



AGENCY FOR HEALTH CARE ADMINISTRATION



Visitation **RIGHTS**

On April 6, 2022, Governor Ron DeSantis signed SB 988, which guarantees Florida families the fundamental right to visit their loved ones receiving care in hospitals, hospices, nursing homes, assisted living facilities, and intermediate care facilities for the developmentally disabled.

the Right
TO HUG YOUR LOVED ONE AT ALL STAGES OF LIFE

While the Federal Centers for Medicare and Medicaid Services continue to waive this requirement for patients in hospitals, Florida law now guarantees this right. An outline of the legislation is found below. Please read this information carefully so you know what protections are available to you and your family.


NO VACCINE MANDATE

No health care facility in Florida may require a vaccine as a condition to visitation and must allow for consensual physical contact between patients and their loved ones.

[SB 988](#) states that all hospitals, hospices, and long-term care facilities visitation policies and procedures must allow for in-person visitation in all the following circumstances, unless the resident, client, or patient objects:

- End-of-life situations.
- 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.
- The resident, client, or patient is making one or more major medical decisions.
- A resident, client, or patient is experiencing emotional distress or grieving the loss of a friend or family member who recently died.
- A resident, client, or patient needs cueing or encouragement to eat or drink which was previously provided by a family member or caregiver.
- A resident, client, or patient who used to talk and interact with others is seldom speaking.
- For hospitals, childbirth, including labor and delivery.
- Pediatric patients.

Providers are encouraged to review all information that is required by this law. A copy of the legislation can be found [HERE](#).



Additionally, the bill allows a resident, client, or patient the option to designate a visitor who is a family member, friend, guardian, or other individual as an essential caregiver. The provider must allow in-person visitation by the essential caregiver for at least 2 hours daily in addition to any other visitation authorized by the provider.

By May 6, all Florida hospitals, hospices, nursing homes, assisted living facilities, intermediate care facilities for the developmentally disabled must adopt and publicly post their visitation policy in an easily accessible format on the home page of their website. These policies should outline hours for visitation, infection control and education policies for visitors, and additional health or safety procedures that visitors are subject to.



Providers are authorized to request a visitor to agree to the policy and procedures in writing. However, the policy and procedures may not be more stringent than what is required for their staff.

As Florida's health care regulator, the Agency will survey for compliance with these protections as part of the Agency's survey process and when a complaint is filed with the Agency.



Complaints:

The Agency takes our commitment to the wellbeing of Florida's patients seriously, and this includes a patient's right to visitation with their family.

If you or your loved one have been met with resistance from a hospital, hospice, or long-term care facility, when attempting to visit with loved ones, you may file a complaint with the Agency for further review and action.

Submitting this complaint online may assist the Agency in expediting review with the goal of swift resolution. If you prefer to make this complaint via phone, the Agency has established a dedicated phone line for visitation related complaints **888-775-6055**. A link to the complaint portal is found below:

file your
COMPLAINT

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