

# DENIAL OF ACCESS (REV 3\_23\_21)

## REFER TO PAGE 2 FOR DENIAL OF ACCESS PROCESS

### SB1606 RULE:

*(SB 1606 Rule) -If a hospital denies a patient's request for a support person's physical presence with the patient, or a portion of such a request, the hospital shall:*

- (A) Immediately notify the patient and the patient's designated support person(s) orally and in writing of the opportunity to request a support care conference to discuss the denial and any parameters for permitting a support person to be physically present.*

### Supporting information:

#### Limitations/Conditions (Page 13)

- Consistent with other state and federal requirements, a hospital may impose conditions for any support person(s) present at the hospital to ensure the safety of the patient, support person(s) and staff.
- If a hospital denies a patient's request for a support person's physical presence with the patient, or a portion of such a request, the hospital shall:
  - A. Immediately notify the patient and the patient's designated support person(s) orally and in writing of the opportunity to request a support care conference to discuss the denial and any parameters for permitting a support person to be physically present.
  - B. Upon request for a support care conference, **conduct a support care conference as soon as possible but not later than 24 hours after admission or prior to a procedure or operation.**
- Following a support care conference, the hospital shall document the decision and any reasons for the limitation, restriction, additional precautions or prohibition in the treatment plan.
- If a support care conference does not occur, the hospital shall document in the treatment plan why the support care conference did not occur.

#### Support Care Conference

Means a meeting in person, by telephone, or electronic media, that includes a representative from the patient's hospital care team, the patient, the patient's legal representative (if applicable), and the patient's designated support person(s). The support care conference must include discussion of denial and any parameters for permitting a support person to be physically present with the patient including but not limited to any limitations, restrictions, or additional precautions that may be implemented for the safety of the patient, support person, and hospital staff.

#### Limitation/Conditions (Page 14)

A hospital may refuse to allow the presence of a designated support person who refuses or fails to comply with conditions imposed by the hospital or remove a designated support person from a procedure room, operating room, or other area where generally only patients and hospital staff are allowed, if necessary to ensure the safety of the patient, support person or staff.

- (b) The hospital shall ensure that another designated support person is permitted to be physically present with the patient if otherwise consistent with this rule.

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## PROCESS:

### **Roles & Responsibilities:**

- The House Supervisor will be notified if it is deemed necessary to deny a support person's access to "*any limitations, restrictions, or additional precautions that may be implemented for the safety of the patient, support person, and hospital staff.*"
  - The House Supervisor informs the Patient and Support Person of the denial.
  - A "Letter of Denial" will be issued stating they have the right to request a Support Care Conference. An email or US Mail may be needed if the Support Person is not available.
  - The conversation and presentation of the Letter of Denial will be documented in the Patient's *Significant Event* EHR note.
- If the Patient or Support Person request a **Support Conference:**
  - The House Supervisor shall:
    - Document the request in *Significant Event Note* which starts a 24-hour clock to perform the conference
    - Contacts the Care Management Team
    - If after hours, the House Supervisor will need to hold the Support Care Conference or find resources to assist (to meet the 24-hour requirement)
  - The Care Management Team:
    - Schedules a meeting with the House Supervisor, Department Manager, and appropriate members of Patient Care Team (Surgeon, Anesthesiologist, etc.) to review the SB 1606 Rules and this situation
    - Contacts the Patient and Support Person to schedule a time and method of the conference (Patient Room, Conference Room, Zoom or Teams call, Audio conference call).
    - Holds the conference (within 24 hours of request) with at least one Caregiver.
    - Following a Support Care Conference, the hospital (Patient Care Team) shall document the decision and any reasons for the limitation, restriction, additional precautions, or prohibition in the treatment plan.
    - If a Support Care Conference does not occur, the hospital (Patient Care Team) shall document in the *Significant Event* EHR note why the Support Care Conference did not occur.