

4659.0110 MISSING RESIDENT PLAN.**Subpart 1. Applicability.**

A. This part applies only to a resident who receives assisted living services:

(1) who is incapable of taking appropriate action for self-preservation under emergency conditions; or

(2) who is identified as at risk for wandering or elopement according to the resident's most recent assessment or review.

B. For purposes of this subpart, a resident is incapable of taking appropriate action for self-preservation under emergency conditions if the resident:

(1) is not ambulatory or mobile; or

(2) lacks the physical, mental, or cognitive capability to:

(a) recognize a danger, signal, or alarm requiring residents to evacuate from a facility;

(b) initiate and complete the evacuation without requiring more than minimal assistance from another person;

(c) select an alternative means of escape or take appropriate action if the primary evacuation route from the facility is blocked or inaccessible; and

(d) remain at a designated location outside the facility until further instruction is given.

Subp. 2. Missing resident policies and procedures.

A. The facility must develop and follow a missing resident plan that includes at least the following:

(1) identify a staff member for each shift who is responsible for implementing the missing resident plan, and ensure at least one staff member who is responsible for implementing the missing-resident plan is on site 24 hours a day, seven days a week;

(2) require that staff alert the staff member identified in subitem (1) immediately if it is suspected that a resident may be missing;

(3) identify staff by position description who are responsible for searching for missing residents or suspected missing residents;

(4) require that staff conduct an immediate and thorough search of the facility, the facility's premises, and the immediate neighborhood in each direction when a resident is suspected to be missing;

(5) require that a suspected missing resident be considered missing if the resident is not located after staff complete the search in subitem (4);

(6) require that staff immediately notify local law enforcement when a facility determines, under subitem (5) or otherwise, that a resident is missing;

(7) require that staff immediately contact the resident's representatives and the resident's case manager, if applicable, when a resident is determined missing; and

(8) require that staff cooperate with local law enforcement and provide any information that is necessary to identify and locate the missing resident.

B. When a resident is missing or is suspected missing, a facility's implementation of a missing resident plan does not relieve the facility of its obligation to provide assisted living services and appropriate care to all residents in the facility according to each resident's service plan, assisted living contract, and the requirements of this chapter and Minnesota Statutes, chapter 144G.

Subp. 3. **Additional notification required.** After the missing resident is located, a staff member must immediately notify local law enforcement, the resident's representatives, and the resident's case manager, if any.

Subp. 4. **Review missing resident plan.** The assisted living director and clinical nurse supervisor must review the missing resident plan at least quarterly and document any changes to the plan.

Statutory Authority: *MS s 144G.09*

History: *46 SR 33*

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