**Section 385.1700 Communication and Visitation**

a) Every client shall be permitted unimpeded, private and uncensored communication of his/her choice by mail and public telephone. The facility management shall ensure that correspondence is promptly received and mailed, and that telephones are reasonably accessible.

b) The facility management shall ensure that clients may have private visits at any reasonable hour unless such visits are not medically advisable for the client as documented in the client's record by the client's physician. The facility shall allow daily visiting. Visiting hours shall be posted in plain view of visitors. The facility management shall ensure that space for visits is available and that facility personnel knock, except in an emergency, before entering any client's room.

c) Unimpeded, private and uncensored communication by mail, public telephone, and visitation may be reasonably restricted by a physician or facility management only in order to protect the client or others from harm, harassment or intimidation, provided that the reason for such restriction is placed in the client's integrated care plan and medical plan of care by the physician or facility management. Upon admission, all clients shall be advised of the potential causes of such restrictions.

d) Any employee or agent of a public agency, any representative of a community legal services program or any member of a community organization shall be permitted access at reasonable hours to any individual client or any facility, if the purpose of such agency, program or organization includes rendering assistance to clients without charge, but only if there is neither a commercial purpose nor effect to such access and if the purpose is to do any of the following:

1) Visit, talk with, and make personal, social, and legal services available to all clients:

2) Inform clients of their rights and entitlements and their corresponding obligations, under federal and State laws, by means of educational materials and discussions in groups and with individual clients;

3) Assist clients in asserting their legal rights regarding claims for public assistance, medical assistance and social security benefits, as well as in all other matters in which clients are aggrieved. Assistance may include counseling and litigation; or

4) Engage in other methods of asserting, advising and representing clients so as to extend to them full enjoyment or their rights;

e) No visitor shall enter the immediate living area of any client without first identifying himself/herself and then receiving permission from the client to enter. The rights of other clients present in the room shall be respected. A client may terminate at any time a visit by a person having access to the client's living area. Facility staff may terminate visits or provide other accommodations for the visits if they are so requested by the client, or the visitor is involved in behavior violating other clients' rights. The visitor may be removed from the facility by facility staff if the visitor is participating in illegal activity or has been removed for engaging in such activity on the premises in the past.