

By Senator Saunders

25-53A-02

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

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

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

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

24 400.4786 Care for persons with Alzheimer's disease or
 25 related disorders.--

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

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

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

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

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

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

10 (6) 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 a
18 different home health agency or to an assisted living
19 facility, nursing home, adult day care center, adult
20 family-care home, or hospice.

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

23 400.55715 Care for persons with Alzheimer's disease or
24 related disorders.--

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

30 (2) All employees who are expected to, or whose
31 responsibilities require them to, have direct contact with

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

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

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

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

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

27 (5) The Department of Elderly Affairs or its designee
28 shall approve the 1-hour and 3-hour training provided to
29 employees and direct caregivers under this section. The
30 department must consider for approval training offered in a
31 variety of formats. The department shall keep a list of

1 current providers who are approved to provide the 1-hour and
2 3-hour training. The department shall adopt rules to establish
3 standards for the trainers and the training required in this
4 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 adult day care center or to an assisted living
14 facility, nursing home, home health agency, adult family-care
15 home, or hospice. The direct caregiver must comply with other
16 applicable continuing education requirements.

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

19 400.626 Care for persons with Alzheimer's disease or
20 related disorders.--

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

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

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

4 (3) An individual who provides direct care shall be
5 considered a direct caregiver and must complete the required
6 1-hour training and an additional 3 hours of training within 9
7 months after beginning employment. This training shall
8 include, but is not limited to, managing problem behaviors,
9 promoting the client's independence in activities of daily
10 living, and skills in working with families and caregivers.

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

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

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

23 (5) The Department of Elderly Affairs or its designee
24 shall approve the 1-hour and 3-hour training provided to
25 employees or direct caregivers under this section. The
26 department must consider for approval training offered in a
27 variety of formats. The department shall keep a list of
28 current providers who are approved to provide 1-hour and
29 3-hour training. The department shall adopt rules to establish
30 standards for the trainers and the training required in this
31 section.

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 family-care home or to an assisted living
10 facility, nursing home, home health agency, adult day care
11 center, or hospice.

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

14 400.6045 Patients with Alzheimer's disease or other
15 related disorders; certain disclosures; training.--

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

30 (2) A hospice licensed under this part must provide to
31 each of its employees, upon beginning employment, basic

1 written information about interacting with persons with
2 Alzheimer's disease or a related disorder.

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

12 (4) 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 hospice. This training
17 shall include, but not be limited to, managing problem
18 behaviors, promoting the patient's independence in activities
19 of daily living, and skills in working with families and
20 caregivers.

21 (a) For certified nursing assistance, the required 4
22 hours of training shall be 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 (5) 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 (6) 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 (7) Upon completing any training described 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 hospice or a home health agency, assisted living
21 facility, nursing home, adult day care center, or adult
22 family-care home.

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

26 Section 7. The Department of Elderly Affairs may
27 contract with or enter into a cooperative agreement with a
28 state university or statewide advocacy organization that
29 possesses expertise in the area of Alzheimer's disease and
30 related disorders to review potential trainers and training
31 materials. The department may accept grants, donations, and

1 gifts to meet the costs associated with providing the review
2 and approval and the required training.

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

11 Section 9. This act shall take effect July 1, 2002.

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14 SENATE SUMMARY

15 Requires employees of home health agencies, adult day
16 care centers, adult family-care homes, and hospices that
17 provide care for residents with Alzheimer's disease or
18 related disorders to complete dementia-specific training.
19 Provides for certificates of such training. Prescribes
20 duties of the Department of Elderly Affairs in approving
21 training providers.
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