

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER

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1 Committee/Subcommittee hearing bill: Health & Human Services  
2 Access Subcommittee  
3 Representative Corcoran offered the following:  
4

**Amendment (with title amendment)**

5  
6 Remove everything after the enacting clause and insert:  
7 Section 1. Subsection (2) of section 429.917, Florida Statutes,  
8 is amended to read:

9 429.917 Patients with Alzheimer's disease or other related  
10 disorders; staff training requirements; certain disclosures.—

11 (2) A center licensed under this part which claims that it  
12 provides special care for persons who have Alzheimer's disease  
13 or other related disorders must disclose in its advertisements  
14 or in a separate document those services that distinguish the  
15 care as being especially applicable to, or suitable for, such  
16 persons. The center must give a copy of all such advertisements  
17 or a copy of the document to each person who requests  
18 information about the center and must maintain a copy of all  
19 such advertisements and documents in its records. The agency

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20 shall examine all such advertisements and documents in the  
21 center's records as part of the license renewal procedure. An  
22 adult day care center may not claim to be licensed to provide  
23 specialized Alzheimer's services unless it has been licensed  
24 pursuant to s. 429.918.

25 Section 2. Section 429.918, Florida Statutes, is created  
26 to read:

27 429.918 Certification for specialized Alzheimer's  
28 services.-

29 (1) This act may be cited as the "Specialized Alzheimer's  
30 Services Adult Day Care Act."

31 (2) As used in this section, the term:

32 (a) "ADRD participant" means a participant who has a  
33 documented diagnosis of Alzheimer's disease or a dementia-  
34 related disorder (ADRD) from a licensed physician or a health  
35 care provider who is under the direct supervision of a licensed  
36 physician.

37 (b) "Dementia" means the loss of at least two intellectual  
38 functions, such as thinking, remembering, and reasoning, which  
39 is severe enough to interfere with a person's daily function.  
40 The term does not describe a disease, but describes a group of  
41 symptoms that may accompany certain diseases or physical  
42 conditions.

43 (c) "Specialized Alzheimer's services" means therapeutic,  
44 behavioral, health, safety, and security interventions; clinical  
45 care; support services; and educational services that are  
46 customized for the specialized needs of a participant's  
47 caregiver and the participant who is affected by Alzheimer's

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48 disease or an irreversible, degenerative condition resulting in  
49 dementia.

50 (3) In addition to the standards required for licensure as  
51 an adult day care center under this part, an adult day care  
52 center may seek voluntary licensure under this section as an  
53 adult day care center - specialized Alzheimer's services.

54 (4) An adult day care center seeking licensure under this  
55 section must:

56 (a) Have a mission statement that includes a commitment to  
57 proving dementia-specific services and disclose in the center's  
58 advertisements or in a separate document the services that  
59 distinguish the care as being suitable for a person who has  
60 Alzheimer's disease or a dementia-related disorder.

61 (b) Provide ADRD participants with a program for dementia-  
62 specific, therapeutic activities, including, but not limited to,  
63 physical, cognitive, and social activities appropriate for the  
64 ADRD participant's age, culture, and level of function.

65 (c) Maintain at all times a minimum staff-to-participant  
66 ratio of one staff member who provides direct services for every  
67 five ADRD participants.

68 (d) Provide ADRD participants with a program for  
69 therapeutic activity at least 70 percent of the time that the  
70 center is open.

71 (e) Provide ADRD participants with hands-on assistance  
72 with activities of daily living, inclusive of the provision of  
73 urinary and bowel incontinence care.

74 (f) Use assessment tools that identify the ADRD  
75 participant's cognitive deficits and identify the specialized

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76 and individualized needs of the ADRD participant and the  
77 caregiver. This assessment shall be conducted when the ADRD  
78 participant is initially admitted into the center and shall be  
79 updated when the ADRD participant experiences a significant  
80 change, but no less frequently than annually.

81 (g) Create an individualized plan of care for each ADRD  
82 participant which addresses the identified, dementia-specific  
83 needs of the ADRD participant and the caregiver. The plan of  
84 care shall be established when the ADRD participant is initially  
85 admitted into the center and reviewed at least quarterly.

86 (h) Conduct a monthly health assessment of each ADRD  
87 participant which includes, but is not limited to, the ADRD  
88 participant's weight, vital signs, and level of assistance  
89 needed with activities of daily living.

90 (i) Complete a monthly update in each ADRD participant's  
91 file regarding the ADRD participant's status or progress toward  
92 meeting the goals indicated on the individualized plan of care.

93 (j) Assist in the referral or coordination of other  
94 dementia-specific services and resources needed by the ADRD  
95 participant or the caregiver, such as medical services,  
96 counseling, medical planning, legal planning, financial  
97 planning, safety and security planning, disaster planning,  
98 driving assessment, transportation coordination, or wandering  
99 prevention.

