



February 10, 2022

Chairwoman Gonzales and Honorable Members
Senate State, Veterans, & Military Affairs Committee
Colorado General Assembly

Re: Submitted as written testimony on [SB22-053](#)

Dear Chairwoman Gonzales and honorable members of the Committee,

I am writing in my capacity as President of the Colorado Medical Society (CMS) to respectfully request your no vote on SB22-053 Hospital Visitation During a Pandemic.

We at CMS understand how difficult the COVID-19 pandemic has been for patients and loved ones when hospital policy does not allow visitations. Colorado's health care facilities and providers take the welfare of their patients, residents, and staff very seriously. Facility restrictions are made only after careful consideration, and solely for the purpose of protecting patients, their loved ones, and staff from serious contagious disease.

The spread of COVID-19 inside health care facilities remains a real concern. Throughout the pandemic, there were multiple outbreaks inside hospitals and long-term care facilities, affecting patients, providers and visitors. The risk of introduction into facilities increases as community transmission becomes more widespread, therefore, restricting visitor access and reducing the number of people inside health care facilities is key to minimizing the spread of COVID-19 and saving countless lives.

Clinical decisions to put restrictions in place over the past two years were not made lightly, and were aligned with local, state, federal, and global public health guidance to minimize spread of the virus. It is critical for facilities to have this authority so they can respond nimbly and appropriately to health threats for the sake of patients and the health care professionals who continue to put themselves at risk caring for their communities during the on-going pandemic.

For the reasons above, I respectfully request your no vote on SB22-053. CMS understands the difficult nature of this issue and thanks the committee for understanding the need for thoughtful approaches during this challenging time.

Sincerely,

Mark B. Johnson, MD
President, Colorado Medical Society



February 16, 2022

Senate State, Military and Veterans Affairs Committee
200 E Colfax Avenue
Denver, Colorado 80203
RE: SB22-053- via email

Chairwoman Gonzales and Honorable Members of the Senate State, Military and Veterans Affairs Committee:

The undersigned organizations have reviewed SB22-053 and respectfully urge you to reject the approach outlined in this legislation. Colorado's health care providers and facilities take the welfare of their patients, residents, and their families very seriously and continue to do everything in their power to protect everyone who walks through the door—including the frontline personnel who have put themselves at great risk to continue caring for community members throughout the COVID-19 pandemic.

The Importance of Visitation

In no uncertain terms, restricting visitation is difficult for patients, their family members, and frontline providers—and should be avoided if possible. While nurses, chaplains and others found creative ways to maintain connections through phone calls, video chats, socially distanced outdoor meetups and the occasional car parade, there have been too many tragic stories throughout the COVID-19 pandemic where individuals passed without loved ones at their side.

The organizations listed here stand behind our patients' rights to visitation as outlined in federal law. While this is not an absolute right, visitor access should be granted as long as the health and safety of patients, staff, and visitors can be maintained.

Why Visitation Was Limited

The spread of COVID-19 inside health care facilities was and is a real concern. Throughout the pandemic, there were multiple outbreaks inside hospitals and long-term care facilities, affecting patients, providers and visitors. The risk of introduction into facilities increases as community transmission becomes more widespread, therefore, restricting visitor access and reducing the number of people inside health care facilities was key to minimizing the spread of COVID-19 and saving countless lives.

Clinical decisions to put restrictions in place over the past year were not made lightly, and were aligned with local, state, federal, and global public health guidance to minimize spread of the virus and to protect patients, visitors and staff. For instance, at the height of the pandemic, the CDC directed hospitals that only visitors essential for helping to provide patient care and/or caring for pediatric patients should be allowed.

Visitation is Regulated by Federal and State Authorities

Medicare Conditions of Participation (COP) mandate all hospitals and long-term care facilities have policies governing patient visitation. Failure to comply with this federal mandate can result in significant fines and/or termination of participation in the Medicare and Medicaid programs, which would effectively close a hospital or long-term care facility. Medicare COPs are enforced by CDPHE as the state's CMS survey agency. In addition, CDPHE's state licensure rules include visitation as a resident right in assisted living residences, and there are penalties and other remedies for noncompliance with those rules.

However, during a global pandemic of a virus transmitted through respiratory droplets, allowing unrestricted visitation placed patients, residents, and staff at greater risk for transmission and added additional stress on already limited supplies of personal protective equipment (PPE). That is why those very same COPs allow facilities to include "any clinically necessary or reasonable restriction or limitation that the hospital may impose."

While COVID is in some ways a unique and extreme circumstance, visitation policies routinely adjust to reflect what is happening in the community. For example, hospital visitors are routinely restricted during flu season and subject to health screenings and PPE requirements. These requirements are part of our infection prevention protocols that keep patients, staff, and visitors safe and are particularly important for critically ill and immunocompromised patients.

Given the events of the last year, this is an incredibly important, timely, and difficult issue for all Coloradans. Thank you for understanding of the need for a robust and thoughtful approach in these extraordinary times.

Respectfully,

Centura Health
Colorado Hospital Association
Colorado Nurses Association
Colorado Organization of Nurse Leaders
COPIC
Denver Health
Eastern Plains Healthcare Consortium
HealthONE
UCHealth