

By: Representatives Hale, Carpenter,
Darnell, Goodin, Pigott

To: Public Health and Human
Services

HOUSE BILL NO. 1034

1 AN ACT TO CREATE THE HEALTH CARE FACILITY RIGHT TO VISIT ACT
2 TO PREVENT ALL HEALTH CARE FACILITIES THAT HAVE RECEIVED A
3 CERTIFICATE OF NEED FROM THE DEPARTMENT OF HEALTH FROM INSTITUTING
4 ANY POLICY THAT LIMITS PATIENTS' ABILITIES TO BE VISITED BY
5 DESIGNATED FAMILY MEMBERS OR FRIENDS DURING ANY HOSPITALIZATION OR
6 TREATMENT; TO ALLOW THE FACILITIES TO IMPOSE REASONABLE SAFETY
7 REQUIREMENTS; TO PROVIDE THAT NO FACILITY SHALL BE HELD LIABLE FOR
8 DAMAGES IN AN ACTION INVOLVING A LIABILITY CLAIM AGAINST SUCH
9 FACILITY ARISING FROM THE FACILITY'S COMPLIANCE WITH THE ACT; AND
10 FOR RELATED PURPOSES.

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

12 **SECTION 1.** (1) This section shall be known and may be cited
13 as the "Health Care Facility Right to Visit Act."

14 (2) A long-term care facility, skilled nursing facility,
15 hospital, rehabilitation hospital, continuing care retirement
16 community or any other health care facility that has received a
17 certificate of need from the State Department of Health shall not
18 institute any policy that limits patients' abilities to be visited
19 by designated family members or friends during any hospitalization
20 or treatment that lasts for a period exceeding twenty-four (24)
21 hours, including during a declared public health emergency. Such
22 facilities shall not be prevented from imposing reasonable safety



23 requirements relating to the physical presence of such designated
24 family members or friends in the facility, provided that at least
25 two (2) such designated family members or friends are authorized
26 for visitation of no less than two (2) hours per day.

27 (3) No facility shall be held liable for damages in an
28 action involving a liability claim against such facility arising
29 from the facility's compliance with the provisions of this
30 section.

31 (4) The immunity set forth in subsection (3) of this section
32 shall be in addition to any other immunity protections that may
33 apply in state or federal law.

34 **SECTION 2.** This act shall take effect and be in force from
35 and after July 1, 2022.

