



Physicians Caring for Texans

March 31, 2021

RE: Senate Bill 1195, relating to in-person visitation with hospital patients during certain periods of disaster

Dear Chair Kolkhorst and Senator Paxton,

My name is Debra Patt, MD, and I am an oncologist in Austin. I am also chair of the Texas Medical Association's Council on Legislation. I write to you today representing TMA, an organization of more than 55,000 physician and medical student members.

Thank you for your attention to the important matter of caregiver visitation at hospitals during a public health disaster. Texas physicians have seen, front and center, the devastation COVID-19 has had on the sickest patients – our elderly, frail, and those most vulnerable – over the past year. The devastation has been not only from the infectious disease threat, but also from the sheer toll on admitted patients' mental, physical, physiological, and spiritual health due to isolation from their loved ones.

Over the past year, TMA physicians have witnessed firsthand the challenges this pandemic brought in maintaining a balance of all those areas for patients. So in the summer of 2020, TMA convened organizations representing both acute and long-term care facilities to adopt a joint statement to the governor and the Texas Health and Human Services Commission on the importance of in-person visitation that sought to balance the needs of patients and the threats to others in the facility.

TMA absolutely understands the needle that must be threaded to maintain appropriate infectious disease control while allowing limited visitation for patient mental and emotional support.

We are extremely grateful to Senator Paxton, who is considering collaborative language, and the work produced over several months with Chairman Will Metcalf in the House. Both the Texas Hospital Association and TMA are able to support that revised language. We believe it will achieve the senator's goals to ensure access to loved ones during a public health emergency, and it addresses some of our concerns:

- Giving facilities the ability to limit the volume and frequency of visitation (while permitting at least one visitor),
- Permitting a hospital to deny entry or remove a visitor who refuses to comply with requirements such as health screenings and wearing appropriate personal protective equipment (PPE),

- Requiring PPE to meet standards of the facility,
- Providing for liability protection for physicians and facilities in the event the visitor contracts or transmits a communicable disease, and
- Permitting a facility to quarantine patients who have a communicable disease.

We thank you for your consideration of our comments. If you have any questions, please do not hesitate to contact Troy Alexander, director, TMA Legislative Affairs at troy.alexander@texmed.org or (512) 871-9997.

Sincerely,

A handwritten signature in black ink, appearing to read 'Debra Patt', with a long horizontal line extending to the right.

Debra Patt, MD
Chair, Council on Legislation
Texas Medical Association