

Bill No. CS for SB 2-D

Amendment No.      Barcode 741992

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Latvala moved the following amendment:

**Senate Amendment (with title amendment)**

On page 1782, between lines 28 and 29,

insert:

Section 1083. Each state university, college, or postsecondary school that prepares undergraduate or graduate students for health professions as described in chapter 456, Florida Statutes, is encouraged to include in its curriculum basic training about Alzheimer's disease and related disorders.

Section 1084. Effective July 1, 2004, section 400.4785, Florida Statutes, is amended to read:

400.4785 Patients with Alzheimer's disease or other related disorders; certain training mandates and disclosures.--

(1)(a) An agency licensed under this part which provides direct service to adults shall require each newly hired employee who provides direct care to patients under federal home health regulations to dedicate 4 hours to

Bill No. CS for SB 2-D

Amendment No. \_\_\_\_ Barcode 741992

1 training in Alzheimer's disease and dementia-related  
2 illnesses. This training shall include, but is not limited to,  
3 overview of dementia, demonstrating basic skills in  
4 communicating with persons with dementia, managing problem  
5 behaviors, promoting the client's independence in activities  
6 of daily living, and skills in working with families and  
7 caregivers.

8 (b) The Department of Elderly Affairs, or its  
9 designee, shall approve the required training. The department  
10 must consider for approval training offered in a variety of  
11 formats. The department shall keep a list of current providers  
12 who are approved to provide the 4-hour training. The  
13 department shall adopt rules to establish standards for the  
14 trainers required in this section.

15 (c) Upon completing the training listed in this  
16 section, the employee shall be issued a certificate that  
17 states that the training mandated under this section has been  
18 received. The certificate shall be dated and signed by the  
19 training provider. The certificate is evidence of completion  
20 of this training and the employee is not required to repeat  
21 this training if the employee changes employment to a  
22 different home health agency, assisted living facility,  
23 nursing home, adult day care center, adult family-care home,  
24 or hospice.

25 (2) An agency licensed under this part which claims  
26 that it provides special care for persons who have Alzheimer's  
27 disease or other related disorders must disclose in its  
28 advertisements or in a separate document those services that  
29 distinguish the care as being especially applicable to, or  
30 suitable for, such persons. The agency must give a copy of  
31 all such advertisements or a copy of the document to each

Bill No. CS for SB 2-D

Amendment No. \_\_\_\_ Barcode 741992

1 person who requests information about the agency and must  
2 maintain a copy of all such advertisements and documents in  
3 its records. The Agency for Health Care Administration shall  
4 examine all such advertisements and documents in the agency's  
5 records as part of the license renewal procedure.

6 Section 1085. Effective July 1, 2003, section  
7 400.55715, Florida Statutes, is created to read:

8 400.55715 Care for persons with Alzheimer's disease or  
9 related disorders.--

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

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

24 (3) An individual who provides direct care shall be  
25 considered a direct caregiver and must complete the required  
26 1-hour training and an additional 3 hours of training within 9  
27 months after beginning employment. This training shall  
28 include, but is not limited to, managing problem behaviors,  
29 promoting the client's independence in activities of daily  
30 living, and skills in working with families and caregivers.

31 (a) The required 4 hours of training for certified

Bill No. CS for SB 2-D

Amendment No.      Barcode 741992

1 nursing assistants are part of the total hours of training  
2 required annually.

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

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

12 (5) The Department of Elderly Affairs or its designee  
13 shall approve the 1-hour and 3-hour training provided to  
14 employees and direct caregivers under this section. The  
15 department must consider for approval training offered in a  
16 variety of formats. The department shall keep a list of  
17 current providers who are approved to provide the 1-hour and  
18 3-hour training. The department shall adopt rules to establish  
19 standards for the trainers and the training required in this  
20 section.

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

Bill No. CS for SB 2-D

Amendment No.      Barcode 741992

1           Section 1086. Effective July 1, 2004, section 400.626,  
2 Florida Statutes, is created to read:

3           400.626 Care for persons with Alzheimer's disease or  
4 related disorders.--

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

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

19          (3) An individual who provides direct care shall be  
20 considered a direct caregiver and must complete the required  
21 1-hour training and an additional 3 hours of training within 9  
22 months after beginning employment. This training shall  
23 include, but is not limited to, managing problem behaviors,  
24 promoting the client's independence in activities of daily  
25 living, and skills in working with families and caregivers.

26          (a) The required 4 hours of training for certified  
27 nursing assistants are part of the total hours of training  
28 required annually.

29          (b) For a health care practitioner as defined in s.  
30 456.001, continuing education hours taken as required by that  
31 practitioner's licensing board shall be counted toward this

Bill No. CS for SB 2-D

Amendment No. \_\_\_\_ Barcode 741992

1 total of 4 hours.

