

The Florida Senate
PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Children, Families, and Elder Affairs Committee

BILL: SB 1916

INTRODUCER: Senator Fasano

SUBJECT: Department of Elder Affairs Assisted Living Facility Staff Training.

DATE: March 23, 2007

REVISED: 03/27/07

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Ray	Jameson	CF	Fav/1 amendment
2.			HR	
3.			HA	
4.				
5.				
6.				

Please see last section for Summary of Amendments

- Technical amendments were recommended
- Amendments were recommended
- Significant amendments were recommended

I. Summary:

The bill requires the Department of Elder Affairs (DOEA) to adopt a curriculum for training assisted living facility (ALF) staff and authorizes DOEA to consult with stakeholders, agencies, and associations in the development of that curriculum.

The bill requires DOEA to register those conducting the training and to adopt rules for establishing requirements for trainer registration.

The bill provides criteria for a person seeking DOEA registration.

The bill appropriates \$69,969 in recurring funds and \$4,726 in nonrecurring funds to DOEA.

The bill would take effect upon becoming law.

This bill substantially amends s. 429.52, F.S.

II. Present Situation:

A licensed ALF must require any employee who is an administrator, manager, or staff person to obtain specific training and education pursuant to s. 429.52, F.S., and Rule 58A-5.0191, F.A.C. DOEA establishes minimum training and education requirements by rule. Training requirements are specific to an individual's responsibilities within the facility. Depending on the staff and the particular facility, required training may include:¹

- Ongoing staff in-service training;
- HIV/AIDS training;
- First aid;
- Cardiopulmonary resuscitation (CPR);
- Assistance with self-administered medication;
- Nutrition and food service;
- Extended congregate care training; or
- Limited mental health training.

A facility that advertises that it provides special care for persons with Alzheimer's disease and related disorders must ensure that facility staff receives training in that area.²

The DOEA is the agency constitutionally designated to be responsible for administering human services programs for the elderly. It began operation in January of 1992. Before 1999, DOEA developed and provided all training for the Core Examination and the statutorily mandated courses for the certification of administrators for the ALFs and Adult Family Care Homes (AFCHs). During Special Session 2003-A, the Legislature privatized DOEA's Assisted Living Facility Core Training program and eliminated the 11 Full Time Equivalent (FTE) training positions associated with the program since its inception. When the training program was no longer the responsibility of the agency, it was open to various providers statewide. However, DOEA continued its contract with the University of South Florida (USF) to update the Core Examination test bank and to administer the test.

The Florida Affordable Assisted Living Website was created in 2003 as a part of the Coming Home Project Grant, a Federal grant program administered by DOEA. The website was designed to be a comprehensive clearinghouse of information for assisted living developers, operators, and consumers. Trainers were given the ability to self-register their services (Find A Trainer) and indicate that they were qualified to teach the Core Examination and the statutorily mandated courses. Before this resource was created, it was difficult for ALF and AFCH administrators and prospective students to locate trainers.

¹ Rule 58A-5.0191, F.A.C.

² Id.

III. Effect of Proposed Changes:

Section 1

This bill requires DOEA to adopt, or contract for the development of, a curriculum for training staff at ALFs. The bill authorizes the department to consult with stakeholder agencies and associations in the development of that curriculum.

This bill requires that the training under s. 429.52(1), F.S., be conducted by a person registered with DOEA and requires DOEA to adopt rules for establishing requirements for trainer registration. The bill provides that a person seeking DOEA registration as a trainer must have completed the minimum core training education requirements, and must have passed the core competency test. The person must maintain continuing education, and must also meet at least one of the following criteria:

- Possess a four-year degree from an accredited school and have worked in a management position in an ALF for three years since completing the core education requirements and being certified;
- Possess five years experience with an ALF in a management position subsequent to completion of the core requirements and certification and one year of experience as an educator or trainer for ALF or other long-term care facility employees;
- Possess one year of experience with AHCA as an ALF surveyor; or
- Possess experience as a trainer of core requirements for DOEA.

Section 2

The bill appropriates to DOEA recurring funds in the amount of \$69,969 and nonrecurring funds in the amount of \$4,726. The appropriation is for the purpose of paying the salary and administrative expenses for one FTE position, a Senior Management Analyst II.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

This bill will raise the quality of care by providing better training to direct care workers in ALFs.

C. Government Sector Impact:

The bill appropriates to DOEA recurring funds in the amount of \$69,969 and nonrecurring funds in the amount of \$4,726.

Recurring:

- \$63,079 for salary and benefits;
- \$6,489 for expenses; and
- \$401 for human resources services.

Nonrecurring:

- \$3,426 for expenses and \$1,300 for operating capital outlay.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Summary of Amendments:

Barcode 375828 by Children, Families, and Elder Affairs:

The amendment removes the criterion that a person be employed for one year by AHCA as an ALF surveyor from a list of four criteria, of which a registered trainer must meet at least one.

The amendment provides that DOEA can, by rule, define other qualification criteria a person must meet to register as a trainer.

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
