



1 care agent, guardian, or person standing in loco parentis physically present at reasonable times  
2 throughout the period of hospitalization or residential treatment; Now, therefore,  
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** This act shall be known as "The No Patient Left Alone Act."

5 **SECTION 2.** Article 5 of Chapter 131E of the General Statutes is amended by adding  
6 a new section to read:

7 **"§ 131E-79.3. Hospital patient visitation rights during a disaster declaration or public**  
8 **health emergency.**

9 (a) As used in this section, the following terms have the following meanings:

10 (1) Immediate family member. – A spouse, child, sibling, parent, grandparent,  
11 grandchild, or the spouse of an immediate family member, and the term  
12 includes stepparents, stepchildren, stepsiblings, and adoptive relationships.

13 (2) Normal visitation policy. – The visitation policy that was in effect at a facility  
14 on January 1, 2020.

15 (b) During a period in which a disaster, emergency, or public health emergency has been  
16 declared, a hospital licensed under this Article shall ensure the opportunity for at least one visitor  
17 to visit a patient admitted to a facility. This visitation shall be subject to the guidelines,  
18 conditions, and limitations of the facility's normal visitation policy.

19 (c) In the event a minor is admitted to a hospital licensed under this Article, at least one  
20 parent, guardian, or person standing in loco parentis shall be allowed the opportunity to visit and  
21 to be present while the minor patient is receiving hospital care. If a custody order or written child  
22 custody agreement is in place, the custody order or written child custody agreement shall control.  
23 This visitation shall be subject to the guidelines, conditions, and limitations of the facility's  
24 normal visitation policy. When the visitor cannot be in the room with the minor patient due to a  
25 medical procedure or other reason, the visitor shall have access to a waiting area.

26 (d) One immediate family member or designated health care agent shall have the  
27 opportunity to visit an adult patient admitted to a facility licensed under this Article. This  
28 visitation shall be subject to the guidelines, conditions, and limitations of the facility's normal  
29 visitation policy. When the visitor cannot be in the room with the patient due to a medical  
30 procedure or other reason, the visitor shall have access to a waiting area. If the patient has the  
31 capacity to make decisions, the patient may designate the one visitor.

32 (e) Notwithstanding the provisions of G.S. 131E-84, Chapter 166A of the General  
33 Statutes, or any other provision of law to the contrary, the visitation rights specified in this section  
34 may not be terminated, suspended, or waived by the hospital, the Department of Health and  
35 Human Services, or the Governor upon the declaration of a disaster or emergency under Article  
36 1A of Chapter 166A of the General Statutes.

37 (f) No hospital licensed under this Article may require a patient to waive the visitation  
38 rights specified in this section.

39 (g) A hospital licensed under this Article may require a visitor to submit to health  
40 screenings necessary to prevent the spread of infectious diseases, and notwithstanding anything  
41 to the contrary in this section, a hospital may restrict a visitor who does not pass a health screening  
42 requirement or who has tested positive for an infectious disease. A hospital may require a visitor  
43 to adhere to infection control procedures, including wearing personal protective equipment.

44 (h) Each hospital licensed under this Article shall post in a conspicuous place on the  
45 licensed premises informational materials developed by the Department of Health and Human  
46 Services explaining the rights specified in this section."

47 **SECTION 3.** Part I of Article 6 of Chapter 131E of the General Statutes is amended  
48 by adding a new section to read:

49 **"§ 131E-112.5. Patient visitation rights for nursing home residents and combination home**  
50 **residents during a disaster declaration or public health emergency.**

1 Notwithstanding any provision of this Part, Chapter 166A of the General Statutes, or any  
2 other provision of law to the contrary, the patient visitation rights and facility responsibilities  
3 specified in G.S. 131E-79.3 apply to nursing homes and combination homes licensed under this  
4 Part."

5 **SECTION 4.** Article 10 of Chapter 131E of the General Statutes is amended by  
6 adding a new section to read:

7 "**§ 131E-207.5. Patient visitation rights for residents of hospice care facilities during a**  
8 **disaster declaration or public health emergency.**

9 Notwithstanding any provision of this Article, Chapter 166A of the General Statutes, or any  
10 other provision of law to the contrary, the patient visitation rights and facility responsibilities  
11 specified in G.S. 131E-79.3 apply to hospice care facilities licensed under this Article."

12 **SECTION 5.** Part 1 of Article 1 of Chapter 131D of the General Statutes is amended  
13 by adding a new section to read:

14 "**§ 131D-7.5. Patient visitation rights for adult care home residents and special care unit**  
15 **residents during a disaster declaration or public health emergency.**

16 Notwithstanding any provision of this Part, Chapter 166A of the General Statutes, or any  
17 other provision of law to the contrary, the patient visitation rights and facility responsibilities  
18 specified in G.S. 131E-79.3 apply to adult care homes and special care units licensed under this  
19 Article."

20 **SECTION 6.** Article 2 of Chapter 122C of the General Statutes is amended by adding  
21 a new section to read:

22 "**§ 122C-32. Patient visitation rights for residents of residential treatment facilities.**

23 Notwithstanding any provision of this Article, Chapter 166A of the General Statutes, or any  
24 other provision of law to the contrary, the patient visitation rights and facility responsibilities  
25 specified in G.S. 131E-79.3 apply to all facilities licensed under this Article that provide  
26 residential treatment."

27 **SECTION 7.** The Department of Health and Human Services, Division of Health  
28 Service Regulation, shall develop and disseminate to each of the facilities described in Sections  
29 2 through 6 of this act free informational materials explaining the patient rights specified in  
30 G.S. 131E-79.3, as enacted by Section 2 of this act.

31 **SECTION 8.** This act is effective when it becomes law.