

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-1327.02 Christy Chase x2008

HOUSE BILL 20-1425

HOUSE SPONSORSHIP

Geitner and Hooton, Landgraf

SENATE SPONSORSHIP

Smallwood and Ginal,

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING HOSPITAL PATIENT VISITATION RIGHTS DURING THE**
102 **COVID-19 PANDEMIC.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill specifies that, during the declared disaster emergency related to the COVID-19 pandemic, a patient admitted to a hospital for inpatient care may have at least one visitor of the patient's choosing during the patient's hospital stay. A hospital must have written policies and procedures regarding the visitation rights of patients, including policies and procedures setting forth any clinically necessary or

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

reasonable restriction or limitation that the hospital may need to place on patient visitation rights and the reasons for the restriction or limitation.

The bill prohibits a hospital from adopting policies or procedures that prohibit visitation of a patient if the sole reason for the prohibition is to reduce the risk of transmission of COVID-19, but a hospital may impose specified requirements and limitations for visitors to reduce the risk of transmission of COVID-19.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25-3-124 as
3 follows:

4 **25-3-124. Patient visitation rights during COVID-19 -**
5 **legislative declaration - definition - repeal.** (1) THE GENERAL
6 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

7 (a) THE COVID-19 PANDEMIC HAS PRODUCED CHALLENGES TO
8 THE HEALTH CARE SYSTEMS IN COLORADO;

9 (b) HOSPITALS HAVE MADE MANY EFFORTS TO KEEP PATIENTS AND
10 EMPLOYEES IN A SAFE ENVIRONMENT AND HAVE ENDEAVORED TO
11 MINIMIZE, TO THE EXTENT POSSIBLE, THE RISK OF SPREADING COVID-19;

12 (c) AS A RESULT OF MEASURES TO PREVENT THE SPREAD OF
13 COVID-19, HOSPITALS HAVE INSTITUTED POLICIES THAT LIMIT PATIENTS'
14 ABILITY TO BE PHYSICALLY PRESENT WITH THEIR LOVED ONES DURING
15 THEIR HOSPITALIZATION AND TREATMENT;

16 (d) MANY PATIENTS NOT DIAGNOSED WITH COVID-19 HAVE
17 THEREFORE BEEN ALONE DURING THEIR TREATMENT FOR SERIOUS
18 CONDITIONS, TRAUMAS, ILLNESSES, HEART ATTACKS, AND ROUTINE AND
19 EMERGENCY SURGERIES; AND

20 (e) IN ORDER TO BALANCE THE NEED TO REDUCE VIRUS
21 TRANSMISSION WITH THE BENEFITS OF HAVING FAMILY MEMBERS PRESENT
22 DURING ILLNESS, ESPECIALLY AT THE END OF LIFE, AS KNOWLEDGE OF

1 COVID-19 ADVANCES, HOSPITALS ARE ENCOURAGED TO FOLLOW
2 INFECTION PREVENTION PROTOCOLS AND IDENTIFY WAYS TO IMPROVE
3 VISITATION POLICIES WHILE STILL FOLLOWING BEST PRACTICES.

4 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
5 REQUIRES, "COVID-19" MEANS THE RESPIRATORY ILLNESS CAUSED BY
6 SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS 2, OR
7 SARS-CoV-2.

8 (3) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 30, 2021.

9 **SECTION 2. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety.