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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO HEALTH AND SAFETY -- LICENSING OF HEALTHCARE FACILITIES

Introduced By: Representatives Fenton-Fung, J. Brien, Messier, and Chippendale

Date Introduced: February 15, 2024

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-17-19.3 of the General Laws in Chapter 23-17 entitled "Licensing
2 of Healthcare Facilities" is hereby amended to read as follows:

3 **23-17-19.3. Patients' visitation rights.**

4 (a) All health care providers as licensed under the provisions of chapter 29 or 37 of title 5
5 and all health care facilities as defined in § 23-17-2 shall be required to note in their patients'
6 permanent medical records the name of individual(s) not legally related by blood or marriage to
7 the patient who the patient wishes to be considered as immediate family member(s), for the purpose
8 of granting extended visitation rights to the individual(s), so the individual(s) may visit the patient
9 while he or she is receiving inpatient health care services in a health care facility.

10 (b) A patient choosing to designate individual(s) as immediate family members for the
11 purpose of extending visitation rights may choose up to five (5) individuals and do so either verbally
12 or in writing. This designation shall be made only by the patient and can be initiated and/or
13 rescinded by the patient at any time, either prior to, during, or subsequent to an inpatient stay at the
14 health care facility.

15 (c) The full names of designated individual(s), along with their relationship to the patient,
16 shall be recorded in the patient's permanent medical records, both at the inpatient health care
17 facility and with the patient's primary care physician.

18 (d) In the event the patient has not had the opportunity to have this designation recorded in
19 his or her medical records, a signed statement in the patient's own handwriting attesting to the

1 designation of the individual(s) as an immediate family member for the purpose of extending
2 visitation rights during the provision of health care services in an inpatient health care facility,
3 along with their relationship to the individual(s) shall meet all the requirements of this chapter. The
4 patient's signature on a signed statement shall be witnessed by two (2) individuals, neither of whom
5 can be the designated individual(s). In the event a signed statement is not available, those
6 designated as agents on a durable power of attorney for health care form shall be allowed visitation
7 privileges.

8 (e) This chapter shall not be construed to prohibit legally recognized members of the
9 patient's family from visiting the patient if they have not been so designated through the provisions
10 of this chapter. No patient shall be required to designate individual(s) under the provisions of this
11 chapter.

12 (f) Any licensed healthcare facility shall have the authority to suspend an individual's
13 privilege, whether the individual is related to the patient or not, of visiting with a patient if the
14 visitor is verbally or physically berating or harassing any employee or staff of the healthcare
15 facility, or physically interfering with the medical care of the patient or providing non-prescribed
16 medications or other illegal substances to any patient. Relative suspensions shall be allowed as
17 follows:

18 (1) For a first offense of verbally berating or harassing any healthcare employee or staff, a
19 suspension of visiting privileges of twenty-four (24) hours;

20 (2) For a second offense of verbally berating or harassing any healthcare employee or staff,
21 a suspension of visiting privileges of seven (7) days;

22 (2) For a third offense of verbally berating or harassing any healthcare employee or staff,
23 a suspension of visiting privileges of thirty (30) days;

24 (3) For a first offense of physically assaulting or harassing any employee or staff of the
25 healthcare facility, or providing non-prescribed medications or other illegal substances to any
26 patient, a suspension of visiting privileges of thirty (30) days, and for any subsequent offense a
27 suspension of visiting privileges of no less than sixty (60) nor more than ninety (90) days; provided,
28 however, nothing herein shall prevent the healthcare facility from issuing a no trespass order
29 preventing the individual from returning to the healthcare facility; and

30 (4) Each healthcare facility shall lift the suspensions imposed for purposes of end of life
31 visits. For purposes of this section, "end of life" shall mean that the patient's expectation of life is
32 less than twenty-four (24) hours.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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1 This act would permit licensed healthcare facilities to suspend visits of those person who
2 are verbally or physically berating staff or providing non-prescribed or illegal medications to any
3 patient. Suspensions would be lifted in cases of end of life scenarios.

4 This act would take effect upon passage.

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