

By: Hughes

S.B. No. 1201

A BILL TO BE ENTITLED

AN ACT

relating to in-person visitation of religious counsel with seriously ill or dying hospital patients and facility residents.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 241, Health and Safety Code, is amended by adding Section 241.012 to read as follows:

Sec. 241.012. IN-PERSON VISITATION OF RELIGIOUS COUNSEL.

(a) In this section, "religious counsel" means an individual acting substantially in a pastoral or religious capacity to counsel other individuals.

(b) A hospital may not prohibit in-person visitation of religious counsel with a patient at the hospital who is seriously ill or dying.

(c) Notwithstanding Subsection (b), a hospital may require religious counsel to:

(1) submit to a health screening administered by the hospital; and

(2) wear personal protective equipment at all times while visiting a patient at the hospital.

(d) In the event of a conflict between this section and any other law, this section prevails.

SECTION 2. Subchapter L, Chapter 242, Health and Safety Code, is amended by adding Section 242.506 to read as follows:

Sec. 242.506. IN-PERSON VISITATION OF RELIGIOUS COUNSEL.

1 (a) In this section, "religious counsel" means an individual
2 acting substantially in a pastoral or religious capacity to counsel
3 other individuals.

4 (b) A facility may not prohibit in-person visitation of
5 religious counsel with a resident of the facility who is seriously
6 ill or dying.

7 (c) Notwithstanding Subsection (b), a facility may require
8 religious counsel to:

9 (1) submit to a health screening administered by the
10 facility; and

11 (2) wear personal protective equipment at all times
12 while visiting a resident at the facility.

13 (d) In the event of a conflict between this section and any
14 other law, this section prevails.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2021.