

2026 Regular Session

HOUSE BILL NO. 1139

BY REPRESENTATIVE FISHER

MENTAL HEALTH: Requires certain behavioral health services for patients receiving treatment pursuant to an emergency certificate

1 AN ACT

2 To amend and reenact R.S. 28:53.1, relative to behavioral healthcare services; to require  
3 certain procedures upon admission and discharge; to provide for patients admitted  
4 to treatment pursuant to an emergency certificate; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 28:53.1 is hereby enacted to read as follows:

7 §53.1. ~~Discharge~~ Requirements; medical evaluation; discharge plan; healthcare  
8 provider notification requirements

9 A. If a patient is admitted for inpatient behavioral healthcare services  
10 pursuant to an emergency certificate issued in accordance with R.S. 28:53, the  
11 admitting healthcare facility shall provide certain services upon admission and  
12 discharge.

13 B. Within seventy-two hours of admission, the healthcare facility shall do  
14 all of the following:

15 (1) Ensure that a licensed healthcare professional conducts a behavioral  
16 health evaluation of the patient for underlying behavioral conditions.

17 (2) Contact the patient's primary healthcare provider or licensed healthcare  
18 professional providing behavioral health services, if known, to establish a patient  
19 treatment history.

1            C. Upon discharge, the individual who is responsible for discharge planning  
2            at the healthcare facility where the patient has been admitted shall make a reasonable  
3            effort to do all of the following:

4            (1) Provide written or telephonic notification to any healthcare professional  
5            that is currently providing behavioral health services or primary care services to the  
6            patient, if known, of the date and time that the patient is scheduled to be discharged  
7            unless the patient objects to that information being communicated. If the patient  
8            does not have a healthcare professional who is currently providing behavioral health  
9            services, the discharging healthcare facility shall refer the patient to the appropriate  
10           healthcare service, including behavioral and primary care providers.

11           (2) Provide written or telephonic notification within twenty-four hours of  
12           discharge to any healthcare professional that the patient is being referred to for  
13           follow-up behavioral health services. The healthcare professional that the patient is  
14           being referred to shall be provided with a summary of the patient's medical history  
15           and any current mental health conditions that the patient is suffering from at the time  
16           of discharge. The summary shall be transmitted no later than the date that the patient  
17           has been scheduled for follow-up behavioral services.

18           (3) Provide to the patient educational documents published by the Louisiana  
19           Department of Health prior to or at the time of discharge. The Louisiana Department  
20           of Health shall create and publish educational documents that provide information  
21           directed to the patient and the patient's family members, caregivers, or friends about  
22           the warning signs of self-harm and the importance of seeking behavioral health  
23           services after an admission pursuant to an emergency certificate has ended. The  
24           documentation shall instruct the patient and the patient's family members, caregivers,  
25           or friends to seek assistance from a healthcare professional to provide ongoing care  
26           and clarify that medical privacy laws do not prevent a family member, friend, or  
27           other loved one from communicating the patient's condition to a healthcare  
28           professional treating the patient.

29           (4) Ensure that the patient is provided with the appropriate prescriptions.

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 1139 Engrossed

2026 Regular Session

Fisher

**Abstract:** Requires a healthcare facility treating a patient admitted by an emergency certificate to provide certain behavioral health services.

Proposed law provides that if a patient is admitted to a healthcare facility, the facility is required, within 72 hours of admission, to do all of the following:

- (1) Ensure that the licensed healthcare professional conducts a behavioral health evaluation of the patient for underlying behavioral conditions.
- (2) Contact the patient's primary healthcare provider or licensed healthcare professional, who provides behavioral health services, if known, in order to establish a patient treatment history.

Present law provides that if a patient is admitted for inpatient behavioral healthcare services pursuant to an emergency certificate issued in accordance with present law (R.S. 28:53), the individual who is responsible for discharge planning at the healthcare facility where the patient has been admitted shall make a reasonable effort to do all of the following:

- (1) Provide written or telephonic notification to any healthcare professional that is currently providing behavioral health services to the patient, if known, of the date and time that the patient is scheduled to be discharged, unless the patient objects to that information being communicated.
- (2) Provide written or telephonic notification within 24 hours of discharge to any healthcare professional that the patient is being referred to for follow-up behavioral health services. Present law requires the healthcare professional to be provided with a summary of the patient's medical history and current mental health conditions.
- (3) Provide the patient with educational documents published by the La. Dept. of Health (LDH) prior to or at the time of discharge. Present law provides what information shall be included in the educational documents.

Proposed law modifies present law by adding additional requirements upon discharge. A healthcare facility is required to do all of the following:

- (1) Refer the patient to the appropriate healthcare professional if the patient does not have a healthcare professional who is currently providing primary or behavioral health services.
- (2) Ensure that the patient is provided with the appropriate prescriptions.

(Amends R.S. 28:53.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Modify discharge requirements relative to prescription medication.

2. Make technical changes.