

2024 Regular Session

HOUSE BILL NO. 849

BY REPRESENTATIVE ILLG

1 AN ACT

2 To enact R.S. 28:4 and 53.1, relative to care for patients with behavioral health issues; to
3 provide for discharge procedures; to provide for communication between healthcare
4 professionals, patients, and patient's family, caregivers, and loved ones; to require
5 the provision of educational documents; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 28:4 and 53.1 are hereby enacted to read as follows:

8 §4. Behavioral healthcare information; records

9 A. A healthcare professional or healthcare provider that provides behavioral
10 health services shall accept documents, records, photos, testimonials, and other
11 significant health-related collateral information provided by a patient's family
12 member, caregiver, friend, or healthcare professional. The materials shall be
13 included in a patient's medical record.

14 B. The provisions of this Section shall not apply in the event the healthcare
15 professional or healthcare provider believes that acceptance and inclusion of the
16 information in the medical record is not relevant to the patients' care or treatment.

17 * * *

18 §53.1. Discharge plan; healthcare provider notification requirements

19 If a patient is admitted for inpatient behavioral healthcare services pursuant
20 to an emergency certificate issued in accordance with R.S. 28:53, the individual who
21 is responsible for discharge planning at the healthcare facility where the patient has
22 been admitted shall make a reasonable effort to do all of the following:

23 (1) Provide written or telephonic notification to any healthcare professional
24 that is currently providing behavioral health services to the patient, if known, of the

1 date and time the patient is scheduled to be discharged unless the patient objects to
2 that information being communicated.

3 (2) Provide written or telephonic notification within twenty-four hours of
4 discharge to any healthcare professional that the patient is being referred to for
5 follow-up behavioral health services. The healthcare professional that the patient is
6 being referred to shall be provided with a summary of the patient's medical history
7 and any current mental health conditions the patient is suffering from at the time of
8 discharge. The summary shall be transmitted no later than the date the patient has
9 been scheduled for follow-up behavioral services.

10 (3) Provide to the patient educational documents published by the Louisiana
11 Department of Health prior to or at the time of discharge. The Louisiana Department
12 of Health shall create and publish educational documents that provide information
13 directed to the patient and the patient's family members, caregivers, or friends about
14 the warning signs of self-harm and the importance of seeking behavioral health
15 services after an admission pursuant to an emergency certificate has ended. The
16 documentation shall instruct the patient and the patient's family members, caregivers,
17 or friends to seek assistance from a healthcare professional to provide ongoing care
18 and clarify that medical privacy laws do not prevent a family member, friend, or
19 other loved one from communicating the patient's condition to a healthcare
20 professional treating the patient.

21 Section 2. This Act shall be known and may be cited as the "Matthew Samuel Milam
22 Act".

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____