

hbd-08 Bill No. CS for CS for CS for SB 1202, 2nd Eng.
Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

11 Representative(s) Green offered the following:

13 **Amendment to Amendment (341895) (with title amendment)**

14 On page 128, between lines 19 and 20,

16 insert:

17 Section 66. The following nine sections may be cited
18 as the "Florida Alzheimer's Training Act."

19 Section 67. Effective October 1, 2001, section
20 400.1755, Florida Statutes, is created to read:

21 400.1755 Care for persons with Alzheimer's disease or
22 other related disorders.--

23 (1) As a condition of licensure, facilities licensed
24 under this part must provide to each of their employees, upon
25 beginning employment, basic written information about
26 interacting with persons with Alzheimer's disease or related
27 disorders.

28 (2) All employees who are expected to, or whose
29 responsibilities require them to, have direct contact with
30 residents with Alzheimer's disease or related disorders must,
31 in addition to the information provided in subsection (1),

hbd-08 Bill No. CS for CS for CS for SB 1202, 2nd Eng.
Amendment No. ____ (for drafter's use only)

1 have an initial training of at least 1 hour completed in the
2 first 3 months after employment. This training shall include,
3 but not be limited to, an overview of dementias and shall
4 provide basic skills in communicating with persons with
5 dementia.

6 (3) An individual who provides direct care shall be
7 considered a direct caregiver and must complete the required
8 initial training and an additional 3 hours of training within
9 9 months after beginning employment. This training shall
10 include, but not be limited to, managing problem behaviors,
11 promoting the resident's independence in activities of daily
12 living, and skills in working with families and caregivers.

13 (a) For certified nursing assistants, the required 4
14 hours of training shall be part of the total hours of training
15 required annually.

16 (b) For health care practitioners licensed pursuant to
17 chapter 456, continuing education hours completed as required
18 by the board shall be counted toward this total of 4 hours.

19 (4) For employees who are health care practitioners
20 licensed pursuant to chapter 456, training that is sanctioned
21 by the health care practitioner's board shall be considered to
22 be approved by the Department of Elderly Affairs.

23 (5) The Department of Elderly Affairs or its designee
24 shall approve the initial and continuing training provided to
25 employees under this section. The department shall approve
26 training offered in a variety of formats, including, but not
27 limited to, Internet-based, video, teleconferencing, and
28 classroom instruction. The department shall keep a list of
29 current providers who are approved to provide initial and
30 continuing training. The department shall adopt rules to
31 establish standards for the trainers and the training required

hbd-08 Bill No. CS for CS for CS for SB 1202, 2nd Eng.
Amendment No. ____ (for drafter's use only)

1 in this section.

2 (6) Upon completing any training listed in this
3 section, the employee or direct caregiver shall be issued a
4 certificate that includes the name of the training provider,
5 the topic covered, and the date and signature of the training
6 provider. The certificate is evidence of completion of
7 training in the identified topic, and the employee or direct
8 caregiver is not required to repeat training in that topic if
9 the employee or direct caregiver changes employment to a
10 different facility or to an assisted living facility, home
11 health agency or nurse registry, adult day care center, or
12 adult family-care home. The direct caregiver must comply with
13 other applicable continuing education requirements.

14 (7) The provisions of this section shall be
15 implemented to the extent of available appropriations in the
16 annual General Appropriations Act for such purpose.

17 Section 68. Effective October 1, 2001, section
18 400.4786, Florida Statutes, is created to read:

19 400.4786 Care for persons with Alzheimer's disease or
20 other related disorders.--

21 (1) As a condition of licensure, home health agencies
22 and nurse registries licensed under this part must provide to
23 each of their employees basic written information about
24 interacting with persons with Alzheimer's disease or related
25 disorders upon beginning employment.

26 (2) All employees who are expected to, or whose
27 responsibilities require them to, have direct contact with
28 clients with Alzheimer's disease or related disorders must, in
29 addition to the information provided in subsection (1), have
30 an initial training of at least 1 hour completed in the first
31 3 months after employment. This training shall include, but

hbd-08 Bill No. CS for CS for CS for SB 1202, 2nd Eng.
Amendment No. ____ (for drafter's use only)

1 not be limited to, an overview of dementias and shall provide
2 basic skills in communicating with persons with dementia.

3 (3) An individual who provides direct care shall be
4 considered a direct caregiver and must complete the required
5 initial training and an additional 3 hours of training within
6 9 months after beginning employment with the home health
7 agency or nurse registry. This training shall include, but not
8 be limited to, managing problem behaviors, promoting the
9 client's independence in activities of daily living, and
10 skills in working with families and caregivers.

