

By Senator Saunders

37-554-03

1 A bill to be entitled
2 An act relating to health care regulation;
3 creating the Florida Alzheimer's Training Act;
4 amending ss. 400.4785, 400.5571, 400.6045,
5 F.S.; prescribing training standards for
6 employees of home health agencies, adult day
7 care centers, and hospices, respectively, that
8 provide care for persons who have Alzheimer's
9 disease or related disorders; prescribing
10 duties of the Department of Elderly Affairs;
11 providing for compliance with guidelines within
12 a certain time period; providing for approval
13 of Alzheimer's training and trainers; providing
14 for application of training to meet specified
15 requirements; providing authority to adopt
16 rules; providing legislative findings and
17 intent; providing effective dates.

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

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

23 Section 2. Section 400.4785, Florida Statutes, is
24 amended to read:

25 400.4785 Patients with Alzheimer's disease or other
26 related disorders; staff training requirements; certain
27 disclosures.--

28 (1) A home health agency must provide the following
29 staff training:

30 (a) Upon beginning employment with the agency, each
31 employee must receive basic written information about

1 interacting with participants who have Alzheimer's disease or
2 dementia-related disorders.

3 (b) In addition to the information provided under
4 paragraph (a), newly hired home health agency personnel who
5 will be providing direct care to patients must complete 4
6 hours of training in Alzheimer's disease and dementia-related
7 disorders within 9 months after beginning employment with the
8 agency. This training must include, but is not limited to, an
9 overview of dementia, a demonstration of basic skills in
10 communicating with persons who have dementia, the management
11 of problem behaviors, information about promoting the client's
12 independence in activities of daily living, and instruction in
13 skills for working with families and caregivers.

14 (c) For certified nursing assistants, the required 4
15 hours of training shall be part of the total hours of training
16 required annually.

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

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

26 (f) The Department of Elderly Affairs, or its
27 designee, must approve the required training. The department
28 must consider for approval training offered in a variety of
29 formats. The department shall keep a list of current providers
30 who are approved to provide the 4-hour training. The
31

1 department shall adopt rules to establish standards for the
2 trainers and the training required in this section.

3 (g) Upon completing the training listed in this
4 section, the employee shall be issued a certificate that
5 states that the training mandated under this section has been
6 received. The certificate shall be dated and signed by the
7 training provider. The certificate is evidence of completion
8 of this training, and the employee is not required to repeat
9 this training if the employee changes employment to a
10 different home health agency or to an assisted living
11 facility, nursing home, adult day care center, or hospice.

12 (h) An employee who is hired on or after July 1, 2003,
13 shall have until July 1, 2004, to meet the training
14 requirements.

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

27 Section 3. Section 400.5571, Florida Statutes, is
28 amended to read:

29 400.5571 Patients with Alzheimer's disease or other
30 related disorders; staff training requirements; certain
31 disclosures.--

1 (1) An adult day care center licensed under this part
2 must provide the following staff training:

3 (a) Upon beginning employment with the facility, each
4 employee must receive basic written information about
5 interacting with participants who have Alzheimer's disease or
6 dementia-related disorders.

7 (b) In addition to the information provided under
8 paragraph (a), newly hired adult-day-care-center personnel who
9 are expected to, or whose responsibilities require them to,
10 have direct contact with participants who have Alzheimer's
11 disease or dementia-related disorders must complete initial
12 training of at least 1 hour within the first 3 months after
13 beginning employment. The training must include an overview of
14 dementias and must provide instruction in basic skills for
15 communicating with persons who have dementia.

16 (c) In addition to the requirements of paragraphs (a)
17 and (b), an employee who will be providing direct care to a
18 participant who has Alzheimer's disease or dementia-related
19 disorders must complete an additional 3 hours of training
20 within 9 months after beginning employment. This training must
21 include, but is not limited to, the management of problem
22 behaviors, information about promoting the participant's
23 independence in activities of daily living, and instruction in
24 skills for working with families and caregivers.

25 (d) For certified nursing assistants, the required 4
26 hours of training shall be part of the total hours of training
27 required annually.

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

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

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

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

27 (i) An employee who is hired on or after July 1, 2003,
28 shall have until July 1, 2004, to meet the training
29 requirements of this subsection.

30 (2) A center licensed under this part which claims
31 that it provides special care for persons who have Alzheimer's

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

11 Section 4. Section 400.6045, Florida Statutes, is
12 amended to read:

13 400.6045 Patients with Alzheimer's disease or other
14 related disorders; staff training requirements; certain
15 disclosures.--

16 (1) A hospice licensed under this part must provide
17 the following staff training:

18 (a) Upon beginning employment with the agency, each
19 employee must receive basic written information about
20 interacting with persons who have Alzheimer's disease or
21 dementia-related disorders.

22 (b) In addition to the information provided under
23 paragraph (a), employees who are expected to, or whose
24 responsibilities require them to, have direct contact with
25 participants who have Alzheimer's disease or dementia-related
26 disorders must complete initial training of at least 1 hour
27 within the first 3 months after beginning employment. The
28 training must include an overview of dementias and must
29 provide instruction in basic skills for communicating with
30 persons who have dementia.

31

1 (c) In addition to the requirements of paragraphs (a)
2 and (b), an employee who will be providing direct care to a
3 participant who has Alzheimer's disease or dementia-related
4 disorders must complete an additional 3 hours of training
5 within 9 months after beginning employment. This training must
6 include, but is not limited to, the management of problem
7 behaviors, information about promoting the patient's
8 independence in activities of daily living, and instruction in
9 skills for working with families and caregivers.

10 (d) For certified nursing assistants, the required 4
11 hours of training shall be part of the total hours of training
12 required annually.

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

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

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

31

1 (h) Upon completing any training described 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 hospice or to a home health agency, assisted living
10 facility, nursing home, or adult day care center.

11 (i) An employee who is hired on or after July 1, 2003,
12 shall have until July 1, 2004, to meet the training
13 requirements.

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

28 Section 5. The Legislature finds that Alzheimer's
29 disease and related disorders pose an urgent health problem in
30 this state. Therefore, each state university, college, or
31 postsecondary school that prepares undergraduate or graduate

1 students for health professions as described in chapter 456,
2 Florida Statutes, is encouraged to include in its curriculum
3 basic training about Alzheimer's disease and related
4 disorders.

5 Section 6. This act shall take effect July 1, 2003.

6
7 *****

8 SENATE SUMMARY

9 Creates the Florida Alzheimer's Training Act. Prescribes
10 training standards for new employees of home health
11 agencies, adult day care centers, and hospices who
12 provide care for persons who have Alzheimer's disease or
13 a related disorder. Specifies duties of the Department of
14 Elderly Affairs with respect to approval of training and
15 trainers. Authorizes the department to adopt rules.
16 Provides for cross-application among such facilities of
17 the training provided to their employees under the act,
18 and provides for the application of such training with
19 respect to employees of nursing homes and assisted living
20 facilities. Encourages postsecondary educational
21 institutions to include basic training about Alzheimer's
22 disease and related disorders in their curriculum for
23 students in the health professions.
24
25
26
27
28
29
30
31