

	Resident Rights	Issue Date: 11/2016
	Resident Right to Access and Visitation	Revised: 4/2018; 11/2023

Policy

It is the policy of this Community to support and facilitate the resident's right to receive visitors of his or her choosing, at the time of his or her choosing, subject to the resident's right to deny visitation when applicable, and in a manner that does not impose on the rights of another resident. The Executive Director of the Community shall ensure that team members adhere to this policy on behalf of the residents.

Responsible Persons:

Executive Director or designee
Wellness Director or designee

Procedure

1. The Community must provide immediate access to any resident by:
 - a. Any representative of the Agency for Health Care Administration (AHCA);
 - b. Any representative of the Federal or State government, including, but not limited to:
 - i. representatives of the Department of Children and Families,
 - ii. the Department of Health,
 - iii. the Agency for Health Care Administration,
 - iv. the Office of the Attorney General, and
 - v. the Department of Elderly Affairs;
 - c. Any law enforcement officer;
 - d. Any representative of the State Long Term Care Ombudsman Program;
 - e. The resident's individual physician;
 - f. Any representative of AHCA responsible for the protection and advocacy system for the developmentally disabled individuals;
 - g. Any representative of the AHCA responsible for the protection and advocacy system for individuals with mental disorder;
 - h. The resident representative.
2. Subject to the resident's right to deny or withdraw consent at the time, the Community must provide immediate access to a resident by immediate family and other relative of the resident.
3. Subject to the resident's right to deny or withdraw consent at any time, the Community does not limit the length of the visit. However, arrangements must be made by the resident with the Community for overnight visitors or visitors staying more than one night.
4. The Community must allow representatives of the State Long-Term Care Ombudsman Program to examine a resident's clinical records with the permission of the resident or the resident's legal representative and in accordance with State law.
5. The Community must provide immediate access to a resident by others who are visiting with the consent of the resident, subject to reasonable clinical and safety restrictions and the resident's right to deny or withdraw consent at any time.
6. The Community will inform each resident and/or resident representative of his or her visitation rights and related Community policies and procedures, including any clinical or safety restriction or limitation of such rights, in a manner he or she understands.
7. The Community will inform each resident of the right, subject to his or her consent, to receive the visitors whom he or she designates as well as deny visitation, including but not limited to:
 - a. A spouse, including a same-sex spouse;
 - b. A domestic partner, including a same-sex domestic partner;
 - c. Another family member;

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- d. A friend.
8. The Community will not restrict, limit, or otherwise deny visitation privileges based on race, color, national origin, religion, sex, gender identity, sexual orientation, or disability.
9. Subject to the resident's right to deny or withdraw consent at the time, the Community must allow consensual physical contact between a resident and a visitor.
10. The Community will ensure all visitors enjoy full and equal visitation privileges consistent with resident preferences.
11. The Community shall provide 24-hour access to relative and non-relative visitors who are visiting with the consent of the resident. The Community shall make provisions to extend visiting hours for caregivers and out-of-town guests and in other similar situations. These visitors are subject to reasonable restrictions, which may include:
 - a. Those restrictions imposed by the Community that protect the security of all the Community's residents, such as keeping the Community locked at night;
 - b. Denying access or providing limited and supervised access to a visitor if that individual has been found to be abusing, exploiting, or coercing a resident;
 - c. Denying access to a visitor who has been found to have been committing criminal acts such as theft;
 - d. Denying access to visitors who are inebriated and disruptive;
 - e. Denying access to visitors who violate the Community's Policies and Procedures;
 - f. Establishing reasonable visitation hours to facilitate care giving for the resident or to protect the privacy of other residents, such as requiring that visits not take place in the resident's room if the roommate is asleep or receiving care;
 - g. Changing the location of visits to assist care giving or protect the privacy of other residents, if these visitation rights infringe upon the rights of other residents in the Community.
12. Resident may designate a visitor who is a family member, friend, guardian, or other individual as an essential caregiver. The Community must allow in-person visitation by the essential caregiver for at least two (2) hours daily in addition to any other visitation offered by the Community. This section does not require an essential caregiver to provide necessary care to a resident of the Community, and the Community may not require the essential caregiver to provide such care.
13. In-person visitation must be allowed in all of the following circumstances:
 - a. End-of-life situations;
 - b. To a resident who was living with family before coming to the Community and is struggling with the change in environment and lack of in-person family support;
 - c. The resident is making one or more major medical decisions;
 - d. The resident is experiencing emotional distress or grieving the loss of a friend or family member who recently died;
 - e. The resident needs cueing or encouragement to eat or drink which was previously provided by a family member or caregiver; and
 - f. For a resident who used to take and interact with others that is seldom speaking.
14. In order to prevent the spread of infections and pursuant to the Community's Infection Control Standard Precautions and Prevention, visitors are asked to use their discretion when visiting a resident concerning their personal health status. A health status screening sheet is provided for visitors to review prior to visiting a resident in order to help the visitor discern if they should enter the Community.
15. Visitors are asked:
 - a. To consider washing their hands and/or using hand sanitizer prior to visiting with a resident

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- b. To consider wearing a mask or other equivalent personal protection equipment if visitor has a cough or cold to protect the health of the residents.
 - c. To consider temporarily refraining from visiting a resident if visitor has a fever.
- 16. The Community does not require visitors to submit proof of any vaccination or immunization.
- 17. The Community does not restrict the number of visitors a resident may have at one time or during a particular period. However, the visitors are subject to the reasonable restrictions listed in No. 11, above.