

**LOUISIANA HEALTH FREEDOM COALITION
DISCLOSURE BILL ENACTED INTO LAW
By Steve Adams, JD**

Senate Bill 451, by Senator Shannon Weston-Broome, was signed by the Governor on July 26, 2006 and became Act 655 of the 2006 Regular Session of the Louisiana Legislature. It became effective August 15, 2006.

The bill, sponsored by the Louisiana Health Freedom Coalition, was designed to expand the legislative recognition of alternative health modalities by inclusion of “lifestyle modifications”, while assuring that the consumer is fully aware of the qualifications of the alternative health provider.

Essentially, the law requires those who “provide information or make recommendations requiring lifestyle modifications, food, dietary supplements, or homeopathic remedies” to give consumers a written disclosure containing:

1. The name, business and telephone number of the vendor;
2. The fact that he or she is not licensed, certified, or registered as a “health care provider” in the state of Louisiana;
3. That any food or dietary supplements being recommended are not medically prescribed drugs; and
4. If applicable, the degree or degrees, training, or credentials of the vendor regarding services provided

A copy of the disclosure must be signed by the consumer and retained by the provider

As used in the legislation, “lifestyle modifications” is defined as “the broad domain of traditional or homeopathic health care practices and other complementary health practices and services provided by a person who is not licensed certified, or registered to perform any of the following services or practices:

1. Practicing medicine or performing surgery as defined in R.S. 37:1262.
2. Prescribing or administering any procedure involving ionizing radiation.
3. Prescribing, dispensing, administering or recommending the discontinuance of a prescription drug or device.
4. Performing a chiropractic adjustment of the articulation of the joints or spine.

5. Holding out, stating, indicating, advertising, or otherwise implying he is a health care provider, as defined in R.S. 40:1299.41(A)(1), or performing the authorized prerogatives of the scope of practice of an individual credentialized by any licensing, certification, or registration board or agency of the state.
6. Nothing in this part shall be construed as being applicable to a member of the clergy or religious non-medical care vendor.

The law further provides that the attorney general or district attorney shall issue “cease and desist” letters to anyone violating these requirements.

It is felt that the revisions will serve to expand legislative recognition of alternative health providers, and the Louisiana Health Freedom Coalition will continue to strive to further expand this acceptance.

A disclosure form containing the basic requirements of Act 655 will be posted on the Louisiana Health Freedom Coalition website at www.lahfc.org.