emergency certificate and requires an independent coroner's examination within 72 hours.
 - e. Specifies that proposed law does not authorize a commitment period of more than 15 days.