11 (a) For certified nursing assistants, the required 4
12 hours of training shall be part of the total hours of training
13 required annually.

14 (b) For health care practitioners licensed pursuant to
15 chapter 456, continuing education hours completed as required
16 by the board shall be counted toward this total of 4 hours.

17 (4) For employees who are health care practitioners
18 licensed pursuant to chapter 456, training that is sanctioned
19 by the health care practitioner's board shall be considered to
20 be approved by the Department of Elderly Affairs.

21 (5) The Department of Elderly Affairs or its designee
22 shall approve the initial and continuing training provided to
23 employees under this section. The department shall approve
24 training offered in a variety of formats, including, but not
25 limited to, Internet-based, video, teleconferencing, and
26 classroom instruction. The department shall keep a list of
27 current providers who are approved to provide initial and
28 continuing training. The department shall adopt rules to
29 establish standards for the trainers and the training required
30 in this section.

31 (6) Upon completing any training listed in this

hbd-08 Bill No. CS for CS for CS for SB 1202, 2nd Eng.
Amendment No. ____ (for drafter's use only)

1 section, the employee or direct caregiver shall be issued a
2 certificate that includes the name of the training provider,
3 the topic covered, and the date and signature of the training
4 provider. The certificate is evidence of completion of
5 training in the identified topic, and the employee or direct
6 caregiver is not required to repeat training in that topic if
7 the employee or direct caregiver changes employment to a
8 different home health agency or nurse registry or to an
9 assisted living facility, nursing home, adult day care center,
10 or adult family-care home. The direct caregiver must comply
11 with other applicable continuing education requirements.

12 (7) The provisions of this section shall be
13 implemented to the extent of available appropriations in the
14 annual General Appropriations Act for such purpose.

15 Section 69. Effective October 1, 2001, section
16 400.55715, Florida Statutes, is created to read:

17 400.55715 Care for persons with Alzheimer's disease or
18 other related disorders.--

19 (1) As a condition of licensure, adult day care
20 centers licensed under this part must provide to each of their
21 employees, upon beginning employment, basic written
22 information about interacting with persons with Alzheimer's
23 disease or related disorders.

24 (2) All employees who are expected to, or whose
25 responsibilities require them to, have direct contact with
26 clients with Alzheimer's disease or related disorders must, in
27 addition to the information provided in subsection (1), have
28 an initial training of at least 1 hour completed in the first
29 3 months after employment. This training shall include, but
30 not be limited to, an overview of dementias and shall provide
31 basic skills in communicating with persons with dementia.

hbd-08 Bill No. CS for CS for CS for SB 1202, 2nd Eng.
Amendment No. ____ (for drafter's use only)

1 (3) An individual who provides direct care shall be
2 considered a direct caregiver and must complete the required
3 initial training and an additional 3 hours of training within
4 9 months after beginning employment. This training shall
5 include, but not be limited to, managing problem behaviors,
6 promoting the client's independence in activities of daily
7 living, and skills in working with families and caregivers.

8 (a) For certified nursing assistants, the required 4
9 hours of training shall be part of the total hours of training
10 required annually.

11 (b) For health care practitioners licensed pursuant to
12 chapter 456, continuing education hours completed as required
13 by the board shall be counted toward this total of 4 hours.

14 (4) For employees who are health care practitioners
15 licensed pursuant to chapter 456, training that is sanctioned
16 by the health care practitioner's board shall be considered to
17 be approved by the Department of Elderly Affairs.

18 (5) The Department of Elderly Affairs or its designee
19 shall approve the initial and continuing training provided to
20 employees under this section. The department shall approve
21 training offered in a variety of formats, including, but not
22 limited to, Internet-based, video, teleconferencing, and
23 classroom instruction. The department shall keep a list of
24 current providers who are approved to provide initial and
25 continuing training. The department shall adopt rules to
26 establish standards for the trainers and the training required
27 in this section.

28 (6) Upon completing any training listed in this
29 section, the employee or direct caregiver shall be issued a
30 certificate that includes the name of the training provider,
31 the topic covered, and the date and signature of the training

hbd-08 Bill No. CS for CS for CS for SB 1202, 2nd Eng.
Amendment No. ____ (for drafter's use only)

1 provider. The certificate is evidence of completion of
2 training in the identified topic, and the employee or direct
3 caregiver is not required to repeat training in that topic if
4 the employee or direct caregiver changes employment to a
5 different adult day care center or to an assisted living
6 facility, nursing home, home health agency or nurse registry,
7 or adult family-care home. The direct caregiver must comply
8 with other applicable continuing education requirements.

