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AN ACT

To amend and reenact R.S. 28:53(G)(2) and to enact R.S. 28:53(G)(7), relative to coroners; to provide relative to admission by emergency certificate and the coroner's seventy-two-hour rule regarding patients who are out of the parish at the time of commitment; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 28:53 (G)(2) is hereby amended and reenacted and R.S. 28:53(G)(7) is hereby enacted to read as follows:

§53. Admission by emergency certificate; extension

* * *

G.(1)

* * *

(2) Within seventy-two hours of admission, the person shall be independently examined by the coroner or his deputy who shall execute an emergency certificate, pursuant to Subsection B of this Section, which shall be a necessary precondition to the person's continued confinement. **if Except as provided in Paragraph (7) of this Subsection, if** the actual examination by the psychiatrist in Paragraph (1) of Subsection B of this Section is conducted by telemedicine, the seventy-two-hour independent examination by the coroner shall be conducted in person.

* * *

(7) As it relates to a parish which has a population between one hundred and ninety-one thousand and one hundred ninety-two thousand residents, according to the latest federal decennial census, all of the following shall apply:

(a) The coroner or deputy coroner, who is a physician, preferably a psychiatrist, may conduct an examination and execute an emergency certificate,

1 as provided in Subparagraph (b) of this Paragraph by telemedicine utilizing
2 video conferencing equipment, provided that all of the following are met:

3 (i) A licensed health care professional, who can adequately and
4 accurately assist with obtaining any necessary information including but not
5 limited to that information in Paragraph (B)(4) of this Section and where such
6 health care professional will be present in the examining room with the patient
7 at the time of the video conferencing.

8 (ii) The coroner or deputy coroner who is a physician, preferably a
9 psychiatrist, shall comply with all of the provisions in Subsection F of this
10 Section.

11 (b) The coroner or deputy coroner, who is a physician, preferably a
12 psychiatrist, may conduct an examination and execute an emergency certificate,
13 as provided in Subparagraph (a) of this Paragraph by telemedicine under all of
14 the following circumstances:

15 (i) If the initial examination, pursuant to Paragraph (B)(1) of this
16 Section, has been made in person by a psychiatrist, psychiatric mental health
17 nurse practitioner, or a psychologist.

18 (ii) If the coroner conducted the initial examination, pursuant to
19 Paragraph (3) of this Subsection, by telemedicine and has executed the first
20 emergency commitment certificate, a second examination shall be made in
21 person within the seventy-two hour period set forth in this Part by any
22 psychiatrist, psychiatric mental health nurse practitioner, or a psychologist at
23 the treatment facility where the person is confined.

24 (c)(i) When a patient is transferred from another parish pursuant to an
25 emergency certificate, a second physician's emergency certificate may be
26 executed by a physician at the admitting facility.

27 (ii) The coroner shall be notified immediately following the execution of
28 the second emergency certificate and shall conduct an independent examination
29 within seventy-two hours as provided in Paragraph (2) of this Subsection, in the
30 manner provided in accordance with Subparagraph (a) of this Paragraph.

