

By Senator Argenziano

3-1204-05

See HB 443

1 A bill to be entitled
2 An act relating to home health services;
3 amending s. 400.4785, F.S.; providing
4 requirements for training staff of
5 organizations that provide companion or
6 homemaker services; amending s. 400.509, F.S.;
7 exempting organizations that provide certain
8 personal care services from licensure;
9 requiring organizations that provide personal
10 care services to register with the Agency for
11 Health Care Administration and to maintain
12 liability insurance coverage; providing an
13 effective date.

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

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17 Section 1. Subsection (3) is added to section
18 400.4785, Florida Statutes, to read:
19 400.4785 Patients with Alzheimer's disease or other
20 related disorders; staff training requirements; certain
21 disclosures.--

22 (3) An organization that provides companion services
23 or homemaker services must provide the following staff
24 training:

25 (a) Newly hired personnel who will be providing direct
26 care to patients must complete 2 hours of training in
27 Alzheimer's disease and dementia-related disorders within 9
28 months after beginning employment with the organization. This
29 training must include, but is not limited to, an overview of
30 dementia, a demonstration of basic skills in communicating
31 with persons who have dementia, the management of problem

1 behaviors, information about promoting the client's
2 independence in activities of daily living, and instruction in
3 skills for working with families and caregivers.

4 (b) For certified nursing assistants, the required 2
5 hours of training shall be part of the total hours of training
6 required annually.

7 (c) The Department of Elderly Affairs, or its
8 designee, must approve the required training. The department
9 must consider for approval training offered in a variety of
10 formats. The department shall keep a list of current providers
11 who are approved to provide the 2-hour training. The
12 department shall adopt rules to establish standards for the
13 employees who are subject to this training, for the trainers,
14 and for the training required under this subsection.

15 (d) Upon completing the 2-hour training, the employee
16 shall be issued a certificate dated and signed by the training
17 provider which states that the training required under this
18 subsection has been received. The certificate is evidence of
19 completion of this training, and the employee is not required
20 to repeat this training if the employee changes employment to
21 a different organization registered under s. 400.509.

22 Section 2. Subsection (1) of section 400.509, Florida
23 Statutes, is amended, subsection (15) is renumbered as
24 subsection (16), and a new subsection (15) is added to that
25 section, to read:

26 400.509 Registration of particular service providers
27 exempt from licensure; certificate of registration; regulation
28 of registrants; liability insurance.--

29 (1) Any organization that provides companion services
30 or homemaker services, or that provides personal care services
31 through employed certified nursing assistants under part II of

1 chapter 464 or through employees who are trained and qualified
2 in providing personal care as determined by the agency under
3 s. 400.497(1), and does not provide a home health service
4 other than assisting a patient with bathing, dressing,
5 toileting, grooming, eating, physical transfer, and those
6 normal daily routines the patient could perform for himself or
7 herself if he or she was physically capable to a person is
8 exempt from licensure under this part. However, any
9 organization that provides companion services, ~~or~~ homemaker
10 services, or personal care services must register with the
11 agency.

12 (15) Any organization that provides personal care
13 services must obtain and maintain liability insurance coverage
14 as defined in s. 624.605(1)(b) in an amount of not less than
15 \$250,000 per claim and must submit proof of liability
16 insurance coverage with an initial application for
17 registration and with each annual application for registration
18 renewal.

19 Section 3. This act shall take effect July 1, 2005.
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