

SENATE BILL 1641

By Pody

AN ACT to amend Tennessee Code Annotated, Title 34;
Title 63 and Title 68, relative to patient visitation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 34-6-206, is amended by adding the following as a new subsection:

(b)

(1) Except as provided in subdivision (b)(2), an attorney in fact designated to make healthcare decisions under a durable power of attorney for health care has a right to in-person visitation with the principal at a hospital where the principal is located to evaluate the principal's condition. A hospital shall permit the attorney in fact to conduct no less than one (1) in-person visit with the principal each day the principal is in the hospital.

(2) A hospital may require that an attorney in fact who is entering the hospital's premises for purposes of visitation pursuant to subdivision (b)(1) submit to non-invasive health and safety protocols.

(3) The visitation right specified in subdivision (b)(1) shall not be terminated, suspended, waived, or otherwise limited upon the declaration of a disaster or emergency by the hospital, the governor or the governor's designee, or by another individual or entity acting on behalf of this state or a political subdivision of this state.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 11, Part 18, is amended by adding the following as a new section:

(a) Except as provided in subsection (b), an agent designated to make healthcare decisions under a power of attorney for health care has a right to in-person visitation with the principal at a hospital where the principal is located to evaluate the principal's condition. A hospital shall permit the agent to conduct no less than one (1) in-person visit with the principal each day the principal is in the hospital.

(b) A hospital may require that an agent who is entering the hospital's premises for purposes of visitation pursuant to subsection (a) submit to non-invasive health and safety protocols.

(c) The visitation right specified in subsection (a) shall not be terminated, suspended, waived, or otherwise limited upon the declaration of a disaster or emergency by the hospital, the governor or the governor's designee, or by another individual or entity acting on behalf of this state or a political subdivision of this state.

(d) As used in this section, "hospital" has the same meaning as defined in § 68-11-201.

SECTION 3. This act takes effect July 1, 2024, the public welfare requiring it.