

2024 Regular Session

HOUSE BILL NO. 976 (Substitute for House Bill No. 306 by Representative Owen)

BY REPRESENTATIVES OWEN, AMEDEE, BILLINGS, CARRIER, ROBBY CARTER, CHASSION, CREWS, DICKERSON, EGAN, FIRMENT, SCHAMERHORN, TAYLOR, VENTRELLA, WILDER, AND WILEY

1 AN ACT

2 To amend and reenact the heading of Part VI of Chapter 5-G of Title 40 of the Louisiana  
3 Revised Statutes of 1950 and R.S. 40:1300.51 and 1300.55, relative to minimum  
4 standards for visitation policies at certain healthcare facilities; to require the  
5 designation of an essential caregiver; to provide for the renaming of the "No Patient  
6 Left Alone Law"; to repeal requirements for the publication of visitation policies;  
7 and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The heading of Part VI of Chapter 5-G of Title 40 of the Louisiana  
10 Revised Statutes of 1950 and R.S. 40:1300.51 and 1300.55 are hereby amended and  
11 reenacted to read as follows:

12 PART VI. ~~NO PATIENT LEFT ALONE~~ DON SCOGGINS LAW

13 §1300.51. Short title

14 This Part shall be known and may be cited as the "~~No Patient Left Alone~~ Don  
15 Scoggins Law".

16 \* \* \*

17 §1300.55. ~~Provision of policies; publication~~ Designation of an essential caregiver;  
18 circumstances for visitation

19 A.(1) ~~A facility shall submit a written copy of its visitation policies and~~  
20 ~~procedures to the health standards section of the Louisiana Department of Health at~~  
21 ~~the initial licensure survey.~~ Any facility identified in R.S. 40:1300.53 shall allow

1 in-person visitation by a designated essential caregiver daily in addition to any other  
2 visitation provisions authorized by the facility. However, the provisions of this  
3 Section shall not apply to licensed forensic psychiatric hospitals.

4 (2) ~~After licensure, the facility shall make its visitation policies and~~  
5 ~~procedures available for review by the Louisiana Department of Health at any time,~~  
6 ~~upon request.~~ In accordance with this Section, a resident, client, or patient of any  
7 facility identified in R.S. 40:1300.53 may designate at least one visitor who is a  
8 family member, friend, guardian, or other individual as a designated essential  
9 caregiver.

10 (3) The designated essential caregiver shall not be required to provide  
11 advance notice of the intent to visit the patient. The visits of the designated essential  
12 caregiver as provided in this Section shall not be constrained for any reason other  
13 than medical necessity, which shall include medical procedures and emergencies.

14 (4) The designated essential caregiver shall not be required to provide  
15 necessary care to a resident, client, or patient of a facility. A facility providing such  
16 care shall not require a designated essential caregiver to provide such care.

17 B. ~~Within twenty-four hours after establishing the policies and procedures~~  
18 ~~required in accordance with this Part, the facility shall make its policies and~~  
19 ~~procedures easily accessible from the homepage of its website.~~ The visitation  
20 provisions of this Section may allow in-person visitation unless otherwise restricted  
21 by law or by order of the court.

22 C. ~~The Louisiana Department of Health shall dedicate a stand-alone page on~~  
23 ~~its website to explain the visitation requirements of this Part and provide a link to the~~  
24 ~~department's webpage to report complaints.~~ The visitation policies and procedures  
25 of any facility identified in R.S. 40:1300.53 shall require a designated essential  
26 caregiver to agree in writing to follow such policies and procedures. A facility may  
27 suspend in-person visitation for a designated essential caregiver if he violates the  
28 facility's visitation policies and procedures.

1                    D. Access to a religious or spiritual support person shall be included in  
2                    addition to the designated essential caregiver and in accordance with RS 40:2005.1.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_