March 23rd, 2020

**Visitation**

**During COVID-19**

As reported March 22nd, 2020 there are currently 47 case of COVID-19 reported in Idaho and it has now progressed to community acquired. It is expected those numbers will grow in the state. The Centers for Disease Control and Prevention (CDC) in coordination with The Centers for Medicare and Medicaid Services (CMS) are striving to decrease the spread of the CORVID-19. CMS and CDC are providing education to the public on how to use personal precautions to slow or prevent the spread and CMS has provided guidance to state survey and directed that facilities limit the visitation of anyone that is not essential health care personnel, except for certain compassionate care situations, such as end of life situations.

You may ask, is this legal and can they refuse to let you see your loved one? According to the guidance under CMS for facilities to limit visitation, yes, they can. They can limit visitation for the benefit of the whole, or all the residents to prevent the spread within the facility.

It is recommended that you contact the facility to see what their policy and procedures are for visitation. Facilities should provide a way for resident representative to have contact with their loved ones via technology when a face to face visit is not possible. Because staff provide care for many residents within a facility, the spread of a virus can happen very quickly. So, by restricting those who enter the facility and screening staff, it is hoped to limit the exposure and risk of spreading the COVID- 19 throughout the facility.

The ombudsman program is not exempt from these restrictions on visitation. This being said, it is important to know that the ombudsman is still working to resolve complaints and concerns by residents and resident representatives as directed in The Older Americans Act (OAA), Title VII, Chapter 2, Sections 711/712 and 45 CFR § 1324.13. Federal Regulation require the Ombudsman program provide services to assist residents in protecting their health, safety, welfare and rights.

Ombudsman continue to receive and investigate complaints and work to bring resolution to the satisfaction of the resident and/or resident representative. This is a difficult time and there is great concern by family and loved ones regarding the wellbeing of those residing in Skilled Nursing Homes, Assisted Living facilities and many other living situations.

If you have question or concerns, please know that you can reach out to your local ombudsman program for answers to questions and assistance in resolving concerns.

Contact information is provided for each local ombudsman on the ICOA website under the Ombudsman tab.

Amanda Scott