



HB 1527

2003

A bill to be entitled

An act relating to health care regulation; providing a popular name; amending ss. 400.4785, 400.5571, and 400.6045, F.S.; prescribing training standards for employees of home health agencies, adult day care centers, and hospices, respectively, that provide care for persons who have Alzheimer's disease or related disorders; prescribing duties of the Department of Elderly Affairs; providing for compliance with guidelines within a certain time period; providing for approval of Alzheimer's training and trainers; providing for application of training to meet specified requirements; providing authority to adopt rules; providing legislative findings and intent; encouraging state universities, colleges, and postsecondary schools preparing students for health care professions to include training about Alzheimer's disease and related disorders; providing an effective date.

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

Section 1. This act may be known by the popular name the "Florida Alzheimer's Training Act."

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

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

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



HB 1527

2003

30 (a) Upon beginning employment with the agency, each
31 employee must receive basic written information about
32 interacting with participants who have Alzheimer's disease or
33 dementia-related disorders.

34 (b) In addition to the information provided under
35 paragraph (a), newly hired home health agency personnel who will
36 be providing direct care to patients must complete 4 hours of
37 training in Alzheimer's disease and dementia-related disorders
38 within 9 months after beginning employment with the agency. This
39 training must include, but is not limited to, an overview of
40 dementia, a demonstration of basic skills in communicating with
41 persons who have dementia, the management of problem behaviors,
42 information about promoting the client's independence in
43 activities of daily living, and instruction in skills for
44 working with families and caregivers.

45 (c) For certified nursing assistants, the required 4 hours
46 of training shall be part of the total hours of training
47 required annually.

48 (d) For a health care practitioner as defined in s.
49 456.001, continuing education hours taken as required by that
50 practitioner's licensing board shall be counted toward the total
51 of 4 hours.

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

56 (f) The Department of Elderly Affairs, or its designee,
57 must approve the required training. The department must consider
58 for approval training offered in a variety of formats. The
59 department shall keep a list of current providers who are



HB 1527

2003

60 approved to provide the 4-hour training. The department shall
61 adopt rules to establish standards for the trainers and the
62 training required in this section.

63 (g) Upon completing the training listed in this section,
64 the employee shall be issued a certificate that states that the
65 training mandated under this section has been received. The
66 certificate shall be dated and signed by the training provider.
67 The certificate is evidence of completion of this training, and
68 the employee is not required to repeat this training if the
69 employee changes employment to a different home health agency or
70 to an assisted living facility, nursing home, adult day care
71 center, or hospice.

72 (h) An employee who is hired on or after July 1, 2003,
73 shall have until July 1, 2004, to meet the training requirements
74 of this subsection.

75 (2) An agency licensed under this part which claims that
76 it provides special care for persons who have Alzheimer's
77 disease or other related disorders must disclose in its
78 advertisements or in a separate document those services that
79 distinguish the care as being especially applicable to, or
80 suitable for, such persons. The agency must give a copy of all
81 such advertisements or a copy of the document to each person who
82 requests information about the agency and must maintain a copy
83 of all such advertisements and documents in its records. The
84 Agency for Health Care Administration shall examine all such
85 advertisements and documents in the agency's records as part of
86 the license renewal procedure.

87 Section 3. Section 400.5571, Florida Statutes, is amended
88 to read:



HB 1527

2003

89 400.5571 Patients with Alzheimer's disease or other
90 related disorders; staff training requirements; certain
91 disclosures.--

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

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

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

107 (c) In addition to the requirements of paragraphs (a) and
108 (b), an employee who will be providing direct care to a
109 participant who has Alzheimer's disease or dementia-related
110 disorders must complete an additional 3 hours of training within
111 9 months after beginning employment. This training must include,
112 but is not limited to, the management of problem behaviors,
113 information about promoting the participant's independence in
114 activities of daily living, and instruction in skills for
115 working with families and caregivers.

116 (d) For certified nursing assistants, the required 4 hours
117 of training shall be part of the total hours of training
118 required annually.



HB 1527

2003

119 (e) For a health care practitioner as defined in s.
120 456.001, continuing education hours taken as required by that
121 practitioner's licensing board shall be counted toward the total
122 of 4 hours.

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

127 (g) The Department of Elderly Affairs or its designee must
128 approve the 1-hour and 3-hour training provided to employees and
129 direct caregivers under this section. The department must
130 consider for approval training offered in a variety of formats.
131 The department shall keep a list of current providers who are
132 approved to provide the 1-hour and 3-hour training. The
133 department shall adopt rules to establish standards for the
134 trainers and the training required in this section.

