

- Review the facility’s written visitation policy and procedures to determine whether they support the resident’s right to visitors and whether they explain those situations where visitors may be restricted due to clinical or safety concerns.
- If a concern is identified, interview facility staff to determine how they ensure 24-hour or immediate access as permitted under these requirements.

Examples of noncompliance may include, but are not limited to:

- Facility staff restrict visitors according to the facility’s convenience.
- Facility staff restrict the rights of a resident to receive visitors, even though this would not affect the rights of other residents.
- Facility staff restrict visitors based on expressed wishes of an individual who is a health care power of attorney who does not have the authority to restrict visitation.
- A posting or inclusion in the resident handbook or other information provided by the facility, of visiting hours not in compliance with this regulation.

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§483.10(f)(4)(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.**

GUIDANCE §483.10(f)(4)(vi)

All residents have the right to visitors in accordance to their preferences. The facility policy for restricting or limiting visitors must be communicated to the resident. If limitations are placed on a resident’s visitation rights, the clinical or safety reasons for the limitations and the specific individuals the restriction applies to must be communicated to the resident or resident representative in a manner he or she understands.