

By the Committees on Appropriations; Health, Aging and Long-Term Care; and Senators Saunders, Peadar, Campbell, Pruitt, Smith, Latvala, Dawson, Brown-Waite and Wasserman Schultz

309-1901-01

1 A bill to be entitled
2 An act relating to health care facilities;
3 creating the Florida Alzheimer's Training Act;
4 creating ss. 400.1755, 400.4786, 400.55715,
5 400.626, F.S.; prescribing training standards
6 for employees of nursing homes, home health
7 agencies, adult day care centers, and adult
8 family-care homes, respectively, that provide
9 care for persons with Alzheimer's disease or
10 related disorders; prescribing duties of the
11 Department of Elderly Affairs; providing for
12 compliance with guidelines within a certain
13 time period; authorizing the department to
14 enter into an agreement for evaluation of
15 trainers and materials; providing legislative
16 findings and intent; requiring
17 dementia-specific care providers to be included
18 in community care service systems; providing an
19 effective date.

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21 Be It Enacted by the Legislature of the State of Florida:
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23 Section 1. This act may be cited as the "Florida
24 Alzheimer's Training Act."

25 Section 2. Section 400.1755, Florida Statutes, is
26 created to read:

27 400.1755 Care for persons with Alzheimer's disease or
28 related disorders.--

29 (1) As a condition of licensure, facilities licensed
30 under this part must provide to each of their employees, upon
31 beginning employment, basic written information about

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

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

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

19 (a) The required 4 hours of training for certified
20 nursing assistants are part of the total hours of training
21 required annually.

22 (b) For a health care practitioner as defined in s.
23 456.001, continuing-education hours taken as required by that
24 practitioner's licensing board shall be counted toward this
25 total of 4 hours.

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

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

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

23 Section 3. Section 400.4786, Florida Statutes, is
24 created to read:

25 400.4786 Care for persons with Alzheimer's disease or
26 related disorders.--

27 (1) As a condition of licensure, facilities licensed
28 under this part must provide to each of their employees, upon
29 beginning employment, basic written information about
30 interacting with persons with Alzheimer's disease or a related
31 disorder.

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

10 (3) An individual who provides direct care to a person
11 with Alzheimer's disease or a related disorder 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 to work with the home health agency
15 or nurse registry. This training shall include, but is not
16 limited to, managing problem behaviors, promoting the
17 resident's independence in activities of daily living, and
18 skills in working with families and caregivers.

19 (a) The required 4 hours of training for certified
20 nursing assistants are part of the total hours of training
21 required annually.

22 (b) For a health care practitioner as defined in s.
23 456.001, continuing-education hours taken as required by that
24 practitioner's licensing board shall be counted toward this
25 total of 4 hours.

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

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

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

23 Section 4. Section 400.55715, Florida Statutes, is
24 created to read:

25 400.55715 Care for persons with Alzheimer's disease or
26 related disorders.--

27 (1) As a condition of licensure, facilities licensed
28 under this part must provide to each of their employees, upon
29 beginning employment, basic written information about
30 interacting with persons with Alzheimer's disease or a related
31 disorder.

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

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

17 (a) The required 4 hours of training for certified
18 nursing assistants are part of the total hours of training
19 required annually.

20 (b) For a health care practitioner as defined in s.
21 456.001, continuing-education hours taken as required by that
22 practitioner's licensing board shall be counted toward this
23 total of 4 hours.

24 (4) For an employee who is a licensed health care
25 practitioner as defined in s. 456.001, training that is
26 sanctioned by that practitioner's licensing board shall be
27 considered to be approved by the Department of Elderly
28 Affairs.

29 (5) The Department of Elderly Affairs or its designee
30 must approve the initial and continuing training provided in
31 the facilities. The department must approve training offered

1 in a variety of formats, including, but not limited to,
2 internet-based training, videos, teleconferencing, and
3 classroom instruction. The department shall keep a list of
4 current providers who are approved to provide initial and
5 continuing training. The department shall adopt rules to
6 establish standards for the trainers and the training required
7 in this section.

