

FIRST REGULAR SESSION

HOUSE BILL NO. 1290

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BOGGS.

2642H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapters 197 and 198, RSMo, by adding thereto two new sections relating to visitation rights in certain facilities.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapters 197 and 198, RSMo, are amended by adding thereto two new sections, to be known as sections 197.147 and 198.092, to read as follows:

197.147. 1. As a condition of obtaining or maintaining a license under this chapter, a hospital shall not institute any policy that limits patients' abilities to be visited by designated family members or friends during any hospitalization or treatment that lasts for a period exceeding twenty-four hours, including during a public health emergency declared under chapter 44, except to the extent allowed under subsection 2 of this section.

2. A hospital may impose reasonable safety requirements relating to the physical presence of designated family members or friends in the hospital so long as the hospital:

(1) Authorizes at least two designated family members or friends for visitation; and

(2) Authorizes visitation by such designated family members or friends for at least two hours each day.

3. (1) No hospital shall be held liable for damages in an action involving a liability claim against the hospital arising from the compliance of the hospital with the provisions of this section.

(2) The immunity set forth in subdivision (1) of this subsection shall be provided in addition to, and shall in no way limit, any other immunity protections that may apply in state or federal law.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

198.092. 1. As a condition of obtaining or maintaining a license under this chapter,
2 a facility shall not institute any policy that limits residents' abilities to be visited by
3 designated family members or friends, including during a public health emergency
4 declared under chapter 44, except to the extent allowed under subsection 2 of this section.

5 2. A facility may impose reasonable safety requirements relating to the physical
6 presence of designated family members or friends in the facility so long as the facility:

7 (1) Authorizes at least two designated family members or friends for visitation; and

8 (2) Authorizes visitation by such designated family members or friends for at least
9 two hours each day.

10 3. (1) No facility shall be held liable for damages in an action involving a liability
11 claim against the facility arising from the compliance of the facility with the provisions of
12 this section.

13 (2) The immunity set forth in subdivision (1) of this subsection shall be provided
14 in addition to, and shall in no way limit, any other immunity protections that may apply
15 in state or federal law.

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