

Sanford Policy ENTERPRISE Assisted Living:	Resident Visitation Rights, Assisted Living, South Dakota
	APPROVED BY: DIRECTOR, OPERATIONS, SENIOR LIVING
DATE REVIEWED/REVISED: 06/23/2021	FORMULATED BY: NURSING AND CLINICAL SERVICES CONSULTANT

SCOPE:

Assisted Living, South Dakota Locations only

PURPOSE

To fulfill requirements of SD regulations 34-12-67, 34-12-68, & 34-12-69 as defined by 2021 SD Legislature House Bill 1139

POLICY

All South Dakota Good Samaritan Society (GSS) Assisted Living locations recognize that each resident has a right to receive visitors of their own choosing at the time of their own choosing, provided the visitation does not impose upon the rights of another resident

In addition to persons allowed access to a resident in accordance with their official capacities, a facility must provide access to any resident by:

- A member of the resident’s immediate family and other relatives of the resident, subject to reasonable clinical and safety restrictions and the resident’s right to deny or withdraw consent;
- Any other person visiting with the consent of the resident, subject to reasonable clinical and safety restrictions and the resident’s right to deny or withdraw consent; and
- Any person providing health, social, legal, or other services to the resident, subject to reasonable clinical and safety restrictions and the resident’s right to deny or withdraw consent.

Note: For assisted living services accessed through a long term care facility, visitation is subject to limitations prescribed by authorities having jurisdiction over the long term care setting. Any limitations must be communicated to assisted living residents and their designated family members.

PROCEDURE

- A. This visitation policy will be posted on the GSS website and prominently in the assisted living facility. The assisted living will provide a copy of the visitation policy to the resident prior to the signing of the occupancy agreement contract and at least annually thereafter. Electronic copies of the visitation policy shall also be provided to the resident and their designated family members. The assisted living will provide printed copies of the visitation policy upon request.

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- B. If visitation must be limited or restricted during a health emergency:
1. The assisted living will electronically inform each resident and their designated family members of visitation limitations and restrictions (including the rationale and reason for limitations and restrictions as well as the period of time these limitations and restrictions are to remain in effect). Printed copies will be made available upon request and the GSS website will be updated with information pertaining to the current limitations and restrictions.
 2. Limitations and restrictions must be reviewed at least every 30 days. The assisted living shall provide notice of the review to residents and designated family members, encourage written and oral comments, and give due consideration to the submissions.
 3. If, after the required review, the assisted living determines that restrictions must be continued, notice of this continuation will be posted on the GSS website and in a conspicuous place within the facility. The notice must include:
 - i. Citation of the federal or state law being implemented; or
 - ii. A link to evidence-based research indicating that the continuation is clinically necessary for the health and safety of the residents
 - iii. A printed copy of the applicable laws or evidence-based research must be provided upon request.
- C. During a health emergency, the GSS website will contain a link to the most recent guidance documents provided from or through the South Dakota Department of Health and pertaining to the imposition of restrictions or limitations on visitation and the conditions under which such restrictions or limitations may be reduced or removed.

References:

SD regulations 34-12-67, 34-12-68, & 34-12-69

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