



SENATE BILL 191: The No Patient Left Alone Act.

2021-2022 General Assembly

Committee:	House Health. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	August 17, 2021
Introduced by:	Sens. Daniel, Krawiec, Britt	Prepared by:	Jason Moran-Bates
Analysis of:	Third Edition		Committee Staff

OVERVIEW: *Senate Bill 191 would enact the No Patient Left Alone Act to ensure visitation rights for patients in most healthcare facilities during a declared disaster or emergency. It would also require the Department of Health and Human Services to assess a civil penalty for violations of those visitation rights.*

BILL ANALYSIS: Senate Bill 191 would create mandatory visitation rights for patients in hospitals, nursing homes, combination homes, hospice care facilities, adult care homes, special care units, and residential treatment facilities.

Patients and residents in hospitals, nursing homes, combination homes, hospice care facilities, and residential treatment facilities would be permitted to receive visitors to the fullest extent permitted by federal law.

Residents of adult care homes and special care units would be permitted to receive visitors of their choice, except when (1) infection control issues are present, (2) visitation interferes with patient care, or (3) visitors have engaged in disruptive, threatening, or violent conduct. Any exception to the normal visitation rights must be established by clear and convincing evidence.

If any facility is found to have violated a visitation right, and fails to cure that violation within 24 hours, the Department of Health and Human Services must assess a \$500 civil penalty for each instance on each day a violation was found. If a facility must be totally closed, it must establish new visitation protocols that allow visitation to the greatest extent safely possible. If those protocols violate a visitation right, the Department may assess a \$500 civil penalty. The Department must also establish rules requiring facilities to provide notice of visitation rights to patients, residents, and when possible, family members of patients and residents.

EFFECTIVE DATE: This bill would be effective when it becomes law.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578