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

7 (5) The Department of Elderly Affairs or its designee  
8 shall approve the 1-hour and 3-hour training provided to  
9 employees or direct caregivers under this section. The  
10 department must consider for approval training offered in a  
11 variety of formats. The department shall keep a list of  
12 current providers who are approved to provide 1-hour and  
13 3-hour training. The department shall adopt rules to establish  
14 standards for the trainers and the training required in this  
15 section.

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

27 Section 1087. Effective July 1, 2003, section  
28 400.6045, Florida Statutes, is amended to read:

29 400.6045 Patients with Alzheimer's disease or other  
30 related disorders; certain disclosures; training.--

31 (1) A hospice licensed under this part which claims

Bill No. CS for SB 2-D

Amendment No. \_\_\_\_ Barcode 741992

1 that it provides special care for persons who have Alzheimer's  
2 disease or other related disorders must disclose in its  
3 advertisements or in a separate document those services that  
4 distinguish the care as being especially applicable to, or  
5 suitable for, such persons. The hospice must give a copy of  
6 all such advertisements or a copy of the document to each  
7 person who requests information about programs and services  
8 for persons with Alzheimer's disease or other related  
9 disorders offered by the hospice and must maintain a copy of  
10 all such advertisements and documents in its records. The  
11 agency shall examine all such advertisements and documents in  
12 the hospice's records as part of the license renewal  
13 procedure.

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

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

27 (4) An individual who provides direct care to a person  
28 with Alzheimer's disease or a related disorder shall be  
29 considered a direct caregiver and must complete the required  
30 1-hour training and an additional 3 hours of training within 9  
31 months after beginning to work with the hospice. This training

Bill No. CS for SB 2-D

Amendment No. \_\_\_\_ Barcode 741992

1 shall include, but not be limited to, managing problem  
2 behaviors, promoting the patient's independence in activities  
3 of daily living, and skills in working with families and  
4 caregivers.

5 (a) For certified nursing assistance, the required 4  
6 hours of training shall be part of the total hours of training  
7 required annually.

8 (b) For a health care practitioner as defined in s.  
9 456.001, continuing education hours taken as required by that  
10 practitioner's licensing board shall be counted toward this  
11 total of 4 hours.

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

17 (6) The Department of Elderly Affairs or its designee  
18 shall approve the required 1-hour and 3-hour training provided  
19 to employees or direct caregivers under this section. The  
20 department must consider for approval training offered in a  
21 variety of formats. The department shall keep a list of  
22 current providers who are approved to provide the 1-hour and  
23 3-hour training. The department shall adopt rules to establish  
24 standards for the trainers and the training required in this  
25 section.

26 (7) Upon completing any training described in this  
27 section, the employee or direct caregiver shall be issued a  
28 certificate that includes the name of the training provider,  
29 the topic covered, and the date and signature of the training  
30 provider. The certificate is evidence of completion of  
31 training in the identified topic, and the employee or direct



Bill No. CS for SB 2-D

Amendment No.      Barcode 741992

1 caregiver is not required to repeat training in that topic if  
2 the employee or direct caregiver changes employment to a  
3 different hospice or a home health agency, assisted living  
4 facility, nursing home, adult day care center, or adult  
5 family-care home.

6           Section 1088. An employee hired on or after July 1,  
7 2002, need not comply with the guidelines created in this act  
8 before July 1, 2003, or July 1, 2004, as provided.

9           Section 1089. Any training in Alzheimer's disease or  
10 related disorders or any providers of such training which are  
11 approved under part II, part IV, part V, part VI, or part VII  
12 of chapter 400, Florida Statutes, shall be considered approved  
13 training and approved providers of such training for purposes  
14 of providing training in Alzheimer's disease or related  
15 disorders under part II, part IV, part V, part VI, or part VII  
16 of chapter 400, Florida Statutes.

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18 (Redesignate subsequent sections.)

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21 ===== T I T L E   A M E N D M E N T =====

22 And the title is amended as follows:

23           On page 7, line 25, after the semicolon,

24

25 insert:

26           creating ss. 400.55715 and 400.626, F.S., and  
27           amending ss. 400.4785 and 400.6045, F.S. ;  
28           prescribing training standards for employees of  
29           home health agencies, adult day care centers,  
30           adult family-care homes, and hospices,  
31           respectively, that provide care for persons

Bill No. CS for SB 2-D

Amendment No. \_\_\_\_ Barcode 741992

1           with Alzheimer's disease or related disorders;  
2           prescribing duties of the Department of Elderly  
3           Affairs; providing for compliance with  
4           guidelines within a certain time period;  
5           providing for approval of Alzheimer's training  
6           and trainers; providing for application of  
7           training to meet specified requirements;  
8           providing authority to adopt rules;  
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