

2025 Regular Session

HOUSE BILL NO. 137

BY REPRESENTATIVE CARLSON

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

HEALTH/EMERG MED SERVICE: Authorizes psychologists and medical psychologists to evaluate a patient via telehealth for emergency certificates

1 AN ACT

2 To amend and reenact R.S. 28:53(B)(1), relative to admission for emergency certificates via
3 telehealth; to authorize psychologists and medical psychologists to conduct
4 telehealth examinations under certain circumstances; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

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

8 * * *

9 §53. Admission by emergency certificate; extension; payment for services rendered

10 * * *

11 B.(1) Any physician licensed or permitted by the Louisiana State Board of
12 Medical Examiners, physician assistant when acting in accordance with ~~their~~ his
13 respective clinical practice guidelines, psychiatric mental health nurse practitioner,
14 other nurse practitioner who acts in accordance with a collaborative practice
15 agreement and receives verbal approval for executing the certificate from his
16 collaborating physician, or psychologist may execute an emergency certificate only
17 after an actual examination of a person alleged to have a mental illness or be
18 suffering from a substance-related or addictive disorder who is determined to be in
19 need of immediate care and treatment in a treatment facility because the examining
20 physician, physician assistant when acting in accordance with ~~their~~ his respective

clinical practice guidelines, psychiatric mental health nurse practitioner, other nurse practitioner who acts in accordance with a collaborative practice agreement and receives verbal approval for executing the certificate from his collaborating physician, or psychologist determines the person to be dangerous to self or others or to be gravely disabled. The actual examination of the person by a psychiatrist, psychologist, medical psychologist, or psychiatric mental health nurse practitioner may be conducted by telehealth utilizing video conferencing technology, provided that a licensed healthcare professional who can adequately and accurately assist with obtaining any necessary information including but not limited to the information listed in Paragraph (4) of this Subsection shall be in the examination room with the patient at the time of the video conference. A patient examined in such a manner shall be medically cleared prior to admission to a mental health treatment facility. Failure to conduct an examination prior to the execution of the certificate will be evidence of gross negligence.

* * *

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 137 Engrossed

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Carlson

Abstract: Authorizes psychologists and medical psychologists to conduct certain examinations via telehealth.

Present law allows licensed medical physicians, certain physician assistants, psychiatric mental health nurse practitioners, nurse practitioners with the appropriate collaborative practice agreement, and psychologists to execute an emergency certificate after an actual examination of a person alleged to have a mental illness or be suffering from a substance-related or addictive disorder who is determined to be in need of immediate care.

Present law allows the actual examination of the person to be conducted by a psychiatrist or psychiatric mental health nurse practitioner via telehealth utilizing video conferencing technology under certain circumstances.

Proposed law retains present law but further allows psychologists and medical psychologists to conduct the examination via telehealth.

(Amends R.S. 28:53(B)(1))