

# Visitation rights

Encompass Health Rehabilitation Hospital of Utah  
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## Purpose

To outline the procedures to be followed to ensure the visitation rights of patients; set forth any clinically necessary restrictions or limitations that may be needed to be placed on such rights in order to advance the care, safety and well-being of patients and visitors; and define the procedures for designation of a support person for the patient.

## Responsibility

Hospital Governing Body

## Policy

The hospital shall adopt policies and procedures regarding the visitation rights of patients, which will include routine visitation hours (including any exceptions), any clinically necessary or reasonable restrictions or limitations that the hospital may need to place on such rights and the reasons for the clinical restriction or limitations. The procedure for informing the patient or support person of visitation rights upon admission will be outlined in the hospital policy. These policies will be consistent with the *Medicare Hospital Conditions of Participation (CoPs)* as described in *42 CFR, Part 482.13*.

The hospital will not restrict, limit, or otherwise deny visitation privileges on the basis of race, color, national origin, religion, sex, gender identity, sexual orientation, or disability. All visitors will be treated equally in keeping with visitation privileges consistent with patient preferences.

Children under the age of 16 must be accompanied by an adult other than the patient. Children cannot be left in the care of a patient.

A patient who believes that his or her visitation rights have been violated may file a complaint utilizing the hospital's grievance process.

- I. The hospital must have a process for informing each patient (or support person, where appropriate) of their rights to:
  1. Visitation, including any clinical restriction or limitation on such rights
  2. Designate a support person (support person could be friend, family member, or other individual who is there to provide support to the patient during the course of stay)

3. Receive visitors including, but not limited to, a spouse, domestic partner regardless of sex, other family member, or friends
4. Restrict, withdraw or deny such consent for visitation at any time

II. Hospital may limit/restrict visitation based on:

1. Any valid court order limiting or restraining contact
2. Behavior presenting a direct risk to the patient, the hospital staff, and others in the immediate area
3. Behavior destructive of the functioning of the patient care area
4. Patient's risk of infection by the visitor
5. Visitor's risk of infection by the patient
6. Extraordinary precautions because of a pandemic or infectious disease outbreak
7. Substance abuse protocols requiring restricted visitation
8. Patient's need for privacy or rest
9. Need for privacy or rest of another patient in shared room
10. Patient care treatment
11. The potential to interfere with the care of other patients
12. Requests by the patient, other patient or hospital safety concerns

III. The patient may designate his or her support person in various ways, such as:

1. Oral designation of a support person is sufficient in most cases
2. When the patient is incapacitated and two or more individuals claim to be the patient's support person, documentation may be utilized to indicate a relationship such as:
  - Shared residence
  - Financial interdependence
  - Marital/relationship status
  - Acknowledgement of a committed relationship, advance directives, powers of attorney, etc.
3. State laws governing visitation, designation of support persons, or any related topic should be followed, if such laws provide for rights more expansive than, or are otherwise not inconsistent with, *Federal CoPs*.

## References

Code of Federal Regulations, 42 CFR 482. 13(h) 42 CFR 485(f)

## Procedure

1. Hospital visitation hours are Monday through Friday, 0800 to 2000. Exceptions to those hours are made on a case by case basis should a clinical or practical need arise.
2. At the time of admission, the patient (or agent, if appropriate) is informed of the hospital's normal visiting hours as outlined in the "Visitation Rights and Guidelines" document, including the patient's rights to:

- visitation, including any clinical restriction or limitation on such rights.
  - designate a support person (friend, family member or other individual who is there to provide support to the patient during the course of the stay).
  - receive visitors including, but not limited to, a spouse, domestic partner regardless of sex, other family member, or friends.
  - restrict, withdraw or deny such consent for visitation at any time.
  - the right to agree or object to the hospital sharing directory and schedule information (via the language in the consent to treatment).
3. While it is not required that a patient provide the hospital with a list of persons who are permitted to visit the patient, patients may designate Support Person(s) or otherwise make visitor wishes or restrictions known at the time of admission with changes anytime during the hospitalization.
4. The CEO is responsible for ensuring that adherence to the policies and procedures.

### **Infection Control Visitation Considerations, per Utah H.B. 133, section 26-21-36**

Encompass Health Rehabilitation Hospital of Utah has Infection Control Policies to protect patients, visitors, and staff. Education is provided to visitors and personal protective equipment is available when necessary for infection control. If there are concerns with visitation limitations due to a contagious pathogen and ongoing isolation precautions, the hospital will communicate that to the patient or designated representative. Additional procedures:

- The Infection Preventionist is responsible for ensuring staff adhere to Infection Prevention policies and procedures.
- The patient or the patient's personal representative may designate one individual as a primary visitor with unlimited visits. The hospital does not limit numbers of visitors per day. Patients may have up to 3 visitors at any time during regular visitation hours.
- Encompass Health Rehabilitation Hospital of Utah will not require a visitor or primary visitor to comply with infection control measures that are more restrictive than the infection control measures the health care facility requires of the health care facility's staff or require a visitor or primary visitor to show proof of vaccination or immunization status. The hospital will not prohibit physical contact between the visitor and the patient the visitor is visiting or deny the visitor access to the patient unless the patient's physician determines it is not safe for the health and well-being of the patient.
- Consensual physical contact between a resident, client, or patient and the visitor is permitted.
- Encompass Health Rehabilitation Hospital of Utah may exclude certain areas of the facility from visitor access and may require a visitor to agree in writing to follow the hospital's visitation policies and procedures. The hospital may refuse in-person visitation for a visitor if they violate the hospital's visitation policies and procedures or if the patient is receiving treatment or is undergoing a procedure that would be impeded by visitation.
- Encompass Health Rehabilitation Hospital of Utah may deny visitation for a visitor if the patient or personal representative objects to the visit or if it is prohibited by law, the patient is in the custody of the state or the hospital determines it creates a physical safety risk to the patient, visitor, or staff; is counter therapeutic to the

patient's well-being or is disruptive to the patient's care or treatment.

- The hospital will provide the health department with a copy of this policy upon the department's request. The hospital makes its policy available on the hospital website.