



# SENATE BILL 191: The No Patient Left Alone Act.

2021-2022 General Assembly

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<b>Committee:</b>		<b>Date:</b>	December 8, 2021
<b>Introduced by:</b>		<b>Prepared by:</b>	Jason Moran-Bates Staff Attorney
<b>Analysis of:</b>	S.L. 2021-171		

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**OVERVIEW:** *S.L. 2021-171 enacts the No Patient Left Alone Act to ensure visitation rights for patients in most healthcare facilities during a declared disaster or emergency and to the fullest extent permitted under any applicable rules, orders, regulations, guidelines, or federal laws. It also requires the Department of Health and Human Services to assess a civil penalty for violations of those visitation rights.*

*This act became effective November 1, 2021.*

**BILL ANALYSIS:** The act creates 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, and hospice care facilities must be permitted to receive visitors to the fullest extent permitted by federal law. The facilities must provide notice of the patient visitation rights to patients, and family members when possible. Residents of adult care homes, special care units, and residential treatment facilities must permit visitation to the greatest extent permitted by the infection control protocols under federal, state, or local law. All facilities must also allow compassionate care visits (1) in end-of-life situations, (2) when patients who had previously been living with family struggle with the change in environment, (3) when patients are grieving the loss of friends or family, (4) when patients need cuing and encouragement with eating and drinking, and (5) when patients experience emotional distress.

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 (Department) 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 can assess a \$500 civil penalty.

**EFFECTIVE DATE:** This act became effective November 1, 2021.

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Director



Legislative Analysis  
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