

As Reported by the House Health Committee

134th General Assembly

Regular Session

2021-2022

Sub. H. B. No. 324

Representatives Click, Lipps

Cosponsors: Representatives Fowler Arthur, Johnson, McClain, Stoltzfus, Merrin, Ghanbari, John, Gross, Riedel, Young, T., Creech, White, Hall, Ginter, Ferguson, Richardson, Fraizer, Bird

A BILL

To enact section 3727.30 of the Revised Code to 1
permit hospital visitation during a public 2
health emergency or outbreak of a contagious 3
disease, to establish criteria for those visits, 4
and to name this act Shirley and Wilma's Law. 5

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

Section 1. That section 3727.30 of the Revised Code be 6
enacted to read as follows: 7

Sec. 3727.30. (A) During a public health emergency related 8
to the spread of a contagious disease or at any time when a 9
contagious disease is unusually prevalent, a hospital shall 10
permit in-person visitation with hospitalized patients by the 11
patient's family members, caregivers, companions, and clergy 12
persons, and shall make reasonable efforts to conduct those 13
visits in conformity with its visitation guidelines in effect 14
before the emergency was declared or disease prevalence 15
increased. The visitation shall be conducted in such a way to 16
protect the health of hospital patients, staff, and other 17

individuals in the hospital facility. Family members include 18
persons related to the patient by consanguinity or affinity. 19

(B) No public health order issued under section 3701.13, 20
3701.14, 3709.20, or 3709.21 of the Revised Code to control the 21
spread of a contagious disease shall prevent reasonable 22
visitation of a patient by the patient's family members, 23
caregivers, companions, or clergy persons if a patient's 24
condition becomes terminal. Family members include persons 25
related to the patient by consanguinity or affinity. 26

(C) During the emergency or increased prevalence of a 27
contagious disease described under division (A) of this section, 28
a hospital may do all of the following: 29

(1) Require screening of visitors for symptoms of the 30
disease before the visitor enters the hospital facility; 31

(2) Prohibit entry to a visitor who displays or discloses 32
symptoms of the disease and poses a risk to hospital patients, 33
staff, and other individuals in the hospital facility; 34

(3) Require a visitor to visit the patient in the 35
patient's room, if the patient has a single room, or in a 36
designated visitor space and to limit movement throughout the 37
hospital facility; 38

(4) Require a visitor to wear personal protective 39
equipment, perform frequent hand hygiene, maintain appropriate 40
physical distancing, and follow other reasonable safety 41
precautions while in the hospital facility and during visits; 42

(5) Provide visitors with information and warnings about 43
the transmission of the contagious disease, including methods of 44
reducing the transmission risk; 45

(6) Limit the number of visitors seeing a patient at one 46
time, but a hospital shall not limit a patient to only one 47
designated visitor. A hospital shall not count a clergy person 48
towards any limit on the number of visitors permitted to see a 49
patient at one time and shall permit a clergy person to visit 50
with a patient in addition to the permitted number of visitors. 51

(D) The patient, or an individual authorized to make 52
decisions on the patient's behalf, may designate visitors 53
authorized to visit the patient under this section. Those 54
visitors may include the patient's family members, caregivers, 55
companions, and clergy persons. Family members include persons 56
related to the patient by consanguinity or affinity. 57

(E) This section shall not be construed or implemented in 58
such a way as to conflict with federal regulatory guidance 59
relating to the contagious disease that is the subject of the 60
emergency or unusual prevalence described in division (A) of 61
this section, such as guidance issued by the United States 62
centers for medicare and medicaid services or centers for 63
disease control and prevention. 64

Section 2. This act shall be known as Shirley and Wilma's 65
Law. 66