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## ACL 14-03

Date: June 5, 2014  
To: Community-Based Adult Services (CBAS) Center Administrators and Program Directors  
From: California Department of Aging (CDA) CBAS Branch  
Subject: Absentee Notification Plan

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### Purpose

This letter provides information regarding the new requirements for CBAS Centers to develop and comply with an Absentee Notification Plan when a participant is missing from the center subsequent to his/her arrival at the facility.

### Background on New Requirements for the Absentee Notification Plan

Assembly Bill (AB) No. 620 (Chapter 674, Statutes 2013) added Sections 1279.8, 1507.15, 1569.317 and 1584.5 to the Health and Safety (H&S) Code relating to health and care facilities. Effective January 1, 2014, this law requires specified health facilities, including adult day health care centers, to develop and comply with an Absentee Notification Plan when a patient, resident, or participant, as applicable, is missing from the facility.

All facilities specified in this statute are responsible for following all applicable laws and regulations. Reference: California Department of Public Health All Facilities Letter (ALF)13-36 <http://www.cdph.ca.gov/certlic/facilities/Documents/LNC-AFL-13-36.pdf>

### Minimum Requirements to Comply with AB 620

H&S Code Section 1584.5 requires that all Adult Day Health Care Centers develop an Absentee Notification Plan for when a participant is determined missing from the facility subsequent to his/her arrival at the center. This Plan shall include and be limited to the following:

1. An administrator of the center, or his or her designee, shall inform the participant's authorized representative when that participant is determined missing from the facility;

2. The circumstances in which an administrator of the facility, or his or her designee, shall notify local law enforcement when a participant is determined missing from the facility.

## **Operationalizing the Absentee Notification Plan**

Centers should consider the following when updating policies and procedures to include the Absentee Notification Plan. The following information is provided as guidance for operationalizing and implementing this Plan:

### 1. Definitions

#### a. Missing Person

A “missing person” is a CBAS Center participant who arrives at the Center for a regular day of attendance, is visually confirmed to be present but subsequently determined to be missing from the Center’s premises without the knowledge of the staff, and after efforts to locate him or her on the premises are unsuccessful.

#### b. Authorized Representative

An “authorized representative” is a person authorized by law, by court order or written consent of the participant to act on behalf of the participant. (CCR 78021)

### 2. Documentation

- a. Although the statute states that the Absentee Notification Plan should be developed as part of the care planning process, it is not required that it is included in the Individual Plan of Care (IPC). Information specific to the participant’s Absentee Notification Plan should be documented in the Health Record.

### 3. Other Issues/Questions for Consideration in Design or Modification of Center Policies

- a. Authorized Representative: (1) What information is needed from the authorized representative, e. g, emergency contact information, best method for notification, alternate contact person? (2) What if the authorized representative is different from the contact person? (3) Are procedures in place to ensure that the contact information for authorized representatives is current and readily available for the Administrator or designee?
- b. Documentation: (1) Should the participant and authorized representative sign the Absentee Notification Plan? (2) What specific information should be documented in the Health Record and where?
- c. Searching for a Missing Person: (1) Does the center have a protocol or policy and procedure for how a search for a missing person is to be conducted, by whom and within what timeframe, including who should be notified and by whom?

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- d. Prevention: (1) How can the center prevent future “missing person” incidents from an operational and individual care planning perspective for participants who have conditions that place them at risk for leaving the facility without staff knowledge? (2) How can prevention be incorporated into the at-risk participant’s care plan?

## **Questions**

For questions about this letter, please contact the CBAS Branch at (916) 419-7545 or [CBAScda@aging.ca.gov](mailto:CBAScda@aging.ca.gov).