By Senator Gibson

	6-00395-21 2021634
1	A bill to be entitled
2	An act relating to dementia-related staff training;
3	providing a short title; creating s. 430.5025, F.S.;
4	defining terms; requiring certain entities, as a
5	condition of licensure, to provide specified dementia-
6	related training for new employees within a specified
7	timeframe; requiring certain employees to receive
8	additional dementia-related training under certain
9	circumstances within a specified timeframe; providing
10	requirements for the training; requiring annual
11	dementia-related training for certain employees;
12	requiring certain employees to receive additional
13	training developed or approved by the Department of
14	Elderly Affairs under certain circumstances; providing
15	that such additional training counts toward a
16	certified nursing assistant's total annual training;
17	authorizing certain health care practitioners to count
18	certain continuing education hours toward the
19	dementia-related training requirements under certain
20	circumstances; requiring the department to approve
21	such continuing education hours to satisfy the
22	dementia-related training requirements; authorizing
23	the department to develop a curriculum for the
24	dementia-related training requirements and to review
25	the curriculum at least every 4 years for a specified
26	purpose; encouraging the department to consult with
27	certain nationally recognized organizations; providing
28	requirements for the curriculum; requiring the
29	department or its designee to approve courses used to

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30	satisfy the dementia-related training requirements;
31	requiring such courses to be approved in various
32	formats; requiring the department or its designee to
33	develop a registration process for training providers;
34	providing requirements for such registration;
35	requiring the department or its designee to issue
36	unique identifiers to approved training providers;
37	requiring the department or its designee to develop
38	certain assessments and passing scores for a specified
39	purpose; requiring certain employees to take and pass
40	such assessments upon completion of the training;
41	requiring training providers to issue such employees a
42	certificate upon completing the training and passing
43	the assessments; providing requirements for the
44	certificate; providing that certain employees do not
45	need to repeat certain training when changing
46	employment, under certain circumstances; requiring the
47	department to adopt rules; amending ss. 400.1755,
48	400.4785, 400.6045, 429.178, 429.52, and 429.917,
49	F.S.; revising dementia-related staff training
50	requirements for nursing homes, home health agencies,
51	hospices, facilities that provide special care for
52	persons with Alzheimer's disease or related disorders,
53	assisted living facilities, and adult day care
54	centers, respectively, to conform to changes made by
55	the act; providing an effective date.
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57	Be It Enacted by the Legislature of the State of Florida:
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CODING: Words stricken are deletions; words underlined are additions.

SB 634

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59	Section 1. This act may be cited as the "Florida
60	Alzheimer's Disease and Dementia Training Act."
61	Section 2. Section 430.5025, Florida Statutes, is created
62	to read:
63	430.5025 Care for persons with Alzheimer's disease or a
64	related disorder; staff training
65	(1) As used in this section, the term:
66	(a) "Department" means the Department of Elderly Affairs.
67	(b) "Direct care worker" means an individual who, as part
68	of his or her employment duties, provides or has access to
69	provide direct contact assistance with personal care or
70	activities of daily living to clients, patients, or residents of
71	any facility licensed under part II, part III, or part IV of
72	chapter 400 or part I or part III of chapter 429.
73	(c) "Employee" means any staff member who has regular
74	contact or incidental contact on a recurring basis with clients,
75	patients, or residents of a facility licensed under part II,
76	part III, or part IV of chapter 400 or part I or part III of
77	chapter 429. The term includes, but is not limited to, direct
78	care workers; staff responsible for housekeeping, the front
79	desk, maintenance, and other administrative functions; and any
80	other individuals who may have regular contact or incidental
81	contact on a recurring basis with clients, patients, or
82	residents.
83	(d) "Licensee" means a person or an entity licensed under
84	part II, part III, or part IV of chapter 400 or part I or part
85	III of chapter 429.
86	(2) As a condition of licensure, licensees must provide to
87	each of their employees, within 30 days after their employment

