

By: Senator(s) McMahan

To: Public Health and Welfare

SENATE BILL NO. 2845

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

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

11 **SECTION 1.** This act shall be known and may be cited as the
 12 "Right to Visit Act."

13 **SECTION 2.** (1) A long-term care facility, rehabilitation
 14 hospital, continuing care retirement community, long-term care
 15 facility, county-owned hospital, skilled nursing facility,
 16 municipally owned nursing facility, nursing home facility or any
 17 other health care facility that has received a certificate of need
 18 from the State Department of Health shall not institute any policy
 19 that limits patients' abilities to be visited by designated family
 20 members or friends during any hospitalization or treatment that
 21 lasts for a period exceeding twenty-four (24) hours, including



22 during a declared public health emergency. Such facilities shall
23 not be prevented from imposing reasonable safety requirements
24 relating to the physical presence of such designated family
25 members or friends in the facility provided that at least two (2)
26 such designated family members or friends be authorized for
27 visitation of no less than two (2) hours per day.

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

32 (3) The immunity set forth in subsection (2) of this section
33 shall be in addition to any other immunity protections that may
34 apply in state or federal law.

35 **SECTION 3.** This act shall take effect and be in force from
36 and after July 1, 2022.

