

By Representative Gibson

1 A bill to be entitled
 2 An act relating to nursing homes and related
 3 health care facilities; creating ss. 400.1755,
 4 400.4786, 400.55715, and 400.626, F.S.;
 5 providing requirements for dementia-specific
 6 training for individuals employed by nursing
 7 home facilities, home health agencies, adult
 8 day care centers, and adult family-care homes
 9 that care for persons with Alzheimer's disease
 10 or other related disorders; amending s.
 11 400.4178, F.S.; revising training requirements
 12 for staff of assisted living facilities that
 13 care for persons with Alzheimer's disease or
 14 other related disorders; providing an effective
 15 date.

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 17 Be It Enacted by the Legislature of the State of Florida:

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 19 Section 1. Section 400.1755, Florida Statutes, is
 20 created to read:

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

23 (1)(a) An individual who is employed by a facility
 24 that provides care for residents with Alzheimer's disease or
 25 other related disorders must complete up to 4 hours of initial
 26 dementia-specific training developed or approved by the
 27 department. The training shall be completed within 3 months
 28 after beginning employment.

29 (b) A direct caregiver who is employed by a facility
 30 that provides care for residents with Alzheimer's disease or
 31 other related disorders, and who provides direct care to such

1 residents, must complete the required initial training and 4
2 additional hours of training developed or approved by the
3 department. The training shall be completed within 9 months
4 after beginning employment.

5 (2) In addition to the training required under
6 subsection (1), a direct caregiver must participate in a
7 minimum of 4 contact hours of dementia-specific continuing
8 education each calendar year, as approved by the department.

9 (3) Upon completing any training listed in subsection
10 (1), the employee or direct caregiver shall be issued a
11 certificate that includes the name of the training provider,
12 the topic covered, and the date and signature of the training
13 provider. The certificate is evidence of completion of
14 training in the identified topic, and the employee or direct
15 caregiver is not required to repeat training in that topic if
16 the employee or direct caregiver changes employment to a
17 different facility. The employee or direct caregiver must
18 comply with other applicable continuing education
19 requirements.

20 (4) The department, or its designee, shall approve the
21 initial and continuing education courses and providers.

22 (5) The department shall keep a current list of
23 providers who are approved to provide initial and continuing
24 education for staff of facilities that provide care for
25 persons with Alzheimer's disease or other related disorders.

26 (6) Any facility more than 90 percent of whose
27 residents receive monthly optional supplementation payments is
28 not required to pay for the training and education programs
29 required under this section. A facility that has one or more
30 such residents shall pay a reduced fee that is proportional to
31 the percentage of such residents in the facility. A facility

1 that does not have any residents who receive monthly optional
2 supplementation payments must pay a reasonable fee, as
3 established by the department, for such training and education
4 programs.

5 (7) The department shall adopt rules to establish
6 standards for trainers and training and to implement this
7 section.

8 Section 2. Subsections (1), (2), (3), and (6) of
9 section 400.4178, Florida Statutes, are amended to read:

10 400.4178 ~~Special~~ Care for persons with Alzheimer's
11 disease or other related disorders.--

12 (1) Any facility that admits or provides care to a
13 person ~~A facility which advertises that it provides special~~
14 ~~care for persons~~ with Alzheimer's disease or other related
15 disorders must meet the following standards of operation:

16 (a)1. If the facility has 17 or more residents, have
17 an awake staff member on duty at all hours of the day and
18 night; or

19 2. If the facility has fewer than 17 residents, have
20 an awake staff member on duty at all hours of the day and
21 night or have mechanisms in place to monitor and ensure the
22 safety of the facility's residents.

23 (b) Offer activities specifically designed for persons
24 who are cognitively impaired.

25 (c) Have a physical environment that provides for the
26 safety and welfare of the facility's residents.

27 (d) Employ staff who have completed the training and
28 continuing education required in subsections ~~subsection~~ (2)
29 and (3).