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88	begins, 1 hour of dementia-related training, which must include
89	methods for interacting with persons with Alzheimer's disease or
90	a related disorder and for identifying warning signs of
91	dementia.
92	(3) In addition to the training requirements of subsection
93	(2), licensees must require all employees who are direct care
94	workers to receive at least 3 hours of training if the direct
95	care workers are expected to, or their responsibilities require
96	them to, have direct contact with clients, patients, or
97	residents with Alzheimer's disease or a related disorder or with
98	populations that are at a greater risk for Alzheimer's disease
99	or a related disorder. The training must be completed within the
100	first 3 months after employment begins and must include, but
101	need not be limited to, an overview of Alzheimer's disease and
102	related disorders and person-centered care, assessment and care
103	planning, activities of daily living, and dementia-related
104	behaviors and communication for clients, patients, and residents
105	with Alzheimer's disease or a related disorder. Each calendar
106	year thereafter, the licensee must require all of its direct
107	care workers to receive at least 4 hours of continuing
108	education, approved by the department, on these topics and any
109	related changes in state or federal law.
110	(4) If a licensee advertises that it provides special care
111	for individuals with Alzheimer's disease or a related disorder
112	which includes direct care to such individuals, the licensee
113	must require its direct care workers to complete 4 hours of
114	training developed or approved by the department. This training
115	is in addition to the training requirements of subsections (2)
116	and (3) and must be completed within 3 months after employment

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117	begins.
118	(5) Completion of the 4 hours of training developed or
119	approved by the department under subsection (4) shall count
120	toward a certified nursing assistant's annual training
121	requirements.
122	(6) If a health care practitioner as defined in s. 456.001
123	completes continuing education hours as required by that
124	practitioner's licensing board, he or she may count those
125	continuing education hours toward satisfaction of the training
126	requirements of subsections (3) and (4) if the course curriculum
127	covers the topics required under those subsections. The
128	department must approve such continuing education hours for
129	purposes of satisfying the training requirements of subsections
130	(3) and (4).
131	(7)(a) The department may develop an evidence-based
132	curriculum for the training requirements of this section and
133	review the curriculum at least every 4 years to make any
134	necessary revisions based on current research and best
135	practices. The department is encouraged to consult with a
136	nationally recognized organization that has expertise in the
137	care of individuals with Alzheimer's disease or a related
138	disorder to develop the curriculum. The curriculum must include,
139	at a minimum, all of the following topics related to clients,
140	patients, and residents with Alzheimer's disease or a related
141	disorder:
142	1. An overview of Alzheimer's disease and related
143	disorders.
144	2. Person-centered care.
145	3. Assessment care and planning.
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146	4. Activities of daily living.
147	5. Dementia-related behaviors and communication.
148	(b) The department or its designee shall approve the
149	courses that licensees may use to satisfy the training
150	requirements under this section. The department or its designee
151	must approve training offered in a variety of formats,
152	including, but not limited to, Internet-based training, videos,
153	teleconferencing, and classroom instruction.
154	(8) The department or its designee shall develop a process
155	for registering training providers and maintain a list of those
156	providers approved to provide training required under this
157	section. To be approved, a training provider must have at least
158	2 years of experience related to Alzheimer's disease or related
159	disorders, gerontology, health care, or a related field. The
160	department or its designee shall issue each approved training
161	provider a unique registration identifier.
162	(9) For each training topic required under this section,
163	the department or its designee shall develop an assessment that
164	measures an individual's understanding of the topic and indicate
165	a minimum required score to pass the assessment. Upon completion
166	of any training under this section, the employee or direct care
167	worker must pass the related assessment. If an employee or a
168	direct care worker completes a training and passes the related
169	assessment, the training provider must issue the employee or
170	direct care worker a certificate that includes the training
171	provider's name and unique identifier, the topic covered in the
172	training, the date of completion, and the signature of the
173	training provider. The certificate is evidence of completion of
174	the training and assessment in the identified topic, and the

