

1 A bill to be entitled
2 An act relating to health care; creating the
3 Florida Alzheimer's Training Act; creating ss.
4 400.4786, 400.55715, and 400.626, F.S., and
5 amending s. 400.6045, F.S.; prescribing
6 training standards for employees of home health
7 agencies, adult day care centers, adult
8 family-care homes, and hospices, respectively,
9 that provide care for persons with Alzheimer's
10 disease or related disorders; prescribing
11 duties of the Department of Elderly Affairs;
12 providing for compliance with guidelines within
13 a certain time period; providing for approval
14 of Alzheimer's training and trainers; providing
15 for application of training to meet specified
16 requirements; providing authority to adopt
17 rules; providing legislative findings and
18 intent; providing effective dates.

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

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

24 Section 2. Effective July 1, 2004, section 400.4786,
25 Florida Statutes, is created to read:

26 400.4786 Care for persons with Alzheimer's disease or
27 related disorders.--

28 (1) As a condition of licensure, home health agencies
29 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 a related disorder.

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 a related disorder must,
6 in addition to being provided the information required in this
7 section, also have an initial training of at least 1 hour
8 completed in the first 3 months after beginning employment.
9 This training must include, but is not limited to, an overview
10 of dementias and must provide basic skills in communicating
11 with persons with dementia.

12 (3) An individual who provides direct care to a person
13 with Alzheimer's disease or a related disorder shall be
14 considered a direct caregiver and must complete the required
15 1-hour training and an additional 3 hours of training within 9
16 months after beginning to work with the home health agency.
17 This training shall include, but is not limited to, managing
18 problem behaviors, promoting the client's independence in
19 activities of daily living, and skills in working with
20 families and caregivers.

21 (a) The required 4 hours of training for certified
22 nursing assistants are part of the total hours of training
23 required annually.

24 (b) For a health care practitioner as defined in s.
25 456.001, continuing education hours taken as required by that
26 practitioner's licensing board shall be counted toward this
27 total of 4 hours.

28 (4) For an employee who is a licensed health care
29 practitioner as defined in s. 456.001, training that is
30 sanctioned by that practitioner's licensing board shall be
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1 considered to be approved by the Department of Elderly
2 Affairs.

3 (5) The Department of Elderly Affairs or its designee
4 shall approve the required 1-hour and 3-hour training provided
5 to employees or direct caregivers under this section. The
6 department must consider for approval training offered in a
7 variety of formats. The department shall keep a list of
8 current providers who are approved to provide the 1-hour and
9 3-hour training. The department shall adopt rules to establish
10 standards for the trainers and the training required in this
11 section.

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

23 Section 3. Effective July 1, 2003, section 400.55715,
24 Florida Statutes, is created to read:

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

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

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

10 (3) An individual who provides direct care shall be
11 considered a direct caregiver and must complete the required
12 1-hour training and an additional 3 hours of training within 9
13 months after beginning employment. This training shall
14 include, but is not limited to, managing problem behaviors,
15 promoting the client's independence in activities of daily
16 living, and skills in working with families and caregivers.

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

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

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

29 (5) The Department of Elderly Affairs or its designee
30 shall approve the 1-hour and 3-hour training provided to
31 employees and direct caregivers under this section. The

1 department must consider for approval training offered in a
2 variety of formats. The department shall keep a list of
3 current providers who are approved to provide the 1-hour and
4 3-hour training. The department shall adopt rules to establish
5 standards for the trainers and the training required in this
6 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, adult family-care
17 home, or hospice. The direct caregiver must comply with other
18 applicable continuing education requirements.

19 Section 4. Effective July 1, 2004, section 400.626,
20 Florida Statutes, is created to read:

21 400.626 Care for persons with Alzheimer's disease or
22 related disorders.--

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

28 (2) All employees who are expected to, or whose
29 responsibilities require them to, have direct contact with
30 clients with Alzheimer's disease or a related disorder must,
31 in addition to being provided the information required in this

1 section, also have an initial training of at least 1 hour
2 completed in the first 3 months after beginning employment.
3 This training must include, but is not limited to, an overview
4 of dementias and must provide basic skills in communicating
5 with persons with dementia.

