

By Senator Bean

4-01415-21

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1 A bill to be entitled
2 An act relating to personal care attendants; amending
3 s. 400.141, F.S.; authorizing nursing home facilities
4 to employ personal care attendants if they complete a
5 certain training program developed by the Agency for
6 Health Care Administration, in consultation with the
7 Board of Nursing; providing minimum requirements for
8 such program; amending s. 400.211, F.S.; authorizing
9 certain persons to be employed by a nursing home
10 facility as personal care attendants for a specified
11 period if a certain training requirement is met;
12 defining the term "personal care attendants";
13 providing an 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. Paragraph (w) is added to subsection (1) of
18 section 400.141, Florida Statutes, to read:

19 400.141 Administration and management of nursing home
20 facilities.—

21 (1) Every licensed facility shall comply with all
22 applicable standards and rules of the agency and shall:

23 (w) Be allowed to employ personal care attendants as
24 defined in s. 400.211(2)(d), if such personal care attendants
25 have successfully completed the personal care attendant training
26 program developed by the agency, in consultation with the Board
27 of Nursing, which must consist of a minimum of 8 hours of
28 education. The program must include training in the content
29 areas and lessons specified in the program curriculum, which

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30 must include, but need not be limited to:

31 1. Residents' rights.

32 2. Confidentiality of residents' personal information and
33 medical records.

34 3. Control of contagious and infectious diseases.

35 4. Emergency response measures.

36 5. Assistance with activities of daily living.

37 6. Measuring vital signs.

38 7. Skin care and pressure sores prevention.

39 8. Portable oxygen use and safety.

40 9. Nutrition and hydration.

41 10. Dementia care.

42 Section 2. Subsection (2) of section 400.211, Florida
43 Statutes, is amended to read:

44 400.211 Persons employed as nursing assistants;
45 certification requirement.—

46 (2) The following categories of persons who are not
47 certified as nursing assistants under part II of chapter 464 may
48 be employed by a nursing facility for a period of 4 months:

49 (a) Persons who are enrolled in, or have completed, a
50 state-approved nursing assistant program.~~†~~

51 (b) Persons who have been positively verified as actively
52 certified and on the registry in another state with no findings
53 of abuse, neglect, or exploitation in that state.~~† or~~

54 (c) Persons who have preliminarily passed the state's
55 certification exam.

56 (d) Persons who are employed as personal care attendants
57 and who have completed the personal care attendant training
58 program developed pursuant to s. 400.141(1)(w). As used in this

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59 paragraph, the term "personal care attendants" means persons who
60 meet the training requirement in s. 400.141(1)(w) and provide
61 care to and assist residents with tasks related to the
62 activities of daily living.

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64 The certification requirement must be met within 4 months after
65 initial employment as a nursing assistant in a licensed nursing
66 facility.

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Section 3. This act shall take effect upon becoming a law.