

By: Representatives Ford (73rd), Boyd,  
McLean

To: Public Health and Human  
Services

HOUSE BILL NO. 837

1 AN ACT TO CREATE THE "HOSPITAL RIGHT TO VISIT ACT"; TO  
 2 PROHIBIT THE ISSUANCE OR RENEWAL OF A LICENSE TO ANY HOSPITAL THAT  
 3 MAINTAINS A POLICY LIMITING VISITATION WITH PATIENTS WHO ARE  
 4 HOSPITALIZED FOR GREATER THAN 24 HOURS; TO PROHIBIT THE ISSUANCE  
 5 OR RENEWAL OF A LICENSE TO ANY INSTITUTION FOR THE AGED OR INFIRM  
 6 THAT MAINTAINS A POLICY RESTRICTING VISITATION WITH RESIDENTS; TO  
 7 AUTHORIZE HOSPITALS AND INSTITUTIONS FOR THE AGED OR INFIRM TO  
 8 IMPOSE CERTAIN REASONABLE SAFETY REQUIREMENTS RELATING TO  
 9 VISITATIONS; TO GRANT IMMUNITY TO HOSPITALS AND INSTITUTIONS FOR  
 10 THE AGED OR INFIRM FOR CLAIMS ARISING DUE TO A HOSPITAL OR  
 11 INSTITUTION'S COMPLIANCE WITH THIS ACT; TO REQUIRE THE STATE  
 12 DEPARTMENT OF HEALTH TO ADOPT RULES AND REGULATIONS FOR THE  
 13 ENFORCEMENT OF THIS ACT; AND FOR RELATED PURPOSES.

14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

15 **SECTION 1.** (1) This section shall be known and may be cited  
 16 as the "Hospital Right to Visit Act."

17 (2) Beginning on July 1, 2022, as a condition precedent to  
 18 obtaining or renewing a license under this chapter, a hospital may  
 19 not institute or maintain any policy that limits patients'  
 20 abilities to be visited by designated family members or friends  
 21 during any hospitalization or treatment that lasts for a period  
 22 exceeding twenty-four (24) hours, including during a declared  
 23 public health emergency. However, a hospital may not be prevented



24 from imposing reasonable safety requirements relating to the  
25 physical presence of designated family members or friends in the  
26 hospital so long as at least two (2) such designated family  
27 members or friends are authorized for visitation for no less than  
28 two (2) hours per day.

29 (3) A hospital may not be held liable for damages in an  
30 action involving a liability claim against the hospital arising  
31 from the compliance of the hospital with this section. The  
32 immunity set forth in this subsection is in addition to, and does  
33 not limit in any way, any other immunity protections that may  
34 apply under state or federal law.

35 (4) The licensing agency shall adopt such rules, regulations  
36 and standards as may be necessary for the enforcement of this  
37 section, which rules, regulations and standards must be provided  
38 to hospitals and recorded in the Minimum Standard of Operation for  
39 Mississippi Hospitals book pursuant to Section 41-9-17.

40 **SECTION 2.** (1) Beginning on July 1, 2022, as a condition  
41 precedent to obtaining or renewing a license under this chapter,  
42 an institution for the aged or infirm may not institute or  
43 maintain any policy that prohibits residents from being visited by  
44 designated family members or friends, including during a declared  
45 public health emergency. However, an institution for the aged or  
46 infirm may not be prevented from imposing reasonable safety  
47 requirements relating to the physical presence of designated  
48 family members or friends in the institution so long as at least



49 two (2) such designated family members or friends are authorized  
50 for visitation for no less than two (2) hours per day.

51 (2) An institution for the aged or infirm may not be held  
52 liable for damages in an action involving a liability claim  
53 against the institution arising from the compliance of the  
54 institution with this section. The immunity set forth in this  
55 subsection is in addition to, and does not limit in any way, any  
56 other immunity protections that may apply under state or federal  
57 law.

58 (3) The licensing agency shall adopt such rules, regulations  
59 and standards as may be necessary for the enforcement of this  
60 section, which rules, regulations and standards must be provided  
61 to institutions for the aged or infirm and recorded in the Rules,  
62 Regulations and Minimum Standards for Institutions for the Aged or  
63 Infirm book pursuant to Section 43-11-13.

64 **SECTION 3.** Section 1 of this act shall be codified as a new  
65 section in Chapter 9, Title 41, Mississippi Code of 1972. Section  
66 2 of this act shall be codified as a new section in Chapter 11,  
67 Title 43, Mississippi Code of 1972.

68 **SECTION 4.** This act shall take effect and be in force from  
69 and after July 1, 2022.