9 (7) The provisions of this section shall be
10 implemented to the extent of available appropriations in the
11 annual General Appropriations Act for such purpose.

12 Section 70. Effective October 1, 2001, section
13 400.6045, Florida Statutes, is amended to read:

14 400.6045 Patients with Alzheimer's disease or other
15 related disorders; certain disclosures; training.--

16 (1) A hospice licensed under this part which claims
17 that it provides special care for persons who have Alzheimer's
18 disease or other related disorders must disclose in its
19 advertisements or in a separate document those services that
20 distinguish the care as being especially applicable to, or
21 suitable for, such persons. The hospice must give a copy of
22 all such advertisements or a copy of the document to each
23 person who requests information about programs and services
24 for persons with Alzheimer's disease or other related
25 disorders offered by the hospice and must maintain a copy of
26 all such advertisements and documents in its records. The
27 agency shall examine all such advertisements and documents in
28 the hospice's records as part of the license renewal
29 procedure.

30 (2) A hospice licensed under this part must provide to
31 each of its employees, upon beginning employment, basic

hbd-08 Bill No. CS for CS for CS for SB 1202, 2nd Eng.
Amendment No. ____ (for drafter's use only)

1 written information about interacting with persons with
2 Alzheimer's disease or a related disorder.

3 (3) All employees who are expected to, or whose
4 responsibilities require them to, have direct contact with
5 patients with Alzheimer's disease or a related disorder must,
6 in addition to being provided the information required in
7 subsection (1), have an initial training of at least 1 hour
8 completed in the first 3 months after beginning employment.
9 This training shall include, but not be limited to, an
10 overview of dementias and shall provide basic skills in
11 communicating with persons with dementia.

12 (4) An individual who provides direct care to a person
13 with Alzheimer's disease or a related disorder shall be
14 considered a direct caregiver and must complete the required
15 initial training and an additional 3 hours of training within
16 9 months after beginning to work with the hospice. This
17 training shall include, but not be limited to, managing
18 problem behaviors, promoting the patient's independence in
19 activities of daily living, and skills in working with
20 families and caregivers.

21 (a) For certified nursing assistants, the required 4
22 hours of training shall be part of the total hours of training
23 required annually.

24 (b) For a health care practitioner as defined in s.
25 456.001, continuing education hours taken as required by that
26 practitioner's licensing board shall be counted toward this
27 total of 4 hours.

28 (5) For an employee who is a licensed health care
29 practitioner as defined in s. 456.001, training that is
30 sanctioned by that practitioner's licensing board shall be
31 considered to be approved by the Department of Elderly

hbd-08 Bill No. CS for CS for CS for SB 1202, 2nd Eng.
Amendment No. ____ (for drafter's use only)

1 Affairs.

2 (6) The Department of Elderly Affairs or its designee
3 shall approve the initial and continuing training provided to
4 employees or direct caregivers under this section. The
5 department shall approve training offered in a variety of
6 formats, including, but not limited to, Internet-based, video,
7 teleconferencing, and classroom instruction. The department
8 shall keep a list of current providers who are approved to
9 provide initial and continuing training. The department shall
10 adopt rules to establish standards for the trainers and the
11 training required in this section.

12 (7) Upon completing any training described in this
13 section, the employee or direct caregiver shall be issued a
14 certificate that includes the name of the training provider,
15 the topic covered, and the date and signature of the training
16 provider. The certificate is evidence of completion of
17 training in the identified topic, and the employee or direct
18 caregiver is not required to repeat training in that topic if
19 the employee or direct caregiver changes employment to a
20 different hospice or a home health agency, nurse registry,
21 assisted living facility, nursing home, adult day care center,
22 or adult family-care home. The direct caregiver must comply
23 with other applicable continuing education requirements.

24 Section 71. Effective October 1, 2001, section
25 400.626, Florida Statutes, is created to read:

26 400.626 Care for persons with Alzheimer's disease or
27 other related disorders.--

28 (1) As a condition of licensure, adult family-care
29 homes licensed under this part must provide to each of their
30 employees, upon beginning employment, basic written
31 information about interacting with persons with Alzheimer's

hbd-08 Bill No. CS for CS for CS for SB 1202, 2nd Eng.
Amendment No. ____ (for drafter's use only)

1 disease or related disorders.

