

1 **SENATE FLOOR VERSION**

2 April 5, 2021

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL NO. 2687

By: Hasenbeck, Pittman and  
Stark of the House

6 and

7 Bergstrom of the Senate

8  
9 An Act relating to hospitals; creating the No Patient  
10 Left Alone Act; providing for minor and adult  
11 patients to designate a visitor with visitation  
12 rights; authorizing hospital to establish certain  
13 visitation policies; allowing hospital to mandate  
14 certain safety protocols and revoke visitation rights  
15 for failure to comply; providing certain  
16 construction; prohibiting termination, suspension or  
17 waiver of visitation rights by certain parties;  
18 providing certain limitations; prohibiting hospitals  
19 from requiring patient waiver of certain rights;  
20 requiring posting of certain informational materials;  
21 requiring the State Department of Health to develop  
22 certain informational materials; prohibiting action  
23 against hospital by state agency for certain acts or  
24 omissions; providing for codification; and providing  
an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 1-706a of Title 63, unless there  
is created a duplication in numbering, reads as follows:

1       A. This section shall be known and may be cited as the "No  
2 Patient Left Alone Act".

3       B. Subject to the provisions of subsections D and E of this  
4 section, each minor who is admitted to a hospital licensed pursuant  
5 to Section 1-702 of Title 63 of the Oklahoma Statutes has the right  
6 to have a parent, guardian or person standing in loco parentis who  
7 shall have the ability to be present while the minor patient is  
8 receiving hospital care.

9       C. Subject to the provisions of subsections D and E of this  
10 section, each adult who is admitted to a hospital licensed pursuant  
11 to Section 1-702 of Title 63 of the Oklahoma Statutes has the right  
12 to designate a spouse, family member or caregiver who shall have the  
13 ability to be physically present while the adult patient is  
14 receiving hospital care.

15       D. A hospital may establish visitation policies that limit or  
16 restrict visitation when:

17       1. The presence of visitors would be medically or  
18 therapeutically contraindicated in the best clinical judgment of  
19 health care professionals;

20       2. The presence of visitors would interfere with the care of or  
21 rights of any patient;

22       3. Visitors are engaging in disruptive, threatening or violent  
23 behavior toward any staff member, patient or other visitor; or

24       4. Visitors are noncompliant with hospital policy.

1 E. A hospital may require visitors to wear personal protective  
2 equipment, provided that any such required equipment shall be  
3 provided by the hospital. A hospital may require visitors to comply  
4 with reasonable safety protocols and rules of conduct. The hospital  
5 may revoke visitation rights for failure to comply with this  
6 section.

7 F. Nothing in this section shall be construed to require a  
8 hospital to allow a visitor to enter an operating room, isolation  
9 room, isolation unit, behavioral health setting or other typically  
10 restricted area or to remain present during the administration of  
11 emergency care in critical situations. Nothing in this section  
12 shall be construed to require a hospital to allow a visitor access  
13 beyond the rooms, units or wards in which the patient the visitor is  
14 visiting is receiving care or beyond general common areas in the  
15 hospital.

16 G. The rights specified in this section may not be terminated,  
17 suspended or waived by the hospital, the State Department of Health  
18 or any governmental entity, notwithstanding declarations of  
19 emergency declared by the Governor or the Legislature. No hospital  
20 licensed pursuant to Section 1-702 of Title 63 of the Oklahoma  
21 Statutes shall require a patient to waive the rights specified in  
22 this section.

23 H. Each hospital licensed pursuant to Section 1-702 of Title 63  
24 of the Oklahoma Statutes shall post on its website informational

1 materials developed by the State Department of Health explaining the  
2 rights specified in this section. The State Department of Health  
3 shall develop such information materials and make the materials  
4 available to hospitals for this purpose.

5 I. Unless expressly required by federal law or regulation, the  
6 State Department of Health or any other state agency shall not take  
7 any action against a hospital for:

8 1. Giving a visitor individual access to a hospital-controlled  
9 property or location;

10 2. Failing to protect or otherwise ensure the safety or comfort  
11 of a visitor given access to a hospital-controlled property or  
12 location;

13 3. Failing to follow the guidelines of the Centers for Disease  
14 Control and Prevention or other federal guidelines that require or  
15 recommend restricting visitor access; or

16 4. The acts or omissions of any visitor who is given access to  
17 a hospital-controlled property or location.

18 SECTION 2. This act shall become effective November 1, 2021.

19 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
20 April 5, 2021 - DO PASS AS AMENDED

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