

Bill No. CS for CS for SB 2738

Amendment No.      Barcode 455250

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Saunders moved the following amendment:		
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13	<b>Senate Amendment (with title amendment)</b>		
14	On page 79, between lines 17 and 18,		
15			
16	insert:		
17	Section 58. <u>Sections 58 through 62 of this act may be</u>		
18	<u>known by the popular name the "Florida Alzheimer's Training</u>		
19	<u>Act."</u>		
20	Section 59. Section 400.4785, Florida Statutes, is		
21	amended to read:		
22	400.4785 Patients with Alzheimer's disease or other		
23	related disorders; <u>staff training requirements</u> ; certain		
24	disclosures.--		
25	<u>(1) A home health agency must provide the following</u>		
26	<u>staff training:</u>		
27	<u>(a) Upon beginning employment with the agency, each</u>		
28	<u>employee must receive basic written information about</u>		
29	<u>interacting with participants who have Alzheimer's disease or</u>		
30	<u>dementia-related disorders.</u>		
31	<u>(b) In addition to the information provided under</u>		

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

11 (c) For certified nursing assistants, the required 2  
12 hours of training shall be part of the total hours of training  
13 required annually.

14 (d) For a health care practitioner as defined in s.  
15 456.001, continuing education hours taken as required by that  
16 practitioner's licensing board shall be counted toward the  
17 total of 2 hours.

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

23 (f) The Department of Elderly Affairs, or its  
24 designee, must approve the required training. The department  
25 must consider for approval training offered in a variety of  
26 formats. The department shall keep a list of current providers  
27 who are approved to provide the 2-hour training. The  
28 department shall adopt rules to establish standards for the  
29 employees who are subject to this training, for the trainers,  
30 and for the training required in this section.

31 (g) Upon completing the training listed in this

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1 section, the employee shall be issued a certificate that  
2 states that the training mandated under this section has been  
3 received. The certificate shall be dated and signed by the  
4 training provider. The certificate is evidence of completion  
5 of this training, and the employee is not required to repeat  
6 this training if the employee changes employment to a  
7 different home health agency.

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

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

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 60. 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.--

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- 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 a dementia-related  
19 disorder 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 the  
31 total of 4 hours.

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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 employees who are subject to this training,  
14 for the trainers, and for the training required in this  
15 section.

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

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

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

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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 61. 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 (c) In addition to the requirements of paragraphs (a)

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

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

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

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

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

31       (h) Upon completing any training described in this

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1 section, the employee or direct caregiver shall be issued a  
2 certificate that includes the name of the training provider,  
3 the topic covered, and the date and signature of the training  
4 provider. The certificate is evidence of completion of  
5 training in the identified topic, and the employee or direct  
6 caregiver is not required to repeat training in that topic if  
7 the employee or direct caregiver changes employment to a  
8 different hospice or to a home health agency, assisted living  
9 facility, nursing home, or adult day care center.

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

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

27 Section 62. The Legislature finds that Alzheimer's  
28 disease and related disorders pose an urgent health problem in  
29 this state. Therefore, each state university, college, or  
30 postsecondary school that prepares undergraduate or graduate  
31 students for health professions as described in chapter 456,



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1 Florida Statutes, is encouraged to include in its curriculum  
2 basic training about Alzheimer's disease and related  
3 disorders.

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6 ===== T I T L E A M E N D M E N T =====

7 And the title is amended as follows:

8 On page 6, line 22, after the semicolon,

9

10 insert:

11 creating the Florida Alzheimer's Training Act;  
12 providing a popular name; amending ss.  
13 400.4785, 400.5571, and 400.6045, F.S.;  
14 prescribing training standards for employees of  
15 home health agencies, adult day care centers,  
16 and hospices, respectively, that provide care  
17 for persons who have Alzheimer's disease or  
18 related disorders; prescribing duties of the  
19 Department of Elderly Affairs; providing for  
20 compliance with guidelines within a certain  
21 time period; providing for approval of  
22 Alzheimer's training and trainers; providing  
23 for application of training to meet specified  
24 requirements; providing authority to adopt  
25 rules; providing legislative findings and  
26 intent; encouraging state universities,  
27 colleges, and postsecondary schools preparing  
28 students for health care professions to include  
29 training about Alzheimer's disease and related  
30 disorders;

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