

ACT No. 317

2015 Regular Session

HOUSE BILL NO. 301

BY REPRESENTATIVE DOVE

1 AN ACT

2 To amend and reenact R.S. 28:71(B) and 72(A), relative to civil involuntary outpatient
3 treatment; to increase the maximum initial period of treatment; to increase the
4 maximum period of subsequent treatment; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 28:71(B) and 72(A) are hereby amended and reenacted to read as
7 follows:

8 §71. Disposition

9 * * *

10 B. If the court finds by clear and convincing evidence that the patient meets
11 the criteria for involuntary outpatient treatment, and no less restrictive alternative is
12 feasible, the court shall order that the patient receive involuntary outpatient treatment
13 for an initial period not to exceed ~~six months~~ one year. The court shall state reasons
14 why the proposed treatment plan is the least restrictive treatment appropriate and
15 feasible for the patient. The order shall state the categories of involuntary outpatient
16 treatment as set forth in R.S. 28:70, which the patient is to receive, and the court may
17 not order treatment that has not been recommended by the physician, psychiatric
18 mental health nurse practitioner, or psychologist in consultation with the treatment
19 team and included in the written treatment plan. The plan shall be certified by the
20 director of the human service district or the regional manager of the Department of
21 Health and Hospitals, office of behavioral health, responsible for services in the
22 district where the petition is filed, as offering services which are available through

1 their offices. The court shall not order an outpatient commitment unless the director
2 or regional manager so certifies.

3 * * *

4 §72. Application for additional periods of treatment

5 A. The court order for outpatient treatment shall expire at the end of the
6 specified period unless a petition or motion for an extension has been filed. If the
7 director or regional manager determines that a patient requires further involuntary
8 outpatient treatment, he shall file a petition or motion for continued treatment prior
9 to the expiration of the initial involuntary outpatient treatment ordered by the court.
10 If a patient has been ordered to receive outpatient treatment for four consecutive ~~one~~
11 ~~hundred eighty day~~ six-month to one-year periods, the period of any subsequent
12 order may exceed ~~one hundred eighty days~~ one year but shall not exceed ~~one year~~
13 two years.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____