

SENATE BILL NO. 216

BY SENATOR MILLS

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AN ACT

To amend and reenact R.S. 37:1103(7) and (12)(e), relative to mental health counselors; to provide with respect to certain definitions for the Mental Health Counselors Licensing Act; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1103(7) and (12)(e) are hereby amended and reenacted to read as follows:

§1103. Definitions

* * *

(7) "Mental health counseling services" means rendering or offering prevention, assessment, diagnosis, and treatment, which includes psychotherapy, of mental, emotional, behavioral, and addiction disorders to individuals, groups, organizations, or the general public by a licensed professional counselor, ~~which that~~ **is consistent with his professional training as prescribed by R.S. 37:1107(A)(8), and code of ethics/behavior involving the application of principles, methods, or procedures of the mental health counseling profession. However, nothing in this Chapter shall be construed to authorize any person licensed under the provisions of this Chapter to assess, diagnose, or provide treatment to any individual suffering from a serious mental illness, as defined by this Section, **when medication may be indicated, unless that individual is under the active care of except when a licensed professional counselor, in accordance with industry best practices, consults and collaborates with** a practitioner who is licensed by **holds a license or permit with the Louisiana State Board of Medical Examiners or an advanced practice registered nurse licensed by the Louisiana State Board of Nursing who is certified as a psychiatric nurse practitioner** and is authorized to prescribe medications in the management of psychiatric illness, and only in the context of an**

1 ~~ongoing consultation and collaboration with that practitioner.~~ Moreover, except as
 2 provided in this Section, nothing in this Chapter shall be construed to authorize any
 3 person licensed hereunder to administer or interpret tests in accordance with the
 4 provisions of R.S. 37:2352(5), except as provided by Title 46, Part LXIII, Chapter
 5 17, Section 1702(E) of the Louisiana Administrative Code, or engage in the practice
 6 of psychology or to prescribe, either orally or in writing, distribute, dispense, or
 7 administer any medications.

8 * * *

9 (12) "Serious mental illness" means any of the following diagnoses:

10 * * *

11 (e) Major depressive disorder ~~moderate~~ **to severe**.

12 * * *

13 Section 2. This Act shall become effective upon signature by the governor or, if not
 14 signed by the governor, upon expiration of the time for bills to become law without signature
 15 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 16 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 17 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____