



The National

CONSUMER VOICE

_____ for Quality Long-Term Care

Visitation and the Holidays

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Resident Rights 42 CFR § 483.10

- ▶ **(f) *Self-determination***. The resident has the right to and the facility must promote and facilitate resident self-determination through support of resident choice, including but not limited to the rights specified in paragraphs (f)(1) through (11) of this section.
- ▶ **(1)** The resident has a right to choose activities, schedules (including sleeping and waking times), health care and providers of health care [services](#) consistent with his or her interests, assessments, [plan](#) of care and other applicable provisions of this part.
- ▶ **(2)** The resident has the right to make choices about aspects of his or her life in the facility that are significant to the resident.
- ▶ **(3)** The resident has a right to interact with members of the community and participate in community activities both inside and outside the facility.

Visitation

(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.

- ▶ (i) The facility must provide immediate access to any resident by—
 - ▶ (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 [Developmental Disabilities Assistance and Bill of 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 a 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](#).

Visitation

- ▶ **(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;
- ▶ **(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;
- ▶ **(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
- ▶ **(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 on such rights and the reasons for the clinical or safety restriction or limitation.

Visitation

- ▶ **(vi)** A facility must meet the following requirements:
 - ▶ **(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.
 - ▶ **(B)** Inform each resident of the right, subject to his or her consent, to receive the visitors whom he or she designates, including, but not limited to, a spouse (including a same-sex spouse), a domestic partner (including a same-sex domestic partner), another [family member](#), or a friend, and his or her right to withdraw or deny such consent at any time.
 - ▶ **(C)** Not restrict, limit, or otherwise deny visitation privileges on the basis of race, color, national origin, religion, sex, gender identity, sexual orientation, or disability.
 - ▶ **(D)** Ensure that all visitors enjoy full and equal visitation privileges consistent with resident preferences.

HOLIDAY TIPS

https://theconsumervoice.org/uploads/files/actions-and-news-updates/Tips_for_Visiting_Residents_from_the_Consumer_Voice.pdf

Tips and Activities

Ways to Engage

Gift Ideas



▶ Staying Safe!



Infection Prevention

- If you're sick, stay home
- If you're under the weather, mask
- Wash your hands
- Help residents who want to access vaccines
- Pay attention to what's going on in the facility

Involve the Community



- ▶ Build community inside the facility
- ▶ Engage with community outside facility
- ▶ Invite the community into the facility



▶ Time for Conversation

