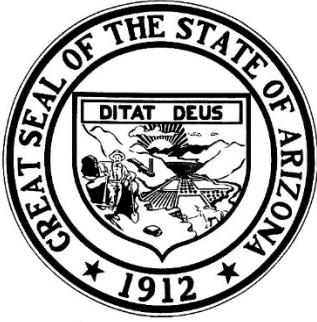




Bill Number: S.B. 1514

Barto Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

1. Limits the applicability 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.

Amendment explanation prepared by Michael Madden

03/10/2022

- 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) the Arizona State Hospital;**
 - b) minor children; or**
 - c) individuals receiving court-ordered behavioral health evaluation or treatment.**
- 12. Defines *health care provider* and *immediate family member*.**

BARTO FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1514
(Reference to printed bill)

1 Page 1, line 7, strike "violations; damages" insert "court petition; definitions"

2 Line 8, strike "HEALTH CARE INSTITUTION" insert "HOSPITAL"

3 Line 11, strike "CONSTANTLY"

4 Line 12, after the period insert "IF A PATIENT IS STAYING IN A ROOM WITH
5 ANOTHER PATIENT, THE HOSPITAL MAY LIMIT EACH PATIENT TO ONE VISITOR AT A
6 TIME."

7 Between lines 18 and 19, insert:

8 "B. A HOSPITAL'S VISITATION POLICY MAY:

9 1. NOT PLACE TIME RESTRICTIONS ON PATIENT VISITATION.

10 2. EXCLUDE VISITORS FROM THE EMERGENCY DEPARTMENT, FROM AREAS WHERE
11 SURGERIES OR PROCEDURES ARE PERFORMED OR PATIENTS ARE RECOVERING FROM A
12 SURGERY OR PROCEDURE AND FROM ANY AREA THE HOSPITAL DESIGNATES IN THE
13 POLICY IS NOT APPROPRIATE FOR VISITORS.

14 C. HOSPITAL STAFF MAY ASK A PATIENT'S VISITOR TO LEAVE AT THE
15 REQUEST OF THE PATIENT, FOR CONFIDENTIALITY OR PRIVACY PURPOSES OR BECAUSE
16 OF THE VISITOR'S CONDUCT. DURING TIMES WHEN A VISITOR MAY NOT BE ALLOWED
17 TO BE WITH A PATIENT, THE HOSPITAL SHALL PROVIDE A WAITING AREA FOR THE
18 VISITOR AND THE PATIENT'S HEALTH CARE PROVIDER SHALL COMMUNICATE REGULARLY
19 WITH THE VISITOR ABOUT THE PATIENT'S HEALTH CONDITION AND CARE."

20 Reletter to conform

1 Page 1, line 19, strike "HEALTH CARE INSTITUTION" insert "HOSPITAL"

2 Line 20, after the period insert "EACH HOSPITAL SHALL HAVE A POLICY ADDRESSING
3 THE USE OF COMMUNICATION DEVICES, INCLUDING CELL PHONES, SMARTPHONES AND
4 PERSONAL COMPUTERS. THE POLICY SHALL ADDRESS AREAS OF THE HOSPITAL WHERE
5 AND INSTANCES WHEN COMMUNICATION DEVICES MAY BE RESTRICTED, TAKING INTO
6 CONSIDERATION PATIENT CONFIDENTIALITY AND PRIVACY."; strike "HEALTH CARE"

7 Line 21, strike "INSTITUTION" insert "HOSPITAL"; after "NOT" insert
8 ", CONSISTENT WITH THE HOSPITAL'S POLICY"

9 Strike line 27, insert:

10 "E. A HOSPITAL SHALL NOTIFY A PATIENT OF THE PATIENT'S RIGHT TO
11 VISITATION AND THE PATIENT'S RIGHT TO PETITION A COURT IF THE RIGHT TO
12 VISITATION IS NOT HONORED. IF A PATIENT'S RIGHT TO VISITATION IS NOT
13 HONORED, THE PATIENT OR A PATIENT'S IMMEDIATE FAMILY MEMBER MAY REQUEST TO
14 MEET WITH A PERSON THE HOSPITAL HAS DESIGNATED TO RESOLVE VISITATION
15 DENIALS OR DISPUTES WITHIN ONE BUSINESS DAY TO RESOLVE THE ISSUE. A
16 MEETING REQUESTED WITH HOSPITAL ADMINISTRATION PURSUANT TO THIS SUBSECTION
17 SHALL PREFERABLY BE IN PERSON BUT MAY OCCUR USING AUDIO OR VIDEO
18 CAPABILITIES. IF A MEETING DOES NOT OCCUR AND THE VISITATION ISSUE IS NOT
19 RESOLVED, THE PATIENT OR THE PATIENT'S IMMEDIATE FAMILY MEMBER MAY PETITION
20 THE COURT TO RESOLVE THE PATIENT'S RIGHT TO VISITATION. IT IS NOT THE
21 HOSPITAL'S RESPONSIBILITY TO ASSIST WITH THE PETITION PROCESS."

22 Reletter to conform

23 Line 29, strike "TWENTY-FOUR" insert "FORTY-EIGHT"; strike "INCLUDING" insert
24 "EXCLUDING"

1 Page 1, line 30, after "TIME" insert a period strike remainder of line

2 Strike lines 31 through 46, insert:

3 "G. THIS SECTION DOES NOT APPLY TO A MINOR CHILD, THE ARIZONA STATE
4 HOSPITAL OR CHAPTER 5 OF THIS TITLE.

5 H. FOR THE PURPOSES OF THIS SECTION:

6 1. "HEALTH CARE PROVIDER" MEANS A PHYSICIAN WHO IS LICENSED PURSUANT
7 TO TITLE 32, CHAPTER 13 OR 17, A NURSE PRACTITIONER WHO IS LICENSED
8 PURSUANT TO TITLE 32, CHAPTER 15 OR A PHYSICIAN ASSISTANT WHO IS LICENSED
9 PURSUANT TO TITLE 32, CHAPTER 25.

10 2. "IMMEDIATE FAMILY MEMBER" MEANS A PATIENT'S SPOUSE, PARENT,
11 CHILD, SIBLING, GRANDPARENT OR LEGAL GUARDIAN."

12 Amend title to conform

NANCY BARTO

1514FloorBART02.docx
03/10/2022
09:30 AM
C: MH