



Center for Clinical Standards and Quality/Survey & Certification Group

Ref: S&C: 13-42-NH

DATE: June 28, 2013

TO: State Survey Agency Directors

FROM: Director
Survey and Certification Group

SUBJECT: Reminder: Access and Visitation Rights in Long Term Care (LTC) Facilities

Memorandum Summary

- **Interpretive Guidelines:** This memorandum reviews current interpretive guidelines for F-Tag 172, reiterating resident rights surrounding access and visitation.
- **Facility Obligations:** LTC facilities must ensure that all individuals seeking to visit a resident be given full and equal visitation privileges, consistent with resident preference and within reasonable restrictions that safeguard residents.

The Centers for Medicare & Medicaid Services is issuing a reminder of current regulations and Guidance to Surveyors (Interpretive Guidelines) at 42 CFR, Part 483.10(j), F172, Access and Visitation Rights. This Guidance delineates the rights of LTC residents to receive family and non-family visitors. Facilities must provide 24-hour access to all individuals visiting with the consent of the resident. Certain visitors may be subject to “reasonable restrictions” imposed by the facility that protect the security of all the facility’s residents, such as denying access to those engaged in disruptive behavior.

LTC facilities must ensure that all individuals seeking to visit a resident be given full and equal visitation privileges, consistent with the preferences the resident has expressed concerning visitors, and within the reasonable restrictions that ensure the safety of residents. Residents must be notified of their rights to have visitors on a 24-hour basis, who could include, but are not limited to, spouses (including same-sex spouses), domestic partners (including same-sex domestic partners), other family members, or friends.

Surveyors should ask during resident and family member interviews if they understand that visitors are allowed 24-hours a day. They should ask whether the facility has restricted or limited any visitors. If these interviews indicate that residents do not understand visitation policies or that the facility has limited or restricted visitors against resident wishes and outside of any reasonable restrictions, the surveyor should review the circumstances around those restrictions/limitations, interview facility staff and evaluate the facility’s visitation policies.

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Effective Date: Immediately. This reminder should be communicated with all survey and certification staff, their managers, and the State/Regional Office training coordinators within 30 days of this memorandum.

/s/

Thomas E. Hamilton

cc: Survey and Certification Regional Office Management