

LAMBDA LEGAL
NEW YORKERS FOR PATIENT & FAMILY EMPOWERMENT
NEW YORK PUBLIC INTEREST RESEARCH GROUP (NYPIRG)

VIA EMAIL & FIRST CLASS MAIL

August 1, 2013

Nirav R. Shah, M.D., M.P.H.
Commissioner
New York State Department of Health
Corning Tower
Empire State Plaza,
Albany, New York 12237

Re: Patient Visitation Policy Disclosures at Acute Care Hospitals

Dear Commissioner Shah:

We write regarding our 2013 review of compliance by the state's large hospitals with state and federal patient visitation policies and to urge the New York State Department of Health to use its oversight and regulatory authority to guide New York's hospitals into full compliance with the letter and spirit of the law in this area.

Our report, *Sick, Scared and Separated from Loved Ones II: Progress and Problems in Hospitals Disclosing the Patient's Right to Choose Who Can Visit*, is an update of a 2012 report on hospital visiting policies that revealed that many hospital websites still contained outdated "immediate family only" rules regarding visitation in certain units. A copy of the report is attached.

The new report, issued by New Yorkers for Patient and Family Empowerment, the New York Public Interest Research Group (NYPIRG) and Lambda Legal, surveyed for the second time the websites of 99 large acute care hospitals in New York with 200 or more staffed beds.

While the report found significant improvement, 17% of the hospitals (17 of 99) continue to retain language on their websites that is either directly contrary to or inconsistent with federal and New York State regulations. Nine of these websites contain language that communicates that in at least some circumstances visitors must be limited to "family" or "significant others. Five other websites contain language that implies restrictions on visits by non-family members. An additional three hospital websites contain information that conflicts with more general statements about patients' right to choose visitors.

We look forward to working with you and your staff to ensure that the benefits of New York and federal patient visitation policies are fully realized. If you have any questions about the report or our request for action, please contact Suzanne Y. Mattei, Executive Director of New Yorkers for Patient & Family Empowerment at smattei@nyc.rr.com or at 646 278-5689.

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Attachment: 2013 report on hospital visitation policies