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POLICY Number: GA-001-350

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## Visitation Policy

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### Purpose

Establish a visitation policy that promotes safe, secure, and supportive healing environment for patients during their hospital stay. This policy specifically differentiates between support person/essential caregiver, visitor, and family.

Ensure that all visitors of patients in Broward Health's Hospitals enjoy equal visitation privileges consistent with patient preferences and subject to the Hospital's Justified Clinical Restrictions.

Broward Health does not restrict, limit the number of visitors a patient may have, or otherwise deny visitation privileges on the basis of race, color, socioeconomic status, national origins, religion, sex, gender, gender identity or expression, sexual orientation or disability. Visitors cannot be compelled to provide proof of vaccination or immunization status.

I.

### II. Definitions

- A. Justified Clinical Restrictions - means any clinically necessary or reasonable restriction or limitation imposed by the Hospital on a patient's visitation rights which restriction or limitation is necessary to provide safe care to patients. The hospital may suspend in-person visitation of specific visitors under certain circumstances. A Justified Clinical Restriction may include, but need not be limited to one or more of the following: (i) a court order limiting or restraining contact; (ii) behavior presenting a direct risk or threat to the patient, Hospital staff, or others in the immediate environment; (iii) behavior disruptive to the functioning of the patient care unit; (iv) reasonable limitations on the number of visitors at any one time; (v) patient's risk of infection by the visitor; (vi) visitor's risk of infection by the patient; (vii) extraordinary protections because of a pandemic or infectious disease outbreak; (viii) substance abuse treatment protocols requiring restricted visitation; (ix) patient's need for privacy or rest; (x) need for privacy or rest by another individual in the patient's shared room; or (xi) 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.
- B. Patient - means anyone who presents to the hospital for care and treatment.
- C. Support Person/Essential Caregiver - means a family member, 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 patient's behalf if he/she 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.
- D. Family – The word "family" refers to two or more persons who are related in any way biologically, legally, or emotionally. Patients define their "families". When a patient has designated a support person and becomes incapacitated, the designated support person will provide this definition. Family members are the people who provide the primary physical, psychological, or emotional support for the patient and may not necessarily be blood relatives. Family members may include spouses, domestic partners (including same-sex and different-sex

partners), friends, or other individuals. Family members are encouraged to participate in the patient's care and treatment and to support the patient during the healing process. "Family" includes a minor patient's parents, regardless of the gender of either parent. Parents are defined as the legal parents, foster parents, same-sex parent, stepparents, and other persons operating in caretaker roles.

E. Visitors – Visitors are guests of the patient or family. In some cases, a relative may be defined by the patient as a visitor. Visitors are encouraged to visit during the Hospital's visiting hours during the specified times identified by each unit. Such restrictions apply to patient visitors and not the patient's "support person/essential caregiver".

F. Philosophy

The diagnosis and treatment of illness and disease can result in a range of stressful circumstances and changes for patients as well as for families and significant others. Most patients and families require assistance and support at different times and in different ways from people important to them. Many times, individuals who know the patient best may help to communicate vital personal health information that the patient is unable to recall or articulate to the hospital staff. The benefits of ensuring the protection of a patient's rights to define their primary support system include greater patient participation, an improved working relationship between the hospital staff and family members, a more positive patient experience, and positive health outcomes for the patient.

III. Policy

A. Statement of Patient Visitation Rights

Upon presentation to the hospital each patient (or his/her Support Person/Essential Caregiver) will be informed in writing of their visitation rights including; (i) patient's right to receive the visitors whom he or she delegates, including, but not limited to, a spouse, a domestic partner (including a same sex domestic partner), another family member, or a friend; (ii) patient's right to withdraw or deny such consent at any time; (iii) Justified Clinical Restrictions which may be imposed on a patient's visitation rights; (iv) all visitors designated by the patient (or Support Person when appropriate) shall enjoy full and equal visitation privileges consistent with patient preferences. Including the allowance of consensual physical contact between a patient and a visitor. Broward Health does not restrict, limit, or otherwise deny visitation privileges based on race, color, socioeconomic status, national origins, religion, sex, gender, gender identity or expression, sexual orientation, or disability.

NOTE: Broward Health does not allow minor children to stay overnight except under extraordinary circumstances. The lack of childcare is not considered an extraordinary circumstance.

B. Selection of Support Person/Essential Caregiver

A patient may verbally designate a Support Person/Essential Caregiver to exercise the patient's visitation rights on his or her behalf should the patient be unable to do so. A Support Person/Essential Caregiver may visit at least 2 hours per day. Upon such designation by the patient, the legal status of the relationship between the patient and the designated Support Person/Essential Caregiver shall be irrelevant. This designation of an individual as the patient's Support Person/Essential Caregiver however does not extend to the medical decision making. In the event the patient is unable to exercise his or her patient visitation rights, the Hospital shall recognize the Support Person/Essential Caregivers verbal directive as to who should be admitted as visitors of the patient and who should be denied visitation rights with respect to such patient. When a patient is incapacitated and no primary support person has been previously designated, Florida's Proxy Statute would establish who has the right to designate the support person.

C. Selection of Visitors

The Hospital shall accept verbal confirmation from a patient regarding individuals who should be admitted as visitors of the patient and individuals who should be denied visitation rights. In the event that there is a dispute or conflict regarding visitation, the hospital will record the patient's and/or Support Person/Essential Caregiver wishes. If the patient is minor, the legal parent of the minor shall be given the opportunity to verbally designate the individuals permitted to visit the minor patient. Visitors may be screened to ensure they are safe to visit from an infection control

- perspective. Visitors may be provided education on infection control practices i.e., hand washing, covering a cough, wearing personal protective equipment.
- D. Broward Health will allow in-person visitation in all of the following circumstances unless the patient objects:
1. End-of-life situations.
  2. A patient who was living with family before being admitted to the provider's care is struggling with the change in environment and lack of in-person family support.
  3. A patient is making one or more major medical decisions.
  4. A patient is experiencing emotional distress or grieving the loss of a friend or family member who recently died.
  5. A patient needs cueing or encouragement to eat or drink which was previously provided by a family member or caregiver.
  6. A patient who used to talk and interact with others is seldom speaking.
  7. Childbirth, including labor and delivery.
  8. Pediatric patients.
- E. The Regional Risk Manger is responsible for staff adherence to visitation policies and procedures.

#### IV. Related Policies

N/A

#### V. Regulation/Standards

- A. CMS Conditions of Participation 42 CFR §482.13(a)(1), 42 CFR §482.13(h)(2), 42 CFR §482.13(h)(3)
- B. The Joint Commission RI.01.01.01
- C. FS Section 408.823 "No Patient Left Alone Act"

#### VI. References

- A. CMS Conditions of Participation 42 CFR §482.13(a)(1), 42 CFR §482.13(h)(2), 42 CFR §482.13(h)(3)
- B. The Joint Commission RI.01.01.01, LD.04.01.01
- C. FS Section 408.823 "No Patient Left Alone Act"

#### Interpretation and Administration

Interpretation and Administration is the responsibility of the President / Chief Executive Officer.