

By: Representatives Lamar, Felsher, McLean,  
Crawford, Hale

To: Public Health and Human  
Services

## HOUSE BILL NO. 403

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

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

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

16 (2) As used in this section, the term "health care facility"  
17 has the meaning as defined in Section 41-7-173.

18 (3) Each minor who is admitted to a health care facility in  
19 this state shall have the right to have a parent, guardian or  
20 person standing in loco parentis to be physically present while  
21 the minor patient is receiving care at the health care facility.

22 (4) Each adult who is admitted to a health care facility in  
23 this state shall have the right to designate a spouse, family



member or caregiver to be physically present while the adult patient is receiving care at the health care facility.

(5) A health care facility may establish visitation policies that limit or restrict visitation when:

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

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

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

(d) Visitors are noncompliant with health care facility policy.

(6) A health care facility may require visitors to wear personal protective equipment, provided that any such required equipment shall be provided by the health care facility. A health care facility may require visitors to comply with reasonable safety protocols and rules of conduct. The health care facility may revoke visitation rights for failure to comply with this section.

(7) Nothing in this section shall be construed to require a health care facility to allow a visitor to enter an operating room, isolation room, isolation unit, behavioral health setting or other typically restricted area or to remain present during the



administration of emergency care in critical situations. Nothing in this section shall be construed to require a health care facility to allow a visitor access beyond the rooms, units or wards in which the patient whom the visitor is visiting is receiving care or beyond general common areas in the health care facility.

(8) The rights specified in this section may not be terminated, suspended or waived by the health care facility, the State Department of Health or any governmental entity, notwithstanding declarations of emergency declared by the Governor. No health care facility shall require a patient to waive the rights specified in this section.

(9) Each health care facility in this state shall post on its website informational materials developed by the State Department of Health explaining the rights specified in this section. The State Department of Health shall develop such informational materials and make the materials available to health care facilities for this purpose.

(10) Unless expressly required by federal law or regulation, the State Department of Health or any other state agency shall not take any action against a health care facility for:

(a) Giving a visitor individual access to a property or location controlled by the health care facility;



72                   (b) Failing to protect or otherwise ensure the safety  
73 or comfort of a visitor given access to a property or location  
74 controlled by the health care facility;

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

78                   (d) The acts or omissions of any visitor who is given  
79 access to a property or location controlled by the health care  
80 facility.

81           **SECTION 2.** This act shall take effect and be in force from  
82 and after July 1, 2025.

