

VISITORS - RIGHT TO SEE

THE LAW

Each patient shall... "Be permitted to **see visitors each day.**"

§ 51.61(1)(t), Wis. Stats. [Emphasis added.]

"(1) Each **inpatient** shall be permitted to **see visitors each day**, as authorized by s. 51.61(1)(t), Stats., and in accordance with this section.

(2) Adequate and **reasonably private space** shall be provided to accommodate visitors **so that severe time limits need not be set** on a visit.

(3) Every visitor who arrives during **normal visiting hours** shall be permitted to see the patient **unless the patient refuses** to see the visitor.

(4) The treatment facility may require **prior identification of potential visitors** and **may search visitors** but only when there are **documented security reasons** for screening or searching visitors.

(5) Visits **may not be limited to less than one hour**, except under documented special circumstances." DHS 94.21, Wis. Admin. Code [Emphasis added.]

[NOTE: This right may be denied for cause under Sec. 51.61(2), Stats. See section on Client Rights Limitations or Denials (CRLDs) in this Digest.]

DECISIONS

1. A father filed a complaint about **restrictions on his visiting with his son**, who was in treatment foster care. The county had imposed limitations on his visits with his son as part of the **child welfare system**. The DHS 94 grievance procedure has no jurisdiction over child welfare matters. After exhausting the county's grievance process regarding child welfare issues, the next step available to the father was to contact the Office of Strategic Finance (OSF) Regional Office. (Level IV decision in Case No. 06-SGE-07 on 9/25/06)
2. A mother/guardian complained, on behalf of her adult son about a number of his rights having been violated at a day treatment service provider. Insufficient evidence was submitted to show that the grieving party could not visit the participant, thus, no violation of his right to visits was found. (Level III decision, upheld at Level IV, in Case No. 19-SGE-02)

3. A patient had requested a ten day pass from a health care center to visit his family. The request was denied by the health care center and the county department in charge of the patient's care. This length of pass is not allowed at the center, and the patient had not demonstrated a level of trust and responsibility to be approved for a community pass. The patient was informed that his family could visit the patient at the health care center. (Level III Grievance Decision in Case No. 20-SGE-06)

[See: "Introduction to Digest-Date Last Updated" page]