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**HOUSE COMMITTEE AMENDMENTS**

2020 Second Extraordinary Session

Amendments proposed by House Committee on Health and Welfare to Original House Bill  
No. 43 by Representative Bacala

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1 AMENDMENT NO. 1

2 On page 1, line 2, after "and (B)" and before the comma "," insert "and to enact R.S.  
3 40:2166.11"

4 AMENDMENT NO. 2

5 On page 1, line 3, after "nursing home residents" and before the semicolon ";" insert "and  
6 residents of adult residential care provider facilities"

7 AMENDMENT NO. 3

8 On page 1, line 4, after "nursing homes" and before "may" insert "and adult residential care  
9 provider facilities"

10 AMENDMENT NO. 4

11 On page 1, line 6, after "nursing home residents" and before "to have" insert "and residents  
12 of adult residential care provider facilities"

13 AMENDMENT NO. 5

14 On page 1, line 10, after "reenacted" and before "to read" insert "and R.S. 40:2166.11 is  
15 hereby enacted"

16 AMENDMENT NO. 6

17 On page 2, between lines 25 and 26, insert the following:

18 "§2166.11. Residents of adult residential care provider facilities; right to visitation

19 A. Each resident of any facility licensed pursuant to this Part shall have the  
20 right to be granted immediate access to all of the following persons:

21 (1) Immediate family members, other relatives of the resident, and the  
22 resident's clergy subject to the resident's right to deny or withdraw consent at any  
23 time. The facility shall allow in-person access to the resident by any person  
24 identified in this Paragraph if the person or resident chooses to visit in person.

25 (2) Others who are visiting with the consent of the resident, subject to  
26 reasonable restrictions and the resident's right to deny or withdraw consent at any  
27 time. The facility shall allow in-person access to the resident by any person  
28 identified in this Paragraph if the person or resident chooses to visit in person.

29 B.(1) For purposes of this Section, "in-person access" means the right of a  
30 resident to receive visitors in person at the facility, either in the resident's room or  
31 in another location on the facility campus designated by the facility. The facility  
32 may change the location of visits to assist caregiving or protect the privacy or health  
33 of other residents. Visitation may be subject to reasonable restrictions imposed by  
34 the facility.

35 (2) For purposes of this Section, "reasonable restrictions" means restrictions  
36 imposed by the facility that protect the security of residents and staff of the facility.  
37 Such restrictions may include, but shall not be limited to, infection control protocols.

1           C. The adult residential care provider may ask any visitor who does not  
2 comply with reasonable restrictions, or who otherwise endangers the health, safety,  
3 or well-being of any resident or staff member, to leave the facility, and may prohibit  
4 that person from future visitation.

5           D. A sponsor may act on a resident's behalf to assure that the adult  
6 residential care provider does not deny the resident's rights and no right recognized  
7 in regulations adopted in accordance with this Part may be waived for any reason.

8           E. No provision of the Louisiana Homeland Security and Emergency  
9 Assistance and Disaster Act (R.S. 29:721 et seq.), the Louisiana Health Emergency  
10 Powers Act (R.S. 29:760), or any other law or regulation shall be construed to limit  
11 a resident's right to have access to in-person visitation by an immediate family  
12 member of the resident, other relative of the resident, the resident's clergy, or any  
13 other person visiting the resident with the resident's consent as established in  
14 Subsection A of this Section."