

1 AN ACT relating to plant-based food options in hospitals.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 216B IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Animal product" means meat, poultry, seafood, dairy, eggs, honey, and*
7 *any derivative thereof;*

8 *(b) "Hospital" has the same meaning as in KRS 216.313; and*

9 *(c) "Plant-based food option" means a food or beverage that is free of animal*
10 *products and that has nutritional value comparable to the non-plant-based*
11 *food option that it replaces.*

12 *(2) Upon request by a patient or the patient's lawful representative in a hospital*
13 *providing inpatient or residential care, the hospital shall offer the patient a plant-*
14 *based food option as an alternative to every meal or snack offered in food service*
15 *to the patient. All of the hospital's written material describing food offerings shall*
16 *include the availability of a plant-based food option. The plant-based food option*
17 *shall be offered at no additional cost to the patient beyond what would be charged*
18 *for a comparable non-plant-based food option.*

19 *(3) The hospital shall respond in a reasonable manner and time to any request made*
20 *under this section. The request shall be effective for every hospital meal or snack*
21 *in which the patient is reasonably expected to participate. This section does not*
22 *preclude the offering of plant-based food options to patients who have not*
23 *requested it, and does not preclude an individual who has requested a plant-based*
24 *food option from selecting a non-plant-based food option.*

25 *(4) This section shall not apply to patient nutritional support products, including but*
26 *not limited to infant formulas, nutritional modulars, oral nutritional*
27 *supplements, enteral nutrition formulas, and parenteral or intravenous nutrition,*

1 prescribed or ordered by a health care professional, licensed, certified, or
2 otherwise authorized to practice under the laws of the Commonwealth, acting
3 within the professional's lawful scope of practice. However, where a request is
4 made pursuant to subsection (2) of this section, and a health care professional is
5 considering prescribing or ordering a patient a nutritional support product, the
6 health care professional shall consider and advise the requester whether a
7 medically suitable plant-based food option is reasonably available.
8 (5) The cabinet shall promulgate administrative regulations to implement the
9 requirements of this section within thirty (30) days of the effective date of this
10 Act.