

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

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

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 14 Section 1. Subsection (3) is added to section 400.4785,
 15 Florida Statutes, to read:

16 400.4785 Patients with Alzheimer's disease or other
 17 related disorders; staff training requirements; certain
 18 disclosures.--

19 (3) An organization that provides companion services or
 20 homemaker services must provide the following staff training:

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

29 activities of daily living, and instruction in skills for
30 working with families and caregivers.

31 (b) For certified nursing assistants, the required 2 hours
32 of training shall be part of the total hours of training
33 required annually.

34 (c) The Department of Elderly Affairs, or its designee,
35 must approve the required training. The department must consider
36 for approval training offered in a variety of formats. The
37 department shall keep a list of current providers who are
38 approved to provide the 2-hour training. The department shall
39 adopt rules to establish standards for the employees who are
40 subject to this training, for the trainers, and for the training
41 required under this subsection.

42 (d) Upon completing the 2-hour training, the employee
43 shall be issued a certificate dated and signed by the training
44 provider that states that the training required under this
45 subsection has been received. The certificate is evidence of
46 completion of this training, and the employee is not required to
47 repeat this training if the employee changes employment to a
48 different organization registered under s. 400.509.

49 Section 2. Subsection (1) of section 400.509, Florida
50 Statutes, is amended, subsection (15) is renumbered as
51 subsection (16), and a new subsection (15) is added to said
52 section, to read:

53 400.509 Registration of particular service providers
54 exempt from licensure; certificate of registration; regulation
55 of registrants; liability insurance.--

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56 (1) Any organization that provides companion services or
57 homemaker services, or that provides personal care services
58 through employed certified nursing assistants under part II of
59 chapter 464 or through employees who are trained and qualified
60 in providing personal care as determined by the agency under s.
61 400.497(1), and does not provide a home health service other
62 than assisting a patient with bathing, dressing, toileting,
63 grooming, eating, physical transfer, and those normal daily
64 routines the patient could perform for himself or herself if he
65 or she was physically capable to a person is exempt from
66 licensure under this part. However, any organization that
67 provides companion services, ~~or~~ homemaker services, or personal
68 care services must register with the agency.

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

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