100 (k) Offer, facilitate, or provide referrals to a support  
101 group for persons who are caregivers to ADRD participants.

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102 (l) Provide dementia-specific educational materials  
103 regularly to ADRD participants, as appropriate, and their  
104 caregivers.

105 (m) Routinely conduct and document a count of all ADRD  
106 participants present in the center throughout each day. This  
107 count must be compared to each ADRD participant's attendance  
108 record in order to ensure that an ADRD participant is not  
109 missing from the center.

110 (n) Be a secured unit or have working alarm or security  
111 devices installed on every door that is accessible to the ADRD  
112 participant and provides egress from the center or areas of the  
113 center designated for the provision of adult day care -  
114 specialized Alzheimer's services.

115 (o) Not allow an ADRD participant to administer his or her  
116 own medication.

117 (p) Not allow an ADRD participant to drive himself or  
118 herself to or from the center.

119 (5) The operator of an adult day care center licensed  
120 under this section, and the operator's designee, as applicable,  
121 hired on or after July 1, 2012, shall:

122 (a) Have at least a bachelor's degree in health care  
123 services, social services, or a related field, 1 year of  
124 supervisory experience in a social services or health care  
125 services setting, and a minimum of 1 year of experience in  
126 providing services to persons who have dementia;

127 (b) Be a registered or practical nurse licensed in this  
128 state, have 1 year of supervisory experience in a social  
129 services or health care services setting, and have a minimum of

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130 1 year of experience in providing services to persons who have  
131 dementia; or

132 (c) Have 5 years of supervisory experience in a social  
133 services or health care services setting and a minimum of 3  
134 years of experience in providing services to persons who have  
135 dementia.

136 (6) (a) An adult day care center licensed under this  
137 section must provide the following staff training and  
138 supervision:

139 1. A registered nurse or licensed practical nurse must be  
140 on site daily for at least 75 percent of the time that the  
141 center is open to ADRD participants. Each licensed practical  
142 nurse who works at the center must be supervised in accordance  
143 with chapter 464.

144 2. Upon beginning employment with the center, each  
145 employee must receive basic written information about  
146 interacting with ADRD participants.

147 3. In addition to the information provided in subparagraph  
148 2., every employee hired on or after July 1, 2012, who has  
149 direct contact with ADRD participants shall complete 4 hours of  
150 dementia-specific training within 3 months after employment.

151 4. In addition to the requirements of subparagraphs 2. and  
152 3., each employee hired on or after July 1, 2012, who provides  
153 direct care to ADRD participants shall complete an additional 4  
154 hours of dementia-specific training within 6 months after  
155 employment.

156 (b) The Department of Elderly Affairs or its designee  
157 shall approve the training required under this section. The

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158 department shall adopt rules to establish standards for  
159 employees who are subject to this training, for trainers, and  
160 for the training required in this section.

161 (c) Upon completing any training described in this  
162 section, the employee shall be issued a certificate that  
163 includes the name of the training provider, the topics covered,  
164 and the date and signature of the training provider. The  
165 certificate is evidence of completion of training in the  
166 identified topics, and the employee is not required to repeat  
167 training in those topics if the employee changes employment to a  
168 different adult day care center.

169 (d) Each employee hired on or after July 1, 2012, who  
170 provides direct care to ADRD participants, must receive an  
171 orientation plan that includes, at a minimum:

172 1. Procedures to locate an ADRD participant who has  
173 wandered from the center. These procedures shall be reviewed  
174 regularly with all direct care staff.

175 2. Information on the Silver Alert program in this state.

176 3. Information regarding available products or programs  
177 used to identify ADRD participants or prevent them from  
178 wandering away from the center, their home, or other locations.

179 (7) (a) An ADRD participant admitted to an adult day care  
180 center licensed under this section must:

181 1. Require ongoing supervision to maintain the highest  
182 level of medical or custodial functioning and have a  
183 demonstrated need for a responsible party to oversee his or her  
184 care.

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185 2. Not actively demonstrate aggressive behavior that  
186 places himself, herself, or others at risk of harm.

187 3. Provide the following medical documentation signed by a  
188 licensed physician or a health care provider who is under the  
189 direct supervision of a licensed physician:

190 a. Any physical, health, or emotional conditions that  
191 require medical care.

192 b. A listing of the ADRD participant's current prescribed  
193 and over-the-counter medications and dosages, diet restrictions,  
194 mobility restrictions, and other physical limitations.

195 4. Provide documentation signed by a health care provider  
196 licensed in this state which indicates that the ADRD participant  
197 is free of the communicable form of tuberculosis and free of  
198 signs and symptoms of other communicable diseases.

