



357618

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/31/2012	.	
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The Committee on Health Regulation (Garcia) recommended the following:

Senate Amendment (with title amendment)

Between lines 1190 and 1191
insert:

(3) "Assisted living facility administrator certification"
means a professional credential awarded by a board-approved
third-party credentialing entity to individuals who demonstrate
core competency in the practice of assisted living facility
administration and who meet the education, background screening,
and other criteria specified by the board for licensure as an
assisted living facility administrator.



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Delete lines 1273 - 1545
and insert:

(3) Develop by appropriate techniques, including examinations and investigations, a method for determining whether an individual meets such standards.

(a) The board shall approve one or more third-party credentialing entities for the purpose of developing and administering assisted living facility administrator certification programs. A third-party credentialing entity must be a nonprofit organization that has met nationally recognized standards for developing and administering professional certification programs. In order to obtain approval, a third-party credentialing entity must also:

1. Establish professional requirements and standards that applicants must achieve in order to obtain an assisted living facility administrator certification and to maintain such certification. At a minimum, these requirements and standards must include completion of the requirements for assisted living facility administrators required in this part and in rules adopted by the board, including all education and continuing education requirements;

2. Develop and apply core competencies and examination instruments according to nationally recognized certification and psychometric standards, and agree to assist the board with developing the training and testing materials under subsections (9), (10), and (11);

3. Maintain a professional code of ethics and a



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42 disciplinary process that applies to all persons holding
43 certification as an assisted living facility administrator;

44 4. Maintain an internet based database, accessible to the
45 public, of all persons holding an assisted living facility
46 administrator certification, including any history of ethical
47 violations; and

48 5. Require continuing education and, at least, biennial
49 certification renewal for persons holding an assisted living
50 facility administrator certification.

51 (4) Issue licenses to qualified individuals meeting the
52 standards of the board and revoke or suspend licenses previously
53 issued by the board ~~if when~~ the individual holding such license
54 is determined to have failed to ~~conform~~ substantially conform to
55 the requirements of such standards.

56 (5) Establish by rule and carry out procedures, ~~by rule,~~
57 designed to ensure that licensed nursing home or assisted living
58 facility administrators ~~will~~ comply with the standards adopted
59 by the board.

60 (6) Receive, investigate, and take appropriate action with
61 respect to any charge or complaint filed with the department ~~to~~
62 ~~the effect~~ that a licensed nursing home or assisted living
63 facility administrator has failed to comply with the
64 requirements or standards adopted by the board.

65 (7) Conduct a continuing study and investigation of nursing
66 homes and assisted living facilities and the administrators of
67 nursing homes and assisted living facilities in order to improve
68 the standards imposed for the licensing of such administrators
69 and the procedures and methods for enforcing such standards with
70 respect to licensed administrators ~~of nursing homes who have~~



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71 ~~been licensed as such.~~

72 (8) Set up procedures by rule for advising and acting
73 together with the department ~~Department of Health~~ and other
74 boards of other health professions in matters affecting
75 procedures and methods for effectively enforcing the purpose of
76 this part and the administration of chapters 400 and 429.

77 (9) In consultation with the Agency for Health Care
78 Administration, the Department of Elderly Affairs, and the
79 Department of Children and Family Services, develop the
80 following which must be completed by an applicant for licensure
81 as an assisted living facility administrator:

82 (a) Assisted living facility administrator core training
83 that includes at least 40 hours of training, is offered in
84 English and Spanish, is reviewed at least annually by the board
85 or its agent, and updated as needed to reflect changes in the
86 law, rules, and best practices. The curriculum, at a minimum,
87 must cover the following topics:

88 1. State law and rules relating to assisted living
89 facilities.

90 2. Resident rights and the identification and reporting of
91 abuse, neglect, and exploitation.

92 3. The special needs of elderly persons, persons who have
93 mental illness, and persons who have developmental disabilities
94 and how to meet those needs.

95 4. Nutrition and food service, including acceptable
96 sanitation practices for preparing, storing, and serving food.

97 5. Medication management, recordkeeping, and proper
98 techniques for assisting residents who self-administer
99 medication.



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100 6. Firesafety requirements, including procedures for fire
101 evacuation drills and other emergency procedures.

102 7. The care of persons who have Alzheimer's disease and
103 related disorders.

104 8. Elopement prevention.

105 9. Aggression and behavior management, de-escalation
106 techniques, and proper protocols and procedures relating to the
107 Baker Act as provided in part I of chapter 394.

108 10. Do-not-resuscitate orders.

109 11. Infection control.

110 12. Admission and continued residency.

111 13. Phases of care and interacting with residents.

