



CHAMBER ACTION

The Committee on Future of Florida's Families recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to health care regulation; creating the Florida Alzheimer's Training Act; 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.



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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:

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

(b) In addition to the information provided under paragraph (a), newly hired home health agency personnel who will be providing direct care to patients must complete 2 hours of training in Alzheimer's disease and dementia-related disorders within 9 months after beginning employment with the agency. This training must include, but is not limited to, an overview of dementia, a demonstration of basic skills in communicating with persons who have dementia, the management of problem behaviors, information about promoting the client's independence in activities of daily living, and instruction in skills for working with families and caregivers.



56 (c) For certified nursing assistants, the required 2 hours
 57 of training shall be part of the total hours of training
 58 required annually.

59 (d) For a health care practitioner as defined in s.
 60 456.001, continuing education hours taken as required by that
 61 practitioner's licensing board shall be counted toward the total
 62 of 2 hours.

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

67 (f) The Department of Elderly Affairs, or its designee,
 68 must approve the required training. The department must consider
 69 for approval training offered in a variety of formats. The
 70 department shall keep a list of current providers who are
 71 approved to provide the 2-hour training. The department shall
 72 adopt rules to establish standards for the employees who are
 73 subject to this training, for the trainers, and for the training
 74 required in this section.

75 (g) Upon completing the training listed in this section,
 76 the employee shall be issued a certificate that states that the
 77 training mandated under this section has been received. The
 78 certificate shall be dated and signed by the training provider.
 79 The certificate is evidence of completion of this training, and
 80 the employee is not required to repeat this training if the
 81 employee changes employment to a different home health agency.



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82 (h) An employee who is hired on or after July 1, 2003,
83 must complete the required training by July 1, 2004, or by the
84 deadline specified in this section, whichever is later.

85 (i) A licensed home health agency whose unduplicated
86 census during the most recent calendar year was comprised of at
87 least 90 percent of individuals aged 21 years or younger at the
88 date of admission is exempt from the training requirements in
89 this section.

90 (2) An agency licensed under this part which claims that
91 it provides special care for persons who have Alzheimer's
92 disease or other related disorders must disclose in its
93 advertisements or in a separate document those services that
94 distinguish the care as being especially applicable to, or
95 suitable for, such persons. The agency must give a copy of all
96 such advertisements or a copy of the document to each person who
97 requests information about the agency and must maintain a copy
98 of all such advertisements and documents in its records. The
99 Agency for Health Care Administration shall examine all such
100 advertisements and documents in the agency's records as part of
101 the license renewal procedure.

102 Section 3. Section 400.5571, Florida Statutes, is amended
103 to read:

104 400.5571 Patients with Alzheimer's disease or other
105 related disorders; staff training requirements; certain
106 disclosures.--

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



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

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

122 (c) In addition to the requirements of paragraphs (a) and
123 (b), an employee who will be providing direct care to a
124 participant who has Alzheimer's disease or a dementia-related
125 disorder must complete an additional 3 hours of training within
126 9 months after beginning employment. This training must include,
127 but is not limited to, the management of problem behaviors,
128 information about promoting the participant's independence in
129 activities of daily living, and instruction in skills for
130 working with families and caregivers.

131 (d) For certified nursing assistants, the required 4 hours
132 of training shall be part of the total hours of training
133 required annually.

134 (e) For a health care practitioner as defined in s.
135 456.001, continuing education hours taken as required by that



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136 practitioner's licensing board shall be counted toward the total
137 of 4 hours.

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

142 (g) The Department of Elderly Affairs or its designee must
143 approve the 1-hour and 3-hour training provided to employees and
144 direct caregivers under this section. The department must
145 consider for approval training offered in a variety of formats.
146 The department shall keep a list of current providers who are
147 approved to provide the 1-hour and 3-hour training. The
148 department shall adopt rules to establish standards for the
149 employees who are subject to this training, for the trainers,
150 and for the training required in this section.

151 (h) Upon completing any training described in this
152 section, the employee or direct caregiver shall be issued a
153 certificate that includes the name of the training provider, the
154 topic covered, and the date and signature of the training
155 provider. The certificate is evidence of completion of training
156 in the identified topic, and the employee or direct caregiver is
157 not required to repeat training in that topic if the employee or
158 direct caregiver changes employment to a different adult day
159 care center or to an assisted living facility, nursing home,
160 home health agency, or hospice. The direct caregiver must comply
161 with other applicable continuing education requirements.



