
DIGEST

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HB 291 Engrossed

2023 Regular Session

Charles Owen

Abstract: Creates the "No Patient Left Alone Law" and establishes minimum requirements for in-person visits at certain healthcare facilities.

Proposed law shall be known and may be cited as the "No Patient Left Alone Law".

Proposed law applies to all of the following facilities:

- (1) Licensed centers that provide care for persons with developmental disabilities as defined in present law.
- (2) Hospitals as defined in present law.
- (3) Licensed facilities that provide inpatient hospice care as defined in present law.
- (4) Nursing homes as defined in present law.

Proposed law requires the facilities identified in proposed law to develop policies and procedures to allow in-person visitation for residents, clients, and patients. Proposed law further provides that such policies and procedures shall not be any more restrictive than the provisions set forth in proposed law.

The provisions required by proposed law may include any of the following precautionary policies and procedures before visitation:

- (1) Review of infection control, handwashing, and education policies for visitors.
- (2) Requirements for temperature screening.
- (3) Review of health and safety procedures required by the facility.
- (4) Any other infection control protocols.

Proposed law provides that safety-related policies and procedures may not be more stringent than those established for the facility's staff and may not require visitors to submit proof of any vaccination or immunization.

Proposed law further provides that policies and procedures shall allow consensual physical contact between a resident, client, or patient and his visitor.

The visits required by proposed law shall be permissible, both in duration of the visitation and the number of visitors, and meet the standards provided in proposed law, as applicable.

Proposed law provides that an employee of the facility shall be designated as the responsible party for ensuring that the visitor adheres to the policies and procedures.

Proposed law allows a resident, client, or patient to designate at least one visitor who is a family member, friend, guardian, or other individual as a designated essential caregiver. Proposed law further establishes provisions for such designated essential caregivers.

Proposed law requires a facility to allow in-person visitation unless otherwise restricted by law or by order of the court.

Proposed law provides that policies and procedures established by a facility may require a visitor to agree in writing to follow its policies and procedures. Proposed law further provides that the facility may suspend in-person visitation of a specific visitor if the visitor violates such policies and procedures.

Proposed law provides that access to a religious or spiritual support person shall be included in addition to the designated essential caregiver.

Proposed law requires a facility to submit a written copy of its visitation policies and procedures to the Health Standards Section of the La. Dept. of Health (LDH) at the initial licensure survey. Proposed law further requires such visitation policies and procedures to be made available for review by LDH at any time, upon request.

Proposed law requires that a facility shall make its policies and procedures easily accessible from the homepage of its website within 24 hours after establishing the policies and procedures required by proposed law.

Proposed law requires LDH to dedicate a stand-alone page on its website to explain the visitation requirements set forth in proposed law and provide a link to the department's webpage to report complaints.

(Adds R.S. 40:1300.51-1300.55)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Insert language to specify that the provisions of proposed law apply to licensed facilities

that provide inpatient hospice care.

2. Require facilities to submit a written copy of visitation policies and procedures to the Health Standards Section of the Louisiana Department of Health at the initial licensure survey.
3. Require the La. Dept. of Health to dedicate a stand-alone page on its website to explain the visitation requirements of proposed law and provide a link to the department's webpage to report complaints.
4. Make technical corrections.