

## Coronavirus Crisis: Visitation Guidelines for Residential Care, Assisted Living, and Board and Care Facilities for the Elderly as of March 13, 2020

In an effort to slow the spread of the COVID-19 virus to vulnerable communities, the Community Care Licensing Division of the State Department of Social Services (CCLD) is issuing new guidance on visitation for elders residing in assisted living facilities in California. While these guidelines will pose many challenges for residents and their families during this health crisis, the new rules should not discourage the kind of close relationships that California seniors in these facilities depend on.

California recognizes that visitation with family and friends is critical to the wellbeing of the nearly two hundred thousand people in Residential Care Facilities for the Elderly (RCFEs) in the state. These rights are reflected in 22 California Code of Regulations Section 87468.1, which provides, among other things, that RCFE residents have the rights:

- To leave or depart the facility at any time and to not be locked into any room, building, or on facility premises by day or night. This does not prohibit a licensee from establishing house rules, such as locking doors at night to protect residents, or barring windows against intruders, with permission from the Department.
- To be informed of the licensee's policy concerning visits and other communications with residents.
- To have their visitors, including ombudspersons and advocacy representatives, permitted to visit privately during reasonable hours and without prior notice, provided that the rights of other residents are not infringed upon.

Nevertheless, during the current health care crisis, residents and their families should expect that facilities will be modifying visitation rights and even resident council meetings in an effort to prevent the spread of the virus. In recent guidance, the CCLD provided facilities with broad direction that while it does not support blanket bans on visitation across the state, it does expect that facilities will take strict steps to screen and limit visitors. **Depending on local conditions, and especially in communities seeing rapid transmission of the virus, that may mean prohibiting all non-essential visitors during the crisis.**

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650 Harrison Street, 2nd Floor • San Francisco California 94107 • (800) 474 - 1116 • [www.canhr.org](http://www.canhr.org) • [canhrmail@canhr.org](mailto:canhrmail@canhr.org)

Nevertheless, **the CCLD emphasizes that even if visitation is restricted facilities must make efforts to ensure that friends and families can continue to communicate with residents by Skype, Facetime, or telephone.**

**CCLD does not, for the time being, see any need for limiting residents from leaving facilities** for activities so long as they move in small groups and take care to practice good “social distancing” – that is, keeping about six feet apart from one another. **Residents of facilities facing bans on leaving facilities should reach out to the CCLD’s regional offices to share their concerns:** <https://www.cdss.ca.gov/Portals/9/CCLD/ASC.pdf>.

Residents and their families can also reach out to DSS CCL by means of a special email address intended specifically for coronavirus concerns regarding RCFEs: [CCLCOVID-19INFO@dss.ca.gov](mailto:CCLCOVID-19INFO@dss.ca.gov).

More information about this resource can be found at [https://www.cdss.ca.gov/Portals/9/CCLD/PINs/PIN\\_20-05-CCLD\\_CoronavirusRelatedQuestions.pdf](https://www.cdss.ca.gov/Portals/9/CCLD/PINs/PIN_20-05-CCLD_CoronavirusRelatedQuestions.pdf).

CANHR encourages residents and their families to take advantage of resident councils to express their views and concerns where that is possible: [http://www.canhr.org/factsheets/rcfe\\_fs/PDFs/FS\\_RCFE\\_Resident\\_Councils.pdf](http://www.canhr.org/factsheets/rcfe_fs/PDFs/FS_RCFE_Resident_Councils.pdf).

However, because some council meetings may be limited during the crisis as an infection control measure, residents and their families should consider exchanging information and support the “old fashioned” way—by reaching out to one another using email, text, and “telephone trees”. Until this health crisis slows, this kind of community building will be more important than ever.

Finally, the coronavirus crisis in no way restricts the access of residents and their families to the ombudsman program. The name and contact information of the facility ombudsman should be displayed in public areas in the facility, but the ombudsman can also be located at the state website: [https://www.aging.ca.gov/Find\\_Services\\_in\\_My\\_County/](https://www.aging.ca.gov/Find_Services_in_My_County/).

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