



Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Public Health, to which was referred Senate Bill 202, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 2, between lines 1 and 2, begin a new paragraph and insert:
- 2 "SECTION 3. IC 16-21-2-15.7 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE UPON PASSAGE]: **Sec. 15.7. (a) As used in this**
- 5 **section, "facility" includes the following:**
- 6 **(1) A hospital licensed under this article.**
- 7 **(2) A freestanding rehabilitation hospital.**
- 8 **(3) A private psychiatric hospital licensed under IC 12-25.**
- 9 **(4) An ambulatory outpatient surgical center licensed under**
- 10 **this article.**
- 11 **(b) Subject to subsections (c), (d), and (f), a facility shall allow**
- 12 **visitation to a patient who has been admitted as a patient during a**

1 disaster emergency declared under IC 10-14-3-12, a public health
 2 emergency, or a similar crisis from one (1) or more of the following
 3 individuals:

- 4 (1) A patient's family member.
- 5 (2) A patient's legal representative.
- 6 (3) The patient's designee.
- 7 (4) A member of the clergy.
- 8 (5) An essential caregiver.
- 9 (6) Any other individual capable of meeting the patient's
 10 needs.

11 (c) Subject to subsection (d), a person described in subsection
 12 (b) shall be permitted to daily visit a person who is admitted as a
 13 patient without regard for any visitation restrictions imposed by
 14 the facility during a compassionate care situation that involves one
 15 (1) or more of the following scenarios:

- 16 (1) An end of life situation, including hospice.
- 17 (2) A patient who is experiencing weight loss or dehydration
 18 and is in need of cuing or encouragement for eating or
 19 drinking.
- 20 (3) A patient who is experiencing emotional distress,
 21 depression, or grief.
- 22 (4) A patient who is diagnosed with Alzheimer's disease,
 23 dementia, or a related cognitive disorder.
- 24 (5) The patient is experiencing an acute health situation that
 25 requires immediate attention.
- 26 (6) The patient is undergoing surgery with general anesthesia.
- 27 (7) The patient is experiencing a sudden deterioration in the
 28 patient's medical condition.
- 29 (8) The patient is unable to provide or does not know
 30 pertinent and critical medical information that would aid the
 31 health care professional in treating the patient.
- 32 (9) The patient is a minor.

33 (d) A person who is described in subsection (b) or who visits a
 34 patient admitted as a patient for a reason specified in subsection (c)
 35 must comply with the following:

- 36 (1) Applicable guidelines concerning disease control or
 37 prevention as determined by the Centers for Medicare and
 38 Medicaid Services or the Centers for Disease Control and

- 1 **Prevention.**
- 2 **(2) Any facility requirements to undergo screening or to**
- 3 **complete testing before visiting a patient admitted as a**
- 4 **patient. If a screening protocol or test result prohibits a**
- 5 **person from visiting the patient, another individual capable**
- 6 **of successfully completing or passing the applicable screening**
- 7 **protocol or test may be selected for visitation by the patient.**
- 8 **(3) Limitations that an individual granted access under the**
- 9 **protocols of this section may not access any area other than**
- 10 **the patient's room or area designated or permitted by the**
- 11 **facility.**
- 12 **(e) The facility may specify any requirement that the facility will**
- 13 **implement for the individual who is granted access to the facility,**
- 14 **including the following:**
- 15 **(1) Screening.**
- 16 **(2) Personal protective equipment requirements and**
- 17 **instructions on the proper use of the equipment.**
- 18 **(3) Restrictions when entering patient rooms.**
- 19 **(4) Disclosure of any risks associated with the individual's**
- 20 **entry onto the premises, including risks during an epidemic or**
- 21 **when a communicable disease is involved.**
- 22 **(5) Written acknowledgment from the individual entering the**
- 23 **premises that the individual:**
- 24 **(A) will follow the established protocols;**
- 25 **(B) holds the facility, its employees, and health care**
- 26 **providers harmless for being allowed to enter the facility;**
- 27 **and**
- 28 **(C) received and acknowledges the disclosure of the risks**
- 29 **described in subdivision (4).**
- 30 **(f) Nothing in this section may be construed to prevent a facility**
- 31 **from limiting the number of designated individuals that a person**
- 32 **admitted as a patient may see if the limitations are explicitly**
- 33 **required under a disaster emergency or public health emergency**
- 34 **declaration.**
- 35 **(g) A facility, its employees, and contractors that in good faith**
- 36 **implement protocols in compliance with this section are not civilly**
- 37 **liable for an individual being allowed to enter the facility under the**
- 38 **protocols unless the action constitutes gross negligence or willful**

1 **or wanton misconduct."**

2 Page 6, between lines 19 and 20, begin a new paragraph and insert:

3 "SECTION 6. IC 34-30-2-66.1 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE UPON PASSAGE]: **Sec. 66.1. IC 16-21-2-15.7**
6 **(Concerning facility protocols on admittance of visitors into the**
7 **facility)."**

8 Renumber all SECTIONS consecutively.

(Reference is to SB 202 as printed February 5, 2021.)

and when so amended that said bill do pass.

Representative Barrett

