

The Senate Committee on Health and Human Services offered the following substitute to HB 290:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to
2 regulation and construction of hospitals and other health care facilities, so as to provide for
3 visitor policies; to provide for definitions; to provide for reasonable safety precautions; to
4 provide for statutory construction; to provide for rules and regulations; to provide for
5 enforcement; to provide for related matters; to provide for a short title; to repeal conflicting
6 laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as the "Patient and Resident Representation Act."

10 **SECTION 2.**

11 Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation and
12 construction of hospitals and other health care facilities, is amended by adding a new article
13 to read as follows:

14 "ARTICLE 1615 31-7-430.16 As used in this article, the term:17 (1) 'Long-term care facility' means a skilled nursing home, intermediate care home,
18 personal care home, assisted living community, community living arrangement, or
19 inpatient hospice facility.20 (2) 'Visitor' means an individual authorized by a patient or resident to have access to
21 in-person visitation in a hospital or long-term care facility.22 31-7-431.23 (a) On and after July 1, 2021, hospitals and long-term care facilities shall institute visitor
24 policies, appropriate to their clinical and residential settings, that are no more restrictive
25 to visitation than the minimum standards promulgated by the federal Centers for Medicare
26 and Medicaid Services.27 (b) Hospitals and long-term care facilities shall not be prevented from imposing reasonable
28 safety requirements relating to the in-person physical contact of visitors with patients or
29 residents. Such general safety requirements shall be posted on the hospital or long-term
30 care facility's website and be made available upon request in physical form.31 31-7-432.32 (a) The department shall establish rules and regulations narrowly tailored to implement the
33 provisions of this article.34 (b) The department shall be authorized to take civil, disciplinary, or administrative action
35 against any hospital or long-term care facility for noncompliance with this article.36 (c) Nothing in this article shall be construed to limit any right of a patient or resident
37 recognized under any provision of state or federal law or regulation.

38 (d) The provisions of this article shall be construed to comply with the requirements of the
39 federal Centers for Medicare and Medicaid Services to obtain funding for patients,
40 residents, hospitals, or long-term care facilities."

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SECTION 3.

42 All laws and parts of laws in conflict with this Act are repealed.