



SENATE BILL 730: The No Patient Left Alone Act.

This Bill Analysis reflects the contents of the bill as it was presented in committee.

2019-2020 General Assembly

Committee:	Senate Health Care. If favorable, re-refer to Appropriations/Base Budget. If favorable, re-refer to Rules and Operations of the Senate	Date:	June 8, 2020
Introduced by:	Sens. Daniel, Perry, Krawiec	Prepared by:	Theresa Matula
Analysis of:	PCS to First Edition S730-CSSHa-38		Legislative Analyst

OVERVIEW: *The Proposed Committee Substitute for SB 730 would enact the No Patient Left Alone Act to ensure visitation rights for hospital patients during a disaster declaration or public health emergency.*

BILL ANALYSIS: The PCS for SB 730 contains the "The No Patient Left Alone Act" which ensures the visitation rights of hospital patients during a period in which a disaster, emergency, or public health emergency has been declared.

Section 2 amends Chapter 131E, Article 5. Hospital Licensure Act, to add a new section [G.S. 131E-79.3] requiring a hospital to ensure the opportunity for at least one visitor to visit a patient admitted to a facility. The contents of each subsection of the new statute is outlined below.

- Subsection (b) pertains to visitation of minors and allows one parent, guardian, or person standing in loco parentis the opportunity to visit a minor patient.
- Subsection (c) pertains to visitation of adults and allows an immediate family member or designated health care agent the opportunity to visit an adult patient admitted to a facility. The term "immediate family member" is defined as a spouse, child, sibling, parent, grandparent, grandchild, or the spouse of an immediate family member and includes stepparents, stepchildren, stepsiblings, and adoptive relationships.
- Both subsections (b) and (c) provide that the visitation is subject to the guidelines, conditions, and limitations of the normal visitation policy and when the visitor cannot be in the room with the patient due to a medical procedure or other reason, the visitor must have access to a waiting area.
- Subsection (d) notwithstanding the law [G.S. 131E-112] allowing the waiver of rules for health care facilities that provide temporary shelter or temporary services during a disaster or emergency, the contents of the North Carolina Emergency Management Act [Chapter 166A], or any law to the contrary, to provide that the visitation rights may not be terminated, suspended or waived by the hospital, the Department of Health and Human Services, or the Governor upon the declaration of a disaster or emergency under Article IA of Chapter 166A.
- Subsection (e) prohibits a hospital from requiring a patient to waive their visitation rights.
- Subsection (f) allows a hospital to require a visitor to submit to health screenings necessary to prevent the spread of infections diseases and to require a visitor to adhere to infection control procedures including wearing personal protective equipment.

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- Subsection (g) requires the Department of Health and Human Services (DHHS) to develop informational materials explaining the rights allowed by the act and requires each hospital to post the materials in a conspicuous place.

Sections 3 requires the Division of Health Service Regulation, DHHS, to develop and disseminate the free informational materials explaining the visitation rights provided by the bill.

Section 4 appropriates \$5,000 for the 2019-2020 fiscal year to the Division of Health Service Regulation, DHHS, to develop and disseminate the materials explaining the visitation rights.

EFFECTIVE DATE: The bill would become effective when it becomes law.