

RÉSUMÉ DIGEST

ACT 373 (HB 181)

2021 Regular Session

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Existing law provides that the governing body of a mental health treatment facility may grant staff membership, specifically delineated institutional privileges, or both, to a psychiatric mental health nurse practitioner conditioned upon the nurse practitioner meeting certain requirements pursuant to existing law.

New law retains existing law and adds that specifically delineated privileges may include the ability to prepare and execute orders for the admission of a patient to a treatment facility.

Existing law provides that any person who has a mental illness or a person who is suffering from a substance-related or addictive disorder may apply for voluntary admission to a treatment facility. Further provides that admitting physicians are to admit persons suffering from a substance-related or addictive disorder to treatment facilities.

New law retains existing law and adds that psychiatric mental health nurse practitioners acting in accordance with the collaborative practice agreement may admit persons with mental illness or suffering from a substance-related or addictive disorder pursuant to existing law.

Existing law provides that each patient admitted on a voluntary basis shall be informed of any other medically appropriate alternative treatment programs and facilities known to the admitting physician to seek admission to such programs or facilities.

New law retains existing law and adds that a psychiatric mental health nurse practitioner acting in accordance with the collaborative practice agreement may also inform the patient of any treatment programs or facilities.

Existing law provides that no admission by a patient shall be deemed voluntary unless the admitting physician determines whether the patient has the capacity to make such admission.

New law retains existing law and adds that a psychiatric mental health nurse practitioner acting in accordance with the collaborative practice agreement shall also be able to determine if an admission by a patient is deemed voluntary based upon the patient's capacity to make such admission.

Existing law provides that upon the arrival of a patient at a treatment facility, the person shall be immediately examined by a physician, preferably a psychiatrist, who will determine if the person shall be voluntarily admitted, admitted by emergency certificate, or discharged.

New law retains existing law and adds that a psychiatric mental health nurse practitioner acting in accordance with the collaborative practice agreement may also examine the person and determine if he shall be voluntarily admitted pursuant to existing law.

New law provides that if a peace officer transports a person to a treatment facility and no emergency certificate for that person has been issued in accordance with the provisions of new law and existing law, then only a psychiatrist may admit the person to the facility.

Effective August 1, 2021.

(Amends R.S. 28:51.1(A)(3)(intro. para.), 52(B), (E), and (G)(1), 52.2(A), 52.3(B), and 53(L)(2) and (P)(1)(b))