2 (2) All employees who are expected to, or whose
3 responsibilities require them to, have direct contact with
4 residents with Alzheimer's disease or related disorders must,
5 in addition to the information provided in subsection (1),
6 have an initial training of at least 1 hour completed in the
7 first 3 months after employment. This training shall include,
8 but not be limited to, an overview of dementias and shall
9 provide basic skills in communicating with persons with
10 dementia.

11 (3) An individual who provides direct care shall be
12 considered a direct caregiver and must complete the required
13 initial training and an additional 3 hours of training within
14 9 months after beginning employment. This training shall
15 include, but not be limited to, managing problem behaviors,
16 promoting the resident's independence in activities of daily
17 living, and skills in working with families and caregivers.

18 (a) For certified nursing assistants, the required 4
19 hours of training shall be part of the total hours of training
20 required annually.

21 (b) For health care practitioners licensed pursuant to
22 chapter 456, continuing education hours completed as required
23 by the board shall be counted toward this total of 4 hours.

24 (4) For employees who are health care practitioners
25 licensed pursuant to chapter 456, training that is sanctioned
26 by the health care practitioner's board shall be considered to
27 be approved by the Department of Elderly Affairs.

28 (5) The Department of Elderly Affairs or its designee
29 shall approve the initial and continuing training provided to
30 employees under this section. The department shall approve
31 training offered in a variety of formats, including, but not

hbd-08 Bill No. CS for CS for CS for SB 1202, 2nd Eng.
Amendment No. ____ (for drafter's use only)

1 limited to, Internet-based, video, teleconferencing, and
2 classroom instruction. The department shall keep a list of
3 current providers who are approved to provide initial and
4 continuing training. The department shall adopt rules to
5 establish standards for the trainers and the training required
6 in this section.

7 (6) Upon completing any training listed in this
8 section, the employee or direct caregiver shall be issued a
9 certificate that includes the name of the training provider,
10 the topic covered, and the date and signature of the training
11 provider. The certificate is evidence of completion of
12 training in the identified topic, and the employee or direct
13 caregiver is not required to repeat training in that topic if
14 the employee or direct caregiver changes employment to a
15 different adult family-care home or to an assisted living
16 facility, nursing home, home health agency or nurse registry,
17 or adult day care center. The direct caregiver must comply
18 with other applicable continuing education requirements.

19 (7) The provisions of this section shall be
20 implemented to the extent of available appropriations in the
21 annual General Appropriations Act for such purpose.

22 Section 72. The training requirements established in
23 the Florida Alzheimer's Training Act shall apply to all new
24 employees hired on or after July 1, 2002.

25 Section 73. Effective October 1, 2001, the Department
26 of Elderly Affairs may contract with a state university or
27 statewide advocacy organization that possesses expertise in
28 the area of Alzheimer's disease and related disorders to
29 review potential trainers and training materials. The
30 department may accept grants, donations, and gifts to meet the
31 costs associated with providing the review and approval and

hbd-08 Bill No. CS for CS for CS for SB 1202, 2nd Eng.
Amendment No. ____ (for drafter's use only)

1 the required training.

2 Section 74. Effective October 1, 2001, a community
3 care service system shall contain a dementia-specific care
4 provider network to properly address the care of a person with
5 dementia and the family of such person.

6 Section 75. The Legislature finds that appropriate
7 care for persons with Alzheimer's disease and related
8 disorders is an urgent health need in this state. Therefore,
9 beginning October 1, 2001, each state university, college, or
10 postsecondary school that prepares undergraduate or graduate
11 students in the healing arts regulated under chapter 456,
12 Florida Statutes, is encouraged to include in its curriculum
13 basic training about Alzheimer's disease and related
14 disorders.

15
16

17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 On page 139, line 26, of the amendment

20

21 after the semicolon, insert:

22 creating the "Florida Alzheimer's Training
23 Act"; creating ss. 400.1755, 400.4786,
24 400.55715, and 400.626, F.S., and amending s.
25 400.6045, F.S.; prescribing training standards
26 for employees of nursing homes, home health
27 agencies, nurse registries, hospice programs,
28 adult day care centers, and adult family-care
29 homes, respectively, that provide care for
30 persons with Alzheimer's disease or related
31 disorders; prescribing duties of the Department

hbd-08 Bill No. CS for CS for CS for SB 1202, 2nd Eng.
Amendment No. ____ (for drafter's use only)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

of Elderly Affairs; providing rulemaking
authority; providing timeframe for compliance;
authorizing the Department of Elderly Affairs
to contract for review of trainers and training
materials; providing for costs; providing that
a community care service system shall contain a
dementia-specific care provider network;
encouraging inclusion of certain training in
healing arts curricula;