



Quality Assurance Bulletin

Quality Assurance Unit

County of Los Angeles – Department of Mental Health

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Caregiver's Authorization Affidavit (CAA) Revisions Due To California Assembly Bill 495 (Directly-Operated Only)

This Bulletin provides updated guidance to Directly-Operated (DO) providers on the use of the Caregiver's Authorization Affidavit (MH-646) form that allows caregivers to consent to mental health treatment for minors. This update aligns with California Assembly Bill (AB) No. 495, the Family Preparedness Plan Act of 2025, effective January 1, 2026.

Expanded Caregiver Eligibility

AB 495 amends Family Code sections 6550 and 6552 to broaden access to the Caregiver's Authorization Affidavit, which allows eligible caregivers to authorize medical care, including mental health treatment (subject to Probate Code § 2356 limitations), without parental consent or court order. Under AB 495:

- Eligible caregivers now include **relatives**, defined as an adult related to the child by blood, adoption, or affinity within the fifth degree of kinship, including stepparents, stepsiblings, and all relatives whose status is preceded by the words "great," "great-great," or "grand," or the spouse of any of these persons even if the marriage was terminated by death or dissolution.
- The affidavit provides the caregiver the same rights as a guardian under Probate Code § 2353 for medical, dental, and mental health care, explicitly including therapy, counseling, and psychotropic medication (with § 2356 restrictions, e.g., no experimental treatments without court order).
- Good-faith reliance by providers remains protected under Family Code § 6550(c), with no obligation for further inquiry if the form is properly completed.

Caregiver's Authorization Affidavit Updates

The Caregiver's Authorization Affidavit (MH-646), hereafter referred to as "Affidavit", form has been revised to reflect the changes under AB 495, including:

- Updated relative definition;
- Added a new warning that no notarization or court seal is required; and
- Added a new validation statement that a relative's signed affidavit grants the caregiver the same authority as a guardian under Probate Code §2353 to consent to medical, dental, and (subject to §2356 limitations) mental health treatment for the minor.

Duration and Ongoing Validity Requirements

- The Affidavit is valid for one year from the date of execution and must be renewed if the minor remains in treatment beyond that one-year period. Staff shall verify the expiration date and obtain an updated Affidavit as needed.
- The Affidavit is no longer valid if the minor stops living with the caregiver identified on the form. Staff shall confirm that the minor continues to reside with the caregiver at treatment initiation and during periodic updates.

Note: The Affidavit confirms the caregiver's authority to consent for mental health services for a minor but does not, by itself, constitute consent for DMH services. After completing the Affidavit, the Caregiver is then eligible to sign the Consent for Services, in accordance with Policy 302.01 First Service Contact.

Implementation and Effective Date

Effective January 1, 2026, Directly-Operated providers shall use the updated Affidavit form for all new affidavits by caregivers to consent to minor mental health services. Existing Affidavits remain valid until they expire or are invalidated. Translated versions will become available as completed. Contracted providers must ensure that their consent processes align with the provisions of AB 495.

If Directly-Operated providers have any questions related to this Bulletin, please contact the Health Information Management (HIM) team at DMHHIM@dmh.lacounty.gov.

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