

# Visitation rights

Encompass Health Rehabilitation Hospital of Shreveport  
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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, unless otherwise directed by state law. 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

This policy will comply with the visitation policies as outlined in the State of Louisiana Act 367 (HB 291).

Louisiana Act 367 requires each licensed facility to outline in-person and clergy visitation requirements. A copy of this policy must be uploaded to the hospital website homepage.

1. All patients 18 years or older may designate their in-person visitors.

2. Clergy members will be allowed to visit patients during a public health emergency, whenever a patient requests the visit.
3. Patients, clergy members and visitors have the right to consensual, nonsexual physical contact.
4. Clergy members and visitors will not be required to submit proof of any vaccination or immunization.
5. Special consideration will be given to patients receiving end-of-life care.
6. Each facility must submit a written copy of its visitation policy and procedures to the Health Standards Section of the Louisiana Department of Health at the initial licensure survey. After licensure, the facility must make its visitation policy and procedures available upon licensure renewal.
7. Each facility must make its policy easily accessible from the homepage of its website.