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PIN 24-09-ASC

TO: ALL RESIDENTIAL CARE FACILITIES FOR THE ELDERLY LICENSEES

FROM: *Original signed by Kevin Gaines*
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SUBJECT: **UPDATED DEMENTIA CARE AND MISCELLANEOUS REGULATIONS
FOR RESIDENTIAL CARE FACILITIES FOR THE ELDERLY**

Provider Information Notice (PIN) Summary

PIN 24-09-ASC announces updates to California Code of Regulations (CCR), Title 22, Division 6, Chapter 8, Residential Care Facilities (RCFE) regulations in regard to dementia care and miscellaneous requirements that will go into effect **January 1, 2025**. These include updates to definitions, dementia care standards, and other requirements for providing care to residents in RCFEs.

Please post/keep this PIN in the facility where all residents and facility staff as well as families and representatives of residents in the facility can easily access it and distribute the PIN to residents and/or, if applicable, their representatives.

The Community Care Licensing Division (CCLD) Adult and Senior Care (ASC) Program announces that, as a result of a multi-year effort with our partners, regulations in regard to dementia care and miscellaneous requirements for providing care to residents in RCFEs have been updated. Previous dementia care regulations were written when it was not as common for residents diagnosed with dementia to live in RCFEs and were based on a diagnosis rather than a resident's individual need. As a result, these regulations were more restrictive for residents with a diagnosis of dementia.

The updated regulations are intended to support person-centered care for residents and their ability to remain in RCFEs, allowing them to age in place in the least restrictive environment that they have come to know as home. Updated regulations are timely given demographic changes occurring in the state, which include growth in the aging population, and they align with various goals within the [California Master Plan on Aging \(MPA\)](#).

The updated regulations are based on **five foundational guiding principles**:

- Promote resident retention by removing barriers, allowing seniors to age in place in the least restrictive environment.
- Acknowledge the spectrum of cognitive conditions prevalent in RCFEs.
- Address resident behaviors regardless of diagnosis.
- Focus on person-centered care.
- Ensure regulatory requirements are carefully considered, reflecting a balanced approach to care that fosters and supports a robust provider community.

This PIN announces and provides an overview of updates to the regulations that all licensees of RCFEs must follow when the regulations go into effect January 1, 2025. It covers:

- Updated Requirements
- Miscellaneous Regulation Updates
- Resource Hub

Please review this PIN as well as review and become familiar with the **entire** approved [Dementia Care in RCFEs and Miscellaneous Regulation package](#) to plan for a successful implementation.

UPDATED REQUIREMENTS

The updated regulations have been modernized so that standards for dementia care, previously housed in one regulatory section, are integrated into several sections to support care for all residents regardless of diagnosis. This update is meant to provide more flexibility in meeting the care needs of residents in a shared environment. Updates related to dementia care are made to CCR, Title 22, Division 6, Chapter 8, RCFE Sections:

- 87101, Definitions
- 87208, Plan of Operation
- 87219, Planned Activities
- 87307, Personal Accommodations and Services
- 87309, Storage Space and Access
- 87455, Acceptance and Retention Limitations
- 87457, Pre-Admission Appraisal

- 87458, Medical Assessment
- 87463, Reappraisals
- 87705, Care of Persons with Dementia
- 87706, Advertising Dementia Special Care, Programming, and Environments.

Note: CCR, Title 22, Division 6, Chapter 8, section 87707, Training Requirements If Advertising Dementia Special Care, Programming, and Environments **has been removed** as it contained outdated training requirements. Current training requirements for all RCFEs are located in updates to CCR, Title 22, Sections 87208, Plan of Operation, 87705, Care of Persons with Dementia, and 87706, Advertising Dementia Special Care, Programming, and Environments.

Highlights of the updated dementia care regulations include, but are not limited to, the following changes.

- **Definitions**
Definitions that support the regulations have been modernized to align with terms used by experts in dementia care. The definitions use neutral, objective language to describe a condition rather than language that implies potential limitations, inability, or negative effects of the condition.
 - **New** definitions include Behavioral Expression, Elopement, Major Neurocognitive Disorder, Significant Change in Condition, and Unsafe Wandering.
 - **Updated** definitions include Dementia, Nonambulatory Person, and Representative.
- **Plan of Operation**
A facility Plan of Operation must now include updated information about how the licensee will address staff training and provide dementia care:
 - Plan for training staff, as required by statute in Health and Safety Code sections 1569.625, 1569.626, and 1569.69 and CCR, Title 22, Section 87411, Personnel Requirements-General and CCR, Title 22, Section 87705, Care of Persons with Dementia.
 - Description of ways in which the licensee will address resident behavioral expression, including resident assessments, care practices, and safety measures.
- **Planned Activities, Storage Space and Access, and Personal Accommodations and Services**
Regulations have been updated to provide parameters for residents to have access to specified items in the facility. Licensees must:
 - Allow residents to have access to specified items (e.g., cleaning solutions, tools, nutritional supplements, gardening supplies, and auto supplies) for personal use unless there is documentation that if the resident is allowed access, the safety of the resident or other residents would be at risk due to

the resident's behavioral expression. Licensees may require specified items (e.g., cleaning solutions) to be centrally stored so as not to pose a safety hazard to others.

- Implement reasonable interventions in order to ensure the safety of all residents (e.g., when residents are using outdoor areas, such as a yard facing the street) and when residents are allowed to have access to the items specified above (e.g., cleaning solutions).
- Take precautions to prevent residents from unsafe wandering and elopement.
- Supervise residents as needed and as determined by the resident's pre-admission appraisal and reappraisal, when residents are in proximity to, or when specified items are in use (e.g., heating devices or smaller decorative water features). Licensees must make heating devices inoperable or inaccessible when not in use.

Important: In addition to egress alert devices, licensees may also use location tracking devices as needed to ensure resident safety with the prior written approval of the resident or conservator and provided such devices do not violate the resident's rights.

- **Acceptance and Retention Limitations**

Regulations have been updated to remove the provision that residents cannot be accepted or retained in the facility if their primary need for care and supervision results from either:

- An ongoing behavior, or
- Dementia, unless specified requirements are met.

- **Medical Assessment, Pre-Admission Appraisal, and Reappraisal**

- To support person-centered care, regulations have been updated to require that the medical assessment include cognitive conditions (e.g., mild cognitive impairment and major neurocognitive disorder, which includes Alzheimer's disease and related disorders, such as other forms of dementia), and any known behavioral expression.
- Pre-admission appraisal and reappraisal include whether the safety of the prospective resident or other residents would be at risk if the prospective resident is allowed access to any of the items specified in Section 87307, Personal Accommodations and Services and in Section 87309, Storage Space and Access.
- Reappraisal include, if a licensee observes or is made aware of behavioral expression, a description of behavioral expression, events occurring just prior to the behavioral expression, and interventions to be implemented to minimize risks to health and safety.

- **Reappraisal**

Regulations in regard to communication during resident reappraisal have been updated to require that licensees immediately, or as soon as reasonably possible:

- Bring any significant change in condition to the attention of the appropriate licensed medical professional (e.g., physician, nurse practitioner, physician assistant) and if applicable, other specialized care provider (e.g., physical therapist, hospice provider, oncologist). Previously, the licensee needed to bring any such changes to the attention of the resident's physician.
- Communicate with the resident and, if applicable, the resident's representative, about the significant change in condition. Previously, regulations did not address communication with the resident but required communication with the resident's family or responsible person, about the significant change in condition.

- **Care of Persons with Dementia**

The care standards of this regulatory section have been updated with new requirements for supervision and reporting in regard to residents diagnosed with dementia. Licensees must:

- Make an initial report of elopement to the resident's representative, if applicable, immediately upon becoming aware of the incident and the licensing agency Officer of the Day no later than the next working day following the incident.

MISCELLANEOUS REGULATION UPDATES

Updates related to miscellaneous requirements in regulations are made to CCR, Title 22, Division 6, Chapter 8, RCFE Sections:

- 87303, Maintenance and Operation
- 87458, Medical Assessment
- 87507, Admission Agreements
- 87606, Care of Bedridden Residents.

Highlights of the miscellaneous regulation updates include, but are not limited to, the following changes.

- **Medical Assessments:** These assessments must be signed by a licensed medical professional (e.g., physician, nurse practitioner, physician assistant) acting within the scope of their practice and must include details on behavioral expressions. Previously, a medical assessment could only be signed by a physician.

- **Waste Containers:** These containers must be emptied in a timely manner, Previously, containers were required to be emptied at least once per week or more often if necessary. The requirement to have tight-fitting covers has been removed.
- **Slip-Resistant Mats, Strips, or Flooring:** The term "nonskid" is replaced with "slip-resistant" and such mats, strips, or flooring must be used in all bathtub and shower floors. Such mats, strips, or flooring must be in good repair and maintain slip-resistant properties.
- **Firearms:** If licensees permit residents to retain firearms at the facility, firearms must be stored in compliance with Health and Safety Code [section 1569.282](#). The previous regulations regarding storage of firearms have been removed. Also, admission agreements must specify all policies concerning the retention or prohibition of firearms by residents of the facility.
- **Bedridden:** Requirements related to residents are updated to correct a reference, use person first, condition second language (e.g., person who is bedridden), and make other non-substantive clarifying changes.

