

By the Committee on Elder & Long-Term Care and
 Representatives Gibson, Kravitz, Byrd and Mahon

1 A bill to be entitled
 2 An act relating to health care facilities;
 3 creating the Florida Alzheimer's Training Act;
 4 amending s. 400.4178, F.S.; revising training
 5 standards for employees of assisted living
 6 facilities that provide care for residents with
 7 Alzheimer's disease or related disorders;
 8 creating ss. 400.1755, 400.4786, 400.55715, and
 9 400.626, F.S.; prescribing training standards
 10 for employees of nursing homes, home health
 11 agencies, adult day care centers, and adult
 12 family-care homes, respectively, that provide
 13 care for persons with Alzheimer's disease or
 14 related disorders; providing for training fees;
 15 prescribing duties of the Department of Elderly
 16 Affairs; directing the department to convene a
 17 working group to develop training guidelines;
 18 providing for membership; providing for
 19 compliance with guidelines within a certain
 20 time period; providing an effective date.

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

26 Section 2. Section 400.4178, Florida Statutes, is
 27 amended to read:

28 400.4178 ~~Special~~ Care for persons with Alzheimer's
 29 disease or other related disorders.--

30 (1) Any ~~A~~ facility which admits or advertises that it
 31 provides ~~special~~ care to an individual ~~for persons~~ with

1 Alzheimer's disease or other related disorders must meet the
2 following standards of operation:
3 (a)1. If the facility has 17 or more residents, have
4 an awake staff member on duty at all hours of the day and
5 night; or
6 2. If the facility has fewer than 17 residents, have
7 an awake staff member on duty at all hours of the day and
8 night or have mechanisms in place to monitor and ensure the
9 safety of the facility's residents.
10 (b) Offer activities specifically designed for persons
11 who are cognitively impaired.
12 (c) Have a physical environment that provides for the
13 safety and welfare of the facility's residents.
14 (d) Employ staff who have completed the training and
15 continuing education required in subsections ~~subsection~~ (2)
16 and (3).
17 (2)(a) An individual who is employed by a facility
18 that provides ~~special~~ care for residents with Alzheimer's
19 disease or other related disorders, ~~and who has regular~~
20 ~~contact with such residents,~~ must complete ~~up to~~ 4 hours of
21 initial dementia-specific training developed or approved by
22 the department. The training shall be completed within 3
23 months after beginning employment and shall satisfy the core
24 training requirements of s. 400.452(2)(g).
25 (b) A direct caregiver who is employed by a facility
26 that provides ~~special~~ care for residents with Alzheimer's
27 disease or other related disorders, and who provides direct
28 care to such residents, must complete the required initial
29 training and 4 additional hours of training developed or
30 approved by the department. The training shall be completed
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1 within 9 months after beginning employment and shall satisfy
2 the core training requirements of s. 400.452(2)(g).

3 ~~(c) An individual who is employed by a facility that~~
4 ~~provides special care for residents with Alzheimer's disease~~
5 ~~or other related disorders, but who only has incidental~~
6 ~~contact with such residents, must be given, at a minimum,~~
7 ~~general information on interacting with individuals with~~
8 ~~Alzheimer's disease or other related disorders, within 3~~
9 ~~months after beginning employment.~~

10 (3) In addition to the training required under
11 subsection (2), a direct caregiver must participate in a
12 minimum of 4 contact hours of dementia-specific continuing
13 education each calendar year as approved by the department.
14 ~~The continuing education must include one or more topics~~
15 ~~included in the dementia-specific training developed or~~
16 ~~approved by the department, in which the caregiver has not~~
17 ~~received previous training.~~

18 (4) Upon completing any training listed in subsection
19 (2), the employee or direct caregiver shall be issued a
20 certificate that includes the name of the training provider,
21 the topic covered, and the date and signature of the training
22 provider. The certificate is evidence of completion of
23 training in the identified topic, and the employee or direct
24 caregiver is not required to repeat training in that topic if
25 the employee or direct caregiver changes employment to a
26 different facility or to a nursing home, home health agency,
27 adult day care center, or adult family-care home. The
28 ~~employee or~~ direct caregiver must comply with other applicable
29 continuing education requirements.

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

1 (6) The department shall keep a current list of
2 providers who are approved to provide initial and continuing
3 education for staff of facilities that provide ~~special~~ care
4 for persons with Alzheimer's disease or other related
5 disorders.

6 (7) Any facility in which more than 90 percent of
7 whose residents receive monthly optional supplementation
8 payments is not required to pay for the training and education
9 programs required under this section. A facility that has one
10 or more such residents shall pay a reduced fee that is
11 proportional to the percentage of such residents in the
12 facility. A facility that does not have any residents who
13 receive monthly optional supplementation payments must pay a
14 reasonable fee, as established by the department, for such
15 training and education programs.

16 (8) The department shall adopt rules to establish
17 standards for trainers and training and to implement this
18 section.

19 Section 3. 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.--

23 (1)(a) An individual who is employed by a facility
24 licensed pursuant to this section must complete 4 hours of
25 initial dementia-specific training developed or approved by
26 the Department of Elderly Affairs. The training shall be
27 completed within 3 months after beginning employment.

