

Policy: RI-013	Date(s) Revised:	07/18/22, 03/01/23
Subject: Visitation Policy & Procedures – Florida	Last Date (s) Reviewed:	03/01/23
Applicable Service(s): Compassionate Care Hospice of Central Florida, Inc. Compassionate Care Hospice of Miami Dade and the Florida Key's, Inc. d/b/a Amedisys Hospice Compassionate Care Hospice of Lake and Sumter, Inc. Amedisys Hospice L.L.C. d/b/a Amedisys Hospice of Brevard	Page:	1 of 3

PURPOSE:

The purpose of this policy is to establish the visitation guidelines and meet the needs of patients and families under hospice care.

POLICY:

Amedisys Hospice (“Amedisys” or “Hospice”) believes that patients have a right to visitation by anyone he/she wishes to see, and that families should have access to their loved ones while under our care. Hospice will not restrict visitation at any time unless requested by the patient or authorized representative. Patients will be informed of their visitation rights, including any clinical restriction or limitation of their visitation rights (See Patient Information booklet – FL, Patient Rights Section).

PROCEDURE:

1. Hospice shall not restrict in-person visitation in the following circumstances, unless the patient objects:
 - a. End-of-life situations;
 - b. The patient, who was living with family before being admitted to the Hospice’s care, is struggling with the change in environment and lack of in-person family support;
 - c. The patient is making one or more major medical decisions;
 - d. The patient is experiencing emotional distress or grieving the loss of a friend or family member who recently died;
 - e. The patient needs cueing or encouragement to eat or drink which was previously provided by a family member or caregiver;
 - f. The patient who used to talk and interact with others is seldom speaking; and
2. The visiting hours shall be determined by the facility where the resident is located, if applicable.
 - a. Generally, visiting hours will be established from 9 a.m. to 9 p.m., with variances available for an Essential Caregiver, out-of-town guests, and circumstances where in-person visitation is required under this Policy.
 - b. Hospice may request to limit the total number of visitors allowed in a patient’s home at any given time based on the ability of staff to safely screen and monitor and the space to accommodate visitors and the Essential Caregiver.
 - c. When there are no known cases of COVID (or other infectious disease) among patients within the relevant facility, visitation will be unrestricted. However, in the event patients in the relevant facility are known to be infected with COVID, restrictions will be placed upon visitation to reduce the possible spread of COVID (or other infectious disease). Visitation by the Essential Caregiver will always be allowed to occur as detailed herein. The Administrator or Director of Nursing shall implement and require visitors to follow protocols established by the Centers for Disease Control and Prevention (CDC), including, but not limited to, wearing Protective equipment (PPE) for infection control management. Hospice will provide such PPE to visitors at no cost, as needed.
 - d. A patient may designate a visitor who is a family member, friend, guardian, or other individual as an Essential Caregiver. Hospice shall not restrict in-person visitation by the Essential Caregiver, or any other visitation authorized under this Policy.
3. Visitors exhibiting inappropriate behavior may be asked to leave and may not be allowed to visit in the future while Hospice provides services.

