

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 291

2023 Regular Session

Charles Owen

HEALTHCARE/FACILITIES: Provides for visitation policies at certain healthcare facilities and requires that such policies allow for in-person visitation

Synopsis of Senate Amendments

1. Adds legislative findings.
2. Removes language from proposed law that requires facilities to establish visitation policies.
3. Removes language from proposed law relative to the designation of an essential caregiver.
4. Adds provisions, in conjunction with present law, to provide for in-person visitation rights.
5. Establishes visitation policies that include the right to consensual nonsexual physical contact.
6. Requires visitation policies to not require visitors to submit proof of any vaccination or immunization.
7. Makes technical corrections.

Digest of Bill as Finally Passed by Senate

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 provides for legislative findings.

Proposed law provides that visitation policies and procedures may not require visitors to submit proof of any vaccination or immunization.

Proposed law further provides that visitation policies shall allow consensual nonsexual physical contact such as hand holding or hugging.

In accordance with present law, proposed law provides all of the following:

- (1) Any person 18 years or older may designate those individuals who will not be denied access to visit him in-person during any stay in any hospital, nursing home, or other healthcare facility within the state of Louisiana.

- (2) Hospitals, nursing homes, and adult residential care homes may allow members of the clergy to visit patients or residents during a public health emergency whenever a patient or resident or the legal or designated representative of the patient or resident requests the visit.
- (3) Licensed nursing facilities may allow immediate family members and other designated persons to visit residents during a public health emergency whenever a resident or the legal or designated representative of the resident requests the visit.
- (4) Licensed adult residential care providers may allow immediate family members and other designated persons to visit residents during a public health emergency whenever a resident or the legal or designated representative of the resident requests the visit.
- (5) Licensed intermediate care facilities for people with developmental disabilities (ICF/DD) may allow any close family member or legal representative of a resident of an ICF/DD to visit the resident during any state of public health emergency.

Proposed law further provides that special consideration shall be given to residents receiving end-of-life care.

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 visitation policies and procedures to be made available for review by LDH at any time, upon request.

Proposed law requires a facility to make its policies and procedures easily accessible from the homepage of its website no later than 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.

(Amends R.S. 40:2005.1(B)(2)(a), 2009.4(A)(7)(b), 2166.5(B)(12)(b), 2180.2(11)(a)(ii) and (iii), and 2184(2)(d); Adds R.S. 40:1300.51-1300.55)