



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, Second Regular Session*

**AMENDED**  
**FACT SHEET FOR S.B. 1514**

health care institutions; visitation  
(NOW: hospitals; visitation; policy)

Purpose

Prescribes requirements for hospital visitation policies, including the right for patients to be accompanied by two visitors or their entire immediate family and a clergy member, if it is likely the patient will die or lose consciousness within 24 hours. Prohibits hospitals from blocking a patient's right to operate and possess communication devices in permitted areas.

Background

Current statute requires a hospital to provide notice of its visitation policy to a patient or the patient's representative. If a hospital's visitation policy allows in-person visitation of any kind and if authorized by the patient or the patient's representative, the hospital must facilitate the ability of clergy to visit the patient in person for religious purposes. Clergy must comply with reasonable health and safety precautions imposed by hospitals in connection with in-person visitation. If a hospital's visitation policy does not allow in-person visitation of any kind at all times or temporarily for health and safety reasons, the hospital must facilitate a virtual clergy visit using communication technology ([A.R.S. § 36-407.01](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires hospitals' visitation policies to allow:
  - a) each patient to be accompanied by at least two visitors of their choosing, with the ability to change visitor identity as often as they wish; and
  - b) in the event that there is a serious possibility that a patient will die or lose consciousness within 24 hours or has already lost consciousness, for all members of the patient's immediate family and a clergy member of the patient's choosing to visit the patient immediately, unless the patient wishes otherwise.
2. Requires hospitals to provide notice of its visitation policy to each patient or their representative.
3. Allows a hospital's visitation policy to:
  - a) limit visitors to one per patient, if the patient is sharing a room with another patient; and
  - b) exclude visitors from the emergency department, areas where surgeries or procedures are performed, areas where patients are recovering from a surgery or procedure and any area the hospital designates in their policy is not appropriate for visitors.
4. Authorizes hospital staff to ask a patient's visitor to leave at the request of the patient, for confidentiality or privacy purposes or because of the visitor's conduct.

5. Requires hospitals to allow patients to communicate promptly and on demand with any person of their choosing and to provide visitors a waiting area in which they may communicate regularly with a patient's health care provider about the patient's health condition and care during times when the visitor may not be allowed to be with the patient.
6. Requires each hospital to have a policy addressing the use of communication devices, including cell phones, smart phones and personal computers, that addresses areas and instances in which communication devices may be restricted, considering patient confidentiality and privacy.
7. Prohibits hospitals, consistent with the hospital's policy, from:
  - a) prohibiting patients from having communication devices with them; and
  - b) prohibiting patients from having communication devices promptly brought to them or failing to provide means for this request to take place expeditiously.
8. Requires hospitals to notify patients of their right to visitation and their right to petition a court if their right to visitation is not honored.
9. Allows, if a patient's right to visitation is not honored, the patient or patient's immediate family member to request to meet with the person designated by the hospital to resolve visitation denials or disputes to resolve the issue within one business day.
10. Allows a requested meeting with hospital administration regarding a patient's right to visitation to be conducted using audio or video capabilities, with the preference of an in-person meeting.
11. Allows a patient or a patient's immediate family member to petition the court to resolve the patient's right to visitation if a requested meeting with hospital administration does not occur and the visitation issue is not resolved.
12. Clarifies that it is not the hospital's responsibility to assist with the petition process.
13. Requires the superior court in each county to hear claims of violations of a patient's visitation rights and to enter judgment within 48 hours, excluding holidays and weekends.
14. States that the outlined visitation and communication device requirements do not apply to:
  - a) the Arizona State Hospital (ASH);
  - b) minor children; or
  - c) individuals receiving court-ordered behavioral health evaluation or treatment.
15. Repeals existing clergy visitation requirements for health care institutions.
16. Defines *health care provider* as a licensed doctor of medicine, osteopathic physician, nurse practitioner or physician assistant.
17. Defines *immediate family member* as a patient's spouse, parent, child, sibling, grandparent or legal guardian.
18. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Reduces the scope of the legislation from health care institutions to hospitals.

2. Removes the requirement that hospital visitation policies include the ability for patients to be *constantly* accompanied by the patient's visitors
3. Allows hospitals to limit patient visitors to one at a time if the patient is sharing a room with another patient.
4. Specifies that a hospital's visitation policy is prohibited from placing time restrictions on patient visitation but may exclude visitors from the emergency department, areas where surgeries or procedures are performed or patients are recovering or from any area the hospital designates in policy is not appropriate for visitation.
5. Allows hospital staff to ask a patient's visitor to leave upon request of the patient, for confidentiality or privacy purposes or because of the visitor's conduct
6. Requires each hospital to provide waiting areas for patient visitors at times when visitation is not permitted and to regularly communicate to the visitor about the patient's condition and care.
7. Requires each hospital to have a policy regarding the use of communication devices and outlines policy requirements.
8. Allows a patient or the patient's immediate family member to request to meet with the hospital's designee for resolving visitation denials or disputes, within one business day, if the patient's right to visitation is not honored and to petition the court if the meeting does not occur and the issue is not resolved.
9. Extends, from 24 hours to 48 hours, the time in which the superior court must hear claims for violations of hospital visitation and communication device policy requirements and enter judgment of whether preliminary injunctive relief should be granted, excluding, rather than including, holidays and weekends.
10. Removes the requirement that health care institutions that violate visitation policy requirements pay penalties and damages to the individual.
11. States that the outlined visitation and communication device requirements do not apply to:
  - a) ASH;
  - b) minor children; or
  - c) individuals receiving court-ordered behavioral health evaluation or treatment.
12. Defines *health care provider* and *immediate family member*.

Senate Action

HHS            2/9/22       DP    6-2-0

Prepared by Senate Research

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MM/CC/sr