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## SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair  
2025 - 2026 Regular Session

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### AB 960 (Garcia) - Patient visitation

**Version:** May 29, 2025

**Urgency:** No

**Hearing Date:** July 14, 2025

**Policy Vote:** HEALTH 11 - 0

**Mandate:** Yes

**Consultant:** Agnes Lee

**Bill Summary:** AB 960 would require a general acute care hospital to allow a patient with physical, intellectual, or developmental disabilities, cognitive impairment, or another disability, to have a family or friend caregiver with them as needed, including outside standard visiting hours, except as specified.

**Fiscal Impact:** The California Department of Public Health (CDPH) estimates annual costs of \$111,000 (Licensing and Certification Fund) for state operations during any event that requires state-wide restrictions on patient visitation due to health or safety concerns. This would cover staffing resources to verify facility compliance with the development of alternate visitation protocols, investigate related complaints, and ensure requirements for visitors are properly established and enforced.

**Background:** The CDPH licenses and regulates health facilities, including general acute care hospitals. Federal requirements for hospitals that participate in Medicare and Medicaid require hospitals to have written policies and procedures regarding the visitation rights of patients “including those setting forth any clinically necessary or reasonable restriction or limitation that the hospital may need to place on such rights.” Establishing visitation hours is permitted as one of the “reasonable restrictions” on visitation rights, as long as it is applied evenly and does not discriminate. State law is consistent with federal law in this regard.

Current state law also requires a health facility to permit a patient’s domestic partner, the children of the patient’s domestic partner, and the domestic partner of the patient’s parent or child to visit, unless one of the following is met: no visitors are allowed; the facility reasonably determines that the presence of a particular visitor would endanger the health or safety of a patient, member of the health facility staff, or other visitor to the health facility, or would significantly disrupt the operations of a facility; or, the patient has indicated that they do not want this person to visit. Current state law states that this provision does not prohibit a health facility from otherwise establishing reasonable restrictions upon visitation, including restrictions upon the hours of visitation and number of visitors.

**Proposed Law:** Specific provisions of the bill would:

- Require a general acute care hospital to allow a patient with physical, intellectual, or developmental disabilities, a patient with cognitive impairment, including dementia, and a patient with another disability, as necessary to allow the patient to fully and equally benefit from any goods, services, or facilities offered by the hospital, to have a family or friend caregiver with them as needed, including outside standard visiting hours, unless any of the following conditions apply:

- The hospital reasonably determines that the presence of a particular visitor would endanger the health or safety of the visitor, a patient, a member of the staff, or other visitor to the hospital, or would significantly disrupt the operations of the hospital; and require that if circumstances require the hospital to restrict visitor access due to health or safety concerns, the hospital must develop alternate visitation protocols, as specified.
- A hospital is not required to permit a visitor who is violent or potentially violent to enter the facility or visit a patient.
- The delivery of medical care would be impeded by the presence of the family or friend caregiver.
- State that the bill's provisions do not prohibit a hospital from otherwise establishing reasonable restrictions upon visitation, including age of visitors, supervision of minor visitors, and number of visitors.
- Allow the hospital to impose legitimate health and safety requirements on visitors, including, but not limited to, requiring masking, excluding sick visitors, limiting access to certain areas of the facility, and prohibiting the visitor from bringing in prohibited items.
- State that the bill's provisions do not create any new civil or criminal liability, including, but not limited to, liability for any illness, infection, or injury experienced by a patient or visitor on the part of a hospital that complies with the requirements.

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