RESOURCE HUB

ASC Program has developed a resource hub webpage, [Dementia Care Information and Resources](#), designed to serve as a platform for communications, resources, and documents related to the package. Please check the webpage regularly for updates.

We look forward to working with our community partners to implement these updated regulations. Please share the regulations and resource hub webpage with residents, resident representatives, supporters, and other interested parties.

For questions about this PIN, please contact your local [Adult and Senior Care Regional Office](#).

PIN Summary for Residents

A Companion Guide for Provider Information Notice (PIN) 24-09-ASC, Updated Dementia Care and Miscellaneous Regulations for Residential Care Facilities for the Elderly

We prepared this Summary for Residents as a companion to PIN 24-09-ASC to inform you of guidance we provided to your care providers concerning your care.

PIN 24-09-ASC notifies the licensee of your facility that updated Dementia Care and Miscellaneous Regulations within the California Code of Regulations, Title 22, Division 6, Chapter 8, Residential Care Facilities for the Elderly go into effect **January 1, 2025**.

The purpose of this PIN is to provide an overview of the updated Dementia Care and Miscellaneous Regulations requirements that all licensees are required to follow.

UPDATED REQUIREMENTS

The updated regulations have been modernized to support care for all residents regardless of their diagnosis. This update is meant to give the licensee of your facility more flexibility in meeting the care needs of residents in a shared environment. Here are some highlights of the updated dementia care regulations that may interest you as a resident.

Definitions

Definitions that support the regulations have been modernized to align with terms used by experts in dementia care. The definitions use language that describes a condition rather than language that implies potential limitations, inability, or negative effects of the condition.

- **New** Definitions
 - Behavioral Expression
 - Elopement
 - Major Neurocognitive Disorder
 - Significant Change in Condition
 - Unsafe Wandering
- **Updated** Definitions
 - Dementia
 - Nonambulatory Person
 - Representative

Care Practices

- **Plan of Operation.** The Plan of Operation for your facility must now include updated information about how the licensee will address staff training and describe how the licensee will provide care to residents with behavioral expression, which may result in harm to self or others, such as unsafe wandering or lack of hazard awareness.
- **Resident Access to Items in the Facility.** The licensee of your facility must follow rules for allowing residents to have access to certain items in the facility, such as cleaning solutions. These rules include allowing residents to have access to items, implementing reasonable interventions to ensure resident safety, and supervising residents as needed. The licensee of your facility may require specified items, such as cleaning solutions, to be centrally stored so as not to pose a safety hazard to others.
- **Documentation to Guide Resident Care.** The licensee of your facility must meet updated requirements to have documentation on the needs of residents to guide person-centered care. This includes having a medical assessment that includes any diagnosis of cognitive conditions (for example, mild cognitive impairment and major neurocognitive disorder (which includes Alzheimer's disease and related disorders, such as other forms of dementia) and any known behavioral expression, which may result in harm to self or others, such as unsafe wandering or lack of hazard awareness. This also includes having appraisals with information about whether the safety of a resident or other residents would be at risk if the resident is allowed access to certain items in the facility.
- **Communication with Residents about Significant Change in Condition.** The licensee of your facility must communicate with you and, if applicable, your representative about a significant change in your condition.
- **Care of Persons with Dementia.** The licensee of your facility must meet updated requirements for providing care to residents with a diagnosis of dementia. A licensee must make an initial report to the resident's representative, if applicable, immediately upon becoming aware that the resident has eloped from the facility and to the licensing agency Officer of the Day no later than the next working day after the resident eloped from the facility.
- **Acceptance and Retention Limitations.** The licensee of your facility is no longer prevented from accepting or retaining residents in the facility when the resident's primary need for care and supervision results from either an ongoing behavior or dementia.

MISCELLANEOUS REGULATION UPDATES

- **Medical assessments** must be signed by a licensed medical professional (for example, physician, nurse practitioner, physician assistant) and include details on behavioral expressions that residents may have. Previously, a medical assessment could only be signed by a physician.

- **Waste containers** must be emptied in a timely manner, rather than being emptied at least once per week or more often if necessary.
- **Slip-Resistant Mats, Strips, or Flooring:** The term "nonskid" is replaced with "slip-resistant" and such mats, strips, or flooring must be used in all bathtub and shower floors. Such mats, strips, or flooring must be in good repair and maintain slip-resistant properties.
- **Firearms** (if licensees permit residents to retain firearms at the facility) must be stored in the facility as required by law in Health and Safety Code [section 1569.282](#). Also, admission agreements must state all policies on residents having firearms at the facility.

RESOURCE HUB

ASC Program has developed a resource hub webpage, [Dementia Care Information and Resources](#), to provide information about the regulations. You are invited to visit the webpage to learn more.

Your care providers, the licensee of your facility, and the [Ombudsman](#) (call 1-800-510-2020) are available to answer your questions.