



Department of Health

KATHY HOCHUL
Governor

MARY T. BASSETT, M.D., M.P.H.
Commissioner

KRISTIN M. PROUD
Acting Executive Deputy Commissioner

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DHDTC DAL#: 22-11
Hospital Visitation

Dear Chief Executive Officer and Administrators:

The purpose of this guidance is to provide hospitals and diagnostic and treatment centers with information regarding visitation in addition to guidance previously issued on June 7, 2021 Interim Health Advisory: Updated COVID-19 Guidance for Hospital Visitation and Non-Hospital Employed Support Staff, December 9, 2021 Virtual Visitation Device Guidance and the October 24, 2022 Masking, Testing, Cohorting, and Visitation accessible at https://www.health.ny.gov/professionals/hospital_administrator/letters/

Facilities shall not restrict visitation without a reasonable clinical or safety concern. Hospitals may, at their discretion and consistent with their pre-COVID-19 ability, set the maximum number of visitation hours and visitors for various units in the hospital based on the patient's status, condition and situation.

Consistent with Section 405.7(c)(20), for hospitals, and Section 751.9(g) for diagnostic and treatment centers of Title 10 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (NYCRR), facilities must authorize family members and other adults including end-of-life religious, spiritual leaders and/or cultural advisors, to visit consistent with the facility's ability to receive visitors. These visits are essential and contribute to the patient's well-being and care and must be allowed to the maximum extent possible. Visitation must, however, be accompanied by strict adherence to infection prevention and control requirements including the requirement that all visitors two years of age and older who are able to medically tolerate a face covering/mask, shall continue to be required to wear a face covering/mask in healthcare facilities, regardless of vaccination status, until the Commissioner' Determination is modified or rescinded.

CMS noted that while visitation restriction polices were used previously in the pandemic to mitigate COVID-19 infection, at this time continued federal guidance on restrictions for acute and continuing care facilities is no longer necessary and there are no restrictions on visitation. Therefore, hospitals and diagnostic and treatment centers must facilitate in-person visitation consistent with the federal 42 CFR 482.13(h) and with New York State regulations. Failure to facilitate visitation would constitute a potential violation and the facility may be subject to citation and enforcement actions.

Hospitals may consider additional measures to support visitation including:

- Counseling patients and their visitor(s) about the risks of an in-person visit.
- Encouraging use of alternative mechanisms for patient and visitor interactions such as video-call applications on cell phones or tablets, when appropriate.

- Providing instruction, before visitors enter the patient's room, on hand hygiene, limiting surfaces touched, and use of PPE according to current facility policy.
- Instructing visitors to only visit the patient room and minimize their time spent in other locations in the facility.

Sincerely,

Dorothy Persico, RN, BSN
Deputy Director, Division of Hospitals and
Diagnostic & Treatment Centers