Magellan in Louisiana

Advance Psychiatric Directives

As part of the initial evaluation, members should be assessed for existing Advance Psychiatric Directives. A signed and dated copy should be available in the treatment record. If none exists, the offer to assist and member refusal should be documented.

Louisiana’s Health Care and Treatment Decisions statute allows a person to appoint an agent (called an “Attorney in fact”) to make health care decisions if that person becomes incapable to make those decisions. “Health care” may include mental health care.

An Advance Directive Healthcare is a legal document that allows a person to make decisions in advance about mental health treatment, which includes but is not limited to psychoactive medication, short-term (not to exceed 15 days) admission to a treatment facility, electroshock therapy and outpatient services. It communicates how a person wants to be treated if he or she is not able to speak for him or herself— for example, if a person is involuntarily hospitalized.

The Advance Directive for Health Care:

- Tells a doctor, hospital or judge what types of confinement and treatment a person does or does not want.
- Identifies a friend or family member who can make mental health care decisions if a person is unable to do for him or herself.
- Additional information is available from the National Resource Center on Psychiatric Advance Directives: http://www.nrc-pad.org.

Louisiana’s Department of Health and Hospitals created a forms packet for a mental health advanced directive that can be obtained here:


Once a Power of Attorney for Health Care form is ready, copies should be given to the following people:

- Member’s Doctor(s)
- The person appointed by the member to make mental health care decisions for the member
- Member’s family, as identified by member
- Anyone else who might be involved in the member’s care

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