



Patient Visitation and Representation Rights

Chapter: Rights and Responsibilities

Policy Number: RI 56

Origination Date: 7/24/2012

Last Revised: 3/15/2022

Policy

Steward Hospitals will ensure all patients coming to the Hospital have equal visitation privileges consistent with patient preferences. Visitation shall only be restricted when it has been determined to be clinically necessary (see Justified Clinical Restrictions). Visitation rights include the right, subject to patient consent, to receive the visitors whom h/she designates, including, but not limited to, a spouse, a domestic partner (including a same-sex domestic partner), another family member or friend, and the right to withdraw or deny such consent at any time. Visitors shall not be restricted, limited or otherwise denied on the basis of race, color, national origin, religion, sex, gender identity, sexual orientation or disability.

Definitions

Justified Clinical Restrictions: any clinically necessary or reasonable restriction or limitation imposed by the Hospital to ensure safe care to patients. A Justified Clinical Restriction may include, but need not be limited to, one or more of the following:

- a court order limiting or restraining contact
- behavior presenting a direct risk or threat to a patient
- behavior disruptive of the functioning of the patient care unit
- reasonable limitations on the number of visitor at any one time
- patient's risk of infection by a visitor
- visitor's risk of infection by the patient
- extraordinary protections because of pandemic or infectious disease outbreak
- substance abuse treatment protocols requiring restricted visitation
- patient's need for privacy and rest
- need for privacy and rest by another individual(s) sharing the room
- When patient is undergoing a clinical intervention or procedure and the treating health care professional believes it is in the patient's best interest to limit visitation during the clinical intervention or procedure.

Patient: an individual waiting or under medical care and treatment regardless of location of care (inpatient or outpatient).

Support Person: a family member, (spouse, adult child, domestic partner (including a same-sex domestic partner), parent, adult sibling or other responsible relative) friend or other individual who is at the Hospital to support the patient during the course of the Patient's stay and may exercise the patient's visitation rights on the patient's behalf if the patient is unable to do so. Such individual may but need not be an individual legally responsible for making medical decisions on the patient's behalf.



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Procedure

A. Statement of Patient Visitation Rights

The Hospital shall inform each patient (or his/her Support Person, when appropriate) in writing: at the time that care is being provided of his or her Patient Rights which includes information specific to Visitation Rights.

B. Selection of Visitors

The Hospital shall accept verbal confirmation from a patient of individuals who should be admitted as visitors of the patient and individuals who should be denied visitation rights. The Hospital may record such information in the patient's medical record for future reference. In the event the patient is a minor, the legal parent of the minor shall be given the opportunity to verbally designate the individual's permitted to visit the minor patient.

C. Selection of Support Person

A patient may verbally designate a Support Person to exercise the patient's visitation rights on his/her behalf, if for some reason the patient is no longer able to do so. Upon such designation by a patient, the legal status of the relationship between the patient and the designated Support Person shall be irrelevant. This designation of an individual as the patient's Support Person however does not extend to medical decision making. In the event the patient is unable to exercise his/her visitation rights, the Hospital shall recognize the Support Person's verbal directive as to who should be or should not be visiting the patient only.

D. Incapacitated Patients

In the event a patient is unable to designate a Support Person to exercise the patient's visitation rights, the Hospital may consider individuals to support designation of appropriate visitors. The following persons, who are most commonly known as representatives of the patient, may be considered:

1. Patient's Health Care Proxy
2. Patient's Legal Guardian
3. Surrogate decision maker which includes spouse, adult child, parent, sibling, grandparent, aunt, uncle or cousin
4. Individual who has shared residence
5. Individual who has shared ownership of property or business
6. Acknowledgement of a committed relationship
7. Written documentation of the patient's chosen individual(s) even if it is not legally recognized.



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E. Justified Clinical Restrictions on Patient’s Visitation Rights

When the Hospital identifies restricted visitation rights, explanation to the patient and/or Support Person (when applicable) must include reasons for the restrictions or limitations inclusive of the Hospital’s responsibility to protect the health and safety of all patients.

F. Complaints

If any patient and/or Support person believes that his/her visitation rights have been violated, they may file a complaint using the Hospital’s internal complaint management process. Any member of the Hospital staff including the Hospital Patient Advocate will be able to support resolution of the patient complaint. Information specific to the complaint process will be available in the Patient Rights document. See Hospital policy Complaints and Grievances

References

CMS Conditions of Participation 42 CFR § 482.13(h), effective January 2011

The Joint Commission, 2022 Comprehensive Accreditation Manual, Standards: RI.01.01.01, EP28, RI 01.07.01

NIAHO Accreditation Requirements, Revision 18-2, PR.2, SR.12

Review and Approval

The following Steward Health Care System personnel originated and approved this policy:

Date	Contact	Approved By	Description
7/24/2012	Quality and Safety	Steward Clinical Excellence Committee	New
7/14/2015	Quality and Safety	Steward Clinical Excellence Committee	Updated references
9/11/2018	Quality and Safety	Steward Clinical Excellence Committee	Updated references
8/6/2019	Risk Manager	Risk Managers, Steward Clinical Excellence Committee	Updated formatting, added and updated references
3/15/2022	Risk Manager	Corporate Risk Management and Patient Safety, Steward Clinical Excellence Committee	Updated section F. Changed Grievances to Complaints. Removed F1.

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FLORIDA MEDICAL CENTER HOSPITAL ADDENDUM	Addendum Origination Date: 9/21/2022 Last Revised:

Hospital Procedure

System policy has been adopted with the following variation:

Hospital visiting hours and guidelines will be posted on the hospital’s website. Visitors under the age of 18 must be accompanied by an adult other than the patient. Visitors to the Intensive Care Units must be 12 years of age or older.

In the event the hospital suspends in-person visitation, the following circumstances for in-person visitation in the State of Florida is allowed unless the patient objects:

1. End-of-life situations.
2. Patient struggling with the change in environment or lack of in-person family support.
3. Patient making one or more major medical decisions.
4. Patient is experiencing emotional distress or grieving the loss of a friend or family member who recently died.
5. Patient needs cueing or encouragement to eat or drink which was previously provided by a family member or caregiver.
6. Patient who used to talk and interact is seldom speaking.
7. Childbirth, including labor and delivery
8. Pediatric patients.

The patient support person or essential caregiver is allowed in-person visitation for at least two (2) hours daily in addition to any visitation.

Consensual physical contact is allowed between the patient and visitor; however, restrictions or limitations may be warranted to protect the health and safety of all patients, visitors, and healthcare team.

To ensure the health and safety of all patients, the hospital may require visitors to adhere to infection control protocols, including self-screening assessment, sanitize hands on arrival, before entering the patient’s room and upon leaving the patient’s room, wear hospital approved mask covering nose and mouth, wear other personal protective equipment as deem applicable by the hospital based on CDC guidelines. Only visit the patient room; do not visit other areas of the hospital.

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Additional State or Local References

Florida Statute 408.823, In-person Visitation, April 6, 2022.

Review and Approval

The following Florida Medical Center personnel has reviewed and approved this policy and addendum:

Action Date	Contact	Approved by	Description
9/21/2022	CNO / Infection Control Director	POMC - 9/12/2022 SLT - 9/12/2022 Medical Operations Committee – 9/12/2022 Medical Executive Committee – 9/21/2022	New Steward policy adopted with hospital addendum. <u>Addendum outlines:</u> -Location of visiting hours and guidelines added. -Age guidelines added. -State of Florida In-person Visitation requirements added.