

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

Amendment No. Barcode 650124

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Saunders moved the following amendment to amendment (791604):

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

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

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

26 (2) All employees who are expected to, or whose
27 responsibilities require them to, have direct contact with
28 residents with Alzheimer's disease or a related disorder must,
29 in addition to being provided the information required in
30 subsection (1), also have an initial training of at least 1
31 hour completed in the first 3 months after beginning

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1 employment. This training must include, but is not limited to,
2 an overview of dementias and must provide basic skills in
3 communicating with persons with dementia.

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

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

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

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

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

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1 continuing training. The department shall adopt rules to
 2 establish standards for the trainers and the training required
 3 in this section.

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

16 Section 147. Section 400.55715, Florida Statutes, is
 17 created to read:

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

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

25 (2) All employees who are expected to, or whose
 26 responsibilities require them to, have direct contact with
 27 residents with Alzheimer's disease or a related disorder must,
 28 in addition to being provided the information required in
 29 subsection (1), also have an initial training of at least 1
 30 hour completed in the first 3 months after beginning
 31 employment. This training must include, but is not limited to,

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1 an overview of dementias and must provide basic skills in
2 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. This training shall
7 include, but is not limited to, managing problem behaviors,
8 promoting the resident's independence in activities of daily
9 living, and skills in working with families and caregivers.

10 (a) The required 4 hours of training for certified
11 nursing assistants are part of the total hours of training
12 required annually.

13 (b) For a health care practitioner as defined in s.
14 456.001, continuing-education hours taken as required by that
15 practitioner's licensing board shall be counted toward this
16 total of 4 hours.

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

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

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

13 Section 148. Section 400.626, Florida Statutes, is
14 created to read:

15 400.626 Care for persons with Alzheimer's disease or
16 related disorders.--

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

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

31 (3) An individual who provides direct care shall be

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

7 (a) The required 4 hours of training for certified
8 nursing assistants are part of the total hours of training
9 required annually.

10 (b) For a health care practitioner as defined in s.
11 456.001, continuing-education hours taken as required by that
12 practitioner's licensing board shall be counted toward this
13 total of 4 hours.

14 (4) For an employee who is a licensed health care
15 practitioner as defined in s. 456.001, training that is
16 sanctioned by that practitioner's licensing board shall be
17 considered to be approved by the Department of Elderly
18 Affairs.

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

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

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

10 Section 149. Section 400.6045, Florida Statutes, is
11 amended to read:

12 400.6045 Patients with Alzheimer's disease or other
13 related disorders; certain disclosures; training.--

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

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

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

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

22 Section 150. An employee hired on or after July 1,
23 2001, need not comply with the guidelines created in sections
24 145-149 of this act before July 1, 2002.

25 Section 151. The Department of Elderly Affairs may
26 contract with or enter into a cooperative agreement with a
27 state university or statewide advocacy organization that
28 possesses expertise in the area of Alzheimer's disease and
29 related disorders to review potential trainers and training
30 materials. The department may accept grants, donations, and
31 gifts to meet the costs associated with providing the review

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1 and approval and the required training.

2 Section 152. The Legislature finds that Alzheimer's
3 disease and related disorders pose an urgent health need in
4 this state. Therefore, each state university, college, or
5 postsecondary school that prepares undergraduate or graduate
6 students for health professions as described in chapter 456,
7 Florida Statutes, is encouraged to include in its curriculum
8 basic training about Alzheimer's disease and related
9 disorders.

10 Section 153. A community care service system must
11 contain a dementia-specific care provider network to properly
12 address the care of a person with dementia and the families of
13 such person.

14
15 (Redesignate subsequent sections.)

16
17
18 ===== T I T L E A M E N D M E N T =====

19 And the title is amended as follows:

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

21
22 insert:

23 creating the Florida Alzheimer's Training Act;
24 creating ss. 400.1755, 400.4786, 400.55715,
25 400.626, F.S., and amending s. 400.6045, F.S.;

26 prescribing training standards for employees of
27 nursing homes, home health agencies, adult day
28 care centers, adult family-care homes, and
29 hospice programs respectively, that provide
30 care for persons with Alzheimer's disease or
31 related disorders; prescribing duties of the

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1 Department of Elderly Affairs; providing for
 2 compliance with guidelines within a certain
 3 time period; authorizing the department to
 4 enter into an agreement for evaluation of
 5 trainers and materials; providing legislative
 6 findings and intent; requiring
 7 dementia-specific care providers to be included
 8 in community care service systems; providing an
 9 effective date.

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