

NURSING HOME RESIDENTS HAVE THE RIGHT TO DECIDE WHO WILL VISIT THEM AND WHEN

A nursing home is the nursing home resident's **home**. You get to decide who visits you in your home and when. Nursing home residents have the right to decide who visits them in their home and when, and to meet in private, just as they did before moving in.

Federal law says that any nursing home in the Medicare or Medicaid program must let a nursing home resident have visitors any time the resident wants. This law applies to all residents of the nursing home, no matter who is paying for their care. In the City of Chicago, every nursing home is in one or both of these programs. So the friend or relative of a Chicago nursing home resident can visit any time the resident wants. This is true even if the nursing home says that visiting hours are from 10 a.m. to 8 p.m.

Visitors cannot interfere with a resident's care, or disturb other residents. If a resident wants a visit late at night, or when a roommate is asleep, the visitor will have to be quiet, or meet outside the resident's room. If a resident wants, a visitor who takes necessary infection-control precautions can be present during the resident's personal care.

A resident can choose her/his visitors. Visitors can be friends, relatives, an ombudsman, or any other person the resident wants. The resident and the visitor don't have to tell the nursing home what they are talking about. If the resident wants the visitor, Illinois law says that a nursing home cannot say "no" unless the resident's doctor documents in writing that the visit would be harmful to the resident, or the nursing home says that the visit would threaten the health, safety, or property of any resident or the facility.

A resident's guardian can decide who can visit the resident and when. The resident does not have to give permission. If the guardian thinks the resident will enjoy the visit, the guardian should not say "no" unless (s)he believes the visitor will hurt or take advantage of the resident. If the guardian says somebody cannot visit, and the nursing home agrees, the person will have to go to court to ask a judge allow the visit.

A resident or visitor who thinks a nursing home has illegally denied a visit, can appeal to the Illinois Department of Public Health by calling **217-557-2556**, or faxing **217-557-3497**, and asking for a "denial of access" hearing. The person must ask for a hearing no more than 10 days after the nursing home refuses the visit.

For more information about a nursing home resident's right to have visitors, call the Chicago Department on Aging nursing home resident ombudsman at **312-744-4016**.

