

House Health & Insurance
 03/23/2022 01:30 PM
 HB22-1199 Visitation Requirements Health-care Facilities
 Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Amy ODair For Self	<p>Committee Members,</p> <p>I have many instances that support the importance of visitation rights for every patient. A family member or health advocate needs to be allowed time each day with the patient and needs to be allowed to have unlimited time, if needed. My example is of my 95 yr old mother with Alzheimer's who was admitted due to inability to empty her bowel and infectious liver cysts. Mother was unable to communicate for herself at all. Being in the hospital plus various medications made her Alzheimer's symptoms worse. Everyday there were important situations that I needed to handle on her behalf and trying to calm her fears was also huge!! From doctors to nurse's aides ALL needed my input in order to provide mother the care she deserved, I stayed around the clock never leaving her room and wearing a mask whenever others were in the room. On the 3rd day, as she was showing progress, I was surprised by the incoming hospital doctor saying mother was going to have surgery. He had spoken to the surgeon who THOUGHT she could drain the infection from the liver cysts without allowing any septic leakage. And THEY had decided to try it even tho there was no urgency for it due to the antibiotics were working plus mother had been clearing her bowel. Mother's own doctor who has been watching the cysts for years did not recommend it when I called him AND the risks of the surgery for her were far worse than leaving her alone. At 95 with Alzheimer's; I immediately refused the PLANNED surgery and instructed the hospital doctor to submit mother's discharge papers ASAP! What is interesting. HE knew. Mother would have died, I am sure. It was even one of the high risks that the doctor went over with me. But, you see, it was the RECOMMENDED HOSPITAL PROTOCOL for my mother's issue. With NO REGARD for the many personal details relating SPECIFICALLY to mother. And she was unable to communicate for herself.</p> <p>I took her home and immediately she went on In-Home Hospice and we did the care that mother needed. She improved within a week and lived for another year and 1/2 with as much quality as she had before her issue!</p>

Testimony on HB 1199

3/22/22

Introduction:

Loren Furman, President & CEO of the Colorado Chamber of Commerce. The Chamber represents thousands of businesses of all sizes and industries across the State including 50 local chambers, 49 trade associations and several econ development organizations.

We appreciate Rep. Geitner's interests in bringing this legislation however, our members which include hospitals and the CO Hospital Association have shared concerns with our organization regarding this legislation...

- Healthcare facilities are currently limiting or prohibiting visitation based on their efforts to promote public health and safety.
- The concern by hospitals with this bill is that mandating visitation could harm health care providers, patients and visitors and limits a facility's ability to make decisions based on the best interest of patient, employees and the general public.
- There are also concerns that HB 1199 is a mandate for visitation and is not limited to a pandemic. This is a concern because it fails to account for visitation decisions by a hospital based on unique environmental factors such as a pandemic, endemic, outbreak, fire, or an active shooter.
- This bill places health-care facilities in a no-win situation.
 - If compliant, they could be subject to liability if compliance results in injury to another such as spread of infection through the community.
 - If non-compliant, it provides patient or visitors, that may have benefited from the non-compliance, an opportunity to make a claim against the facility.

Comments on two provisions in HB 1199:

- Section (1)(a) - Definition of "compassionate care visit" is extremely ambiguous. This definition places significant burden on the facility to determine who may qualify under a "compassionate care visit" and therefore ties the hands of the facility from eliminating anyone to visit.
- Section (2)(a) – Requires facilities to comply with laws and ordinances on allowing visitors to the "fullest extent permitted under the least restrictive". This may put facilities in a difficult conflict between local and state differing ordinances and allow penalties if the facility is not complying.

We thank the committee for its time today and Representative Geitner for his efforts on this legislation.