

Bill No. CS for SB 1558, 1st Eng.

Amendment No. Barcode 070394

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Silver moved the following substitute for amendment to amendment (650124):

Senate Amendment (with title amendment)

On page 287, between lines 19 and 20,

insert:

Section 144. Sections 144-153 of this act may be cited as the "Florida Alzheimer's Training Act."

Section 145. Section 400.1755, Florida Statutes, is created to read:

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

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

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

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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

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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 facility or to an assisted living facility, home
14 health agency, adult day care center, or adult family-care
15 home. The direct caregiver must comply with other applicable
16 continuing education requirements.

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

20 Section 146. Section 400.4786, Florida Statutes, is
21 created to read:

22 400.4786 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,

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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 to a person
8 with Alzheimer's disease or a related disorder shall be
9 considered a direct caregiver and must complete the required
10 initial training and an additional 3 hours of training within
11 9 months after beginning to work with the home health agency
12 or nurse registry. This training shall include, but is not
13 limited to, managing problem behaviors, promoting the
14 resident's independence in activities of daily living, and
15 skills in working with families and caregivers.

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

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

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

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

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1 internet-based training, videos, 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 subsection
8 (1), 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 home health agency or to an assisted living
16 facility, nursing home, adult day care center, or adult
17 family-care home. The direct caregiver must comply with other
18 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 147. Section 400.55715, Florida Statutes, is
23 created to read:

24 400.55715 Care for persons with Alzheimer's disease or
25 related disorders.--

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

31 (2) All employees who are expected to, or whose

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

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

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

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

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

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

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1 internet-based training, videos, 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 day care center or to an assisted living
16 facility, nursing home, home health agency, or adult
17 family-care home. The direct caregiver must comply with other
18 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 148. Section 400.626, Florida Statutes, is
23 created to read:

24 400.626 Care for persons with Alzheimer's disease or
25 related disorders.--

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

31 (2) All employees who are expected to, or whose

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

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

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

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

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

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

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1 internet-based training, videos, 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 adult day care
17 center. The direct caregiver must comply with other
18 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 149. Section 400.6045, Florida Statutes, is
23 amended to read:

24 400.6045 Patients with Alzheimer's disease or other
25 related disorders; certain disclosures; training.--

26 (1) A hospice licensed under this part which claims
27 that it provides special care for persons who have Alzheimer's
28 disease or other related disorders must disclose in its
29 advertisements or in a separate document those services that
30 distinguish the care as being especially applicable to, or
31 suitable for, such persons. The hospice must give a copy of

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1 all such advertisements or a copy of the document to each
2 person who requests information about programs and services
3 for persons with Alzheimer's disease or other related
4 disorders offered by the hospice and must maintain a copy of
5 all such advertisements and documents in its records. The
6 agency shall examine all such advertisements and documents in
7 the hospice's records as part of the license renewal
8 procedure.

9 (2) A hospice licensed under this part must provide to
10 each of its employees, upon beginning employment, basic
11 written information about interacting with persons with
12 Alzheimer's disease or a related disorder.

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

22 (4) An individual who provides direct care to a person
23 with Alzheimer's disease or a related disorder shall be
24 considered a direct caregiver and must complete the required
25 initial training and an additional 3 hours of training within
26 9 months after beginning to work at the hospice. This training
27 shall include, but is not limited to, managing problem
28 behaviors, promoting the resident's independence in activities
29 of daily living, and skills in working with families and
30 caregivers.

31 (a) The required 4 hours of training for certified

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1 nursing assistants are part of the total hours of training
2 required annually.

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

7 (5) For an employee who is a licensed health care
8 practitioner as defined in s. 456.001, training that is
9 sanctioned by that practitioner's licensing board shall be
10 considered to be approved by the Department of Elderly
11 Affairs.

12 (6) The Department of Elderly Affairs or its designee
13 must approve the initial and continuing training provided in
14 the hospice. The department must approve training offered in a
15 variety of formats, including, but not limited to,
16 internet-based training, videos, teleconferencing, and
17 classroom instruction. The department shall keep a list of
18 current providers who are approved to provide initial and
19 continuing training. The department shall adopt rules to
20 establish standards for the trainers and the training required
21 in this section.

22 (7) Upon completing any training listed in this
23 section, the employee or direct caregiver shall be issued a
24 certificate that includes the name of the training provider,
25 the topic covered, and the date and signature of the training
26 provider. The certificate is evidence of completion of
27 training in the identified topic, and the employee or direct
28 caregiver is not required to repeat training in that topic if
29 the employee or direct caregiver changes employment to or from
30 a different hospice, home health agency, assisted living
31 facility, nursing home, adult day care center, or adult

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1 family-care home. The direct caregiver must comply with other
2 applicable continuing education requirements.

3 (8) The provisions of this section shall be
4 implemented to the extent of available appropriations in the
5 annual General Appropriations Act for such purpose.

6 Section 150. An employee hired on or after July 1,
7 2001, need not comply with the guidelines created in sections
8 145-149 of this act before July 1, 2002.

9 Section 151. The Department of Elderly Affairs may
10 contract with or enter into a cooperative agreement with a
11 state university or statewide advocacy organization that
12 possesses expertise in the area of Alzheimer's disease and
13 related disorders to review potential trainers and training
14 materials. The department may accept grants, donations, and
15 gifts to meet the costs associated with providing the review
16 and approval and the required training.

17 Section 152. The Legislature finds that Alzheimer's
18 disease and related disorders pose an urgent health need in
19 this state. Therefore, each state university, college, or
20 postsecondary school that prepares undergraduate or graduate
21 students for health professions as described in chapter 456,
22 Florida Statutes, is encouraged to include in its curriculum
23 basic training about Alzheimer's disease and related
24 disorders.

25 Section 153. A community care service system must
26 contain a dementia-specific care provider network to properly
27 address the care of a person with dementia and the families of
28 such person.

29
30 (Redesignate subsequent sections.)
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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 On page 300, line 20, after the semicolon,

4

5 insert:

6 creating the Florida Alzheimer's Training Act;
7 creating ss. 400.1755, 400.4786, 400.55715,
8 400.626, F.S., and amending s. 400.6045, F.S.;
9 prescribing training standards for employees of
10 nursing homes, home health agencies, adult day
11 care centers, adult family-care homes, and
12 hospice programs respectively, that provide
13 care for persons with Alzheimer's disease or
14 related disorders; prescribing duties of the
15 Department of Elderly Affairs; providing that
16 implementation is subject to available
17 appropriations; providing for compliance with
18 guidelines within a certain time period;
19 authorizing the department to enter into an
20 agreement for evaluation of trainers and
21 materials; providing legislative findings and
22 intent; requiring dementia-specific care
23 providers to be included in community care
24 service systems;

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