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

20 Section 5. Section 400.626, Florida Statutes, is
21 created to read:

22 400.626 Care for persons with Alzheimer's disease or
23 related disorders.--

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

29 (2) All employees who are expected to, or whose
30 responsibilities require them to, have direct contact with
31 residents with Alzheimer's disease or a related disorder must,

1 in addition to being provided the information required in
2 subsection (1), also have an initial training of at least 1
3 hour completed in the first 3 months after beginning
4 employment. This training must include, but is not limited to,
5 an overview of dementias and must provide basic skills in
6 communicating with persons with dementia.

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

14 (a) The required 4 hours of training for certified
15 nursing assistants are part of the total hours of training
16 required annually.

17 (b) For a health care practitioner as defined in s.
18 456.001, continuing-education hours taken as required by that
19 practitioner's licensing board shall be counted toward this
20 total of 4 hours.

21 (4) For an employee who is a licensed health care
22 practitioner as defined in s. 456.001, training that is
23 sanctioned by that practitioner's licensing board shall be
24 considered to be approved by the Department of Elderly
25 Affairs.

26 (5) The Department of Elderly Affairs or its designee
27 must approve the initial and continuing training provided in
28 the facilities. The department must approve training offered
29 in a variety of formats, including, but not limited to,
30 internet-based training, videos, teleconferencing, and
31 classroom instruction. The department shall keep a list of

1 current providers who are approved to provide initial and
2 continuing training. The department shall adopt rules to
3 establish standards for the trainers and the training required
4 in this section.

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

17 Section 6. An employee hired on or after July 1, 2001,
18 need not comply with the guidelines created in this act before
19 July 1, 2002.

20 Section 7. The Department of Elderly Affairs may
21 contract with or enter into a cooperative agreement with a
22 state university or statewide advocacy organization that
23 possesses expertise in the area of Alzheimer's disease and
24 related disorders to review potential trainers and training
25 materials. The department may accept grants, donations, and
26 gifts to meet the costs associated with providing the review
27 and approval and the required training.

28 Section 8. The Legislature finds that Alzheimer's
29 disease and related disorders pose an urgent health need in
30 this state. Therefore, each state university, college, or
31 postsecondary school that prepares undergraduate or graduate

1 students for health professions as described in chapter 456,
2 Florida Statutes, is encouraged to include in its curriculum
3 basic training about Alzheimer's disease and related
4 disorders.

5 Section 9. A community care service system must
6 contain a dementia-specific care provider network to properly
7 address the care of a person with dementia and the families of
8 such person.

9 Section 10. This act shall take effect July 1, 2001.

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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 CS for SB 1456

4 Specifically states required Alzheimer's and related dementia
5 training as "condition of licensure" for nursing homes, health
6 agencies, nurse registries, ADCCs, and AFCHs.

7 Facilities must provide basic written information about
8 interacting with persons with Alzheimer's disease and related
9 disorders to all employees.

10 Reduces the number of initial training hours for employees
11 having "direct contact" only with Alzheimer's residents from 4
12 hours to at least 1 hour.

13 Reduces the number of additional training hours for employees
14 defined as "direct caregivers" from 4 hours to 3 hours; and
15 specifies this training to include managing problem behaviors,
16 promoting the resident's independence, and skills in working
17 with families and caregivers.

18 The bill states that the required 4 hours of training for
19 CNA's are part of the total hours of training required
20 annually.

21 Continuing-education hours taken by a health care practitioner
22 as defined in s. 456.001, F.S. and as required by their
23 licensing board shall be counted toward the 4 hours of
24 required Alzheimer's training.

25 Sanctioned training by a licensing board for a licensed health
26 care practitioner defined in s. 456.001, F.S. is considered
27 approved by Department of Elderly Affairs.

28 This bill no longer requires Department of Elderly Affairs to
29 convene a working group to recommend training guidelines,
30 standards, and materials to implement this act.

31 The bill allows Department of Elderly Affairs to contract with
or enter into an agreement with a state university or sta
tewide advocacy organization with expertise in Alzheimer's
disease and related disorders to assess potential trainers and
training materials. The bill allows Department to accept
grants, donations, and gifts to meet the costs of training
review and approval.

This section provides that persons afflicted with Alzheimer's
disease and related disorders poses an urgent health need in
Florida. State universities, colleges, and postsecondary
schools preparing students for health professions described in
Chapter 456, F.S., are encouraged to provide Alzheimer's and
related disorders training.

The required Alzheimer's disease and related disorders
training has been identified in this bill as being a part of
the total hours of CNA training required annually rather than
an additional training requirement as in the previous bill.