

SENATE BILL NO. 210

BY SENATOR BARROW

1 AN ACT

2 To amend and reenact R.S. 40:2154, relative to behavioral health services rendered to  
3 specialty courts; to exempt from licensure requirements providers furnishing  
4 behavioral health services to certain specialty courts; to provide for an effective date;  
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:2154 is hereby amended and reenacted to read as follows:

8 §2154. Applicability

9 A. The provisions of this Part shall not apply to the licensing of any of the  
10 following facilities or persons and shall not be construed as requiring any of the  
11 following facilities or persons to seek licensure as a behavioral health services  
12 provider:

13 (1) Hospitals licensed under R.S. 40:2100 et seq.

14 (2) Crisis receiving centers licensed under R.S. 40:2180.11 et seq.

15 (3) Nursing homes licensed under R.S. 40:2009.3 et seq.

16 (4) Psychiatric residential treatment facilities or therapeutic group homes  
17 licensed under R.S. 40:2009.

18 (5) Facilities or services operated by the federal government.

19 (6) Federally qualified health care centers certified by the federal  
20 government.

21 (7) Community mental health centers certified by the federal government.

22 (8) Home- and community-based service providers licensed under R.S.  
23 40:2120.1 et seq.

1 (9) An individual Licensed Mental Health Professional (LMHP), whether  
2 incorporated or unincorporated, or a group practice of LMHPs, providing services  
3 under the auspices of and pursuant to the scope of the individual's license or group's  
4 licenses.

5 (10) An individual licensed physician, or a group of licensed physicians,  
6 providing services under the auspices of and pursuant to the scope of the individual's  
7 license or group's licenses.

8 (11) An individual licensed physician assistant, or a group practice of  
9 licensed physician assistants, providing services under the auspices of and pursuant  
10 to the scope of the individual's license or group's licenses.

11 (12) School-based health clinics/centers that are certified by the Department  
12 of Health and Hospitals, office of public health, and enrolled in the Louisiana  
13 Medicaid Program.

14 (13) A health care provider or entity solely providing case management or  
15 peer support services, or a combination thereof.

16 (14) A health care provider that meets all of the following criteria:

17 (a) Was an accredited mental health rehabilitation provider enrolled in the  
18 Louisiana Medicaid Program as of February 28, 2012.

19 (b) Was enrolled with the statewide management organization for the  
20 Louisiana Behavioral Health Partnership as of March 1, 2012.

21 (c) Maintains continuous, uninterrupted accreditation through an approved  
22 accreditation organization.

23 (d) Maintains continuous, uninterrupted enrollment with the statewide  
24 management organization for the Louisiana Behavioral Health Partnership.

25 (15) An individual licensed advanced practice registered nurse, or a group  
26 practice of licensed advanced practice registered nurses, providing services under the  
27 auspices of and pursuant to the scope of the individual's license or group's licenses.

28 (16) Rural health clinics licensed under R.S. 40:2197.

1 (17) Facilities or services operated by the Department of Public Safety and  
 2 Corrections, corrections services.

3 (18) Facilities or services operated for the sole purpose of providing  
 4 substance abuse or mental health services to courts that are recognized and certified  
 5 by the Louisiana Supreme Court as specialty courts.

6 **B. Nothing in this Part shall be construed to authorize any person to**  
 7 **provide behavioral health services unless the person is licensed, certified,**  
 8 **registered or credentialed as provided in state law, and the services rendered**  
 9 **are in accordance with all applicable laws, rules, professional training and**  
 10 **ethical standards.**

11 Section 2. This Act shall become effective upon signature by the governor or, if not  
 12 signed by the governor, upon expiration of the time for bills to become law without signature  
 13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 14 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 15 effective on the day following such approval.

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 PRESIDENT OF THE SENATE

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 SPEAKER OF THE HOUSE OF REPRESENTATIVES

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 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_