

Regular Session, 2012

SENATE BILL NO. 446

BY SENATOR PETERSON

MENTAL HEALTH. Prohibits a community-based physical health care provider from discriminating in its offering and providing services to a person based on the person's serious mental illness. (8/1/12)

1 AN ACT

2 To enact R.S. 40:2013.7, relative to mental health; to provide a prohibition on discrimination
3 by a community-based physical health care provider based on a serious mental
4 illness; to provide definitions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:2013.7 is hereby enacted to read as follows:

7 **§ 2013.7. Prohibition on discrimination by a community-based physical health**
8 **care provider based on a serious mental illness**

9 **A. No community-based physical health care provider shall discriminate**
10 **in the offering or the providing of its services to any person based on the**
11 **person's serious mental illness.**

12 **B. For the purposes of this Section, the following terms shall mean:**

13 **(1) "Community-based physical health care provider" means any facility**
14 **or institution, whether public or private, that offers diagnosis, treatment, and**
15 **inpatient or ambulatory care of two or more unrelated persons.**

16 **(2) Serious mental illness means any of various conditions characterized**
17 **by impairment of an individual's normal emotional or behavioral functioning.**

1 **and caused by social, psychological, biochemical, genetic, or other factors**
 2 **expected to exist for more than six months.**

3 **C. This Section shall not apply to hospitals, chiropractors, nursing**
 4 **homes, optometrists, or dentists.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christopher D. Adams.

DIGEST

Peterson (SB 446)

Proposed law provides no community-based physical health care provider shall discriminate in the offering or the providing of its services to any person based on the person's mental illness or disorder.

Proposed law defines "community-based physical health care provider " and "serious mental illness".

Proposed law provides exemptions for hospitals, chiropractors, nursing homes, optometrists, or dentists.

Effective August 1, 2012.

(Adds R.S. 40:2013.7)

Summary of Amendments Adopted by Senate

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

1. Replaces healthcare facility with community-based physical health care provider and defines community-based physical health care provider.
2. Replaces mental illness or disorder with serious mental illness and defines serious mental illness.
3. Provides exemptions for hospitals, chiropractors, nursing homes, optometrists, or dentists.