

By: Representative Hale

To: Public Health and Human Services

HOUSE BILL NO. 783

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, 2023.