199 (b) Before admitting an ADRD participant to an adult day  
200 care center licensed under this section, the center shall  
201 determine whether:

202 1. The medical, psychological, safety, and behavioral  
203 support and intervention required by the ADRD participant can be  
204 provided by the center.

205 2. The resources required to assist with the ADRD  
206 participant's acuity level of care and support needed can be  
207 provided or coordinated by the center.

208 (8) (a) An ADRD participant's file must include a data  
209 sheet, which must be completed within 45 days before or within  
210 24 hours after admission to an adult day care center licensed  
211 under this section. The data sheet must contain:



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212 1. Information regarding the status of the ADRD  
213 participant's enrollment in an identification or wandering-  
214 prevention program, including the name of the program; and

215 2. A current photograph of the ADRD participant.

216 (b) Dementia-specific services shall be documented in the  
217 ADRD participant's file.

218 (c) An ADRD participant's plan of care must be reviewed at  
219 least quarterly. Notes regarding services provided to the ADRD  
220 participant must be entered at least monthly in the ADRD  
221 participant's file, and must indicate the ADRD participant's  
222 status or progress toward achieving identified goals. Additional  
223 notes must be entered more frequently if indicated by the ADRD  
224 participant's condition.

225 (d) An ADRD participant shall annually provide the center  
226 with updated medical documentation required under subparagraphs  
227 (7) (a) 3. and 4., and the center must place that documentation in  
228 the ADRD participant's file.

229 (9) An adult day care center licensed under this section  
230 must give to each person who enrolls as an ADRD participant in  
231 the center, or the caregiver, a copy of the ADRD participant's  
232 plan of care, as well as information regarding resources to  
233 assist in ensuring the safety and security of the ADRD  
234 participant, which must include, but need not be limited to,  
235 information pertaining to driving for those persons affected by  
236 dementia, available technology on wandering-prevention devices  
237 and identification devices, the Silver Alert program in this  
238 state, and dementia-specific safety interventions and strategies  
239 that can be used in the home setting.

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240       (10) If an ADRD participant's enrollment in the center is  
241 involuntarily terminated due to medical or behavioral reasons,  
242 the center shall coordinate and execute appropriate discharge  
243 procedures with the ADRD participant and the caregiver.

244       (11) This section does not prohibit an adult day care  
245 center that does not become licensed under this section from  
246 providing adult day care services to persons who have  
247 Alzheimer's disease or other dementia-related disorders.

248       (12) The Department of Elderly Affairs may adopt rules to  
249 administer this section.

250       Section 3. This act shall take effect July 1, 2012.

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254                   **T I T L E   A M E N D M E N T**

255       Remove the entire title and insert:

256   An act relating to adult day care centers; amending s. 429.917,  
257   F.S.; prohibiting an adult day care center from claiming to be  
258   licensed to provide specialized Alzheimer's services under  
259   certain circumstances; creating s. 429.918, F.S.; providing a  
260   short title; providing definitions; providing for the voluntary  
261   licensure of adult day care centers that provide specialized  
262   Alzheimer's services; requiring an adult day care center seeking  
263   such licensure to meet specified criteria; providing educational  
264   and experience requirements for the operator of an adult day  
265   care center seeking licensure to provide specialized Alzheimer's  
266   services; providing criteria for staff training and supervision;  
267   requiring that the Department of Elderly Affairs approve the

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268 staff training; requiring the department to adopt rules;  
269 requiring that the employee be issued a certificate upon  
270 completion of the staff training; providing requirements for  
271 staff orientation; providing requirements for admission into  
272 such an adult day care center; requiring that a participant's  
273 file include a data sheet, which shall be completed within a  
274 certain timeframe; requiring that certain information be  
275 included in the data sheet; requiring that dementia-specific  
276 services be documented in a participant's file; requiring that a  
277 participant's plan of care be reviewed quarterly; requiring that  
278 certain notes be entered into a participant's file; requiring  
279 the participant to provide the adult day care center with  
280 updated medical documentation; requiring the center to give each  
281 person who enrolls as a participant, or the caregiver, a copy of  
282 the participant's plan of care and safety information; requiring  
283 that the center coordinate and execute discharge procedures with  
284 a participant who has a documented diagnosis of Alzheimer's  
285 disease or a dementia-related disorder and the caregiver if the  
286 participant's enrollment in the center is involuntarily  
287 terminated; providing that the act does not prohibit an adult  
288 day care center that does not become licensed to provide  
289 specialized Alzheimer's services from providing adult day care  
290 services to persons who have Alzheimer's disease or other  
291 dementia-related disorders; authorizing the Department of  
292 Elderly Affairs to adopt rules; providing an effective date.