

**CATEGORY:** Operations

**POLICY:** In-Person Visitation; Essential Caregivers – Florida Only

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This policy is in effect for **Lexington Place**, 301 S Myrtle Ave, New Smyrna Beach Fl 32168

Many states have addressed concerns with limitations on visitation as the result of recent health emergencies. In Florida, legislation concerning In-Person Visitation has been signed into law, creating Chapter 408.823, concerning “In-Person Visitation.”

This policy is adopted so that the Community’s approach to visitation is compliant with applicable law and consistent throughout the Community’s operations. Any changes to the Community’s visitation policy must be promptly communicated to affected residents and Essential Caregivers.

Responsible Staff Member. Unless otherwise designated by the Executive Director, the Director of Nursing of the Community shall support infection prevention and control, safety, and visitation training and for Community staff member’s adherence to this Visitation Policy.

AHCA Provided Copy of Visitation Policy; Availability of Visitation Policy. The Community will provide the Agency for Health Care Administration (AHCA) with a copy of the Community’s visitation policy and procedure, with the initial licensure application, renewal application and/or change of ownership application. A copy of the most recent version of this In-Person Visitation policy shall be made available to residents as part of the admissions paperwork, at the Community upon request, and on the Community’s website.

### **General Visitor Policies**

Visitation Times and Length. The Community does not limit the frequency or length of visits. In general, residents are allowed in-person visitation at all times, unless the resident objects, including the following:

- a. End-of-life situations.
- b. A resident 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.
- c. A resident is making one or more major medical decisions.
- d. A resident is experiencing emotional distress or grieving the loss of a friend or family member who recently died.
- e. A resident needs cueing or encouragement to eat or drink which was previously provided by a family member or caregiver.
- f. A resident who used to talk and interact with others, is seldom speaking.

Generally, visitation is expected to occur between 9:00 a.m. - 9:00 p.m. local time. Upon request, the Executive Director (ED) or their designee shall make provisions to extend visiting hours for Essential Caregivers and out-of-town guests, and in other similar situations.

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Permitted Group Sizes. The Community supports a resident’s right to visit with any person(s) of their choice, subject to the visitor’s compliance with the Community’s reasonable requirements applicable to all visitors. However, visitation groups of four (4) or more persons that require a common area of the Community for the visit are required to schedule in advance. From time to time in order to properly manage the flow of visitors in the Community and in keeping with the requirements of applicable law, the ED may:

- a. Limit the total number of visitors allowed in the Community at any given time based on the ability of staff to safely screen and monitor and the space to accommodate visitors.
- b. Identify locations for visitation to occur if using shared spaces and facilities with minimal common space.
- c. Provide outdoor visitation spaces that are protected from weather elements, such as porches, courtyards, patios, or other covered areas that are protected from heat and sun, with cooling devices, if needed.
- d. Create indoor visitation spaces for residents in a room that is not accessible by other residents or in a resident’s private room if the resident is bedbound and for health reasons cannot leave his or her room.

Vaccination. Visitors cannot be compelled to provide proof of vaccination or immunization status.

Testing. Infectious Disease testing of visitors is currently prohibited by law in the State of Florida. The Community is not required to provide infectious disease testing of visitors or Essential Caregivers and, absent the imposition of law concerning the same, the Community will not do so.

Consensual Contact. Consensual physical contact between the resident and the visitor shall be permitted at all times.

Visitors and Essential Caregivers to Sign In and Out. The Community will maintain a visitor log for signing in and out. All visitors and Essential Caregivers will be required to sign in and out of the Community.

Entering and Exiting the Community. Visitors may be requested to leave the Community if they violate the Community’s rules, policies, or procedures or if they pose an unreasonable disruption or risk to persons or property. Children are welcome but should be under adult supervision when in the common areas and should always respect the privacy of other residents. Visitors should sign in and out of the Community at the Reception Desk, when arriving and leaving.

Responsibility for Visitors. In accordance with the terms and conditions of the Resident Agreement and Resident Handbook, residents are responsible for the actions and omissions of their visitors, for charges incurred by their visitors, and for the compliance with the Community’s rules, policies and procedures by their visitors.

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Infection Control and PPE and Education. Depending on the circumstances, certain infection control measures and the use of personal protective equipment (PPE) may be recommended for safe contact either in general or with regard to certain residents based upon the resident’s medical status. The Executive Director will appoint a Community staff member to provide visitors with information concerning the Community’s infection control and PPE procedures and requirements.

Overnight Visitors. Additional limitations and requirements for overnight visitors (except as set forth below for Essential Caregivers) are set forth in the Resident Agreement and Resident Handbook.