112 14. Best practices in the industry.

113 15. Business operations, including, but not limited to,
114 human resources, financial management, and supervision of staff.

115 (b) An assisted living facility administrator examination
116 that tests the applicant's knowledge and training of the core
117 training topics listed in paragraph (a). The examination must be
118 offered in English and Spanish, reviewed at least annually by
119 the board or its agent, and updated as needed to reflect changes
120 in the law, rules, and best practices. A minimum score of 80 is
121 required to demonstrate successful completion of the training
122 requirements.

123 (10) In consultation with the Agency for Health Care
124 Administration, the Department of Elderly Affairs, and the
125 Department of Children and Family Services, develop a continuing
126 education curriculum, for licensed assisted living facility
127 administrators. Administrators who are employed by extended
128 congregate care, limited nursing services, or limited mental



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129 health licensees must complete additional credit hours as
130 determined by the board. The board or its agent shall also
131 develop a short examination that corresponds with each
132 continuing education course and must be offered in English and
133 Spanish. The board or its agent must review the continuing
134 education curriculum and each examination at least annually, and
135 update the curriculum and examinations as needed to reflect
136 changes in the law, rules, and best practices. Continuing
137 education must include topics similar to those of the core
138 training in paragraph (9), and may include additional subject
139 matter that enhances the knowledge, skills, and abilities of
140 assisted living facility administrators, as adopted by rule.

141 (11) In consultation with a panel of at least three mental
142 health professionals, develop a limited mental health curriculum
143 and examination, which must be completed by an assisted living
144 facility administrator within 30 days after being employed by a
145 limited mental health licensee. The examination must be offered
146 in English and Spanish and must be available online. The board
147 or its agent shall review the examination at least annually and
148 update as needed.

149 (12) In consultation with stakeholders, develop the
150 standardized staff training curriculum required under s. 429.52
151 for assisted living facility staff members, other than an
152 administrator, who provide regular or direct care to residents.
153 The curriculum must be reviewed at least annually by the board
154 or its agent, and updated as needed to reflect changes in the
155 law, rules, and best practices. The curriculum must include at
156 least 20 hours of inservice training, with at least 1 hour of
157 training per topic, covering at least the following topics:



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158 (a) Reporting major incidents.

159 (b) Reporting adverse incidents.

160 (c) Facility emergency procedures, including chain-of-
161 command and staff member roles relating to emergency evacuation.

162 (d) Resident rights in an assisted living facility.

163 (e) Recognizing and reporting resident abuse, neglect, and
164 exploitation.

165 (f) Resident behavior and needs.

166 (g) Providing assistance with the activities of daily
167 living.

168 (h) Infection control.

169 (i) Aggression and behavior management and deescalation
170 techniques.

171 (13) In consultation with the Agency for Health Care
172 Administration, the Department of Elderly Affairs, the
173 Department of Children and Family Services, and stakeholders,
174 develop the interactive online tutorial required under s. 429.52
175 which must be completed by assisted living facility staff
176 members who provide regular or direct care to assisted living
177 facility residents. The tutorial must be based on the training
178 required under subsection (12). The board must offer the
179 tutorial in English and Spanish and update the tutorial as
180 needed, but at least annually.

181 (14) In consultation with the Agency for Health Care
182 Administration, the Department of Elderly Affairs, and the
183 Department of Children and Family Services, develop the
184 continuing education curriculum required under s. 429.52 for
185 staff members of an assisted living facility who provide regular
186 or direct care to assisted living facility residents. The board



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187 shall require additional credit hours for assisted living
188 facility staff who are employed by extended congregate care,
189 limited nursing services, or limited mental health licensees.
190 The board or its agent must review the continuing education
191 curriculum at least annually and update the curriculum as
192 needed. Continuing education must include topics similar to
193 those listed in subsection (12), and may include additional
194 subject matter that enhances the knowledge, skills, and
195 abilities of assisted living facility staff, as adopted by rule.

196 (15) In consultation with a panel of at least three mental
197 health professionals, develop the limited mental health
198 curriculum and online interactive tutorial required under s.
199 429.521(3) which must be completed by assisted living facility
200 staff, other than the administrator, who provide regular and
201 direct care to mental health residents. The board or its agents
202 must ensure that the tutorial is offered in English and Spanish,
203 and must be updated as needed, but at least annually.

204 (16) Require and provide, or cause to be provided, the
205 training or education of staff members of an assisted living
206 facility beyond that which is required under this part if the
207 board or department determines that there are problems in a
208 facility which could be reduced through specific staff training
209 or education.

210 (17) Certify assisted living training providers who meet
211 the qualifications under s. 429.522.

