

By the Committee on Health, Aging, and Long-Term Care; and  
Senator Saunders

317-1914-03

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:

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

23

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

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

28

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

30

31           (a) Upon beginning employment with the agency, each  
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 department shall adopt rules to establish standards for

1 employees who are subject to this training and 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 must complete the required training by July 1, 2004, or by the  
14 deadline specified in this section, whichever is later.

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 employees who are subject to this training and  
14 for the trainers and the training required in this 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 must complete the required training by July 1, 2004, or by the  
29 deadline specified in this section, whichever is later.

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.

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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 employees who are subject to this training and  
30 for the trainers and the training required in this section.

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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 must complete the required training by July 1, 2004, or by the  
13 deadline specified in this section, whichever is later.

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.

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7 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
8 COMMITTEE SUBSTITUTE FOR  
9 Senate Bill 1116

10 The committee substitute differs from SB 1116 in the following  
ways:

11 The rules adopted for the Alzheimer's training must establish  
standards for the employees who must be trained.

12 An employee who is hired by an assisted living facility,  
13 hospice, or adult day care center on or after July 1, 2003,  
must complete the required training by July 1, 2004, or by the  
14 deadline specified in the bill, whichever is later.