Regular Session, 2014

HOUSE BILL NO. 330

24

BY REPRESENTATIVE LOPINTO

1 AN ACT 2 To amend and reenact R.S. 28:53.2(D), relative to involuntary mental health treatment; to 3 provide relative to the method of delivery of the custody order to law enforcement; 4 and to provide for related matters. 5 Be it enacted by the Legislature of Louisiana: 6 Section 1. R.S. 28:53.2(D) is hereby amended and reenacted to read as follows: 7 §53.2. Order for custody; grounds; civil liability; criminal penalty for making a false 8 statement 9 10 D. The order for custody shall be effective for seventy-two hours from its 11 issuance by the coroner or judge and shall be delivered to the appropriate law 12 enforcement agency for execution by hand, facsimile, or other electronic means, 13 including but not limited to e-mail. The law enforcement officer or transporting 14 person shall deliver a copy of the order for custody to the coroner, or patient, and 15 director of the treatment facility by the individual who has transported the person. 16 The upon execution with the date and hour that the person is taken into protective 17 custody shall be clearly written on the order. Without delay, and in no event more 18 than twelve hours after being taken into protective custody, the person shall be 19 delivered to a treatment facility or the office of the coroner or he shall be released. 20 Upon arrival, the person in custody shall be examined immediately by the coroner 21 or, if at a treatment facility, by a physician, preferably a psychiatrist, medical 22 psychologist, or psychiatric mental health nurse practitioner, who shall determine if 23 the person shall be voluntarily admitted, admitted by emergency certificate, admitted

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as a noncontested admission, or discharged. The person in custody shall be

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	examined within twelve hours of his arrival at the treatment facility or coroner's
2	office or he shall be released.
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	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE
	GOVERNOR OF THE STATE OF LOUISIANA

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APPROVED: _____