212 (18) Approve testing and training centers pursuant to s.
213 429.523.

214 Section 30. Subsection (2) of section 468.1695, Florida
215 Statutes, is amended and subsections (5) through (9) are added



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216 to that section, to read:

217 468.1695 Licensure by examination; licensure by
218 certification.—

219 (2) The department shall examine each applicant for a
220 nursing home administrator license who the board certifies has
221 completed the application form and remitted an examination fee
222 set by the board not to exceed \$250 and who:

223 (a)1. Holds a baccalaureate degree from an accredited
224 college or university and majored in health care administration
225 or has credit for at least 60 semester hours in subjects, as
226 prescribed by rule of the board, which prepare the applicant for
227 total management of a nursing home; and

228 2. Has fulfilled the requirements of a college-affiliated
229 or university-affiliated internship in nursing home
230 administration or of a 1,000-hour nursing home administrator-in-
231 training program prescribed by the board; or

232 (b)1. Holds a baccalaureate degree from an accredited
233 college or university; and

234 2.a. Has fulfilled the requirements of a 2,000-hour nursing
235 home administrator-in-training program prescribed by the board;
236 or

237 b. Has 1 year of management experience allowing for the
238 application of executive duties and skills, including the
239 staffing, budgeting, and directing of resident care, dietary,
240 and bookkeeping departments within a skilled nursing facility,
241 hospital, hospice, assisted living facility with a minimum of 60
242 licensed beds, or geriatric residential treatment program and,
243 if such experience is not in a skilled nursing facility, has
244 fulfilled the requirements of a 1,000-hour nursing home



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245 administrator-in-training program prescribed by the board.

246 (5) Any person desiring to be licensed as an assisted
247 living facility administrator must apply to the department,
248 remit a fee set by the board not to exceed \$500, and provide
249 proof of a current and valid assisted living facility
250 administrator certification.

251 (6) An assisted living facility administrator certification
252 must be issued by a board-approved third-party credentialing
253 entity that certifies the individual:

254 (a) Is at least 21 years old;

255 (b) Holds a 4-year baccalaureate degree from an accredited
256 college or university that includes some coursework in health
257 care, gerontology, or geriatrics; a 4-year baccalaureate degree
258 from an accredited college or university and at least 2 years of
259 experience in direct care in an assisted living facility or
260 nursing home; or a 2-year associate degree that includes
261 coursework in health care, gerontology, or geriatrics and at
262 least 2 years of experience in direct care in an assisted living
263 facility or nursing home;

264 (c) Has completed at least 40 hours of core training;

265 (d) Has passed an examination that documents core
266 competencies in the training required for assisted living
267 facility administrators prior to licensure with a minimum score
268 of 80;

269 (e) Has completed background screening pursuant to s.
270 429.174 and s. 456.0365; and

271 (f) Otherwise meets the requirements of this part and part
272 I of chapter 429.

273 (7) An assisted living facility administrator who is



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274 continuously employed as a facility administrator, or a nursing
275 home administrator who is continuously employed as a nursing
276 home administrator, for at least the 2 years before July 1,
277 2012, is eligible for certification as an assisted living
278 facility administrator without meeting the educational
279 requirements of this section or taking the licensure examination
280 if:

281 (a) The core training under this part has been completed.

282 (b) All continuing education requirements have been
283 completed.

284 (c) The applicant was not the administrator of a facility
285 or nursing home that was cited for a class I or class II
286 violation within the 2 years before July 1, 2012.

287 (8) Other licensed professionals may be exempted from some
288 or all of the training requirements of this section to be
289 eligible for assisted living facility administrator
290 certification, as determined by the board by rule.

291 (9)A licensed assisted living facility administrator
292 applying for relicensure must submit an application, remit
293 applicable fees, and demonstrate that he or she has maintained
294 his or her assisted living facility administrator certification
295 which substantiates the individual has completed all continuing
296 education and other requirements under this part to obtain
297 licensure renewal.

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

301 And the title is amended as follows:

302 Delete lines 109 - 121



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303 and insert:
304 F.S.; revising duties of the board to include
305 approving third-party credentialing entities for the
306 purpose of an assisted living facility administrator
307 certification program; establishing requirements and
308 standards for certification; providing for the
309 development of assisted living facility administrator
310 trainings and testing and staff trainings and
311 interactive tutorials; authorizing additional training
312 for certain facilities; and certifying trainers and
313 testing and training centers; amending s. 468.1695;
314 providing for licensure of assisted living facility
315 administrators through certification; establishing a
316 maximum fee; amending s. 468.1705, F.S.,