

Visitation Rights

CANHR is a private, nonprofit 501(c)(3) organization dedicated to improving the quality of care and the quality of life for long term care consumers in California.

* Please note that all visitation rules are subject to local public health orders that may be more restrictive.

Nursing Homes – FACILITIES MUST ALLOW OUTDOOR, INDOOR, AND IN-ROOM VISITATION

Virtual Visitation: Phone Calls & Video Chats	Outdoor Visitation	Indoor Visitation	In-Room Visitation	Compassionate Care Visitors	Rules for Visits
<p>MUST be available in all facilities. CMS “encourages creative means of connecting residents and family members” and facilities urged “to take strong efforts to facilitate connections with residents, families, friends, and loved ones.” CDPH encourages frequent video and phone call visits. While the guidelines merely encourage virtual visitation, CANHR believes that anti-disability discrimination law REQUIRES all reasonable accommodations to visitation, including ROBUST virtual visitation opportunities. Accommodating virtual visitation is a core function of facilities while residents’ in-person visitation rights are partially restricted.</p>	<p>All facilities MUST permit outdoor visitation. <u>COVID testing/ vaccination cannot be required for outdoor visits.</u></p>	<p>All facilities MUST permit indoor visitation, particularly if outdoor visitation is not possible due to inclement weather, poor air quality, resident inability to be moved outside, etc. Indoor visits shall be held in large communal spaces such as a lobby, cafeteria, activity room, physical therapy rooms, etc., where six feet distancing is possible. The number of visitors may be limited depending on the space available in the building. <u>Indoor visitors must be vaccinated or have a negative COVID test within two days (PCR test) or one day (antigen test). Test requirement is waived if the facility cannot provide the test.</u></p>	<p>Facilities MUST permit in-room visitation for residents, regardless of the residents’ vaccination status or whether the resident is in “exposed” or “isolation” status.</p> <p><u>Indoor visitors must be vaccinated or have a negative COVID test within two days (PCR test) or one day (antigen test). Test requirement is waived if the facility cannot provide the test.</u></p> <p>Visits for residents who share a room should preferably be conducted in a separate indoor space or with the roommate not present in the room (if possible).</p>	<p>MUST be permitted to visit at all times. Compassionate care does not exclusively refer to end-of-life situations. Examples include to: 1. Help a new resident transition to a facility; 2. Comfort a grieving resident after the death of a loved one; 3. Cue a resident with malnutrition or dehydration to eat or drink; and 4. Assist a resident experiencing emotional distress.</p>	<ol style="list-style-type: none"> 1. Visits must be permitted with no advance appointment or limits to duration or frequency, unless visitation volume precludes social distancing. 2. During an active COVID outbreak, visitation may be paused temporarily for outbreak testing and cohorting of residents, but then must be resumed immediately after. 3. Visitors should be screened for COVID symptoms and exposure to COVID. 4. Residents and visitors must wear well-fitting face masks. 5. Resident-visitor contact: Fully vaccinated visitors of fully vaccinated residents may have physical contact with the resident (e.g., hugs, holding hands, assisting with feeding or grooming) while wearing masks. Otherwise, six feet social distancing is required.

Source: CA DPH [AFL 22-7](#); CMS Memo [QSO 20-39-NH](#); [CMS Nursing Home Visitation Frequently Asked Questions](#) (2-2-22)

Residential Care Facilities for the Elderly – FACILITIES MUST ALLOW OUTDOOR, INDOOR, AND IN-ROOM VISITATION

Initial Screening	Face Mask Requirements	Vaccination Verification/Testing*	Physical Distancing	Physical Touch
<p>Visitors screened for COVID symptoms and exposure to COVID.</p> <p>Visitors wash hands or use alcohol-based hand sanitizer upon entering facility.</p>	<p>Visitors must wear well-fitting face masks upon entry and at all times within the facility (N95, KF94, KN95, or surgical mask recommended), regardless of vaccination status.</p> <p>For outdoor visits, visitors are must wear well-fitting face masks, regardless of vaccination status.</p>	<p><i>Fully Vaccinated Visitor</i> - must provide proof of vaccination.</p> <p><i>Unvaccinated/Incompletely Vaccinated Visitor</i> - must show documentation of a negative COVID-19 test that occurred within one day for antigen tests and two days for PCR tests.</p> <p>The vaccination verification and testing requirements do not apply to visitors seeking only outdoor visits which do not require entrance to the facility.</p> <p>Visitors who cannot provide vaccine verification or a negative test may have an indoor visit. These visits, however, cannot take place in common areas, or in the resident's room if the roommate is present, and the visitor must wear a well-fitting mask with good filtration and the resident must wear a well-fitting face mask at all times and physically distance.</p>	<p>Physically distance from all other individuals while in the facility, regardless of vaccination status, unless close contact is permitted as specified in the <i>Physical Touch</i> section</p>	<p>Visitors and residents may have close contact (including touch, hugs, assisting with activities of daily living, etc.) while both the visitor and the resident perform hand hygiene before and after contact and are wearing a well fitted face mask with good filtration.</p>

VIRTUAL VISITATION (Phone Calls & Video Chats): Facilities MUST allow and provide assistance in arranging for private and/or confidential alternative communication for visitors such as phone calls, video calls, and online communications.

Source: CA DSS Provider Information Notices (PIN) [22-07-ASC](#)

*The vaccination verification and testing requirements do not apply to:

- Visitors seeking only outdoor visits which do not require entrance to the facility.
- Visitors who are visiting a resident, whose death may be imminent. For these visitors the requirements related to masking, PPE, and physical distancing still apply (see PIN 21-12-ASC).
- Visits from CDSS, CDPH, CDDS or local regional center, local health department officials, mental/healthcare providers (e.g., home health and hospice agencies), and essential government authorities needing to enter or conduct investigations at the facility.
- Visits mandated by a court order or federal law such as visits by Adult Protective Services or the Long-Term Care Ombudsman.