### **Essential Caregiver Policy**

Even at times when regular visitation in the Community is limited due to state or local regulations or Community health concerns, residents shall be permitted visitation from Essential Caregivers. A resident may designate a visitor who is a family member, friend, guardian, or other individual as an “Essential Caregiver” and such person shall be permitted to visit the resident in accordance with this policy. The Community has a form available for designation of Essential Caregivers, which shall be used to document the Essential Caregiver selected by the resident and updated from time to time at the request of the resident or an appropriately authorized representative of the resident (i.e., attorney-in-fact or guardian).

The following are the expectations of the Community relating to such Essential Caregivers. These procedures will be administered equally to all residents that request to have an Essential Caregiver designated, without regard to race, color, religion, sex (including gender identity and transgender status), age, national origin, disability, or veteran status.

Essential Caregivers are not required to provide care to a resident. Essential Caregivers provide emotional support to help a resident deal with a difficult transition or loss, upsetting event, making major medical decisions, needs cueing to eat and drink, stops speaking, or end-of-life.

Essential Caregivers shall be allowed entry into the Community, even when visitation for the Community is otherwise limited or restricted, Essential Caregivers shall still be permitted in-person visitation for at least 2-hours per day, which shall be in addition to any other authorized visitation. At the Community, the 2-hour visitation for Essential Caregivers will be between 9:00 a.m. – 9:00 p.m. Upon request, the ED or Director of Nursing (DON) may make exceptions as to longer periods of visitation or other times for visitation on a case-by-case basis, including for end-of-life residents. Any exceptions to the Community’s established visitation policy and procedures will be discussed and agreed upon in writing by the Community’s designee and the resident or their responsible party, on a case-by-case basis.

#### Procedures:

- I. For designation and utilization of Essential Caregivers:
  1. At move-in, all residents and/or the resident’s attorney-in-fact or guardian (as the case may be) will be asked if they want to identify an Essential Caregiver for the resident.
  2. All residents will be allowed to update their named Essential Caregiver upon request.

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3. A resident may not designate more than (1) one Essential Caregiver at a time.
  4. Essential Caregiver visits will not be prohibited by the Community, even if the specific resident to be visited is quarantined, tested positive, or is showing symptoms of a communicable disease. Note: Essential Caregiver visits in these circumstances will likely require a higher level of PPE than standard surgical masks. Restrictions on visitation resulting from new Community-onset cases of a communicable disease are not applicable to visitation by Essential Caregivers.
  5. Essential Caregivers must wear Personal Protective Equipment in accordance with the Community's Infection Control Policies. The PPE required must be consistent with the most recent CDC guidance for healthcare workers. At the Community, the Essential Caregivers shall wear the same PPE that Community care staff wear to provide care or services to the resident.
- II. To facilitate visits by Essential Caregivers upon a request from a resident, their friends or family of the resident or the Essential Caregiver:
1. The resident (or their representative) will read and sign the policy and procedures acknowledging their agreement that Essential Caregivers must abide by the policies set forth in this document.
  2. At the time of their first visit to the Community, the designated Essential Caregiver will read and sign a copy of these policies and procedures, agreeing to abide by the policies and procedures set forth herein.
  3. The Essential Caregiver will complete training on the Community's infection prevention and control including the use of PPE, use of masks, and hand sanitation.
  4. The Essential Caregiver must immediately inform the ED or DON if they develop symptoms consistent with a communicable disease within 24-hours of their last visit at the Community.
  5. Essential Caregiver visits may take place in the resident's room, or a designated area determined by the ED or DON at the time the visitation schedule is developed and agreed upon.
- III. When an Essential Caregiver is scheduled to visit:
1. A designee of the ED will ensure that the required consents, training and policy acknowledgements are in place.
  2. The DON or a designated member of the Community care staff will ensure that the Essential Caregiver has appropriate PPE, if applicable.
  3. The concierge will require the Essential Caregiver to sign in and out (or log in and out, as the case may be) on the Visitor Log.

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4. The DON or a designated member of the Community care staff will monitor the Essential Caregiver's adherence to policies and procedures.
5. If the Essential Caregiver fails to follow the Community's infection prevention and control requirements, and after attempts to mitigate concerns, the ED shall restrict or revoke the Essential Caregiver's right to visit.
6. In the event the Essential Caregiver's status is revoked due to the individual not following the Community's infection prevention and control requirements or other violations of Community requirements, the resident may select a different Essential Caregiver who will be granted visitation rights in accordance with and subject to the requirements of this policy.
7. Essential Caregivers will be required to immediately contact the Community if within fourteen (14) days following a visit to the Community they experience symptoms of a respiratory infection, cough, fever, shortness of breath, difficulty breathing, congestion or runny nose, sore throat, chills, headache, muscle pain, repeated shaking with chills, new loss of taste or smell, nausea or vomiting, diarrhea, symptoms possibly related to a contagious infection, or if they test positive for an infectious disease.

**Associated Forms:** *Essential Caregivers Designation*  
*Essential Caregivers Acknowledgement*