



Policy: In-Person Visitation Policy

Exhibit: a) Florida Law Chapter 2022-34 Committee Substitute for Senate Bill No. 988
b) Resident Essential/Compassionate Caregivers Designation Form
c) Essential/Compassionate Caregiver Acknowledgement Form

Purpose:

The purpose of this Policy is to provide guidance and outlines expectations of Marion Oaks Assisted Living, staff, residents, and those deemed Essential/Compassionate Caregiver Visitor under Florida Law Chapter 2022-34 which has been signed into law creating Chapter 408.823, Florida Statutes. A resident may designate a visitor who is a family member, friend, guardian or other individual as an Essential/Compassionate Caregiver.

Policy:

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

Essential/Compassionate Caregiver Visitors are defined as those who provide emotional support to help a resident deal with a difficult transition or loss, upsetting event, making major medical decisions, needs cueing to eat and drink, stops speaking, or end-of-life. Essential/Compassionate Caregiver Visitors may be allowed entry, into facilities on a limited basis for these specific purposes. The caregiver must be allowed at a minimum in-person visitation for at least 2 hours daily under these circumstances. At Marion Oaks Assisted Living, the 2-hour visitation on a case-by-case basis for end-of-life residents. These exceptions will be discussed and agreed upon in writing by the facility's designee and the resident's responsible party.

Procedure:

1. For designation and utilization of essential/compassionate caregivers

- 1) Marion Oaks Assisted Living will provide the Agency for Healthcare Administration (ACHA) with a copy of the facility's essential/compassionate caregiver visitor's policy and procedure, with the initial licensure application, renewal application and/or change of ownership application.
- 2) Marion Oaks Assisted Living essential/compassionate visitor's policy and procedure is available on the www.marionoaksalf.com homepage.
- 3) Marion Oaks Assisted Living will designate the Administrator as key staff to support infection control and prevention training.



- 4) Marion Oaks Assisted Living will set a limit on the total number of visitors allowed in the facility at any given time based on the ability of staff to safely screen and monitor and the space to accommodate the essential caregiver visitors.
 - a) Identify locations for visitation/care to occur planning for residents in shared spaces and facilities with minimal common space to identify maximum time availability.
 - b) Provide outdoor visitation spaces that are protected from weather elements, such as porches, courtyards, patios, or other covered areas that are protected from heat and sun, with cooling devices, if needed.
 - c) 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 reasons cannot leave his or her room.
- 5) All residents and/or POA/Guardian if appropriate will be asked if they want to identify as an Essential or Compassionate Caregiver Visitor.
- 6) All new residents will be asked if they would like to identify an Essential/Compassionate Caregiver upon move-in.
- 7) All residents will be allowed to update as requested the named Essential/Compassionate Caregiver on record within 2-business days of request.
- 8) Residents are allowed in-person visitation all of the following circumstances, unless the resident objects:
 - a) End-of-life situations.
 - b) A resident who was living with family before being admitted to the provider's care is struggling with the change in 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 died.
 - e) A resident needs cueing or encouragement to eat or drink which was previously provided by a family member or caregiver.
 - f) A resident who used to talk and interact with others is seldom speaking.
- 9) Marion Oaks Assisted Living will maintain a visitor's log for signing in and out.
- 10) No more than one essential/compassionate caregiver visitor may be designated per resident.
- 11) The policy need NOT prohibit essential/compassionate caregiver visitor visits, if the specific resident to be visited is quarantined, tested positive, or showing symptoms of a communicable disease. Visitors in these circumstances will likely require a higher level of PPE than standard surgical masks. 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/compassionate caregiver visitors.
- 12) Marion Oaks Assisted Living is not required to provide for "facility-provided" COVID-19 testing, if and only if, it is based on the most recent CDC and FDA guidance. The cost of this testing cannot be passed onto the visitor.
- 13) Essential/Compassionate Caregiver visitor must wear Personal Protective Equipment (PPE) per facility's Infection Control Policies. The PPE must be consistent with the most recently CDC guidance for healthcare workers. At Marion Oaks Assisted Living, the essential/compassionate caregiver visitors shall wear the same PPE that staff wear to provide care of services to the resident.

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- 14) Any changes to Marion Oaks Assisted Living essential/compassionate caregiver visitor policies will be promptly communicated to the affected residents and essential/compassionate caregiver visitors.

II. To facilitate visits by Essential/Compassionate caregiver visitors upon a request from a resident or friend/family member.

- 1) The resident (or their representative) will read and sign the policy and procedures. The acknowledgement of the signature represents that the essential/compassionate caregiver visitor will abide by the policies set forth in this document.
- 2) The essential/compassionate caregiver visitor will complete training on Marion Oaks Assisted Living infection control and prevention including the use of PPE, use of masks, hand sanitation, and social distancing.
- 3) The essential/compassionate 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 facility.
- 4) Essential/Compassionate caregiver visits may take place in the resident's room or a designated area determined by Marion Oaks Assisted Living at the time the visitation schedule is developed agreed upon.