30 (2)(a) An individual who is employed by a facility
31 that provides ~~special~~ care for residents with Alzheimer's

1 ~~disease or other related disorders, and who has regular~~
2 ~~contact with such residents,~~ must complete up to 4 hours of
3 initial dementia-specific training developed or approved by
4 the department. The training shall be completed within 3
5 months after beginning employment and shall satisfy the core
6 training requirements of s. 400.452(2)(g).

7 (b) A direct caregiver who is employed by a facility
8 that provides ~~special~~ care for residents with Alzheimer's
9 disease or other related disorders, and who provides direct
10 care to such residents, must complete the required initial
11 training and 4 additional hours of training developed or
12 approved by the department. The training shall be completed
13 within 9 months after beginning employment and shall satisfy
14 the core training requirements of s. 400.452(2)(g).

15 ~~(c) An individual who is employed by a facility that~~
16 ~~provides special care for residents with Alzheimer's disease~~
17 ~~or other related disorders, but who only has incidental~~
18 ~~contact with such residents, must be given, at a minimum,~~
19 ~~general information on interacting with individuals with~~
20 ~~Alzheimer's disease or other related disorders, within 3~~
21 ~~months after beginning employment.~~

22 (3) In addition to the training required under
23 subsection (2), a direct caregiver must participate in a
24 minimum of 4 contact hours of dementia-specific continuing
25 education each calendar year, as approved by the department.
26 ~~The continuing education must include one or more topics~~
27 ~~included in the dementia-specific training developed or~~
28 ~~approved by the department, in which the caregiver has not~~
29 ~~received previous training.~~

30 (6) The department shall keep a current list of
31 providers who are approved to provide initial and continuing

1 education for staff of facilities that provide ~~special~~ care
2 for persons with Alzheimer's disease or other related
3 disorders.

4 Section 3. Section 400.4786, Florida Statutes, is
5 created to read:

6 400.4786 Care for persons with Alzheimer's disease or
7 other related disorders; dementia-specific training.--

8 (1)(a) An individual who is employed by a home health
9 agency that provides care for clients with Alzheimer's disease
10 or other related disorders must complete up to 4 hours of
11 initial dementia-specific training developed or approved by
12 the department. The training shall be completed within 3
13 months after beginning employment.

14 (b) A direct caregiver who is employed by an agency
15 that provides care for clients with Alzheimer's disease or
16 other related disorders, and who provides direct care to such
17 clients, must complete the required initial training and 4
18 additional hours of training developed or approved by the
19 department. The training shall be completed within 9 months
20 after beginning employment.

21 (2) In addition to the training required under
22 subsection (1), a direct caregiver must participate in a
23 minimum of 4 contact hours of dementia-specific continuing
24 education each calendar year, as approved by the department.

25 (3) Upon completing any training listed in subsection
26 (1), the employee or direct caregiver shall be issued a
27 certificate that includes the name of the training provider,
28 the topic covered, and the date and signature of the training
29 provider. The certificate is evidence of completion of
30 training in the identified topic, and the employee or direct
31 caregiver is not required to repeat training in that topic if

1 the employee or direct caregiver changes employment to a
2 different home health agency. The employee or direct
3 caregiver must comply with other applicable continuing
4 education requirements.

5 (4) The department, or its designee, shall approve the
6 initial and continuing education courses and providers.

7 (5) The department shall keep a current list of
8 providers who are approved to provide initial and continuing
9 education for staff of home health agencies that provide care
10 for persons with Alzheimer's disease or other related
11 disorders.

12 (6) The department shall adopt rules to establish
13 standards for trainers and training and to implement this
14 section.

15 Section 4. Section 400.55715, Florida Statutes, is
16 created to read:

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

19 (1)(a) An individual who is employed by an adult day
20 care center that provides care for clients with Alzheimer's
21 disease or other related disorders must complete up to 4 hours
22 of initial dementia-specific training developed or approved by
23 the department. The training shall be completed within 3
24 months after beginning employment.

