



1 A bill to be entitled

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

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

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

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

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



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

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

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

46 (c) For certified nursing assistants, the required 2 hours
47 of training shall be part of the total hours of training
48 required annually.

49 (d) For a health care practitioner as defined in s.
50 456.001, continuing education hours taken as required by that
51 practitioner's licensing board shall be counted toward the total
52 of 2 hours.

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



57 (f) The Department of Elderly Affairs, or its designee,
58 must approve the required training. The department must consider
59 for approval training offered in a variety of formats. The
60 department shall keep a list of current providers who are
61 approved to provide the 2-hour training. The department shall
62 adopt rules to establish standards for the employees who are
63 subject to this training, for the trainers, and for the training
64 required in this section.

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

72 (h) An employee who is hired on or after July 1, 2005,
73 must complete the training required by this section.

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

79 (2) An agency licensed under this part which claims that
80 it provides special care for persons who have Alzheimer's
81 disease or other related disorders must disclose in its
82 advertisements or in a separate document those services that
83 distinguish the care as being especially applicable to, or
84 suitable for, such persons. The agency must give a copy of all



85 such advertisements or a copy of the document to each person who
86 requests information about the agency and must maintain a copy
87 of all such advertisements and documents in its records. The
88 Agency for Health Care Administration shall examine all such
89 advertisements and documents in the agency's records as part of
90 the license renewal procedure.

91 Section 3. Section 400.5571, Florida Statutes, is amended
92 to read:

93 400.5571 Patients with Alzheimer's disease or other
94 related disorders; staff training requirements; certain
95 disclosures.--

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

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

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

111 (c) In addition to the requirements of paragraphs (a) and
112 (b), an employee who will be providing direct care to a



113 participant who has Alzheimer's disease or a dementia-related
114 disorder must complete an additional 3 hours of training within
115 9 months after beginning employment. This training must include,
116 but is not limited to, the management of problem behaviors,
117 information about promoting the participant's independence in
118 activities of daily living, and instruction in skills for
119 working with families and caregivers.

120 (d) For certified nursing assistants, the required 4 hours
121 of training shall be part of the total hours of training
122 required annually.

123 (e) For a health care practitioner as defined in s.
124 456.001, continuing education hours taken as required by that
125 practitioner's licensing board shall be counted toward the total
126 of 4 hours.

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

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



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

151 (i) An employee who is hired on or after July 1, 2004,
152 must complete the training required by this section.

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

164 Section 4. Section 400.6045, Florida Statutes, is amended
165 to read:



166 400.6045 Patients with Alzheimer's disease or other
167 related disorders; staff training requirements; certain
168 disclosures.--

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

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

175 (b) In addition to the information provided under
176 paragraph (a), employees who are expected to, or whose
177 responsibilities require them to, have direct contact with
178 participants who have Alzheimer's disease or dementia-related
179 disorders must complete initial training of at least 1 hour
180 within the first 3 months after beginning employment. The
181 training must include an overview of dementias and must provide
182 instruction in basic skills for communicating with persons who
183 have dementia.

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



193 (d) For certified nursing assistants, the required 4 hours
194 of training shall be part of the total hours of training
195 required annually.

196 (e) For a health care practitioner as defined in s.
197 456.001, continuing education hours taken as required by that
198 practitioner's licensing board shall be counted toward the total
199 of 4 hours.

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

204 (g) The Department of Elderly Affairs or its designee must
205 approve the required 1-hour and 3-hour training provided to
206 employees or direct caregivers under this section. The
207 department must consider for approval training offered in a
208 variety of formats. The department shall keep a list of current
209 providers who are approved to provide the 1-hour and 3-hour
210 training. The department shall adopt rules to establish
211 standards for the employees who are subject to this training,
212 for the trainers, and for the training required in this section.

213 (h) Upon completing any training described in this
214 section, the employee or direct caregiver shall be issued a
215 certificate that includes the name of the training provider, the
216 topic covered, and the date and signature of the training
217 provider. The certificate is evidence of completion of training
218 in the identified topic, and the employee or direct caregiver is
219 not required to repeat training in that topic if the employee or
220 direct caregiver changes employment to a different hospice or to



221 a home health agency, assisted living facility, nursing home, or
222 adult day care center.

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

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

239 Section 5. The Legislature finds that Alzheimer's disease
240 and related disorders pose an urgent health problem in this
241 state. Therefore, each state university, college, or
242 postsecondary school that prepares undergraduate or graduate
243 students for health professions as described in chapter 456,
244 Florida Statutes, is encouraged to include in its curriculum
245 basic training about Alzheimer's disease and related disorders.

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