

BIKUR CHOLIM: HALACHIC GUIDELINES

by Rabbi Doniel Neustadt

There are several Biblical sources for the mitzvah of bikur cholim, visiting the sick[1]. Some of the details of this mitzvah are derived from the manner in which Yosef visited his ailing father, Yaakov[2]. Indeed, some Rishonim consider bikur cholim to be a Biblical mitzvah[3]. According to the Rambam[4], this mitzvah is subsumed under the general commandment of "v'ahavta l're'acha kamocho—you should love your fellow as yourself[5]. " The following are some of the more common halachos concerning bikur cholim:

The Shelah[6] divides the mitzvah of bikur cholim into three categories:

B'gufo, with one's body—by taking care of the patient's needs.

This includes actually visiting him and raising his spirits. Often, the visit itself, particularly when the visitor is an important person, does wonders for the patient's medical condition[7]. The Rambam[8] writes that one who visits the sick should be prepared to tell cheerful stories or engage in idle talk so that the patient's mind will be temporarily distracted from his illness. The Rambam adds that anyone who walks into a patient's room should do so happily, since a patient is sensitive to the mood of the people who visit him.

In our times, when patients lie in beds (and not on the floor), it is permissible to sit on a chair near the bed[9]. It is preferable, however, not to sit near the patient's head[10].

Some poskim maintain that the mitzvah of bikur cholim applies also to a man visiting a sick woman, or vice versa, as long as they are careful about yichud[11]. Other poskim disagree[12]. Rav S.Z. Auerbach writes[13]: "In my opinion, just as nichum aveilim is permitted [across gender lines] so is it in regard to bikur cholim, but only to daven for the patient or to see to his/her needs, but not to have lengthy conversations."

B'memongo, with one's money—by covering the sick person's expenses so that he has peace of mind.

B'nishmaso, with one's soul—by davening for the sick person. One who visits a sick person and does not daven for him has not performed the mitzvah of bikur cholim[14]. One who is able to daven for a sick person and does not do so, is called a sinner[15].

When one davens for the health of a parent or a Rebbe, he should not honor them with any titles or descriptions. He should simply say, "my father ploni" or "my Rebbe ploni"[16].

When davening for a sick person, one should daven only in lashon ha-kodesh. If he davens in the

presence of the patient, he may daven in any language[17]. It is best if the sick person can daven for himself[18].

There is a dispute among the poskim concerning whether one is allowed to daven for the death of a patient who is suffering terribly and has no chance of recovery. Many allow it[19] while some do not[20].

Contemporary poskim discuss the issue of fulfilling bikur cholim by means of the telephone. The consensus[21] is that while certain aspects of the mitzvah can be performed over the telephone, other aspects cannot. They rule, therefore, that when a personal visit is impossible, a phone call should be made so that the mitzvah is at least partially fulfilled.

Question: May a kohen visit a patient in a hospital?

Discussion: In Eretz Yisrael, or in a hospital where the majority of the patients are Jewish, it is prohibited for a kohen to enter a hospital in order to visit a patient, except in the unlikely case where he knows for certain that there are no Jewish corpses anywhere in the hospital[22].

Outside of Eretz Yisrael, or in any place where the majority of patients are not Jewish, it is permitted—under extenuating circumstances, such as a man visiting his wife or another close relative—for a kohen to enter a hospital for the purpose of bikur cholim. Obviously, if the kohen is aware that there is a Jewish corpse in the hospital, he may not enter the hospital.

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1. See Nedarim 39b and Sotah 14a.
 2. Rashi, Bereishis 47:31. See Shabbos 12b and Gilyon ha-Shas. See also Shitah Mekubetzes, Nedarim 40a.
 3. This is the view of the Ba-Hag, Ramban and Rabbeinu Yonah; see Sedei Chemed (ma'areches Beis 116) and Tzitz Eliezer, Ramas Rachel 2.
 4. Hilchos Avel 14:1. See also Meiri, Nedarim 39b.
 5. Vayikra 19:18.
 6. Shelah, vol. 2, Maseches Pesachim, pg. 24.
 7. See Nedarim 40a where the Talmud quotes an episode with Rav Akiva concerning this.
 8. Kuntres Hanhagas ha-Brius (quoted in Kol ha-Torah, vol. 40, pg. 72).
 9. Rama, Y.D. 335:3.
 10. Beis Hillel, Y.D. 353:3.
 11. Aruch ha-Shulchan, Y.D. 335:11; Zekan Aharon 2:76.

12. Tzitz Eliezer, Ramas Rachel 16 quoting Va-ya'an Avraham, Y.D. 5.
13. Written responsum published in Nishmas Avraham, Y.D. 335:4.
14. Rama, Y.D. 335:4. Although one can daven for a patient without actually visiting him, still it is better to visit him and witness his condition. The feelings and emotions which are heightened by the visit will intensify the subsequent tefillah for the patient; Igros Moshe, Y.D. 1:223.
15. Berachos 12b.
16. Birkei Yosef, Y.D. 240:4; Rav Akiva Eiger, O.C. 119:1; Tzitz Eliezer Ramas Rachel 13.
17. Y.D. 335:5 and Taz 4; Mishnah Berurah 101:16.
18. Bereishis Rabbah 53:19.
19. Tiferes Yisrael (end of Yoma, Boaz 3); Aruch ha-Shulchan, Y.D. 335:3; Igros Moshe, C.M. 2:73-1; She'arim ha-Metzuyanin B'halachah 194:2. Their view is based on the Ran, Nedarim 40a.
20. Tzitz Eliezer, Ramas Rachel 5, who rules that in this situation one should not daven either way.
21. Igros Moshe, Y.D. 1:223; Kisvei Rav Henkin 2:88; Minchas Yitzchak 2:84; Chelkas Yaakov 2:128; Tzitz Eliezer, Ramas Rachel 8:6; Yechaveh Da'as 3:83.
22. Rav S.Z. Auerbach (written responsum published in Nishmas Avraham, Y.D. 335:4); Shevet ha-Levi, Y.D. 105.
23. Igros Moshe, Y.D. 2:166.

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Rabbi Neustadt is the Yoshev Rosh of the Vaad Harabbonim of Detroit and the Av Beis Din of the Beis Din Tzedek of Detroit. He could be reached at dneustadt@cordetroit.com