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A) Policy Statement

An inpatient hospitalization stay creates various barriers to maintaining outside relationships. As a service provider, it is the role of the Office of Mental Health to foster the support and nurturance of relationships that are an important part of the recovery process. A safe and welcoming environment for patients to have visitors encourages emotional support and assists in building and maintaining relationships and community connections. Facilities are therefore required to establish visiting hours and policies designed to facilitate visiting, consistent with New York State Mental Hygiene Law Sections 33.02 and 33.05, and 14 NYCRR Part 527.

The Office is also charged with the responsibility of providing a safe and therapeutic environment for all patients, staff, and other persons while they are on the premises of a facility directly operated by the Office. The purpose of this policy directive is to help ensure that patients and their visitors achieve a positive visitation experience without compromising patient care, confidentiality, or security.

B) Relevant Statutes and Standards


Mental Hygiene Law Sections 33.02 and 33.05
Part 527 of Title 14, Official Compilation of Codes, Rules and Regulations of the State of New York
PC 050 – Safe and Therapeutic Environment Program
OMH Privacy Policy
OMH Information Security Policy

C) Applicability


This policy directive shall apply to all civil inpatient facilities of the Office of Mental Health, including both adult and children’s facilities. It shall not apply to forensic facilities or the Sex Offender Treatment Program, which shall develop their own policies for this purpose.

D) Body of the Directive

- 1) **“Visitor”**: For purposes of this policy directive, the term “visitor” shall mean any individual seeking entry to a facility for the purpose of interacting with a patient. It shall not include a person employed by the Office of Mental Health who is visiting in his or her official capacity. It shall also not include a patient who is currently admitted as an inpatient to the same facility.
- 2) **Visiting Hours**: Facilities shall establish visiting hours based on the needs of the population served and the facility’s security needs, in compliance with applicable requirements of 14 NYCRR Section 527.10.

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- 3) **Single Point of Entry/Exit:** Each facility must designate a single point of entry and exit for all visitors.
- (i) Facility campuses must contain signage which clearly guides visitors to designated parking areas and the single point of entry/exit. Visitors attempting to enter or leave the facility via another access/egress location must be redirected to the single point of entry/exit.
 - (ii) The single point of entry/exit location must be continuously staffed during regular visiting hours by person(s) who are capable of providing directions with respect to visiting locations, and answering general questions about visiting rules and policies (including visitor guidelines and what information is considered contraband in accordance with individual facility policies). Though this function may be performed by staff other than Safety and Security staff, such safety/security staff must be readily accessible to staff assigned to the single point of entry/exit in case safety/security assistance is quickly needed.
- 4) **Entry Procedures:** Upon arrival at the welcome center (i.e., the single point of entry), all visitors shall be required to check (sign) in, present picture identification, and obtain a visitor's pass, which they must display on their person at all times during the course of the visit.
- (i) Picture identification may include, but is not limited to: driver's license or personal ID card issued by another state; federal or state government-issued photo ID; U.S. passport; military identification card with photo; student identification with photo.
 - (ii) Picture identification is not required for children under the age of 18, provided that they are with an adult who can vouch for the child's identification, and, provided further, that picture identification for the adult is supplied.
 - (iii) On a case by case basis, facilities are permitted to allow visitors without picture identification to visit, provided some other type of identification is produced.
 - (iv) Visitor passes must be produced in a form and format that is easily worn and properly displayed by the visitor, such that he or she is readily identifiable as a visitor. Passes must include at least the following information:
 - A. Date of visit (month, day, year);
 - B. Visitor destination (e.g., specific building, ward, meeting/visitor area); and
 - C. Pass identification number.

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- (v) Patients have the right to designate who may visit them during their stay at the facility, and have the right to refuse visitors.
 - A. Upon arrival, visitors must identify with whom they plan to visit, and staff will confirm that the patient wishes to meet with the visitor and is available to do so.
 - B. Visitors of patients who have had visits by such persons restricted pursuant to a physician's order, or visitors who are named in any capacity in court ordered restraining orders (of which the facility has been made aware) will not be allowed to visit.
 - C. Visitors appearing to be intoxicated or under the influence of drugs will not be permitted entry to visit while in such condition.

