

HOUSE COMMITTEE OF REFERENCE REPORT

May 10, 2022

Chair of Committee

Date

Committee on State, Civic, Military, & Veterans Affairs.

After consideration on the merits, the Committee recommends the following:

SB22-053 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend reengrossed bill, page 2, after line 1 insert:

2 "SECTION 1. In Colorado Revised Statutes, 25-1-120, amend
3 (1)(b) as follows:

4 **25-1-120. Nursing facilities - rights of patients.** (1) The
5 department shall require all skilled nursing facilities and intermediate care
6 facilities to adopt and make public a statement of the rights and
7 responsibilities of the patients who are receiving treatment in such
8 facilities and to treat their patients in accordance with the provisions of
9 said statement. The statement shall ensure each patient the following:

10 (b) The right to have private and unrestricted communications
11 with any person of ~~his~~ THE PATIENT'S choice, EXCEPT AS SPECIFIED IN
12 SECTION 25-3-125 (2) AND (3);".

13 Renumber succeeding sections accordingly.

14 Page 2, strike lines 8 through 11 and substitute:

15 "(2) (a) SUBJECT TO THE RESTRICTIONS AND LIMITATIONS FOR
16 SKILLED NURSING FACILITY AND NURSING FACILITY RESIDENTS' VISITATION
17 RIGHTS SPECIFIED IN 42 U.S.C. 1396r(c)(3)(C); 42 U.S.C. 1395i(c)(3)(C);
18 42 CFR 483.10 (a), (b), AND (f); THE RIGHTS FOR ASSISTED LIVING
19 RESIDENTS SPECIFIED IN RULE PURSUANT TO SECTION 25-27-104; THE
20 RESTRICTIONS AND LIMITATIONS SPECIFIED BY A HEALTH-CARE FACILITY
21 PURSUANT TO SUBSECTION (3) OF THIS SECTION; RESTRICTIONS AND
22 LIMITATIONS SPECIFIED IN STATE OR LOCAL PUBLIC HEALTH ORDERS; AND
23 THE COMMUNICATIONS EXCEPTION SPECIFIED IN SECTION 25-1-120, IN
24 ADDITION TO HOSPITAL PATIENT VISITATION RIGHTS IN 42 CFR 482.13 (h),
25 A PATIENT OR RESIDENT OF A".

- 1 Page 3, line 22, strike "42 CFR 482.13 (h)," and substitute "42 CFR
2 482.13 (h); 42 U.S.C. 1396r (c)(3)(C); 42 U.S.C. 1395i (c)(3)(C); 42 CFR
3 483.10 (a), (b), AND (f); AND SECTION 25-27-104,".
- 4 Page 3, line 25, strike "CLINICALLY".
- 5 Page 3, line 26, after "LIMITATION" insert "TO ENSURE HEALTH AND
6 SAFETY OF PATIENTS, STAFF, OR VISITORS".
- 7 Page 4, strike lines 1 through 8 and substitute "RIGHTS AND THE REASONS
8 FOR THE RESTRICTION OR LIMITATION.".
- 9 Reletter succeeding paragraph accordingly.
- 10 Page 4, lines 10 and 11, strike "REGARDLESS OF KNOWN COMMUNITY
11 TRANSMISSION,".
- 12 Page 4, line 20, strike "AND".
- 13 Page 4, strike line 21 and substitute:
14
15 (D) FOR A HOSPITAL, REQUIRE VISITORS TO SIGN A WAIVER
16 ACKNOWLEDGING THE".
- 17 Page 4, line 25, strike "VERBAL" and substitute "MENACING".
- 18 Page 4, line 27, strike "TOLERATED." and substitute "TOLERATED, AND, IF
19 SUCH ABUSE OCCURS, A HOSPITAL MAY RESTRICT THE VISITOR'S CURRENT
20 OR FUTURE ACCESS; AND
21 (E) FOR ALL OTHER HEALTH-CARE FACILITIES, REQUIRE VISITORS
22 TO SIGN A DOCUMENT ACKNOWLEDGING THE RISKS OF ENTERING THE
23 HEALTH-CARE FACILITY AND ACKNOWLEDGING THAT MENACING AND
24 PHYSICAL ASSAULTS ON HEALTH-CARE WORKERS AND OTHER EMPLOYEES
25 OF THE HEALTH-CARE FACILITY WILL NOT BE TOLERATED.".
- 26 Page 5, strike lines 1 through 4.
- 27 Page 5, line 5, strike "(A)" and substitute "(F)".
- 28 Page 5, strike lines line 8 through 14 and substitute "DISEASE; AND
29 (G) REQUIRE ALL VISITORS TO THE HEALTH-CARE FACILITY TO BE
30 TESTED FOR THE COMMUNICABLE DISEASE AND DENY ENTRY FOR THOSE
31 WHO HAVE A POSITIVE TEST RESULT; AND

- 1 (H) RESTRICT THE MOVEMENT OF VISITORS WITHIN THE
2 HEALTH-CARE FACILITY, INCLUDING RESTRICTING ACCESS TO WHERE
3 IMMUNOCOMPROMISED OR OTHERWISE VULNERABLE POPULATIONS ARE AT
4 GREATER RISK OF BEING HARMED BY A COMMUNICABLE DISEASE."
- 5 Page 5, line 15, strike "(III)" and substitute "(II)".
- 6 Page 5, line 25, after "TIME;" insert "AND".
- 7 Page 5, strike lines 26 and 27.
- 8 Reletter succeeding sub-subparagraph accordingly.
- 9 Page 6, line 6, strike "EQUIPMENT" and substitute "EQUIPMENT, OR TAKE
10 A TEST FOR A COMMUNICABLE DISEASE,".
- 11 Page 6, line 10, after "EQUIPMENT" insert "OR TEST".
- 12 Page 6, line 13, after "EQUIPMENT" insert "OR TEST".
- 13 Page 6, line 16, after "EQUIPMENT" insert "OR TEST".
- 14 Page 7, strike lines 20 through 22.
- 15 Reletter succeeding paragraph accordingly.
- 16 Strike "PANDEMIC" and substitute "COMMUNICABLE" on: **Page 4**, lines 10,
17 15, and 24; and **Page 5**, lines 6 and 7.

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