88R231 SRA-D

By:  Toth H.B. No. 189

A BILL TO BE ENTITLED

AN ACT

relating to in-person visitation with hospital patients during certain periods of disaster.

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

SECTION 1.  Sections 241.012(c), (g), and (i), Health and Safety Code, are amended to read as follows:

(c)  Notwithstanding Subsection (b), a hospital may during a qualifying period of disaster:

(1)  restrict the number of visitors a patient receiving care or treatment at the hospital may receive at any one time to not fewer than one;

(2)  require a visitor to the hospital to:

(A)  complete a health screening before entering the hospital; and

(B)  wear personal protective equipment at all times while visiting a patient at the hospital; and

(3)  deny entry to or remove from the hospital's premises a visitor who fails or refuses to:

(A)  submit to or meet the requirements of a health screening administered by the hospital; or

(B)  wear personal protective equipment that meets the hospital's infection control and safety requirements in the manner prescribed by the hospital.

(g)  A determination made by an attending physician under Subsection (f)(2) must be in writing and is valid for not more than 48 hours [~~five days~~] after [~~the date~~] the determination is made unless renewed by an attending physician. A renewal of the determination must be in writing, is valid for not more than 48 hours after the renewal is made, and may be renewed in the same manner as the initial determination.

(i)  Notwithstanding any other provision of this section, a hospital may not prohibit in-person visitation by a religious counselor of the patient's choosing with a patient who is receiving care or treatment at the hospital [~~and who is seriously ill or dying~~] for a reason other than the religious counselor's failure to comply with a requirement described by Subsection (c)(2).

SECTION 2.  This Act takes effect September 1, 2023.