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175	employee or direct care worker is not required to repeat
176	training in that topic if he or she changes employment to a
177	different licensee, but he or she must comply with any
178	applicable continuing education requirements under this section.
179	(10) The department shall adopt rules to implement this
180	section.
181	Section 3. Section 400.1755, Florida Statutes, is amended
182	to read:
183	400.1755 Care for persons with Alzheimer's disease or
184	related disorders; staff training requirements
185	<del>(1)</del> As a condition of licensure, facilities licensed under
186	this part must provide to each of their employees <u>training as</u>
187	required in s. 430.5025, upon beginning employment, basic
188	written information about interacting with persons with
189	Alzheimer's disease or a related disorder.
190	(2) All employees who are expected to, or whose
191	responsibilities require them to, have direct contact with
192	residents with Alzheimer's disease or a related disorder must,
193	in addition to being provided the information required in
194	subsection (1), also have an initial training of at least 1 hour
195	completed in the first 3 months after beginning employment. This
196	training must include, but is not limited to, an overview of
197	dementias and must provide basic skills in communicating with
198	persons with dementia.
199	(3) An individual who provides direct care shall be
200	considered a direct caregiver and must complete the required
201	initial training and an additional 3 hours of training within 9
202	months after beginning employment. This training shall include,
203	but is not limited to, managing problem behaviors, promoting the
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204	resident's independence in activities of daily living, and
205	skills in working with families and caregivers.
206	(a) The required 4 hours of training for certified nursing
207	assistants are part of the total hours of training required
208	annually.
209	(b) For a health care practitioner as defined in s.
210	456.001, continuing education hours taken as required by that
211	practitioner's licensing board shall be counted toward this
212	total of 4 hours.
213	(4) For an employee who is a licensed health care
214	practitioner as defined in s. 456.001, training that is
215	sanctioned by that practitioner's licensing board shall be
216	considered to be approved by the Department of Elderly Affairs.
217	(5) The Department of Elderly Affairs or its designee must
218	approve the initial and continuing training provided in the
219	facilities. The department must approve training offered in a
220	variety of formats, including, but not limited to, Internet-
221	based training, videos, teleconferencing, and classroom
222	instruction. The department shall keep a list of current
223	providers who are approved to provide initial and continuing
224	training. The department shall adopt rules to establish
225	standards for the trainers and the training required in this
226	section.
227	(6) Upon completing any training listed in this section,
228	the employee or direct caregiver shall be issued a certificate
229	that includes the name of the training provider, the topic
230	covered, and the date and signature of the training provider.
231	The certificate is evidence of completion of training in the
232	identified topic, and the employee or direct caregiver is not
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233	required to repeat training in that topic if the employee or
234	direct caregiver changes employment to a different facility or
235	to an assisted living facility, home health agency, adult day
236	care center, or adult family-care home. The direct caregiver
237	must comply with other applicable continuing education
238	requirements.
239	Section 4. Section 400.4785, Florida Statutes, is amended
240	to read:
241	400.4785 Patients with Alzheimer's disease or other related
242	disorders; staff training requirements; certain disclosures
243	(1) A home health agency must provide <del>the following</del> staff
244	training <u>as required in s. 430.5025</u> ÷
245	(a) Upon beginning employment with the agency, each
246	employee must receive basic written information about
247	interacting with participants who have Alzheimer's disease or
248	dementia-related disorders.
249	(b) In addition to the information provided under paragraph
250	(a), newly hired home health agency personnel who will be
251	providing direct care to patients must complete 2 hours of
252	training in Alzheimer's disease and dementia-related disorders
253	within 9 months after beginning employment with the agency. This
254	training must include, but is not limited to, an overview of
255	dementia, a demonstration of basic skills in communicating with
256	persons who have dementia, the management of problem behaviors,
257	information about promoting the client's independence in
258	activities of daily living, and instruction in skills for
259	working with families and caregivers.
260	(c) For certified nursing assistants, the required 2 hours
261	of training shall be part of the total hours of training

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262	required annually.
263	(d) For a health care practitioner as defined in s.
264	456.001, continuing education hours taken as required by that
265	practitioner's licensing board shall be counted toward the total
266	of 2 hours.
267	(e) For an employee who is a licensed health care
268	practitioner as defined in s. 456.001, training that is
269	sanctioned by that practitioner's licensing board shall be
270	considered to be approved by the Department of Elderly Affairs.
271	(f) The Department of Elderly Affairs, or its designee,
272	must approve the required training. The department must consider
273	for approval training offered in a variety of formats. The
274	department shall keep a list of current providers who are
275	approved to provide the 2-hour training. The department shall
276	adopt rules to establish standards for the employees who are
277	subject to this training, for the trainers, and for the training
278	required in this section.
279	(g) Upon completing the training listed in this section,
280	the employee shall be issued a certificate that states that the
281	training mandated under this section has been received. The
282	certificate shall be dated and signed by the training provider.
283	The certificate is evidence of completion of this training, and
284	the employee is not required to repeat this training if the
285	employee changes employment to a different home health agency.
286	(2)-(h) A licensed home health agency whose unduplicated
287	census during the most recent calendar year was <u>composed</u>
288	comprised of at least 90 percent of individuals aged 21 years or

288 comprised of at least 90 percent of individuals aged 21 years of 289 younger at the date of admission is exempt from the training 290 requirements in this section.

