

104TH CONGRESS
2D SESSION

H. R. 4325

To amend title XVIII of the Social Security Act to provide hospitals extend fair visitor privileges to non-family members.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 1996

Mr. SCHUMER (for himself, Mr. CAMPBELL, and Mr. SHAYS) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title XVIII of the Social Security Act to provide hospitals extend fair visitor privileges to non-family members.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Patient’s Compassion
5 and Visitation Act of 1996”.

1 **SEC. 2. REQUIREMENT FOR HOSPITALS TO EXTEND FAIR**
2 **VISITORS PRIVILEGES TO NON-FAMILY MEM-**
3 **BERS.**

4 (a) REQUIREMENT.—Title XVIII of the Social Secu-
5 rity Act is amended by inserting after section 1867 the
6 following new section:

7 “VISITORS’ FAIR ACCESS

8 “SEC. 1867A. (a) IN GENERAL.—A hospital or rural
9 primary care hospital shall extend to a visitor of an inpa-
10 tient who is designated by the inpatient but who is not
11 a relative of the inpatient the same visiting privileges as
12 apply to visitors who are relatives of the inpatient.

13 “(b) CONSTRUCTION.—Nothing in this section shall
14 be construed as preventing a hospital from establishing
15 rules and procedures governing time, duration, location,
16 age restrictions, and other terms and conditions of inpa-
17 tient visitation, so long as such terms and conditions do
18 not treat designated visitors who are not relatives dif-
19 ferently from visitors who are relatives.

20 “(c) ENFORCEMENT.—The provisions of paragraphs
21 (1)(A) and (2) of subsection (d) of section 1867 (relating
22 to civil monetary penalties and civil enforcement) shall
23 apply to violations of subsection (a) in the same manner
24 as they apply to violations of such section.”.

1 (b) PART OF HOSPITAL PARTICIPATION AGREE-
2 MENT.—Section 1866(a)(1) of such Act (42 U.S.C.
3 1395cc(a)(1)) is amended—

4 (1) by striking “and” at the end of subpara-
5 graph (Q),

6 (2) by striking the period at the end of sub-
7 paragraph (R) and inserting “; and”, and

8 (3) by inserting after subparagraph (R) the fol-
9 lowing new subparagraph:

10 “(S) in the case of a hospital or rural primary
11 care hospital, to adopt and enforce a policy to ensure
12 compliance with the requirements of section 1867A
13 and to meet the requirements of such section.”

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section shall apply to the extension of visiting privi-
16 leges occurring on or after the first day of the first month
17 that begins more than 45 days after the date of the enact-
18 ment of this Act.

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