

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
93rd General Assembly  
Regular Session, 2021

As Engrossed: S1/21/21 S3/22/21  
**A Bill**

SENATE BILL 19

By: Senators A. Clark, T. Garner

### For An Act To Be Entitled

AN ACT TO AUTHORIZE THE PRESENCE OF A SUPPORT PERSON FOR A PATIENT IN A HOSPITAL OR PHYSICIAN'S OFFICE; CONCERNING VISITATION RIGHTS OF PATIENTS IN HOSPITALS AND PHYSICIAN'S OFFICES; AND FOR OTHER PURPOSES.

### Subtitle

TO AUTHORIZE THE PRESENCE OF A SUPPORT PERSON FOR A PATIENT IN A HOSPITAL OR PHYSICIAN'S OFFICE; AND CONCERNING VISITATION RIGHTS OF PATIENTS IN HOSPITALS AND PHYSICIAN'S OFFICES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 20, Chapter 9, Subchapter 3, is amended to add an additional section to read as follows:

20-9-312. Support person authorized.

(a) A hospital or physician's office shall:

(1)(A) Allow a patient to choose a support person to accompany the patient during a medical appointment or facility stay unless the presence of the support person infringes on the rights or safety of others or is medically or therapeutically contraindicated.

(B) The support person may be the patient's surrogate decisionmaker or legally authorized representative.

(C) The patient may select more than one (1) person as a support person, but only one (1) support person may be present at a time during the patient's stay or medical appointment.



(D) If the patient is a minor, the parent, guardian, or person standing in loco parentis shall be permitted to be physically present with the minor while the minor receives treatment at a hospital or physician's office unless:

(i) The minor is:

(a) In the custody of the Department of Human Services; or

(b) A suspected victim in a pending child maltreatment investigation; and

(ii) The Department of Human Services determines that the presence of the parent, guardian, or person standing in loco parentis is a danger to the child or contrary to the welfare of the child;

(2)(A) Have written policies and procedures regarding the visitation rights of patients, including standards setting forth any clinically necessary or reasonable restriction or limitation that the hospital or physician's office may need to place on visitation and the reasons for the clinical restriction or limitation.

(B) The written policies and procedures required under subdivision (2)(A) of this section shall include that the telecommunications options shall be offered when restrictions or limitations are placed on visitation;

(3) Inform each patient and support person of his or her visitation rights, including any clinical restriction or limitation on visitation; and

(4) Ensure each support person receives full and equal visitation privileges consistent with the patient's preferences.

(b) This section does not apply to:

(1) A patient at the Arkansas State Hospital;

(2) A person in the custody of the Department of Human Services;

or

(3) An individual who is attending a preventive healthcare office visit during which evidence-based guidelines for preventive care recommend a confidential visit component for youth, as mutually agreed to by the patient and his or her physician.

/s/A. Clark