**POLICY:**

In accordance with New York State (NYS) Public Health Law (PHL), Chapter 108, Section 2801-h, this facility will allow residents visitation access to their designated personal and compassionate caregivers, notwithstanding general visitation restrictions in the facility during a public health emergency to meet the physical, emotional and psychosocial needs of the residents.

**DEFINITIONS**:

**Personal Caregiving Visitor (PCV)**: a family member, close friend, or legal guardian of a resident designated by such resident, or such resident’s lawful representative, to assist with personal caregiving or compassionate caregiving for the resident.

**Personal Caregiving**: care and support of a resident to benefit such resident’s mental, physical, or social well-being.

**Compassionate Caregiving**: personal caregiving provided in anticipation of the end of the resident’s life or in the instance of significant mental, physical, or social decline or crisis. It includes providing care to a resident who is at the end of life; is struggling with the change in environment and lack of physical family support; is grieving after a friend or family member recently passed away; needs cueing and encouragement with eating or drinking, and such cueing was previously provided by family and/or caregiver(s), and the resident is now weight loss or dehydration; used to talk and interact with others, is experiencing emotional distress, seldom speaking, or crying more frequently (when the resident had rarely cried in the past).

**PROCEDURE:**

1. The facility will provide education to residents and/or designated health care representatives regarding personal and compassionate caregiving visitation. Education will include:

* The number of personal or compassionate caregivers at a time (maximum 2)
* The need to test for any communicable disease, as applicable (currently, NYS recommends visitors test for Covid-19, but it is not a requirement).
* Temperature and health screening
* Utilizing personal protective equipment (PPE), as applicable
* Maintaining social distancing (except as necessary for personal caregiving by the personal caregiving or compassionate caregiving visitor)
* Any additional requirement as set forth by NYS Department of Health

1. The Department of Social Services will be responsible for determining which individual(s) residents and/or their designated healthcare representatives would like to elect to serve as their personal and/or compassionate care visitor(s), including if the resident is determined to lack decision making capacity

* This can be done via phone/video call, e-mail, or mailed letter

1. The facility will maintain a record of the resident’s designated personal and/or compassionate caregiving visitors in the resident’s comprehensive plan of care and document when personal and/or compassionate caregiving is provided in the resident’s comprehensive plan of care.
2. The facility will update designated personal and/or compassionate care visitors upon admission/re-admission, quarterly, upon resident’s change in condition, and as necessary.
3. The facility reserves the right to determine the frequency and duration of personal and/or compassionate care visitation based on the resident’s clinical and/or personal care needs.

* Visits and duration will be adjusted based on individual resident needs

1. In situations where there is a roommate, the facility will stagger the visits to ensure the roommate has adequate privacy and space to receive care.
2. The facility may temporarily suspend, limit, or prohibit personal caregiving visitors to protect the health, safety, and welfare of residents if:

* The facility has reasonable cause to believe that a resident will not benefit from accessing their designated personal caregiving visitors (has to be documented in comprehensive plan of care)
* The declared public health emergency (PHE) is related to a communicable disease and the Department determines that local infection rates are at a level that presents a serious risk of transmission of such communicable disease within local facilities;
* The facility is experiencing inadequate staffing and has reported such staffing shortage to the Department of Health;
* An acute emergency situation exists at the facility (e.g., loss of heat, loss of elevator service, or other temporary loss of an essential service).
* The facility has reasonable cause to believe that permitting the personal caregiving visitor to meet with the resident is likely to pose a threat of serious physical, mental, or psychosocial harm to a resident.
  + In this situation, the facility will document the date of and reason for visitation refusal in the resident’s comprehensive plan of care. Facility will also notify the resident and/or designated representative on the same date of the refusal.

1. In the event that personal caregiving visitation is temporarily suspended or limited, the facility will:

* Notify all residents, designated personal caregiving visitors, and the applicable DOH Regional Office within 24 hours of implementing the suspension or limitation.
* Document the specific reason for the suspension or limitation in administrative records daily.

1. The facility will refuse access to or remove from the premises any personal and/or compassionate caregiving visitor who is causing or reasonably likely to cause physical injury to any facility resident or personnel.
2. The facility will require all personal and compassionate caregiving visitors to adhere to infection control measures including screening and testing for communicable disease, temperature screening (access will be denied to anyone with temp >100°F), utilizing personal protective equipment (will be provided by facility) as applicable, and maintaining social distancing when not providing personal care.
3. All personal and/or compassionate care visitors are required to perform hand hygiene, get temperature checked, and perform health screening prior to proceeding beyond entry point/lobby area of facility.

* May be done by front desk personnel

**EFFECTIVE:** 6/9/2021

**REFERENCE**:

NYSDOH (6/1/2021). Personal Caregiving and Compassionate Caregiving Visitors in Nursing Homes and Adult Care Facilities. <https://regs.health.ny.gov/sites/default/files/pdf/emergency_regulations/Personal%20Caregiving%20and%20Compassionate%20Caregiving%20Visitors%20in%20Nursing%20Homes%20and%20Adult%20Care%20Facilities.pdf>