

Resident Right to Access and Visitation: Ahava Senior Residences

<i>Date Implemented:</i>	1/1/2026	<i>Date Reviewed/ Revised:</i>	01/01/26	<i>Reviewed/ Revised By:</i>	Linda Horvath/QA
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Policy:

It is the policy of this facility to support and facilitate the resident's right to receive visitors of their choosing, at the time of their choosing, subject only to the resident's right to deny visitation when applicable, and in a manner that does not impose on the rights of other residents.

Visitation will be person-centered, consider the resident's physical, mental, and psychosocial well-being, and support their quality of life.

Definition:

"Reasonable clinical and safety restrictions" are defined as policies or procedures that protect the health and security of all residents and staff. Residents, not the facility, may restrict visitors' access. Therefore, any reference to clinical or safety restrictions limiting visitation has been removed except where applicable to infection prevention measures required by law or CDC guidance.

These restrictions shall not be applied in a manner that denies access to essential caregivers, who must be allowed entry consistent with Florida Statute 408.823.

Policy Explanation and Compliance Guidelines:

1. The facility will 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;
 - d. The resident's individual physician;
 - e. Any representative of the agency responsible for the protection and advocacy system for the developmentally disabled individuals;
 - f. Any representative of the agency responsible for the protection and advocacy system for individuals with mental disorder;
 - g. The resident representative.
2. The facility will 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 the time. Resident's family members are not subject to visiting hour limitations or other restrictions not imposed by the resident, with the exception of reasonable clinical and safety restrictions, placed by the facility according to CDC guidelines, and/or local health department recommendations.
3. If familial visits infringe upon the rights of other residents (e.g. family visits late at night when the resident's roommate is already asleep), staff will find a location other than the resident's room for visits.
4. The facility will 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.
5. The facility will 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. Facility staff will provide space and privacy for these visits.

6. The facility will inform each resident and/or resident representative of his or her visitation rights and related facility policies and procedures, including any clinical or safety restriction or limitation of such rights, in a manner he or she understands.
7. The facility will inform each resident of the right, subject to his or her consent, to receive the visitors whom he or she designates as well as deny visitation, including but not limited to:
 - a. A spouse, including a same-sex spouse
 - b. A domestic partner, including a same-sex domestic partner
 - c. Another family member
 - d. Adoptive/foster family members
 - e. A friend
8. The facility will not restrict, limit, or otherwise deny visitation privileges based on race, color, national origin, religion, sex, gender identity, sexual orientation, or disability.
9. Residents have the right to define their family. During the admissions process, facility staff will discuss this issue with the resident. If the resident is unable to express or communicate whom they identify as family, facility staff will discuss this with the resident's representative.
10. The Office of the State Long-Term Care Ombudsman will be given access to examine a resident's medical, social, and administrative records in accordance with State law.
11. The facility will ensure all visitors enjoy full and equal visitation privileges consistent with resident preferences.
12. Reasonable clinical and safety restrictions that protect the health and security of all residents and staff, which may include, but are not limited to:
 - a. Placing visitation restrictions to prevent community-associated infection or communicable disease transmission to one or more residents. A residents risk factors for infection (e.g. immuno-compromised) or current health state (e.g. end of life care) will be considered when restricting visitors. This applies to all visitors **except essential caregivers**, who are exempt from visitation restrictions per Florida Statute 408.823.
If a resident denies or withdraws consent to visitation, that decision must be respected.
 - b. Visitors with signs and symptoms of a transmissible infection (e.g., a visitor is febrile and exhibiting signs and symptoms of an influenza-like illness) will be asked to defer visitation until they are no longer potentially infectious (e.g., 24 hours after resolution outbreak of fever without antipyretic medication), or according to CMS or CDC guidelines, and/or local health department recommendations. This applies to all visitors **except essential caregivers**, who are exempt from visitation restrictions per Florida Statute 408.823
 - c. Per **Florida Statute 429.28(d)**, the facility's visitation hours shall be **at a minimum from 9:00 AM to 9:00 PM daily. Length of visits is not restricted during these hours; there is no actual "length of visit" restrictions defined. Number of visitors is not restricted but visitors may need to use a common area to visit due to room size, number of people etc.**
Upon request, the facility shall make provisions to extend visiting hours for essential caregivers, out-of-town guests, and other similar circumstances.
 - d. A visitor may not be denied access while an investigation is ongoing unless the **resident** denies that visitor access. Only after a substantiated finding may the facility restrict visitation as necessary. Denying access to a visitor who has been found to have been committing criminal acts such as theft.
 - e. Visitors who have **not** committed a violation during their visit cannot be denied access. Access may only be limited if a violation has been **proven and documented** in accordance with applicable laws.
 - f. Denying access or providing supervised visitation to individuals who have a history of bringing illegal substances into the facility which places residents' health and safety at risk.

- i. If the facility determines illegal substances have been brought into the facility by a visitor, the facility will not act as an arm of law enforcement. Rather, in accordance with state laws, these cases will be referred to local law enforcement.
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 - i. Essential caregivers cannot be asked to leave the facility during their caregiving visit, even if visitation restrictions are in place.
- 13. Essential Caregivers: When a resident is on droplet or contact precautions, visitors will be instructed to follow the posted signage regarding required precautions.
- 14. Resident Illness Protocols: If the facility is not providing PPE, visitors will be informed in advance that they must bring their own PPE.
- 15. The facility will make PPE available when required by CDC or DOH guidance.
- 16. Personal Protective Equipment (PPE)
 - a. Visitors with symptoms will be asked to defer visitation until cleared by CDC or facility guidelines. Essential caregivers **cannot be denied access** under any circumstance permitted by law. The facility will ensure that essential caregivers can visit their loved ones in accordance with **Florida Statute 408.823**.
 - b. Visitors will be screened for symptoms of communicable diseases upon entry (e.g., fever, cough, shortness of breath).
 - c. All visitors must sign in and out.
- 17. Screening and Sign-in:
 - a. The facility will post signs at entrances and throughout the building with instructions on preventing the spread of communicable diseases.
 - b. Proper PPE use when a resident is on droplet or contact precautions (with signage posted outside the resident's room explaining requirements).
 - c. Proper hand hygiene (with handwashing demonstrations or posters).
 - d. Visitors will be educated on infection prevention practices, including:
- 18. The Executive Director is designated as the person responsible for staff adherence to the visitation policies and procedures.
 - a. Visitors cannot be compelled to show or provide proof of vaccination or immunization status.
 - b. Consensual physical contact is allowed between a resident and a visitor.
- 19. It is the facilities visitation policy and procedure to allow for in person visitation in all of the following circumstances, unless the resident client or patient objects
 - a. End of life situations.
 - b. A resident client or patient who was living with family before being admitted to the providers care is struggling with the change in environment and lack of in person family support.
 - c. The resident client or patient is making one or more medical decisions.
 - d. a resident client or patient is experiencing emotional distress or grieving the loss of a friend or family member who recently died.
 - e. A resident client or patient who used to talk and interact with others is seldom speaking.
 - f. A resident client or patient needs queuing or encouragement to eat or drink which was previously provided by a family member or caregiver.