

Regular Session, 2014

SENATE BILL NO. 539

BY SENATOR NEVERS

MENTAL HEALTH. Provides relative to suicide assessment, intervention, treatment, and management training for certain professions. (8/1/14)

1 AN ACT
2 To enact Chapter 1-B of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 37:24 through 27, relative to suicide assessment, intervention, treatment and
4 management training for certain professionals; to provide relative to professional
5 licensing requirements; to provide for certain exemptions; to provide for certain
6 definitions, terms, conditions, and procedures; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 1-B of Title 37 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 37:24 through 27, is hereby enacted to read as follows:

10 **CHAPTER 1-B. SUICIDE ASSESSMENT, INTERVENTION, TREATMENT,**
11 **AND MANAGEMENT TRAINING**

12 **§24. Licensing provisions; professionals**
13 **A. Beginning January 1, 2015, each of the following professionals**
14 **certified or licensed in Louisiana shall, at least once every six years, complete**
15 **training in suicide assessment, intervention, treatment, and management that**
16 **is approved, in rule, by the relevant disciplining authority:**

17 **(1) A mental health counselor certified or licensed under R.S. 37:1101,**

1 et seq.

2 (2) A social worker certified or licensed under R.S. 37:2701, et seq.

3 (3) A physician certified or licensed under R.S. 37:1261, et seq.

4 (4) A psychiatrist certified or licensed under R.S. 37:1261, et seq.

5 (5) A psychologist certified or licensed under R.S. 37:2351, et seq.

6 (6) A medical psychologist certified or licensed under R.S. 37:1360.51,

7 et seq.

8 (7) A nurse certified or licensed under R.S. 37:911, et seq.

9 (8) A physician assistant certified or licensed under R.S. 37:1360.21, et

10 seq.

11 (9) An addiction counselor certified or licensed under R.S. 37:3386, et

12 seq.

13 B. The requirements in this Section shall apply to any person holding an
14 active license or certification in one of the professions listed in Subsection A of
15 this Section.

16 C. The training in suicide assessment, intervention, treatment, and
17 management required under this Section must be at least six hours in length at
18 least once every six years. For purposes of this Chapter, the training may be
19 obtained in either one single six-hour block or may be spread among shorter
20 training sessions, so long as each licensed professional receives the minimum six
21 hours of training every six years required under this Section.

22 D.(1) Except as provided in Subsection B of this Section, a professional
23 listed in Subsection A of this Section must complete the first training required
24 under this Section during the first full continuing education reporting period
25 after January 1, 2015, or the first full continuing education reporting period
26 after initial licensure or certification, whichever occurs later.

27 (2) A professional listed in Subsection A of this Section applying for
28 initial licensure on or after January 1, 2015, may delay completion of the first
29 training required under this Section for six years after initial licensure if the

1 professional can demonstrate successful completion of the training required in
2 this Section no more than six years prior to the application for initial licensure.

3 §25. Continuing education; exemptions

4 A. The hours spent completing training in suicide assessment,
5 intervention, treatment, and management under this Chapter are not in
6 addition to, but shall count toward, meeting any applicable continuing
7 education or continuing competency requirements for each profession.

8 B. The implementation of training required under this Section shall not
9 be construed to establish a legal basis for negligence or the standard of care or
10 duty of care owed by a health care professional to a patient in any civil action
11 for medical malpractice.

12 §26. Model list of training programs; development

13 A. The secretary of the Department of Health and Hospitals and the
14 disciplining authorities shall work collaboratively to develop a model list of
15 training programs in suicide assessment, intervention, treatment, and
16 management. When developing the model list, the secretary and the disciplining
17 authorities shall:

18 (1) Consider suicide assessment, intervention, treatment, and
19 management training programs of at least six hours in length listed on the best
20 practices registry of the American Foundation for Suicide Prevention and the
21 Suicide Prevention Resource Center; and

22 (2) Consult with public and private institutions of higher education,
23 experts in suicide assessment, intervention, treatment, and management, and
24 affected professional associations.

25 B. The secretary and the disciplining authorities shall report the model
26 list of training programs to the Louisiana legislature's house and senate
27 committees on health and welfare no later than December 15, 2014.

28 C. Nothing in this Chapter may be interpreted to expand or limit the
29 scope of practice of any profession regulated under Title 37 of the Louisiana

Revised Statutes of 1950.

D. The secretary and the disciplining authorities affected by this Chapter shall adopt any rules necessary to implement the training requirements of R.S. 37:24.

§27. Definitions**A. For purposes of this Chapter:**

(1) "Disciplining authority" means the specific professional licensing or certifying board that is referenced by statute in R.S. 37:24(A) as certifying or licensing each profession included in the training requirements of this Chapter.