162 (i) An employee who is hired on or after July 1, 2003,
 163 must complete the required training by July 1, 2004, or by the
 164 deadline specified in this section, whichever is later.

165 (2) A center licensed under this part which claims that it
 166 provides special care for persons who have Alzheimer's disease
 167 or other related disorders must disclose in its advertisements
 168 or in a separate document those services that distinguish the
 169 care as being especially applicable to, or suitable for, such
 170 persons. The center must give a copy of all such advertisements
 171 or a copy of the document to each person who requests
 172 information about the center and must maintain a copy of all
 173 such advertisements and documents in its records. The agency
 174 shall examine all such advertisements and documents in the
 175 center's records as part of the license renewal procedure.

176 Section 4. Section 400.6045, Florida Statutes, is amended
 177 to read:

178 400.6045 Patients with Alzheimer's disease or other
 179 related disorders; staff training requirements; certain
 180 disclosures.--

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

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

187 (b) In addition to the information provided under
 188 paragraph (a), employees who are expected to, or whose
 189 responsibilities require them to, have direct contact with



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190 participants who have Alzheimer's disease or dementia-related
191 disorders must complete initial training of at least 1 hour
192 within the first 3 months after beginning employment. The
193 training must include an overview of dementias and must provide
194 instruction in basic skills for communicating with persons who
195 have dementia.

196 (c) In addition to the requirements of paragraphs (a) and
197 (b), an employee who will be providing direct care to a
198 participant who has Alzheimer's disease or a dementia-related
199 disorder must complete an additional 3 hours of training within
200 9 months after beginning employment. This training must include,
201 but is not limited to, the management of problem behaviors,
202 information about promoting the patient's independence in
203 activities of daily living, and instruction in skills for
204 working with families and caregivers.

205 (d) For certified nursing assistants, the required 4 hours
206 of training shall be part of the total hours of training
207 required annually.

208 (e) For a health care practitioner as defined in s.
209 456.001, continuing education hours taken as required by that
210 practitioner's licensing board shall be counted toward the total
211 of 4 hours.

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

216 (g) The Department of Elderly Affairs or its designee must
217 approve the required 1-hour and 3-hour training provided to



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218 employees or direct caregivers under this section. The
219 department must consider for approval training offered in a
220 variety of formats. The department shall keep a list of current
221 providers who are approved to provide the 1-hour and 3-hour
222 training. The department shall adopt rules to establish
223 standards for the employees who are subject to this training,
224 for the trainers, and for the training required in this section.

225 (h) Upon completing any training described in this
226 section, the employee or direct caregiver shall be issued a
227 certificate that includes the name of the training provider, the
228 topic covered, and the date and signature of the training
229 provider. The certificate is evidence of completion of training
230 in the identified topic, and the employee or direct caregiver is
231 not required to repeat training in that topic if the employee or
232 direct caregiver changes employment to a different hospice or to
233 a home health agency, assisted living facility, nursing home, or
234 adult day care center.

235 (i) An employee who is hired on or after July 1, 2003,
236 must complete the required training by July 1, 2004, or by the
237 deadline specified in this section, whichever is later.

238 (2) A hospice licensed under this part which claims that
239 it provides special care for persons who have Alzheimer's
240 disease or other related disorders must disclose in its
241 advertisements or in a separate document those services that
242 distinguish the care as being especially applicable to, or
243 suitable for, such persons. The hospice must give a copy of all
244 such advertisements or a copy of the document to each person who
245 requests information about programs and services for persons



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246 | with Alzheimer's disease or other related disorders offered by
247 | the hospice and must maintain a copy of all such advertisements
248 | and documents in its records. The agency shall examine all such
249 | advertisements and documents in the hospice's records as part of
250 | the license renewal procedure.

251 | Section 5. The Legislature finds that Alzheimer's disease
252 | and related disorders pose an urgent health problem in this
253 | state. Therefore, each state university, college, or
254 | postsecondary school that prepares undergraduate or graduate
255 | students for health professions as described in chapter 456,
256 | Florida Statutes, is encouraged to include in its curriculum
257 | basic training about Alzheimer's disease and related disorders.

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

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