

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1456

SPONSOR: Health, Aging and Long-Term Care Committee, Senator Saunders and others

SUBJECT: Health Care Facilities

DATE: April 6, 2001

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Liem	Wilson	HC	Favorable/CS
2.			AHS	
3.			AP	
4.				
5.				
6.				

I. Summary:

The Committee Substitute for Senate Bill 1456 increases training standards for assisted living facilities, nursing homes, home health agencies, adult day care centers and adult family-care homes relating to Alzheimer's disease or related disorders. The bill requires employees of these entities to receive initial and on-going dementia-specific training. The Department of Elderly Affairs is required to adopt rules to implement the requirements of the bill. The department is to convene a working group to recommend training guidelines, standards for training and trainers, and materials for the required levels of dementia-specific training as specified in the act. The bill specifies membership and appointments for the working group, a date by which the working group is to hold its first meetings, and a date by which the group shall finalize its recommendations. The department is to provide staff support to the group. New employees shall have until July 1, 2003, to comply with the guidelines, and existing employees shall have until July 1, 2004, to comply with the guidelines. The bill requires that a community-care services system must contain a dementia-specific care provider network to properly address the care of a person with dementia and the families of such person.

The bill amends s. 400.4178 and creates ss. 400.1755, 400.4786, 400.55715 and 400.626, F.S., and creates an undesignated section of law.

II. Present Situation:

Currently, there are no specific Alzheimer's disease training requirements for staff in nursing homes, home health agencies, adult day care centers, and adult family-care homes in Florida Statutes. Under s. 400.4178, F.S., assisted living facilities (ALFs) that advertise that they provide special care for persons with Alzheimer's disease are required to employ staff who have completed up to 4 hours of initial dementia-specific training within 3 months of beginning

employment. Individuals who are direct caregivers in ALFs must complete an additional 4 hours of training. Individuals employed by ALFs who have only incidental contact with residents with Alzheimer's disease must be given general information about interacting with people with Alzheimer's disease and related disorders within 3 months of employment. Section 400.452, F.S., requires the Department of Elderly Affairs to provide or cause to be provided, training and other educational programs for administrators and other ALF staff covering a variety of topics such as laws and rules relating to ALFs, resident rights, special needs of elderly persons, and other topics. Section 400.452(2)(g), F.S., specifies that one of the topics is to be the care of persons with Alzheimer's disease and related disorders.

Section 400.4178, F.S., requires the Department of Elderly Affairs to develop or approve the initial and continuing education courses and the training providers. According to the department there are 191 approved training programs. The department is also required to keep a current list of training providers and establish fees for the training.

III. Effect of Proposed Changes:

Section 1. Designates the bill as the Florida Alzheimer's Training Act.

Section 2. Amends s. 400.4178, F.S., to delete references to Alzheimer's *special* care in assisted living facilities and require facilities that admit or provide care for persons with Alzheimer's disease to employ staff who have completed 4 hours of initial dementia-specific training approved by the Department of Elderly Affairs within three months after beginning employment. The training satisfies the core ALF training requirements of s. 400.452(2)(g), F.S. Direct care employees are required to complete an additional 4 hours of training within 9 months of employment. An employee who is a direct caregiver is also required to complete up to 4 hours of dementia-specific training annually, as approved by the department. Employees and direct care givers are to be issued a certificate, which is evidence of completion of training, and the employee is not required to repeat the training if the employee changes employment to a different type of facility specified in the bill. The department or its designee is required to approve initial and continuing education courses and providers, and is to keep a current list of providers approved to provide both the initial and continuing training.

Facilities having more than 90 percent of their residents receiving monthly optional supplementation payments are not required to pay for the training and education programs required by this section; facilities with one or more such resident are required to pay a reduced fee proportional to the percentage of such residents. Facilities with no residents receiving optional supplementation payments are required to pay a reasonable fee established by the department for such programs.

The department is required to adopt rules establishing standards for trainers and training and to implement this section.

Sections 3, 4, 5 and 6. Create ss. 400.1755, 400.4786, 400.55715, and 400.626, F.S., respectively, to establish the same training standards for nursing homes, home health agencies, adult day care centers, and adult family-care homes as are established for assisted living

facilities, however, there is no exception from fees based on percentages of residents or participants receiving optional state supplementation.

Section 7. Requires the Department of Elderly Affairs to convene a working group to recommend training guidelines, standards for training and trainers, and materials for the required levels of dementia-specific training as specified in the act. The group is directed to consider and approve a variety of training methods including self-taught modules, internet-based training, video conferencing, and train-the-trainer programs. The bill specifies membership in the group, requires that the first meeting of the working group be held by September 14, 2001, and requires that the group finalize its recommendations no later than July 1, 2002. The department is to provide staff support to the group. New employees shall have until July 1, 2003, to comply with the guidelines, and existing employees shall have until July 1, 2004, to comply with the guidelines.

Section 8. Requires that a community-care services system must contain a dementia-specific care provider network to properly address the care of a person with dementia and the families of such person.

Section 7. Provides an effective date of July 1, 2001.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Art. VII, s. 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Art. I, s. 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Art. III, s. 19(f) of the Florida Constitution.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

The Department of Elderly Affairs is allowed to charge a reasonable fee for the training.

B. Private Sector Impact:

The bill imposes additional employee training standards on specified long-term care providers.

C. Government Sector Impact:

The Department of Elderly Affairs would be required to develop or approve training programs serving staff of nursing homes (currently 679 licensed), home health care agencies (1081 currently licensed), adult day care centers (350 currently licensed), and adult family-care homes (359 currently licensed). This activity would require additional staff.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