(2) "Training in suicide assessment, intervention, treatment, and management" means empirically supported training approved by the appropriate disciplining authority that contains the following elements: suicide assessment, including screening and referral, suicide intervention, suicide treatment, and suicide management.

B. A state or local government employee is exempt from the training requirements of R.S. 37:24 if that employee receives a total of at least six hours of training in suicide assessment, intervention, treatment, and management from that employee's employer every six years.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Julie J. Baxter.

DIGEST

Nevers (SB 539)

Proposed law provides that suicide assessment, intervention, treatment, and management training shall be included within the existing continuing education requirements for certain professionals licensed in Louisiana.

Proposed law provides that, beginning January 1, 2015, each of the following professionals certified or licensed in Louisiana shall, at least once every six years, complete training in suicide assessment, intervention, treatment, and management that is approved, in rule, by the relevant disciplining authority, as defined in R.S. 37:27(A):

- (1) A mental health counselor certified or licensed under R.S. 37:1101, et seq.
- (2) A social worker certified or licensed under R.S. 37:2701, et seq.
- (3) A physician certified or licensed under R.S. 37:1261, et seq.

- (4) A psychiatrist certified or licensed under R.S. 37:1261, et seq.
- (5) A psychologist certified or licensed under R.S. 37:2351, et seq.
- (6) A medical psychologist certified or licensed under R.S. 37:1360.51, et seq.
- (7) A nurse certified or licensed under R.S. 37:911, et seq.
- (8) A physician assistant certified or licensed under R.S. 37:1360.21, et seq.
- (9) An addiction counselor certified or licensed under R.S. 37:3386, et seq.

Proposed law provides that the requirements in proposed law shall apply to any person holding an active license or certification in one of the professions listed in proposed law.

Proposed law provides that the training in suicide assessment, intervention, treatment, and management required in proposed law must be at least six hours in length at least once every six years. Proposed law provides that the training may be obtained in either one single six-hour block or may be spread among shorter training sessions, so long as each licensed professional receives the minimum six hours of training every six years required under proposed law.

Proposed law provides that, except as provided in proposed law, a professional listed in proposed law must complete the first training during the first full continuing education reporting period after January 1, 2015, or the first full continuing education reporting period after initial licensure or certification, whichever occurs later.

Proposed law provides that a professional listed in proposed law applying for initial licensure on or after January 1, 2015, may delay completion of the first training required under proposed law for six years after initial licensure if the professional can demonstrate successful completion of the training required in proposed law no more than six years prior to the application for initial licensure.

Proposed law provides that the hours spent completing training in suicide assessment, intervention, treatment, and management under proposed law are not in addition to, but shall count toward, meeting any applicable continuing education or continuing competency requirements for each profession.

Proposed law provides that the implementation of training required under proposed law shall not be construed to establish a legal basis for negligence or the standard of care or duty of care owed by a health care professional to a patient in any civil action for medical malpractice.

Proposed law provides that the secretary of the Department of Health and Hospitals and the disciplining authorities shall work collaboratively to develop a model list of training programs in suicide assessment, intervention, treatment, and management. Further provides that when developing the model list, the secretary and the disciplining authorities shall:

- (1) Consider suicide assessment, intervention, treatment, and management training programs of at least six hours in length listed on the best practices registry of the American Foundation for Suicide Prevention and the Suicide Prevention Resource Center; and
- (2) Consult with public and private institutions of higher education, experts in suicide assessment, intervention, treatment, and management, and affected professional associations.

Proposed law provides that the secretary and disciplining authorities shall report the model

list of training programs to the Louisiana legislature's House and Senate committees on health and welfare no later than December 15, 2014.

Proposed law further provides that proposed law may be interpreted to expand or limit the scope of practice of any profession regulated under Title 37 of the Louisiana Revised Statutes of 1950.

Proposed law provides that the secretary and the disciplining authorities affected by proposed law shall adopt any rules necessary to implement the training requirements of proposed law.

Proposed law provides for the following definitions:

- (1) "Disciplining authority" means the specific professional licensing or certifying board that is referenced by statute in R.S. 37:24(A) as certifying or licensing each profession included in the training requirements of proposed law.
- (2) "Training in suicide assessment, intervention, treatment, and management" means empirically supported training approved by the appropriate disciplining authority that contains the following elements: suicide assessment, including screening and referral, suicide intervention, suicide treatment, and suicide management.

Proposed law provides that a state or local government employee is exempt from the training requirements of R.S. 37:24 if that employee receives a total of at least six hours of training in suicide assessment, intervention, treatment, and management from that employee's employer every six years.

Effective August 1, 2014.

(Adds R.S. 37:24-27)