

HB 52

No Patient Left Alone

Act

No one should die alone.



REPRESENTATIVE

Sarah Vance

What Does This Bill Do?

Rights of Patients to Support

Allows Civil Liability

Rights Cannot be Suspended

Provide Written Policies

Investigation by Health Dept.

Patient's Right to Support Person

A healthcare facility shall allow a patient to have a support person of the patient's choice in person at all times during the patient's stay.

- A support person's visitation privileges may not be limited to the visitation hours of the provider or healthcare facility.
- A patient's right to a support person under this section may not be withheld based on a state or federal declaration of disaster.

Allows Civil Liability

A patient, support person, parent, guardian, or person standing in the place of a parent **may bring a civil cause of action** against a health care professional or health care facility that violates this act.

If a plaintiff prevails in an action brought under this section, the court shall enjoin the defendant from violating the statute or aiding or abetting a violation of the statute and award;

- nominal damages in an amount of not less than \$1,000;
- compensatory damages
- costs and attorney fees as provided.

Rights Cannot Be Suspended

A patient's right to a support person under this section may not be withheld based on a state or federal declaration of disaster.

The rights may not be terminated, suspended, or waived by the Department of Health or any other state agency.

A healthcare facility;

- Shall inform each patient of the patient's right to have a support person in person, including any restriction on that right, and
- Shall ensure that a support person enjoys full and equal visitation privileges consistent with the policies and procedures.

Provide Written Policies

A health care facility shall make a current version of its visitation policies and procedures available to the public;

- Internet website
- Printed form
- Displayed in conspicuous place
- Procedures may be requested at any time.

Investigations by Health Dept.

An **individual may file a complaint with the commissioner of health** if a health care professional or health care facility violates this statute.

The commissioner of health shall investigate the complaint.

If the commissioner finds a violation, the commissioner may impose a penalty.

Health Care Facility Liability

Unless required by federal law or regulation, **a state agency may not take action against a health care facility for prohibiting a visitor;**

- From entering an operating room, isolation room, isolation unit, behavioral health setting, or other typically restricted area;
- From remaining in person during the administration of emergency care in critical situations; or
- Access beyond the room, unit, or ward in which the patient the support person is visiting is receiving care, or beyond general common areas.

*Human Dignity means
No One Dies Alone.*

Thank you!

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