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291	<u>(3)</u> An agency licensed under this part which claims that
292	it provides special care for persons who have Alzheimer's
293	disease or other related disorders must disclose in its
294	advertisements or in a separate document those services that
295	distinguish the care as being especially applicable to, or
296	suitable for, such persons. The agency must give a copy of all
297	such advertisements or a copy of the document to each person who
298	requests information about the agency and must maintain a copy
299	of all such advertisements and documents in its records. The
300	Agency for Health Care Administration shall examine all such
301	advertisements and documents in the agency's records as part of
302	the license renewal procedure.
303	Section 5. Subsection (1) of section 400.6045, Florida
304	Statutes, is amended to read:
305	400.6045 Patients with Alzheimer's disease or other related
306	disorders; staff training requirements; certain disclosures
307	(1) A hospice licensed under this part must provide <del>the</del>
308	following staff training as required in s. 430.5025÷
309	(a) Upon beginning employment with the agency, each
310	employee must receive basic written information about
311	interacting with persons who have Alzheimer's disease or
312	dementia-related disorders.
313	(b) In addition to the information provided under paragraph
314	(a), employees who are expected to, or whose responsibilities
315	require them to, have direct contact with participants who have
316	Alzheimer's disease or dementia-related disorders must complete
317	initial training of at least 1 hour within the first 3 months
318	after beginning employment. The training must include an
319	overview of dementias and must provide instruction in basic

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320	skills for communicating with persons who have dementia.
321	(c) In addition to the requirements of paragraphs (a) and
322	(b), an employee who will be providing direct care to a
323	participant who has Alzheimer's disease or a dementia-related
324	disorder must complete an additional 3 hours of training within
325	9 months after beginning employment. This training must include,
326	but is not limited to, the management of problem behaviors,
327	information about promoting the patient's independence in
328	activities of daily living, and instruction in skills for
329	working with families and caregivers.
330	(d) For certified nursing assistants, the required 4 hours
331	of training shall be part of the total hours of training
332	required annually.
333	(e) For a health care practitioner as defined in s.
334	456.001, continuing education hours taken as required by that
335	practitioner's licensing board shall be counted toward the total
336	of 4 hours.
337	(f) For an employee who is a licensed health care
338	practitioner as defined in s. 456.001, training that is
339	sanctioned by that practitioner's licensing board shall be
340	considered to be approved by the Department of Elderly Affairs.
341	(g) The Department of Elderly Affairs or its designee must
342	approve the required 1-hour and 3-hour training provided to
343	employees or direct caregivers under this section. The
344	department must consider for approval training offered in a
345	variety of formats. The department shall keep a list of current
346	providers who are approved to provide the 1-hour and 3-hour
347	training. The department shall adopt rules to establish
348	standards for the employees who are subject to this training,

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6-00395-21 2021634 349 for the trainers, and for the training required in this section. 350 (h) Upon completing any training described in this section, the employee or direct caregiver shall be issued a certificate 351 352 that includes the name of the training provider, the topic 353 covered, and the date and signature of the training provider. 354 The certificate is evidence of completion of training in the 355 identified topic, and the employee or direct caregiver is not 356 required to repeat training in that topic if the employee or 357 direct caregiver changes employment to a different hospice or to 358 a home health agency, assisted living facility, nursing home, or 359 adult day care center. 360 Section 6. Subsections (2) through (8) of section 429.178, 361 Florida Statutes, are amended to read: 362 429.178 Special care for persons with Alzheimer's disease 363 or other related disorders.-364 (2) (a) An individual who is employed by a facility that provides special care for residents who have Alzheimer's disease 365 or other related disorders, and who has regular contact with 366 such residents, must complete the up to 4 hours of initial 367 368 dementia-specific training as required in s. 430.5025 developed 369 or approved by the department. The training must be completed 370 within 3 months after beginning employment and satisfy the core 371 training requirements of s. 429.52(3)(g). 372 (b) A direct caregiver who is employed by a facility that 373 provides special care for residents who have Alzheimer's disease 374 or other related disorders and provides direct care to such 375 residents must complete the required initial training and 4 376 additional hours of training developed or approved by the department. The training must be completed within 9 months after 377

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6-00395-21 2021634 378 beginning employment and satisfy the core training requirements 379 of s. 429.52(3)(q). 380 (c) An individual who is employed by a facility that 381 provides special care for residents with Alzheimer's disease or 382 other related disorders, but who only has incidental contact 383 with such residents, must be given, at a minimum, general 384 information on interacting with individuals with Alzheimer's 385 disease or other related disorders, within 3 months after 386 beginning employment. 387 (3) In addition to the training required under subsection 388 (2), a direct caregiver must participate in a minimum of 4 389 contact hours of continuing education each calendar year. The 390 continuing education must include one or more topics included in 391 the dementia specific training developed or approved by the 392 department, in which the caregiver has not received previous 393 training. 394 (4) Upon completing any training listed in subsection (2), 395 the employee or direct caregiver shall be issued a certificate 396 that includes the name of the training provider, the topic 397 covered, and the date and signature of the training provider. 398 The certificate is evidence of completion of training in the 399 identified topic, and the employee or direct caregiver is not 400 required to repeat training in that topic if the employee or direct caregiver changes employment to a different facility. The 401 402 employee or direct caregiver must comply with other applicable 403 continuing education requirements. 404 (5) The department, or its designee, shall approve the 405 initial and continuing education courses and providers. 406 (6) The department shall keep a current list of providers