135 (h) Upon completing any training described in this
136 section, the employee or direct caregiver shall be issued a
137 certificate that includes the name of the training provider, the
138 topic covered, and the date and signature of the training
139 provider. The certificate is evidence of completion of training
140 in the identified topic, and the employee or direct caregiver is
141 not required to repeat training in that topic if the employee or
142 direct caregiver changes employment to a different adult day
143 care center or to an assisted living facility, nursing home,
144 home health agency, or hospice. The direct caregiver must comply
145 with other applicable continuing education requirements.

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



HB 1527

2003

149 (2) A center licensed under this part which claims that it
150 provides special care for persons who have Alzheimer's disease
151 or other related disorders must disclose in its advertisements
152 or in a separate document those services that distinguish the
153 care as being especially applicable to, or suitable for, such
154 persons. The center must give a copy of all such advertisements
155 or a copy of the document to each person who requests
156 information about the center and must maintain a copy of all
157 such advertisements and documents in its records. The agency
158 shall examine all such advertisements and documents in the
159 center's records as part of the license renewal procedure.

160 Section 4. Section 400.6045, Florida Statutes, is amended
161 to read:

162 400.6045 Patients with Alzheimer's disease or other
163 related disorders; staff training requirements; certain
164 disclosures.--

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

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

171 (b) In addition to the information provided under
172 paragraph (a), employees who are expected to, or whose
173 responsibilities require them to, have direct contact with
174 participants who have Alzheimer's disease or dementia-related
175 disorders must complete initial training of at least 1 hour
176 within the first 3 months after beginning employment. The
177 training must include an overview of dementias and must provide



HB 1527

2003

178 instruction in basic skills for communicating with persons who
179 have dementia.

180 (c) In addition to the requirements of paragraphs (a) and
181 (b), an employee who will be providing direct care to a
182 participant who has Alzheimer's disease or dementia-related
183 disorders must complete an additional 3 hours of training within
184 9 months after beginning employment. This training must include,
185 but is not limited to, the management of problem behaviors,
186 information about promoting the patient's independence in
187 activities of daily living, and instruction in skills for
188 working with families and caregivers.

189 (d) For certified nursing assistants, the required 4 hours
190 of training shall be part of the total hours of training
191 required annually.

192 (e) For a health care practitioner as defined in s.
193 456.001, continuing education hours taken as required by that
194 practitioner's licensing board shall be counted toward the total
195 of 4 hours.

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

200 (g) The Department of Elderly Affairs or its designee must
201 approve the required 1-hour and 3-hour training provided to
202 employees or direct caregivers under this section. The
203 department must consider for approval training offered in a
204 variety of formats. The department shall keep a list of current
205 providers who are approved to provide the 1-hour and 3-hour
206 training. The department shall adopt rules to establish



HB 1527

2003

207 standards for the trainers and the training required in this
208 section.

209 (h) Upon completing any training described in this
210 section, the employee or direct caregiver shall be issued a
211 certificate that includes the name of the training provider, the
212 topic covered, and the date and signature of the training
213 provider. The certificate is evidence of completion of training
214 in the identified topic, and the employee or direct caregiver is
215 not required to repeat training in that topic if the employee or
216 direct caregiver changes employment to a different hospice or to
217 a home health agency, assisted living facility, nursing home, or
218 adult day care center.

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

222 (2) A hospice licensed under this part which claims that
223 it provides special care for persons who have Alzheimer's
224 disease or other related disorders must disclose in its
225 advertisements or in a separate document those services that
226 distinguish the care as being especially applicable to, or
227 suitable for, such persons. The hospice must give a copy of all
228 such advertisements or a copy of the document to each person who
229 requests information about programs and services for persons
230 with Alzheimer's disease or other related disorders offered by
231 the hospice and must maintain a copy of all such advertisements
232 and documents in its records. The agency shall examine all such
233 advertisements and documents in the hospice's records as part of
234 the license renewal procedure.

235 Section 5. The Legislature finds that Alzheimer's disease
236 and related disorders pose an urgent health problem in this



HB 1527

2003

237 state. Therefore, each state university, college, or
238 postsecondary school that prepares undergraduate or graduate
239 students for health professions as described in chapter 456,
240 Florida Statutes, is encouraged to include in its curriculum
241 basic training about Alzheimer's disease and related disorders.

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