- (vi) To ensure a safe and therapeutic environment, facilities shall apprise visitors of its policy regarding items that are potentially dangerous to the safety and security of the facility and are thus considered to be contraband. All items brought by visitors to give to patients shall be checked by a staff person designated by the Facility Director to do so. Visitors bearing contraband shall be instructed to store these items in their vehicles or in a secure storage space offered by the facility, however nothing in this directive shall be deemed to prevent a facility from contacting law enforcement to report criminal activity. Such items shall be identified in facility policies, based upon individual facility circumstances and population served.


5) **Minors:**

- (i) Children under age 18 must be accompanied by an adult at all times while in the facility.
- (ii) Children under age 12 are not permitted on the adult inpatient units; an off-unit visiting area shall be provided for this purpose, which shall be supervised by staff if clinically indicated.
- (iii) All visitors of minor patients (under 18 years of age) must be approved by both the inpatient clinical team and the person or entity with legal authority to consent to treatment for such minor patient. For minor patients, some visits may require staff supervision; if so, the facility must provide appropriate staff to ensure the patient's safety and well-being.

- 6) **Law Enforcement:** Each facility has a secure gun locker located within the Safety Department. Law enforcement officers or Investigative agents who arrive at the facility with guns and/or ammunition shall be directed to secure their weapons in such lockers when visiting the facility. Law enforcement/Investigative agent identification must be verified.

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- 7) **Exit Procedures:** When a visit has concluded, the visitor must leave the facility via the single point of exit. To leave the facility, the visitor must sign out, verify identity if requested, and return his/her visitor pass. The number of the returned pass must be accounted for at the time it is returned. **If, at any time, a visitor advises that he or she has lost a visitor pass, the original pass shall be recorded as missing, and the identity of the visitor shall again be verified, prior to the issuance of a new pass.** Facilities shall establish procedures to ensure that all visitor passes are accounted for at the conclusion of visiting hours each day. This shall include outlining a process to follow when a pass is found to be unaccounted for at any point.
- 8) **Visitor Guidelines:** Visitors shall be advised of the following Visitor Guidelines:
- (i) Physical appearance is key to the identification of staff, visitors and patients. In order to ensure the safety and care of patients, any significant, or otherwise unusual alteration to the physical appearance of a visitor, (e.g., alteration of clothing, removal of clothing, or exchange of clothing with another visitor or patient), after a visitor has obtained access to the facility to visit, may be grounds for discontinuing a visit.
 - (ii) For the safety of both visitors and patients, and to support a positive visiting experience for everyone, it is expected that visitors behave in a manner that is respectful to the patients, other visitors, facility staff, and the facility itself. A visit may be immediately discontinued at the direction of the Facility Director or his/her designee for misconduct on the part of the visitor, such as, apparent intoxication of the visitor or patient from alcohol or drugs during the course of a visit; attempted passing of contraband to or by the visitor; assault by the visitor on facility, staff, patients, or other visitors; willful and intentional destruction of facility property by visitor; or refusal by a visitor to abide by facility rules.
 - (iii) Children under the age of 18 are welcome, but must be accompanied and supervised at all times by an adult (who is not a patient of the facility). Children under age 12 are not permitted on Adult Inpatient Units. Arrangements can be made to accommodate visits with younger children in a designated facility visiting room.
 - (iv) Sharing favorite foods or meals with friends and family members can provide a sense of comfort and normalcy to a patient visit and is generally encouraged. However, food and beverages brought in by visitors may be subject to certain restrictions at certain facilities. Facilities must identify any such restrictions in its Visitor Guidelines. Furthermore, for individual patients, some food or beverages may be clinically contraindicated (e.g., patients with choking precautions, polydipsia, or food allergies). Visitors are encouraged to consult with a patient's treatment team prior to visiting to determine if any clinically contraindicated restrictions apply.

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- (v) There may be circumstances in which placing a time-limited restriction on a patient's visiting rights is clinically justified. If a patient's treatment team believes that receiving visitors, or visiting with a specific person or persons is clinically contraindicated, such visits can be restricted by physician's order in accordance with the provisions of Mental Hygiene Law Section 33.02 and 14 NYCRR Part 527.