



State of Connecticut
Department of Aging and Disability Services
Long-Term Care Ombudsman Program

12/21/23

Dear Administrator,

I am writing to address an important aspect of resident rights in your facilities, specifically pertaining to virtual visitation in institutional settings as outlined in C.G.S. § 19a-550b. It has come to our attention that there might be some misunderstandings regarding the implementation of these rights.

Our law says a resident only needs the consent of their roommate when they are going to use technology for “virtual monitoring.” Consent from a roommate is not necessary to have “virtual visitation.”¹ Recent feedback suggests that the guidance outlined in this statute on virtual visitations might have been misinterpreted. The comprehensive information shared by our office was intended to clarify, not obscure, the fact that residents do not require their roommate's consent for virtual visitation as they do for virtual monitoring.²³ Further, while individuals do have the right to limited privacy, it does not mean they have the right to restrict their roommates access to visitors.⁴ This would conflict with the general rule that a resident has the broad right to receive guests of their choice.⁵

To avoid further confusion, I strongly recommend updating your facility's information and guidelines to clearly indicate that residents can engage in virtual visitation without the need to obtain consent from their roommates. This clarification will empower residents, their families, and their advocates/councils to better understand and exercise their rights, especially in situations where there is a misunderstanding by an Administrator regarding these rights.

Should you require further explanation or assistance in this matter, please feel free to contact me at (860-424-5200) or via email at Mairead.Painter@ct.gov. Thank you for your continued commitment to the welfare of residents in your care. Your advocacy in upholding these rights is invaluable.

Sincerely,

A handwritten signature in blue ink that reads "Mairead Painter".

Mairead Painter

Connecticut State Long-Term Care Ombudsman

¹ See [C.G.S. § 19a-550b](#)(b)(1)(D), (E), (F).

² “Virtual visitation” is the “remote visitation between a resident and family members or other persons with technology.” See [C.G.S. § 19a-550b\(a\)\(6\)](#).

³ “Virtual monitoring” is defined as the remote monitoring of a resident by a *third-party* via technology owned/operated by a resident in their quarters. See [C.G.S. § 19a-550b\(a\)\(5\)](#).

⁴ See [42 C.F.R. § 483.10\(h\)\(1\)](#).

⁵ See [42 C.F.R. § 483.10\(f\)\(4\)](#).

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