

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 411 Session of
2005

INTRODUCED BY PISTELLA, DeWEESE, BARRAR, BEBKO-JONES, BELFANTI,
BIANCUCCI, CALTAGIRONE, CAPPELLI, CAWLEY, CRUZ, CURRY,
DeLUCA, EACHUS, FRANKEL, FREEMAN, GERGELY, KIRKLAND, KOTIK,
DALEY, LEACH, LEDERER, MARKOSEK, McGEEHAN, MELIO, MUNDY,
O'NEILL, PALLONE, PETRONE, PRESTON, ROONEY, SAINATO, SHANER,
SURRA, THOMAS, WALKO, WHEATLEY AND YOUNGBLOOD,
FEBRUARY 9, 2005

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES,
FEBRUARY 9, 2005

AN ACT

1 Amending the act of July 19, 1979 (P.L.130, No.48), entitled "An
2 act relating to health care; prescribing the powers and
3 duties of the Department of Health; establishing and
4 providing the powers and duties of the State Health
5 Coordinating Council, health systems agencies and Health Care
6 Policy Board in the Department of Health, and State Health
7 Facility Hearing Board in the Department of Justice;
8 providing for certification of need of health care providers
9 and prescribing penalties," further providing for
10 administration.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 804 of the act of July 19, 1979 (P.L.130,
14 No.48), known as the Health Care Facilities Act, is amended by
15 adding a subsection to read:

16 Section 804. Administration.

17 * * *

18 (e) Patients' visitation rights.--

19 (1) A patient receiving treatment at a health care

1 facility as defined in section 103 and licensed under this
2 chapter shall have the opportunity to designate individuals
3 as visitors so that these patient designees may visit the
4 patient while the patient is receiving inpatient health care
5 services.

6 (2) A patient choosing to designate individuals as
7 visitors may do so verbally, in sign language, in writing or
8 through an interpreter. This privilege shall extend only to
9 the patient and may be initiated or rescinded by the patient
10 at any time.

11 (3) The full name of each individual so designated and
12 the individual's address, telephone number and relationship
13 to the patient shall be provided by the patient, the
14 patient's guardian, the patient's primary care physician or
15 those maintaining durable power of attorney to the health
16 care facility providing inpatient treatment for recording in
17 the patient's permanent medical record.

18 (4) In the event the patient has not had the opportunity
19 to have the visitor designation recorded in the patient's
20 medical records as provided under paragraph (3), a signed
21 statement in the patient's own handwriting attesting to the
22 designation of an individual for the purpose of extending
23 visitation rights during the provision of health care
24 services in an inpatient health care facility, along with
25 pertinent information as provided under paragraph (3), shall
26 meet all the requirements of this subsection. Two
27 individuals, neither of whom may be the designated
28 individuals, shall witness the patient's signature on the
29 signed statement. In the event a signed statement is not
30 available, those designated as agents on a durable power of

1 attorney for health care form shall be allowed visitation
2 privileges.

3 (5) This subsection shall not be construed to prohibit
4 legally recognized members of the patient's family from
5 visiting the patient if they have not been so designated
6 under this subsection.

7 (6) The number of individuals allowed to visit the
8 patient at any given time shall be determined by current
9 health care facility policy according to the provisions of
10 this act.

11 Section 2. This act shall take effect immediately.