

2019 Regular Session

HOUSE BILL NO. 243

BY REPRESENTATIVE DUSTIN MILLER

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

PUBLIC HEALTH: Provides relative to opioid data reporting

1 AN ACT

2 To amend and reenact R.S. 40:34(C) and R.S. 44:4.1(B)(26) and to enact R.S. 40:4(A)(14),
3 5(A)(22), and 978.2.1, relative to enhancing data reporting of fatal and nonfatal
4 opioid-related overdoses; to provide for the reporting, tracking, and monitoring of
5 opioid-related overdoses by emergency departments; to require reporting by coroners
6 of opioid-related overdose deaths where opioids are present; to authorize first
7 responders to report opioid-related overdoses; to provide for a public records
8 exception; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 40:34(C) is hereby amended and reenacted and R.S. 40:4(A)(14),
11 5(A)(22) and 978.2.1 are hereby enacted to read as follows:

12 §4. Sanitary Code

13 A. The state health officer acting through the office of public health of the
14 Louisiana Department of Health shall prepare, promulgate, and enforce rules and
15 regulations embodied within the state's Sanitary Code covering all matters within his
16 jurisdiction as defined and set forth in R.S. 40:5. The promulgation of this Sanitary
17 Code shall be accomplished in strict accordance with the provisions of the
18 Administrative Procedure Act, and further, in conformity with the following
19 guidelines and directives:

20 * * *

1 Constitution of Louisiana. If vetoed by the governor and subsequently approved by
2 the legislature, this Act shall become effective on the day following such approval.

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 243 Original

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Dustin Miller

Abstract: Adds requirements as it relates to opioid data reporting, monitoring, and tracking.

Present law requires that the state health officer acting through the office of public health of the La. Department of Health (LDH) shall prepare, promulgate, and enforce rules and regulations embodied within the state's Sanitary Code covering all matters within his jurisdiction.

Present law further provides guidelines and directives in carrying out the Sanitary Code.

Proposed law adds to those guidelines and directives a requirement for real-time reporting by emergency departments of suspected opioid-related overdoses.

Present law provides for the general powers and jurisdiction of the state health offices.

Proposed law adds the reporting of opioid-related overdoses to the state health officer's jurisdiction.

Present law requires that each coroner or physician who signs a death certificate certify the certificate using the Louisiana Electronic Event Registration System of the Louisiana Department of Health, state registrar of vital records.

Proposed law requires that each coroner report drug overdose deaths where the decedent's toxicology results indicate that an opioid was present at the time of death.

Proposed law defines "first responders" and "opioid-related drug overdose".

Proposed law provides that first responders may provide reports or documents to LDH where an encountered individual was experiencing an opioid-related drug overdose and whether naloxone was administered.

Proposed law provides that such reports are confidential and exempt from Public Records Law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:34(C) and R.S. 44:4.1(B)(26); Adds R.S. 40:4(A)(14), 5(A)(22), and 978.2.1)