

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 2687

By: Hasenbeck, Pittman and
Stark of the House

4 and

5 Bergstrom of the Senate

6
7 [public health - creating the No Patient Left Alone
8 Act - effective date]
9

10
11 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
12 entire bill and insert

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

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

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

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

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

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

18 D. A hospital may establish visitation policies that limit or
19 restrict visitation when:

20 1. The presence of visitors would be medically or
21 therapeutically contraindicated in the best clinical judgment of
22 health care professionals;

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

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

3 4. Visitors are noncompliant with hospital policy.

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

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

19 G. The rights specified in this section may not be terminated,
20 suspended or waived by the hospital, the State Department of Health
21 or any governmental entity, notwithstanding declarations of
22 emergency declared by the Governor or the Legislature. No hospital
23 licensed pursuant to Section 1-702 of Title 63 of the Oklahoma
24

1 Statutes shall require a patient to waive the rights specified in
2 this section.

3 H. Each hospital licensed pursuant to Section 1-702 of Title 63
4 of the Oklahoma Statutes shall post on its website informational
5 materials developed by the State Department of Health explaining the
6 rights specified in this section. The State Department of Health
7 shall develop such information materials and make the materials
8 available to hospitals for this purpose.

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

12 1. Giving a visitor individual access to a hospital-controlled
13 property or location;

14 2. Failing to protect or otherwise ensure the safety or comfort
15 of a visitor given access to a hospital-controlled property or
16 location;

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

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

22 SECTION 2. This act shall become effective November 1, 2021."
23
24

1 Passed the Senate the 19th day of April, 2021.

2

3

Presiding Officer of the Senate

4

5 Passed the House of Representatives the ____ day of _____,

6 2021.

7

8

Presiding Officer of the House
of Representatives

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1 ENGROSSED HOUSE
2 BILL NO. 2687

By: Hasenbeck, Pittman and
Stark of the House

3 and

4 Bergstrom of the Senate

5
6
7 [public health - creating the No Patient Left Alone
8 Act - effective date]
9

10
11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 3. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 1-706a of Title 63, unless there
15 is created a duplication in numbering, reads as follows:

16 This act shall be known and may be cited as the "No Patient Left
17 Alone Act".

18 SECTION 4. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1-706b of Title 63, unless there
20 is created a duplication in numbering, reads as follows:

21 A. Subject to the provisions of subsection D of this section,
22 each minor who is admitted to a hospital licensed pursuant to
23 Section 1-702 of Title 63 of the Oklahoma Statutes has the right to
24 have a parent, guardian, or person standing in loco parentis who

1 shall have the unrestricted privilege of being present while the
2 minor patient is receiving hospital care.

3 B. Subject to the provisions of subsection D of this section,
4 each adult who is admitted to a hospital licensed pursuant to
5 Section 1-702 of Title 63 of the Oklahoma Statutes has the right to
6 designate a spouse, family member, or friend who shall have the
7 unrestricted privilege of being present while the adult patient is
8 receiving hospital care.

9 C. The rights specified in this section may not be terminated,
10 suspended, or waived by the hospital, the State Department of
11 Health, or any governmental entity, notwithstanding declarations of
12 emergency declared by the Governor or the Legislature.

13 D. Hospitals may require visitors to wear personal protective
14 equipment, provided that any such required equipment shall be
15 provided by the hospital. Nothing in this section shall be
16 construed to require a hospital to allow a visitor to enter an
17 operating room or other typically restricted area or to remain
18 present during the administration of emergency care in critical
19 situations.

20 E. No hospital licensed pursuant to Section 1-702 of Title 63
21 of the Oklahoma Statutes shall require a patient to waive the rights
22 specified in this section.

23 F. Each hospital licensed pursuant to Section 1-702 of Title 63
24 of the Oklahoma Statutes shall post in a conspicuous place on the

1 licensed premises informational materials developed by the State
2 Department of Health explaining the rights specified in this
3 section.

4 SECTION 5. This act shall become effective November 1, 2021.

5 Passed the House of Representatives the 11th day of March, 2021.

6

7

Presiding Officer of the House
of Representatives

8

9

Passed the Senate the ____ day of _____, 2021.

10

11

12

Presiding Officer of the Senate

13

14

15

16

17

18

19

20

21

22

23

24