A BILL FOR AN ACT

Concerning hospital patient visitation rights during the COVID-19 pandemic.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

The bill specifies that, during the declared disaster emergency related to the COVID-19 pandemic, a patient admitted to a hospital for inpatient care may have at least one visitor of the patient's choosing during the patient's hospital stay. A hospital must have written policies and procedures regarding the visitation rights of patients, including policies and procedures setting forth any clinically necessary or
reasonable restriction or limitation that the hospital may need to place on patient visitation rights and the reasons for the restriction or limitation.

The bill prohibits a hospital from adopting policies or procedures that prohibit visitation of a patient if the sole reason for the prohibition is to reduce the risk of transmission of COVID-19, but a hospital may impose specified requirements and limitations for visitors to reduce the risk of transmission of COVID-19.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, add 25-3-124 as follows:

25-3-124. Patient visitation rights during COVID-19 - legislative declaration - definition - repeal. (1) The general assembly hereby finds and declares that:

(a) The COVID-19 pandemic has produced challenges to the health care systems in Colorado;

(b) Hospitals have made many efforts to keep patients and employees in a safe environment and have endeavored to minimize, to the extent possible, the risk of spreading COVID-19;

(c) As a result of measures to prevent the spread of COVID-19, hospitals have instituted policies that limit patients' ability to be physically present with their loved ones during their hospitalization and treatment;

(d) Many patients not diagnosed with COVID-19 have therefore been alone during their treatment for serious conditions, traumas, illnesses, heart attacks, and routine and emergency surgeries; some have been forced to be alone for the entire course of their treatment, and, in some cases, patients have died alone; and

(e) In order to balance the need to reduce virus
TRANSMISSION WITH THE BENEFITS OF HAVING FAMILY MEMBERS PRESENT DURING ILLNESS, ESPECIALLY AT THE END OF LIFE, AS KNOWLEDGE OF COVID-19 ADVANCES, HOSPITALS ARE ENCOURAGED TO FOLLOW INFECTION PREVENTION PROTOCOLS AND IDENTIFY WAYS TO IMPROVE VISITATION POLICIES WHILE STILL FOLLOWING BEST PRACTICES.

(2) As used in this section, unless the context otherwise requires, "COVID-19" means the respiratory illness caused by severe acute respiratory syndrome coronavirus 2, or SARS-CoV-2.

(3) This section is repealed, effective September 30, 2021.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.