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4. Amedisys provides care to patients in either their homes (private residences) or in third-party long-term care facilities, assisted living facilities, or independent living facilities. Amedisys does not own or operate any inpatient facilities. However, Florida law requires Amedisys to maintain a visitation policy addressing certain visitation scenarios, which we outline below:
- a. Infection Control & Screening: Patients - and visitors with whom Amedisys comes in contact - will be educated about Amedisys' infection control policies. Amedisys will abide by the screening, personal protective equipment, and other infection control protocols dictated by the third-party facility and, when appropriate, encourage patient visitors to do the same. When rendering care in patients' personal residences, Amedisys will advise its patients and caregivers on infection control protocols for patients' personal visitors within their homes.
 - b. Number of Visitors and Length of Visits: To the extent applicable, Amedisys will abide by the visitation policies of the facilities within which it renders care to its patients, including policies addressing number of visitors permitted per facility resident and permitted length of visits. When rendering hospice care within a patient's personal residence, Amedisys staff will observe the visitation preferences of the individual patient.
 - c. Proof of Vaccination: Amedisys shall not compel visitors within patients' personal residences or third-party facilities where patients reside to provide any proof of vaccination or immunization status.
 - d. Consensual Physical Contact: Amedisys shall not interfere with the visitation policies and procedures of the third-party facilities within which it renders care to its patient, including those addressing the allowance of consensual physical contact between a facility resident and a visitor.
 - e. Required In-person Visitation Circumstances: Amedisys cannot dictate or demand mandatory visitation rights within a patient's personal residence or within a third-party facility where is patients reside. However, Amedisys acknowledges that Florida law stipulates that in-person visitation must be allowed in the following circumstances, unless the patient objects:
 - i. End-of-life situations.
 - ii. A resident, client, or 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.
 - iii. The resident, client, or patient is making one or more major medical decisions.
 - iv. A resident, client, or patient is experiencing emotional distress or grieving the loss of a friend or family member who recently died.
 - v. A resident, client, or patient needs cueing or encouragement to eat or drink which was previously provided by a family member or caregiver.
 - vi. A resident, client, or patient who used to talk and interact with others is seldom speaking.
5. The Administrator shall be responsible for ensuring Hospice staff adhere to this Policy and shall ensure that Hospice staff are educated on the various third party facility visitation policies applicable to where its patients reside.
6. Patients and visitors may file a complaint with Agency for Health Care Administration (AHCA) for further review and action if they feel that their visitation rights have been violated. A complaint may be submitted to AHCA by telephone at **888-775-6055** or online at: <https://apps.ahca.myflorida.com/hcfc/>.

REFERENCE:

Florida Statue Section 408.823 - In-person visitation

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- (1) This section applies to developmental disabilities centers as defined in s. 393.063, hospitals licensed under chapter 395, nursing home facilities licensed under part II of chapter 400, hospice facilities licensed under part IV of chapter 400, intermediate care facilities for the developmentally disabled licensed and certified under part VIII of chapter 400, and assisted living facilities licensed under part I of chapter 429.
- (2) (a) No later than 30 days after April 6, 2022, each provider shall establish visitation policies and procedures. The policies and procedures must, at a minimum, include infection control and education policies for visitors; screening, personal protective equipment, and other infection control protocols for visitors; permissible length of visits and numbers of visitors, which must meet or exceed the standards in ss. 400.022(1)(b) and 429.28(1)(d), as applicable; and designation of a person responsible for ensuring that staff adhere to the policies and procedures. Safety-related policies and procedures may not be more stringent than those established for the provider's staff and may not require visitors to submit proof of any vaccination or immunization. The policies and procedures must allow consensual physical contact between a resident, client, or patient and the visitor.
- (b) A resident, client, or patient may designate a visitor who is a family member, friend, guardian, or other individual as an essential caregiver. The provider must allow in-person visitation by the essential caregiver for at least 2 hours daily in addition to any other visitation authorized by the provider. This section does not require an essential caregiver to provide necessary care to a resident, client, or patient of a provider, and providers may not require an essential caregiver to provide such care.
- (c) The visitation policies and procedures required by this section must allow in-person visitation in all of the following circumstances, unless the resident, client, or patient objects:
1. End-of-life situations.
 2. A resident, client, or 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. The resident, client, or patient is making one or more major medical decisions.
 4. A resident, client, or patient is experiencing emotional distress or grieving the loss of a friend or family member who recently died.
 5. A resident, client, or patient needs cueing or encouragement to eat or drink which was previously provided by a family member or caregiver.
 6. A resident, client, or patient who used to talk and interact with others is seldom speaking.
 7. For hospitals, childbirth, including labor and delivery.
 8. Pediatric patients.
- (d) The policies and procedures may require a visitor to agree in writing to follow the provider's policies and procedures. A provider may suspend inperson visitation of a specific visitor if the visitor violates the provider's policies and procedures.
- (e) The providers shall provide their visitation policies and procedures to the agency when applying for initial licensure, licensure renewal, or change of ownership. The provider must make the visitation policies and procedures available to the agency for review at any time, upon request.
- (f) Within 24 hours after establishing the policies and procedures required under this section, providers must make such policies and procedures easily accessible from the homepage of their websites.
- (3) The agency shall dedicate a stand-alone page on its website to explain the visitation requirements of this section and provide a link to the agency's webpage to report complaints.
Fla. Stat. § 408.823

Added by 2022 Fla. Laws, ch. 34,s 2, eff. 4/6/2022.2022 Fla. Laws, ch. 34 may be cited as the "No Patient Left Alone Act."