6 (3) An individual who provides direct care shall be
7 considered a direct caregiver and must complete the required
8 1-hour training and an additional 3 hours of training within 9
9 months after beginning employment. This training shall
10 include, but is not limited to, managing problem behaviors,
11 promoting the client's independence in activities of daily
12 living, and 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 shall approve the 1-hour and 3-hour training provided to
27 employees or direct caregivers under this section. The
28 department must consider for approval training offered in a
29 variety of formats. The department shall keep a list of
30 current providers who are approved to provide 1-hour and
31 3-hour training. The department shall adopt rules to establish

1 standards for the trainers and the training required in this
2 section.

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

14 Section 5. Effective July 1, 2003, section 400.6045,
15 Florida Statutes, is amended to read:

16 400.6045 Patients with Alzheimer's disease or other
17 related disorders; certain disclosures; training.--

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

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

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

14 (4) An individual who provides direct care to a person
15 with Alzheimer's disease or a related disorder shall be
16 considered a direct caregiver and must complete the required
17 1-hour training and an additional 3 hours of training within 9
18 months after beginning to work with the hospice. This training
19 shall include, but not be limited to, managing problem
20 behaviors, promoting the patient's independence in activities
21 of daily living, and skills in working with families and
22 caregivers.

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

26 (b) For a health care practitioner as defined in s.
27 456.001, continuing education hours taken as required by that
28 practitioner's licensing board shall be counted toward this
29 total of 4 hours.

30 (5) For an employee who is a licensed health care
31 practitioner as defined in s. 456.001, training that is

1 sanctioned by that practitioner's licensing board shall be
2 considered to be approved by the Department of Elderly
3 Affairs.

4 (6) The Department of Elderly Affairs or its designee
5 shall approve the required 1-hour and 3-hour training provided
6 to employees or direct caregivers under this section. The
7 department must consider for approval training offered in a
8 variety of formats. The department shall keep a list of
9 current providers who are approved to provide the 1-hour and
10 3-hour training. The department shall adopt rules to establish
11 standards for the trainers and the training required in this
12 section.

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

24 Section 6. An employee hired on or after July 1, 2002,
25 need not comply with the guidelines created in this act before
26 July 1, 2003, or July 1, 2004, as provided.

27 Section 7. The Department of Elderly Affairs or its
28 designee must approve the initial and continuing training
29 provided pursuant to this act. The department shall keep a
30 list of current providers who are approved to provide initial
31 and continuing training. The department shall adopt rules to

1 establish standards for the trainers and the training required
2 in this act. Any trainer approved pursuant to this act shall
3 be considered to be an approved trainer for the purposes of
4 meeting the Alzheimer's training requirements for any entity
5 licensed under chapter 400, Florida Statutes. Any training
6 curricula approved pursuant to this act shall be considered to
7 meet the Alzheimer's training requirements for any entity
8 licensed under chapter 400, Florida Statutes, except that the
9 approved training curricula shall be considered to meet only a
10 part of the Alzheimer's training requirements for assisted
11 living facilities licensed under part III of chapter 400,
12 Florida Statutes. A trainer shall submit to the department or
13 its designee the additional curricula necessary to meet the
14 Alzheimer's training requirements set forth in s. 400.4178,
15 Florida Statutes, for employees of assisted living facilities.
16 The department shall apply the training completed by employees
17 who meet the Alzheimer's training requirements for any entity
18 licensed pursuant to part II, part IV, part V, part VI, or
19 part VII of chapter 400, Florida Statutes, toward the
20 completion of the additional Alzheimer's training required in
21 s. 400.4178, Florida Statutes.

22 Section 8. The Legislature finds that Alzheimer's
23 disease and related disorders pose an urgent health need in
24 this state. Therefore, each state university, college, or
25 postsecondary school that prepares undergraduate or graduate
26 students for health professions as described in chapter 456,
27 Florida Statutes, is encouraged to include in its curriculum
28 basic training about Alzheimer's disease and related
29 disorders.

30 Section 9. Except as otherwise provided herein, this
31 act shall take effect July 1, 2002.