

# Tool- Visitation Rights Policy and Procedure Checklist

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## Tool: VISITATION RIGHTS POLICY AND PROCEDURE CHECKLIST

**483.10 (f)(4):** The resident has a 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.

### Purpose and Intent of 483.10 (f)(4)

The purpose of the visitation rights policy and procedure is to develop guidelines for residents identifying visitation rights of not only family, but friends, health care representatives, and representatives of the State as noted in the regulation.

To assure that the individual facility has followed all the required steps for the development and implementation of a comprehensive visitation rights policy and procedure in accordance to the new Requirements of Participation (RoP), the following checklist captures specific action items for successful completion. The far left column represents the actual Requirements of Participation (RoP) language and the right column indicates specific leadership strategies for successful completion and implementation of the revised RoP. When preparing updated policies and procedures, it is recommended to include actual RoP language as applicable. Please note that CMS has not issued its interpretative guidance for the new Requirements of Participation (RoP), therefore additional updates may be necessary once the guidance is released.

### Suggested Checklist: Visitation Rights Policy and Procedure

Regulation	Recommended Actions
<p>483.10(f)(4)(i)The facility must provide immediate access to any resident by:</p> <p>(A) Any representative of the Secretary,            (B) Any representative of the State,            (C) Any representative of the Office of the State long term care ombudsman, (established under section 712 of the Older Americans Act of 1965, as amended 2016 (42 U.S.C. 3001 et seq.),            (D) The resident’s individual physician            (E) Any representative of the protection and advocacy systems, as designated by the state, and as established under the</p>	<p><input type="checkbox"/> Update visitation rights policy and procedure with new regulatory language, including opportunities for privacy and resident preferences, 24-hour visitation rights, and the inclusion of “reasonable restrictions.” Update language to include the new resident representative definition and terminology.</p> <p><input type="checkbox"/> On admission provide the resident with Policy and Procedure for “Visitation Rights”</p>



Regulation	Recommended Actions
<p>Developmental Disabilities Assistance and Bill or Rights Act of 2000 (42 U.S.C. 15001 et seq), (F) Any representative of the agency responsible for the protection and advocacy system for individuals with mental disorder (established under the Protection and Advocacy for Mentally Ill Individuals Act of 2000 (42 U.S.C. 10801 et seq.) and (G) The resident representative</p>	<p><input type="checkbox"/> Review current postings, admission agreements, and resident council charter related to visitation rights to include current state specific MI and ID advocacy information – including appeal rights</p>
<p>(ii) The facility must provide immediate access to a resident by immediate family and other relatives of the resident, subject to the resident’s right to deny or withdraw consent at any time;</p>	<p><input type="checkbox"/> Educate residents, resident representatives, resident council, families, and other visitors of the facility’s visitation policy. Determine education process – internal, external and via contractual agreements.</p>
<p>(iii) The facility 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;</p>	<p><input type="checkbox"/> Update visitation rights policy and procedure with new regulatory language, including immediate access to a resident with consent as well as consent of the resident and access language</p>
<p>(iv) The facility must provide reasonable access to a resident by any entity or individual that provides health, social, legal, or other services to the resident, subject to the resident’s right to deny or withdraw consent at any time; and</p>	<p><input type="checkbox"/> Update policy and procedure to establish guidelines regarding circumstances of “reasonable access” such as location. Include resident’s right to deny or withdraw consent.</p>
<p>(v) The facility must have written policies and procedures regarding the visitation rights of residents, including those setting forth any clinically necessary or reasonable restriction or limitation or safety restriction or limitation, when such limitations may apply consistent with the requirements of this subpart, that the facility may need to place</p>	<p><input type="checkbox"/> Review and revise visitation rights policy and procedure to include examples of limitations on visitation including updated regulatory language.</p> <p><input type="checkbox"/> Review with the Medical Director those potential clinically necessary or reasonable restrictions, safety restrictions that may</p>

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Regulation	Recommended Actions
<p>on such rights and the reasons for the clinical or safety restriction or limitation.</p>	<p>apply to determine potential inclusion in the facility Policy and Procedure. May include specific infection control standards related to outbreaks and exposure.</p>
<p>(vi) A facility must meet the following requirements:</p> <p>(A) Inform each resident (or resident representative, where appropriate) of his or her visitation rights and related facility policy and procedures, including any clinical or safety restriction or limitation on such rights, consistent with the requirements of this subpart, the reasons for the restriction or limitation, and to whom the restrictions apply, when he or she is informed of his or her other rights under this section.</p> <p>(C) Not restrict, limit, or otherwise deny visitation privileges based on race, color, national origin, religion, sex, gender identity, sexual orientation, or disability.</p> <p>(D) Ensure that all visitors enjoy full and equal visitation privileges consistent with resident preferences</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Provide pamphlet covering visitation policies incorporated as part of the admission packet.</li> <li><input type="checkbox"/> Update visitation rights policy and procedure with new regulatory language on providing equal visitation consistent with resident preferences.</li> <li><input type="checkbox"/> Review visitation postings to include and reflect updated regulatory requirements</li> <li><input type="checkbox"/> Review and update resident admission agreement</li> <li><input type="checkbox"/> Review and update Resident Council charter if applicable</li> <li><input type="checkbox"/> Update employee education and orientation related to new requirements</li> <li><input type="checkbox"/> Update volunteer and vendor visitation policies and procedures to reflect new regulatory language</li> <li><input type="checkbox"/> Update grievance policy to included role of Grievance Official related to visitation concerns</li> </ul>



The below areas serves as a cross reference for facility leaders to conduct addition policy and procedure review across departments to incorporate the changes set forth in **483.10 (f)(4)** visitation rights processes and procedures. This listing is not all encompassing however should serve as a resource for leaders as they update their internal policies, procedures and operational processes.

- Resident Rights
- Visitation Policy and Procedures
- Visitation Postings
- CMS Definitions
- Admission Agreement
- Employee Orientation
- Annual Training Requirements
- Quality Assurance and Performance Improvement
- Grievance Policy and Procedure
- Medical Director Policies and Procedures related to restrictions/access
- Infection Control Program related to potential access/ restrictions
- Resident Rights posters to reflect updated requirements

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