

House Bill 290

By: Representatives Setzler of the 35<sup>th</sup>, Newton of the 123<sup>rd</sup>, and Hatchett of the 150<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated,  
2 relating to regulation of hospitals and related institutions, so as to prohibit hospitals and  
3 nursing homes from instituting any policy during a declared public health emergency that  
4 limits patients' abilities to be visited by designated family members or friends as a condition  
5 precedent to obtaining or maintaining a permit to operate a hospital or nursing home; to  
6 provide for reasonable safety precautions; to provide for limited liability; to provide for  
7 related matters; to provide for a short title; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "Right to Visit Act."

11 **SECTION 2.**

12 Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to  
13 regulation of hospitals and related institutions, is amended by adding a new Code section to  
14 read as follows:

H. B. 290

15 "31-7-3.5.

16 (a) On and after July 1, 2021, as a condition precedent to obtaining or maintaining a permit  
17 under this article to operate, a hospital or nursing home shall not institute any policy that  
18 limits patients' abilities to be visited by designated family members or friends during any  
19 hospitalization or treatment that lasts for a period exceeding 24 hours, including during a  
20 declared public health emergency; provided, however, that hospitals and nursing homes  
21 shall not be prevented from imposing reasonable safety requirements relating to the  
22 physical presence of such designated family members or friends in the hospital or nursing  
23 home so long as at least two such designated family members or friends are authorized for  
24 visitation and such visitation is authorized for no less than two hours per day.

25 (b)(1) No hospital or nursing home shall be held liable for damages in an action  
26 involving a liability claim against such hospital or nursing home arising from the  
27 compliance of such hospital or nursing home with the provisions of subsection (a) of this  
28 Code section.

29 (2) The immunity set forth in paragraph (1) of this subsection shall be provided in  
30 addition to, and shall in no way limit, any other immunity protections that may apply in  
31 state or federal law."

32 **SECTION 3.**

33 All laws and parts of laws in conflict with this Act are repealed.