III. When an essential/compassionate caregiver visitor is scheduled to visit, the facility will:

- 1) Marion Oaks Assisted Living will thoroughly screen the visitor per the facility's infection control and policy and procedure and document the name of the individual, the date and time of entry and the screening mechanism used, along with the screening employee's name and signature. Just as with staff entering the building. If the visitor fails the screening, the visitor CANNOT be allowed entry.
- 2) Marion Oaks Assisted Living will ensure that the required consents, and training and policy acknowledgements are in place.
- 3) Marion Oaks Assisted Living will ensure that the caregiver visitor has appropriate PPE if applicable.
- 4) Marion Oaks Assisted Living will require the essential/compassionate caregiver visitor to sign in and out on the visitor's log.
- 5) Marion Oaks Assisted Living will monitor the essential/compassionate caregiver visitor's adherence to policies and procedures.
- 6) If the essential/compassionate caregiver visitor fails to follow the facility's infection control and prevention requirements, after attempts to mitigate, Marion Oaks Assisted Living shall restrict or revoke visitation.
- 7) In the event the essential/compassionate caregiver visitor's status is revoked due to the individual not following the facility's policy and procedures, the resident may select a different essential caregiver visitor who will be granted visitation rights upon proper vetting and agreeing to Marion Oaks Assisted Living policies and procedures.



Essential/Compassionate Caregiver Visitor Designation

I, _____ designate _____ as
Essential/Compassionate Care Visitor for _____. In making this designation,
I consent and understand that:

- Visits by the essential/compassionate caregiver visitors are subject to Marion Oaks Assisted Living policies and procedures and ability to screen visitors and monitor visits.
- All essential/compassionate caregiver visits maybe scheduled, based on current facility conditions and will be at least 2-hours minimum daily.
- Limited to one visitor at a time and are limited to designated areas only. (Please speak with the Administrator regarding possible exceptions for end-of-life situations).
- **(Resident's name)** has the ability to object to a visit at any time, even under the following circumstances:
 - 1) End-of-life situations.
 - 2) A resident, client or patient who was living with family before being admitted to the provider's care is struggling with the change in environment and lack of in-person family support.
 - 3) The resident, client or patient is making one or more major medical decisions.
 - 4) A resident, client or patient is experiencing emotional distress or grieving the loss of a friend or family member who recently died.
 - 5) A resident, client or patient needs cueing or encouragement to eat or drink which was previously provided by a family member or caregiver.
 - 6) A resident, client or patient who used to talk and interact with others is seldom speaking.
- Essential/compassionate caregiver visitors will need to follow Marion Oaks Assisted Living infection control and education policies and procedures and agree to such. At no time will they be more stringent than those for staff and at no time require to submit proof of vaccination.
- Essential/compassionate caregiver visitors must sign the acknowledgement of completion of required trainings and adherence to infection prevention and control policies.
- Visits by a specific essential/compassionate caregiver may be suspended for failure to follow infection prevention and control requirements or other related rules of Marion Oaks Assisted Living. At that time, the resident's representative can designate a new essential/compassionate caregiver.

Resident or Legal Representative Signature

Date

Resident or Legal Representative Printed Name

Date

Facility Representative Signature

Date

Facility Representative Printed Name



Essential/Compassionate Caregiver Visitor Acknowledgement

I _____ accept the designation as an essential/compassionate caregiver visitor for _____. I understand that:

- My visits as an essential/compassionate care visitor are subject to Marion Oaks Assisted Living infection control and education policies and procedures. I acknowledge receiving the policies and procedures and agree to always abide by them.
- My visit as an essential/compassionate caregiver may be scheduled and may be no less than 2-hours per day. (Please speak with the Administrator regarding possible exceptions for end-of-life situations.
- Essential/compassionate caregiver visits cannot occur if the resident personally objects/declines your visit no matter the circumstances per 408.823 of F.S.

“(c) The visitation policy and procedures required by this section must allow in-person visitation in all of the following circumstances, unless the resident, client or patient objects:

- 1) End-of-life situations.*
 - 2) A resident, client or patient who was living with family before being admitted to the provider's care is struggling with the change in environment and lack of in-person family support.*
 - 3) The resident, client or patient is making one or more major medical decisions.*
 - 4) A resident, client or patient is experiencing emotional distress or grieving the loss of a friend or family member who recently died.*
 - 5) A resident, client or patient needs cueing or encouragement to eat or drink which was previously provided by a family member or caregiver.*
 - 6) A resident, client or patient who used to talk and interact with others is seldom speaking.*
- When visiting as an essential/compassionate caregiver visitor, I will utilize personal protective equipment (PPE) as determined by the facility's policies and procedures related to current facility status and current medical condition of (Name of Resident).
 - I have acknowledge having receive training on infection prevention and control, use of PPE, use of masks, hand sanitation, and social distancing. I am satisfied with the training provided and do not have any questions regarding any of these topics.
 - I acknowledgement my obligation and agree to **immediately** notify Marion Oaks Assistant Living if I experience symptoms of a respiratory infection, cough, fever, shortness of breath or difficulty breathing, congestion or runny nose, sore throat, chills, headache, muscle pain, repeated shaking with chills, new loss of taste or smell, nausea or vomiting, diarrhea, or any other COVID-19 symptoms identified by the CDC, or if I test positive for COVID-19 within fourteen (14) days of a visit.



- Visits by essential/compassionate caregiver visitors may be restricted or revoked for failure to follow infection prevention and control requirements of Marion Oaks Assisted Living.

Designated Essential/Compassionate Caregiver
Visitor's Signature

Date

Designated Essential/Compassionate Caregiver
Visitor's Printed Name

Facility Representative Signature

Date

Facility Representative Printed Name