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6-00395-21 2021634 407 who are approved to provide initial and continuing education for 408 staff of facilities that provide special care for persons with 409 Alzheimer's disease or other related disorders. 410 (3) (7) Any facility more than 90 percent of whose residents 411 receive monthly optional supplementation payments is not 412 required to pay for the training and education programs required 413 under this section. A facility that has one or more such 414 residents must shall pay a reduced fee that is proportional to the percentage of such residents in the facility. A facility 415 416 that does not have any residents who receive monthly optional 417 supplementation payments must pay a reasonable fee, as 418 established by the department, for such training and education 419 programs. 420 (4) (4) (8) The department shall adopt rules to establish 421 standards for trainers and training and to implement this 422 section. 423 Section 7. Subsection (1) of section 429.52, Florida 424 Statutes, is amended to read: 425 429.52 Staff training and educational requirements.-426 (1) Each new assisted living facility employee who has not 427 previously completed core training must attend a preservice 428 orientation provided by the facility before interacting with 429 residents. The preservice orientation must be at least 2 hours

in duration and cover topics that help the employee provide responsible care and respond to the needs of facility residents. Upon completion, the employee and the administrator of the facility must sign a statement that the employee completed the required preservice orientation. The facility must keep the signed statement in the employee's personnel record. Each

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436	assisted living facility shall provide staff training as
437	required in s. 430.5025.
438	Section 8. Subsection (1) of section 429.917, Florida
439	Statutes, is amended to read:
440	429.917 Patients with Alzheimer's disease or other related
441	disorders; staff training requirements; certain disclosures
442	(1) An adult day care center licensed under this part must
443	provide <del>the following</del> staff training <u>as required in s. 430.5025</u> ÷
444	(a) Upon beginning employment with the facility, each
445	employee must receive basic written information about
446	interacting with participants who have Alzheimer's disease or
447	dementia-related disorders.
448	(b) In addition to the information provided under paragraph
449	(a), newly hired adult day care center personnel who are
450	expected to, or whose responsibilities require them to, have
451	direct contact with participants who have Alzheimer's disease or
452	dementia-related disorders must complete initial training of at
453	least 1 hour within the first 3 months after beginning
454	employment. The training must include an overview of dementias
455	and must provide instruction in basic skills for communicating
456	with persons who have dementia.
457	(c) In addition to the requirements of paragraphs (a) and
458	(b), an employee who will be providing direct care to a
459	participant who has Alzheimer's disease or a dementia-related
460	disorder must complete an additional 3 hours of training within
461	9 months after beginning employment. This training must include,
462	but is not limited to, the management of problem behaviors,
463	information about promoting the participant's independence in
464	activities of daily living, and instruction in skills for
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465	
466	(d) For certified nursing assistants, the required 4 hours
467	of training shall be part of the total hours of training
468	required annually.
469	(e) For a health care practitioner as defined in s.
470	456.001, continuing education hours taken as required by that
471	practitioner's licensing board shall be counted toward the total
472	of 4 hours.
473	(f) For an employee who is a licensed health care
474	practitioner as defined in s. 456.001, training that is
475	sanctioned by that practitioner's licensing board shall be
476	considered to be approved by the Department of Elderly Affairs.
477	(g) The Department of Elderly Affairs or its designee must
478	approve the 1-hour and 3-hour training provided to employees and
479	direct caregivers under this section. The department must
480	consider for approval training offered in a variety of formats.
481	The department shall keep a list of current providers who are
482	approved to provide the 1-hour and 3-hour training. The
483	department shall adopt rules to establish standards for the
484	employees who are subject to this training, for the trainers,
485	and for the training required in this section.
486	(h) Upon completing any training described in this section,
487	the employee or direct caregiver shall be issued a certificate
488	that includes the name of the training provider, the topic
489	covered, and the date and signature of the training provider.
490	The certificate is evidence of completion of training in the
491	identified topic, and the employee or direct caregiver is not
492	required to repeat training in that topic if the employee or
493	direct caregiver changes employment to a different adult day

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494	care center or to an assisted living facility, nursing home,
495	home health agency, or hospice. The direct caregiver must comply
496	with other applicable continuing education requirements.
497	(i) An employee who is hired on or after July 1, 2004, must
498	complete the training required by this section.
499	Section 9. This act shall take effect July 1, 2021.