

PATIENTS NOW AUTHORIZED TO DESIGNATE VISITORS

If you have ever been a patient in the emergency room or a critical care unit of a hospital you can probably recall that you were only able to visit with immediate family members. Any persons who were not immediate relatives, including close friends or non-married significant others, were often turned away, regardless of your wishes.

That has all changed with the enactment of Maine Statute 22 M.R.S.A. §1711-D. The new statute provides that a patient has the right to designate persons to be "considered" immediate family members for the purpose of granting visitation rights. In order to designate visitors the patient must be at least 18 years of age or older (or a minor who is authorized by law to consent to health care), and the patient must be in a critical care unit or an emergency room that restricts visitors to immediate family members only. The patient can now designate visitors by communicating the designation to the health care provider orally or in writing and the designation may be revoked or changed at any time. A hospital is not allowed to deny visitation to a designated visitor unless the hospital denies all visitors, or if it determines the presence of the visitor might endanger the health or safety of the patient or interfere with the primary operation of the hospital, or if the patient has communicated orally or in writing of the choice not to visit with the visitor.