

Regular Session, 2011

SENATE BILL NO. 26

BY SENATOR NEVERS

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

PHYSICIANS. Allows for an out-of-state physician to order certain diagnostic tests under certain circumstances. (8/15/11)

AN ACT

To enact R.S. 37:1291.1, relative to out-of-state physician orders; to provide for an out-of-state physician to order diagnostic tests under certain conditions; to provide for definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1291.1 is hereby enacted to read as follows:

§1291.1. Out-of-state physician orders

A. The board may adopt rules, in accordance with the Administrative Procedure Act, exempting application of this Part to an out-of-state physician who orders routine diagnostic testing for an established patient, provided the physician-patient relationship was initiated through an in-person, face-to-face visit with the physician in another state, the order can be verified, and the results of all testing are provided directly to the ordering out-of-state physician. A health care facility or provider that is presented such an order may choose not to recognize such an order.

B. For the purposes of this Section, "out-of-state physician" means a physician who is duly licensed to practice medicine in any state or jurisdiction

1 **in the United States other than Louisiana.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Greg Waddell.

DIGEST

Nevers (SB 26)

Proposed law authorizes the Board of Medical Examiners to adopt rules to allow an out-of-state physician to order routine diagnostic testing under certain circumstances as provided in proposed law.

Effective August 15, 2011.

(Adds R.S. 37:1291.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill.

1. Removes provisions which limited the application to treatment initiated by an out-of-state physician for a patient in this state or to diagnostic testing of a new condition of a patient.