25 (b) A direct caregiver who is employed by a center
26 that provides care for clients with Alzheimer's disease or
27 other related disorders, and who provides direct care to such
28 clients, must complete the required initial training and 4
29 additional hours of training developed or approved by the
30 department. The training shall be completed within 9 months
31 after beginning employment.

1 (2) In addition to the training required under
2 subsection (1), a direct caregiver must participate in a
3 minimum of 4 contact hours of dementia-specific continuing
4 education each calendar year, as approved by the department.

5 (3) Upon completing any training listed in subsection
6 (1), 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 day care center. The employee or direct
14 caregiver must comply with other applicable continuing
15 education requirements.

16 (4) The department, or its designee, shall approve the
17 initial and continuing education courses and providers.

18 (5) The department shall keep a current list of
19 providers who are approved to provide initial and continuing
20 education for staff of adult day care centers that provide
21 care for persons with Alzheimer's disease or other related
22 disorders.

23 (6) Any adult day care center more than 90 percent of
24 whose clients receive monthly optional supplementation
25 payments is not required to pay for the training and education
26 programs required under this section. A center that has one
27 or more such clients shall pay a reduced fee that is
28 proportional to the percentage of such clients in the center.
29 A center that does not have any clients who receive monthly
30 optional supplementation payments must pay a reasonable fee,
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1 as established by the department, for such training and
2 education programs.

3 (7) The department shall adopt rules to establish
4 standards for trainers and training and to implement this
5 section.

6 Section 5. Section 400.626, Florida Statutes, is
7 created to read:

8 400.626 Care for persons with Alzheimer's disease or
9 other related disorders; dementia-specific training.--

10 (1)(a) An individual who is employed by an adult
11 family-care home that provides care for residents with
12 Alzheimer's disease or other related disorders must complete
13 up to 4 hours of initial dementia-specific training developed
14 or approved by the department. The training shall be completed
15 within 3 months after beginning employment.

16 (b) A direct caregiver who is employed by a home that
17 provides care for residents with Alzheimer's disease or other
18 related disorders, and who provides direct care to such
19 residents, must complete the required initial training and 4
20 additional hours of training developed or approved by the
21 department. The training shall be completed within 9 months
22 after beginning employment.

23 (2) In addition to the training required under
24 subsection (1), a direct caregiver must participate in a
25 minimum of 4 contact hours of dementia-specific continuing
26 education each calendar year, as approved by the department.

27 (3) Upon completing any training listed in subsection
28 (1), the employee or direct caregiver shall be issued a
29 certificate that includes the name of the training provider,
30 the topic covered, and the date and signature of the training
31 provider. The certificate is evidence of completion of

1 training in the identified topic, and the employee or direct
2 caregiver is not required to repeat training in that topic if
3 the employee or direct caregiver changes employment to a
4 different adult family-care home. The employee or direct
5 caregiver must comply with other applicable continuing
6 education requirements.

7 (4) The department, or its designee, shall approve the
8 initial and continuing education courses and providers.

9 (5) The department shall keep a current list of
10 providers who are approved to provide initial and continuing
11 education for staff of adult family-care homes that provide
12 care for persons with Alzheimer's disease or other related
13 disorders.

14 (6) Any adult family-care home more than 90 percent of
15 whose residents receive monthly optional supplementation
16 payments is not required to pay for the training and education
17 programs required under this section. A home that has one or
18 more such residents shall pay a reduced fee that is
19 proportional to the percentage of such residents in the home.
20 A home that does not have any residents who receive monthly
21 optional supplementation payments must pay a reasonable fee,
22 as established by the department, for such training and
23 education programs.

24 (7) The department shall adopt rules to establish
25 standards for trainers and training and to implement this
26 section.

27 Section 6. This act shall take effect July 1, 2001.

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HOUSE SUMMARY

Provides requirements for dementia-specific training for individuals employed by nursing home facilities, home health agencies, adult day care centers, and adult family-care homes that care for persons with Alzheimer's disease or other related disorders. Expands requirements for training for staff of assisted living facilities that care for persons with Alzheimer's disease or other related disorders to provide for dementia-specific training and require such training for all facility employees.