

1 A bill to be entitled
2 An act relating to health care facilities and
3 programs; creating the "Florida Alzheimer's
4 Training Act"; creating ss. 400.1755, 400.4786,
5 400.55715, and 400.626, F.S., and amending s.
6 400.6045, F.S.; prescribing training standards
7 for employees of nursing homes, home health
8 agencies, nurse registries, hospice programs,
9 adult day care centers, and adult family-care
10 homes, respectively, that provide care for
11 persons with Alzheimer's disease or related
12 disorders; prescribing duties of the Department
13 of Elderly Affairs; providing rulemaking
14 authority; providing timeframe for compliance;
15 authorizing the Department of Elderly Affairs
16 to contract for review of trainers and training
17 materials; providing for costs; providing that
18 a community care service system shall contain a
19 dementia-specific care provider network;
20 encouraging inclusion of certain training in
21 healing arts curricula; providing an effective
22 date.

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

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26 Section 1. This act may be cited as the "Florida
27 Alzheimer's Training Act."

28 Section 2. Section 400.1755, Florida Statutes, is
29 created to read:

30 400.1755 Care for persons with Alzheimer's disease or
31 other related disorders.--

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

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

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

22 (a) For certified nursing assistants, the required 4
23 hours of training shall be part of the total hours of training
24 required annually.

25 (b) For health care practitioners licensed pursuant to
26 chapter 456, continuing education hours completed as required
27 by the board shall be counted toward this total of 4 hours.

28 (4) For employees who are health care practitioners
29 licensed pursuant to chapter 456, training that is sanctioned
30 by the health care practitioner's board shall be considered to
31 be approved by the Department of Elderly Affairs.

1 (5) The Department of Elderly Affairs or its designee
2 shall approve the initial and continuing training provided to
3 employees under this section. The department shall approve
4 training offered in a variety of formats, including, but not
5 limited to, Internet-based, video, 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 or nurse registry, adult day care center, or
21 adult family-care home. The direct caregiver must comply with
22 other applicable continuing education requirements.

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

26 Section 3. Section 400.4786, Florida Statutes, is
27 created to read:

28 400.4786 Care for persons with Alzheimer's disease or
29 other related disorders.--

30 (1) As a condition of licensure, home health agencies
31 and nurse registries licensed under this part must provide to

1 each of their employees basic written information about
2 interacting with persons with Alzheimer's disease or related
3 disorders upon beginning employment.

4 (2) All employees who are expected to, or whose
5 responsibilities require them to, have direct contact with
6 clients with Alzheimer's disease or related disorders must, in
7 addition to the information provided in subsection (1), have
8 an initial training of at least 1 hour completed in the first
9 3 months after employment. This training shall include, but
10 not be limited to, an overview of dementias and shall provide
11 basic skills in 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 with the home health
16 agency or nurse registry. This training shall include, but not
17 be limited to, managing problem behaviors, promoting the
18 client's independence in activities of daily living, and
19 skills in working with families and caregivers.

20 (a) For certified nursing assistants, the required 4
21 hours of training shall be part of the total hours of training
22 required annually.

23 (b) For health care practitioners licensed pursuant to
24 chapter 456, continuing education hours completed as required
25 by the board shall be counted toward this total of 4 hours.

26 (4) For employees who are health care practitioners
27 licensed pursuant to chapter 456, training that is sanctioned
28 by the health care practitioner's board shall be considered to
29 be approved by the Department of Elderly Affairs.

30 (5) The Department of Elderly Affairs or its designee
31 shall approve the initial and continuing training provided to

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

9 (6) Upon completing any training listed in this
10 section, 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 home health agency or nurse registry or to an
18 assisted living facility, nursing home, adult day care center,
19 or adult family-care home. The direct caregiver must comply
20 with other applicable continuing education requirements.

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

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

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

28 (1) As a condition of licensure, adult day care
29 centers licensed under this part must provide to each of their
30 employees, upon beginning employment, basic written

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1 information about interacting with persons with Alzheimer's
2 disease or related disorders.

