

By: Senator(s) Hill

To: Public Health and Welfare

SENATE BILL NO. 2062

1 AN ACT TO CREATE THE NO PATIENT LEFT ALONE ACT; TO PROVIDE
 2 THAT MINOR AND ADULT PATIENTS SHALL HAVE THE RIGHT TO DESIGNATE A
 3 VISITOR WITH VISITATION RIGHTS; TO AUTHORIZE HOSPITALS TO
 4 ESTABLISH CERTAIN VISITATION POLICIES; TO ALLOW HOSPITAL TO
 5 MANDATE CERTAIN SAFETY PROTOCOLS AND THE ABILITY TO REVOKE
 6 VISITATION RIGHTS FOR FAILURE TO COMPLY; TO PROHIBIT THE
 7 TERMINATION, SUSPENSION OR WAIVER OF VISITATION RIGHTS BY CERTAIN
 8 PARTIES; TO PROVIDE CERTAIN LIMITATIONS TO THESE RIGHTS; TO
 9 PROHIBIT HOSPITALS FROM REQUIRING PATIENTS WAIVE CERTAIN RIGHTS;
 10 TO REQUIRE THE DEPARTMENT OF HEALTH TO DEVELOP CERTAIN
 11 INFORMATIONAL MATERIALS; AND FOR RELATED PURPOSES.

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

13 **SECTION 1.** This act shall be known and may be cited as the
 14 "No Patient Left Alone Act."

15 **SECTION 2.** (1) Each minor who is admitted to a hospital in
 16 this state shall have the right to have a parent, guardian or
 17 person standing in loco parentis to be physically present while
 18 the minor patient is receiving hospital care.

19 (2) Each adult who is admitted to a hospital in this state
 20 shall have the right to designate a spouse, family member or
 21 caregiver to be physically present while the adult patient is
 22 receiving hospital care.



23 (3) A hospital may establish visitation policies that limit
24 or restrict visitation when:

25 (a) The presence of visitors would be medically or
26 therapeutically contraindicated in the best clinical judgment of
27 health care professionals;

28 (b) The presence of visitors would interfere with the
29 care of or rights of any patient;

30 (c) Visitors are engaging in disruptive, threatening or
31 violent behavior toward any staff member, patient or other
32 visitor; or

33 (d) Visitors are noncompliant with hospital policy.

34 (4) A hospital may require visitors to wear personal
35 protective equipment, provided that any such required equipment
36 shall be provided by the hospital. A hospital may require
37 visitors to comply with reasonable safety protocols and rules of
38 conduct. The hospital may revoke visitation rights for failure to
39 comply with this section.

40 (5) Nothing in this section shall be construed to require a
41 hospital to allow a visitor to enter an operating room, isolation
42 room, isolation unit, behavioral health setting or other typically
43 restricted area or to remain present during the administration of
44 emergency care in critical situations. Nothing in this section
45 shall be construed to require a hospital to allow a visitor access
46 beyond the rooms, units or wards in which the patient the visitor



47 is visiting is receiving care or beyond general common areas in
48 the hospital.

49 (6) The rights specified in this section may not be
50 terminated, suspended or waived by the hospital, the State
51 Department of Health or any governmental entity, notwithstanding
52 declarations of emergency declared by the Governor. No hospital
53 shall require a patient to waive the rights specified in this
54 section.

55 (7) Each hospital in this state shall post on its website
56 informational materials developed by the State Department of
57 Health explaining the rights specified in this section. The State
58 Department of Health shall develop such informational materials
59 and make the materials available to hospitals for this purpose.

60 (8) Unless expressly required by federal law or regulation,
61 the State Department of Health or any other state agency shall not
62 take any action against a hospital for:

63 (a) Giving a visitor individual access to a
64 hospital-controlled property or location;

65 (b) Failing to protect or otherwise ensure the safety
66 or comfort of a visitor given access to a hospital-controlled
67 property or location;

68 (c) Failing to follow the guidelines of the Centers for
69 Disease Control and Prevention or other federal guidelines that
70 require or recommend restricting visitor access; or



71 (d) The acts or omissions of any visitor who is given
72 access to a hospital-controlled property or location.

73 **SECTION 3.** This act shall take effect and be in force from
74 and after July 1, 2023.

