

SB 113 -- Redline

Engrossed to Enrolled -- Relating to health care facilities; to add Section 22-21-437 to the Code of Alabama 1975; to require health care facilities to adopt certain visitation policies; to provide that patients have a right to certain visitation; to allow patients to designate an essential caregiver and to guarantee that caregiver certain visitation rights; to prohibit a health care facility from adopting a visitation policy that is more stringent than certain employee policies; to prohibit a health care facility from requiring visitors to show proof of vaccination or from prohibiting consensual physical contact between visitors and patients; to provide for the circumstances in which patients may not be denied visitors who are not essential caregivers; to require health care facilities to provide visitation policies to the Department of Public Health; to require the Department of Public Health to develop a mechanism for complaints; to provide certain immunity from liability in certain circumstances; to exempt certain psychiatric care facilities from the provisions of this bill; and to repeal Sections 22-21-430 through 22-21-436, Code of Alabama 1975, relating to hospital visitation during a public health emergency.

Deletions ~~struck~~ · Insertions underlined

SB113 ~~ENGROSSED~~ENROLLED ~~1VWPZ3-2~~1VWPZ3-3 By Senators Gudger, Roberts, Waggoner, Barfoot, Elliott, Williams, Chambliss, Kelley, Hovey, Sessions, Stutts, Bell, Albritton, Shelnut, Melson, Livingston, Scofield, Reed, Weaver, Givhan, Allen, Butler, Jones, Orr, Chesteen, Price, Carnley RFD:

21-Mar-23 Page 0 SB113 ~~Engrossed~~Enrolled ~~2Enrolled, 4An AAct, BILL3 TO BE ENTITLED AN ACT 0~~ Relating to health care facilities;

and to repeal Sections 22-21-430 through 22-21-436, Code of Alabama 1975, relating to hospital visitation during a ~~Page 1 SB113 Engrossed~~ public health emergency.

The Legislature finds that Representative Debbie Wood, whose mother, Peggy Hamby, succumbed to COVID-19, is forever remembered by the Alabama Legislature in the spirit Page 1 SB113 Enrolled of this bill.

~~Page 2 SB113 Engrossed~~ (1) Infection control and education policies for visitors.

(3) The permissible length of visits and numbers of Page 2 SB113 Enrolled visitors in accordance with this section.

This subsection does not require an essential caregiver to provide necessary care ~~Page 3 SB113 Engrossed~~ to a resident, client, or patient of a facility, and facilities may not require an essential caregiver to provide such care.

If a patient, client, or resident is incapacitated and unable to designate an essential caregiver, Page 3 SB113 Enrolled one of the following shall appoint an essential caregiver on behalf of the patient, client, or resident, in the following order of priority:

~~95-2.~~

If the individual does not have a guardian or a durable power of attorney, a family member shall appoint an essential caregiver on behalf of the patient, client, or 95 resident, in the following order of priority:

~~(g)(3) The health visitation care policies facilities and shall procedures allow required a by resident, this client, section or must patient allow to have in-person visitation in with all a member of the following clergy circumstances, in unless the resident, same client, manner or that Page visitation 4 is SB113 provided Engrossed to patient an objects: essential caregiver.~~

~~(1)(g) End-of-life~~ The situations, visitation policies and procedures required by this section must allow in-person visitation in all of the following circumstances, unless the resident, client, or patient objects:

Page 4 SB113 Enrolled (1) End-of-life situations.

The health care facility must ~~Page 5 SB113 Engrossed~~ make the visitation policies and procedures available to the Page 5 SB113 Enrolled agency for review at any time, upon request.

Sections 22-21-430 through 22-21-436, Code of Alabama 1975, relating to hospital visitation during a ~~Page 6 SB113 Engrossed~~ public health emergency, are repealed.

Page 6 SB113 Enrolled Section 4.

Page 7 SB113 ~~Engrossed~~Enrolled Senate _____ Read ~~President~~
~~for and the Presiding first Officer time of and the referred Senate~~ _____ ~~21-Mar-~~
~~23~~ _____ to Speaker of the House of Representatives SB113

Senate ~~committee~~ 23-Mar-23 on I Healthcare hereby Read certify for that the second within time Act and originated
placed in _____ 22-Mar-23 and on passed the calendar: Senate, as amended.

~~0 amendments Read for the third time and passed~~ _____ ~~23-Mar-23 as amended Yeas 33 Nays 0~~
~~Abstains 0~~ Patrick Harris, Secretary.

Page House 8 of Representatives Amended and passed:

06-Apr-23 Senate concurred in House amendment 11-Apr-23 By:

Senator Senator Gudger Page 8