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

11 (3) An individual who provides direct care 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 employment. This training shall
15 include, but not be limited to, managing problem behaviors,
16 promoting the client's independence in activities of daily
17 living, and skills in working with families and caregivers.

18 (a) For certified nursing assistants, the required 4
19 hours of training shall be part of the total hours of training
20 required annually.

21 (b) For health care practitioners licensed pursuant to
22 chapter 456, continuing education hours completed as required
23 by the board shall be counted toward this total of 4 hours.

24 (4) For employees who are health care practitioners
25 licensed pursuant to chapter 456, training that is sanctioned
26 by the health care practitioner's board shall be considered to
27 be approved by the Department of Elderly Affairs.

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

1 limited to, Internet-based, video, 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 nurse registry,
17 or adult family-care home. The direct caregiver must comply
18 with other 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 5. 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

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 patients with Alzheimer's disease or a related disorder must,
16 in addition to being provided the information required in
17 subsection (1), have an initial training of at least 1 hour
18 completed in the first 3 months after beginning employment.
19 This training shall include, but not be limited to, an
20 overview of dementias and shall 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 with the hospice. This
27 training shall include, but not be limited to, managing
28 problem behaviors, promoting the patient's independence in
29 activities of daily living, and skills in working with
30 families and caregivers.

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1 (a) For certified nursing assistants, the required 4
2 hours of training shall be part of the total hours of training
3 required annually.

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

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

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

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

1 assisted living facility, nursing home, adult day care center,
2 or adult family-care home. The direct caregiver must comply
3 with other applicable continuing education requirements.

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

6 400.626 Care for persons with Alzheimer's disease or
7 other related disorders.--

8 (1) As a condition of licensure, adult family-care
9 homes licensed under this part must provide to each of their
10 employees, upon beginning employment, basic written
11 information about interacting with persons with Alzheimer's
12 disease or related disorders.

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

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

29 (a) For certified nursing assistants, the required 4
30 hours of training shall be part of the total hours of training
31 required annually.

1 **(b) For health care practitioners licensed pursuant to**
2 **chapter 456, continuing education hours completed as required**
3 **by the board shall be counted toward this total of 4 hours.**

4 **(4) For employees who are health care practitioners**
5 **licensed pursuant to chapter 456, training that is sanctioned**
6 **by the health care practitioner's board shall be considered to**
7 **be approved by the Department of Elderly Affairs.**

8 **(5) The Department of Elderly Affairs or its designee**
9 **shall approve the initial and continuing training provided to**
10 **employees under this section. The department shall approve**
11 **training offered in a variety of formats, including, but not**
12 **limited to, Internet-based, video, teleconferencing, and**
13 **classroom instruction. The department shall keep a list of**
14 **current providers who are approved to provide initial and**
15 **continuing training. The department shall adopt rules to**
16 **establish standards for the trainers and the training required**
17 **in this section.**

18 **(6) Upon completing any training listed in this**
19 **section, 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 adult family-care home or to an assisted living**
27 **facility, nursing home, home health agency or nurse registry,**
28 **or adult day care center. The direct caregiver must comply**
29 **with other applicable continuing education requirements.**

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

4 Section 7. The training requirements established in
5 this act shall apply to all new employees hired on or after
6 July 1, 2002.

7 Section 8. The Department of Elderly Affairs may
8 contract with a state university or statewide advocacy
9 organization that possesses expertise in the area of
10 Alzheimer's disease and related disorders to review potential
11 trainers and training materials. The department may accept
12 grants, donations, and gifts to meet the costs associated with
13 providing the review and approval and the required training.

14 Section 9. A community care service system shall
15 contain a dementia-specific care provider network to properly
16 address the care of a person with dementia and the family of
17 such person.

18 Section 10. The Legislature finds that appropriate
19 care for persons with Alzheimer's disease and related
20 disorders is an urgent health need in this state. Therefore,
21 each state university, college, or postsecondary school that
22 prepares undergraduate or graduate students in the healing
23 arts regulated under chapter 456, Florida Statutes, is
24 encouraged to include in its curriculum basic training about
25 Alzheimer's disease and related disorders.

26 Section 11. This act shall take effect October 1,
27 2001.

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