DIGEST

SB 454 Original   2020 Regular Session   Henry

<u>Proposed law</u> provides that when a patient has communicated or performed a threat of physical violence, or exhibited behavior making it likely that the patient will act in an aggressive or violent manner, whether such information is charted or not by the treating institution and whether or not such behavior or oral threats are made against a clearly identified victim or victims, and when such behavior or threats are coupled with the apparent intent and ability to carry out such threat or acts or violence, the treating psychologist or psychiatrist, or charge nurse, nurse, physician assistant, nurse practitioner, or mental health nurse practitioner or social worker or hospital security, shall enter a full description of threats or acts of violence in the medical chart of the patient and shall notify any coroner, deputy coroner, assistant coroner, or person representing the coroner's office of the threats or violent acts prior to the coroner representative interviewing the patient in connection with the mental status examination and execution of a coroner emergency certificate.

<u>Proposed law</u> prohibits any treating psychologist or psychiatrist, or charge nurse, nurse, physician assistant, nurse practitioner, or mental health nurse practitioner or social worker or hospital security, who exercises reasonable professional judgment in making any disclosure under <u>proposed law</u> from being held liable for any alleged breach of confidentiality under federal or state law for warning of such threat or taking precautions to provide protection from the patient's violent behavior.

<u>Proposed law</u> provides that failure to provide such warning as provided in <u>proposed law</u> in a timely manner that results in any injury to any coroner, deputy coroner, assistant coroner or person representing the coroner's office shall be deemed to be an act of gross negligence.

Effective August 1, 2020.

(Adds R.S. 9:2800.25)