

## Visitation Policy – Florida

### Policy: In Person Visitation Policy

Exhibit: A) Florida Law Chapter 2022-34, Communities Substitute for Senate Bill No. 988

B) Residential Essential Caregiver Designation Form

C) Essential Caregiver Acceptance Form

Adoption Date: 5/01/2022

### Purpose

In- Person Visitation bill has been signed into *Law*, creating, Chapter 408.832. This policy and these procedures are intended for assisted living facilities to comply with the regulations set forth in Chapter 408.823, Florida Statutes. A resident may designate a visitor who is a family member, friend, guardian, or another individual as an essential caregiver.

### Policy

The following are the procedures to be followed to identify Essential Caregivers for residents and the expectations. These procedures will be administered equally to all residents that request to have an essential caregiver, without regard to race, color, religion, sex (including gender identity and transgender status) age, national origin, disability, or veteran status.

Essential caregiver visitors provide emotional support to help residents deal with the difficult transition or loss, upsetting events, making major medical decisions, needs cueing to eat and drink, stops speaking, or end-of-life. Essential caregiver visitors may be allowed entry into facilities on a limited basis for these specific purposes. The provider must allow at a minimum in-person visitation for at least 2-hours daily under these circumstances. At the community, the 2-hour visitation will be between, 8am – 8pm. Community Executive Director or Designee may make expectations to the 2-hour visitation on a case-by-case basis for end-of-life residents. These expectations will be discussed and agreed upon in writing by the community's designee and the responsible party.

### Procedure

#### **I. For designation and utilization or essential caregiver visitors.**

1. The community Executive Director will provide the Agency for Health Care Administration (AHCA) with a copy of the facility essential caregiver visitor's policy and procedure, with the initial licensure application, renewal application, and/or change of ownership application.
2. The community essential caregiver visitor's policy and procedure is available on the community management website home page.
3. The community Executive Director will designate the community Wellness Director/Assistant Wellness Director as key team members to support infection prevention and control training.
4. Community Executive Director or designee will set limits on the total number of visitors allowed in the community at any given time based on the ability of the staff to safely screen and monitor and the space to accommodate the essential caregiver visitors.

- a. Identify locations for visitations/care to occur and planning for residents that may have shared space and communities with minimal common space to identify maximum time and availability.
  - b. Provide outdoor visitation spaces that are protected from the weather elements, such as porches, courtyards, patios, or other covered areas that protected from heat, and sun with cooling devices, if needed.
  - c. Community will 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 concerns and cannot leave his or her room.
5. All residents and/or POA/Guardian if appropriate will be asked if they want to identify an Essential Caregiver.
  6. All new residents will be asked if they would like to identify an Essential Caregiver upon move-in. **(Residential Essential Caregiver Designation Form)**.
  7. All residents will be allowed to update as requested the name of Essential Caregiver of record within 2 business days of request.
  8. Residents are allowed in-person visitation in all the following circumstances unless the resident objects.
    - a. End-of-life situation
    - b. A resident who is living with family before moving into the community is struggling with the change in the environment and lack of in-person family support.
    - c. The 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 passed away.
    - e. A resident needs cueing or encouragement to eat or drink which was previously provided by the family member or caregiver.
    - f. A resident who used to talk and interact with others is seldom speaking.
  9. Community will maintain a visitors log for signing in and out using the Accusheild kiosk system.
  10. No more than one essential caregiver visitor may be designated per resident.
  11. The policy does **NOT** prohibit essential caregiver's visitor's visits, if the specific resident to be visited is quarantined, tested positive, or showing symptoms of a communicable disease. Visits in these circumstances will require a higher level of PPE than surgical mask (I.E. KN-95 mask or equivalent). The general visitation requirement that the facility has no new facility-onset cases of a communicable disease (for example COVID-19) is not applicable to visitation by essential caregiver visitors.
  12. The community is not required to provide for "Community- provided" COVID-19 testing if, an only if, is based on the most recent CDC and FDA guidance. The cost of the testing cannot be passed on to the visitor.
  13. Essential caregiver visitors must wear Personnel Protective Equipment (PPE) per 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 care giver shall wear the same PPE that the staff wear to provide care and services to the resident.

14. Community changes to the essential caregiver visitation policies must be promptly communicated to the residents and essential caregiver.

**II. To facilitate visits by Essential Caregiver visitors upon return from a resident or friend/family member:**

1. The resident (or representative) will read and sign the policy and procedures. The acknowledgement of the signatures represents that the essential caregiver's visitors will abide by the policies and procedures set forth in this document.
2. The essential caregiver visitor will complete training on infection prevention and control including the use of PPE, use of mask, hand sanitation, and social distancing.
3. The essential caregiver visitor must immediately inform the facility if they develop symptoms consistent with a communicable disease within 24 hours of their last visit at the community.
4. Essential caregiver visitors may take place in the resident's room, or a designated area determined by the community Executive Director.

**III. When an Essential Caregiver visitor is scheduled to visit, the facility will:**

1. The concierge will thoroughly screen the visitor per facility infection control policy and procedure and document the name of the individual, the date and time of the entry, and the screening mechanism used, along with the screening team member name and signature. Just as team members entering the building, if the visitor fails the screening, they **CANNOT** be allowed entry.
2. The Wellness Director will ensure that the required consents, and training and policy acknowledgements are in place.
3. Wellness team will ensure that the caregiver visitor has appropriate PPE if applicable.
4. The concierge will require the essential caregiver visitor to sign in and out using the Kiosk system.
5. Wellness team will monitor the essential caregiver visitor's adherence to policy and procedure.
6. If the essential caregiver visitors fail to follow the facilities infection prevention and control requirements, after attempts to mitigate concerns the community Executive Director shall restrict or revoke visitation.
7. In the event the essential caregiver visitor's status is revoked due to the individual not following the facility's policy and procedure, the resident may select a different essential caregiver visitor who will be granted visitation rights upon proper vetting and agreeing to the community policy and procedures.