



ARIZONA DEPARTMENT OF HEALTH SERVICES

Hospital Partners:

We want to thank you for all you are doing to keep your patients, staff, and visitors safe during the COVID-19 pandemic. You are doing tremendous work under some extreme circumstances.

Your hospital's diligence in protecting patients and personnel through limited visitation policies is appreciated and a key strategy to minimize the spread of COVID-19.

However, ADHS has received information that indicates some hospitals or systems are restricting visitation to patients that may be inappropriate and may include:

- Restriction of caregivers to individuals that are protected by the Americans with Disability Act (ADA).

ADHS reminds hospitals that they have a legal duty to ensure that all visitor policies are in compliance with state and federal law including the ADA shall revise current visitor policies to allow caregivers reasonable visitation with individuals who have physical, mental, and/or emotional disabilities. Hospitals have a legal obligation to develop appropriate policies and procedures to address any gaps that may conflict with the ADA.

A policy that does not allow caregivers to be present in the hospital represents a significant hardship to a vulnerable population and may violate state licensure rules and regulations. This population may include but is not limited to:

- Autism;
- Down Syndrome;
- Cerebral Palsy; and
- Related complex disabilities with cognitive impairments.

Some individuals may have limited verbal communication skills, difficulties understanding consent, care plans, and treatment, and may have situational trauma with unfamiliar settings,

Douglas A. Ducey | Governor Cara M. Christ, MD, MS | Director

low stress thresholds, and anxiety due to separation from known family members, friends, or staff. These limitations worsen when their Disability Support Professional (caregiver) or family member is prohibited from “in-hospital” support.

As we know, individuals with disabilities may rely on caregivers for both emotional and physical support. In some cases, these caregivers are critical to addressing the patient's needs. The presence of a caregiver to be with the patient may enhance treatment and recovery, as well as provide a conduit between the staff and the patient.

Again, thank you for all you are doing and the tremendous flexibility and partnership with ADHS throughout this pandemic.

Douglas A. Ducey | Governor Cara M. Christ, MD, MS | Director

150 North 18th Avenue, Suite 500, Phoenix, AZ 85007-3247 P | 602-542-1025 F | 602-542-1062 W |
azhealth.gov

Health and Wellness for all Arizonans