28 (b) An individual who provides direct care shall be
29 considered a direct caregiver and must complete the required
30 initial training and 4 additional hours of training developed
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1 or approved by the Department of Elderly Affairs. The training
2 shall be completed within 9 months after beginning employment.

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

8 (3) Upon completing any training listed in subsection
9 (1), 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 facility or to an assisted living facility, home
17 health agency, adult day care center, or adult family-care
18 home. The direct caregiver must comply with other applicable
19 continuing education requirements.

20 (4) The Department of Elderly Affairs, or its
21 designee, shall approve the initial and continuing education
22 courses and providers.

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

28 (6) The Department of Elderly Affairs shall adopt
29 rules to establish standards for trainers and training and to
30 implement this section.

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1 Section 4. Section 400.4786, Florida Statutes, is
2 created to read:

3 400.4786 Care for persons with Alzheimer's disease or
4 other related disorders.--

5 (1)(a) An individual who is employed by a home health
6 agency must complete 4 hours of initial dementia-specific
7 training developed or approved by the Department of Elderly
8 Affairs. The training shall be completed within 3 months after
9 beginning employment.

10 (b) An individual who provides direct care shall be
11 considered a direct caregiver and must complete the required
12 initial training and 4 additional hours of training developed
13 or approved by the Department of Elderly Affairs. The training
14 shall be completed within 9 months after beginning employment.

15 (2) In addition to the training required under
16 subsection (1), a direct caregiver must participate in 4
17 contact hours of dementia-specific continuing education each
18 calendar year as approved by the Department of Elderly
19 Affairs.

20 (3) Upon completing any training listed in subsection
21 (1), the employee or direct caregiver shall be issued a
22 certificate that includes the name of the training provider,
23 the topic covered, and the date and signature of the training
24 provider. The certificate is evidence of completion of
25 training in the identified topic, and the employee or direct
26 caregiver is not required to repeat training in that topic if
27 the employee or direct caregiver changes employment to a
28 different home health agency or to an assisted living
29 facility, nursing home, adult day care center, or adult
30 family-care home. The direct caregiver must comply with other
31 applicable continuing education requirements.

1 (4) The Department of Elderly Affairs, or its
2 designee, shall approve the initial and continuing education
3 courses and providers.

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

9 (6) The department shall adopt rules to establish
10 standards for trainers and training and to implement this
11 section.

12 Section 5. Section 400.55715, Florida Statutes, is
13 created to read:

14 400.55715 Care for persons with Alzheimer's disease or
15 other related disorders.--

16 (1)(a) An individual who is employed by an adult day
17 care center must complete 4 hours of initial dementia-specific
18 training developed or approved by the department. The training
19 shall be completed within 3 months after beginning employment.

20 (b) An individual who provides direct care shall be
21 considered a direct caregiver and must complete the required
22 initial training and 4 additional hours of training developed
23 or approved by the Department of Elderly Affairs. The training
24 shall be completed within 9 months after beginning employment.

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

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

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

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

12 (5) The department shall keep a current list of
13 providers who are approved to provide initial and continuing
14 education for staff of adult day care centers that provide
15 care for persons with Alzheimer's disease or other related
16 disorders.

17 (6) The department shall adopt rules to establish
18 standards for trainers and training and to implement this
19 section.

20 Section 6. Section 400.626, Florida Statutes, is
21 created to read:

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

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

30 (b) An individual who provides direct care shall be
31 considered a direct caregiver and must complete the required

1 initial training and 4 additional hours of training developed
2 or approved by Department of Elderly Affairs. The training
3 shall be completed within 9 months after beginning employment.

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

8 (3) Upon completing any training listed in subsection
9 (1), 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 family-care home or to an assisted living
17 facility, nursing home, home health agency, or adult day care
18 center. The direct caregiver must comply with other
19 applicable continuing education 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 adult family-care homes that provide
25 care for persons with Alzheimer's disease or other related
26 disorders.

27 (6) The department shall adopt rules to establish
28 standards for trainers and training and to implement this
29 section.

30 Section 7. Effective July 1, 2001, the Department of
31 Elderly Affairs shall convene a working group to develop

1 training guidelines and materials for the required levels of
2 dementia-specific training as specified in this act. The group
3 shall consider and approve a variety of training methods
4 including self-taught modules, Internet-based training, video
5 conferencing, and "train-the-trainer" programs. The group
6 shall consist of a representative of the Florida Alzheimer's
7 Association, appointed by the association; a representative of
8 the Florida Assisted Living Association, appointed by the
9 board; a representative from one of the memory disorder
10 clinics, appointed by the secretary of the department; a
11 person from the department with knowledge of dementia and
12 community-based providers, appointed by the secretary; and a
13 representative of the Department of Health, appointed by the
14 Secretary of Health. The group shall hold its first meeting no
15 later than September 14, 2001. The group shall finalize its
16 recommendations no later than July 1, 2002. The Department of
17 Elderly Affairs shall provide staff support to the working
18 group. New employees shall have until July 1, 2002, to comply
19 with the guidelines. Existing employees shall have until July
20 1, 2003, to comply with the guidelines.

21 Section 8. This act shall take effect July 1, 2001.
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