

By Senators Saunders, Peaden, Campbell, Pruitt, Smith and Latvala

25-497-01

1 A bill to be entitled
 2 An act relating to health care facilities;
 3 creating the Florida Alzheimer's Training Act;
 4 amending s. 400.4178, F.S.; revising training
 5 standards for employees of assisted living
 6 facilities that provide care for residents with
 7 Alzheimer's disease or related disorders;
 8 creating ss. 400.1755, 400.4786, 400.55715,
 9 400.626, F.S.; prescribing training standards
 10 for employees of nursing homes, home health
 11 agencies, adult day care centers, and adult
 12 family-care homes, respectively, that provide
 13 care for persons with Alzheimer's disease or
 14 related disorders; providing for training fees;
 15 prescribing duties of the Department of Elderly
 16 Affairs; providing an effective date.

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 18 Be It Enacted by the Legislature of the State of Florida:

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 20 Section 1. This act may be cited as the Florida
 21 Alzheimer's Training Act.

22 Section 2. Section 400.4178, Florida Statutes, is
 23 amended to read:

24 400.4178 ~~Special~~ Care for persons with Alzheimer's
 25 disease or other related disorders.--

26 (1) Any ~~A~~ facility which admits or ~~advertises that it~~
 27 provides ~~special~~ care to an individual ~~for persons~~ with
 28 Alzheimer's disease or other related disorders must meet the
 29 following standards of operation:

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1 (a)1. If the facility has 17 or more residents, have
2 an awake staff member on duty at all hours of the day and
3 night; or

4 2. If the facility has fewer than 17 residents, have
5 an awake staff member on duty at all hours of the day and
6 night or have mechanisms in place to monitor and ensure the
7 safety of the facility's residents.

8 (b) Offer activities specifically designed for persons
9 who are cognitively impaired.

10 (c) Have a physical environment that provides for the
11 safety and welfare of the facility's residents.

12 (d) Employ staff who have completed the training and
13 continuing education required in subsections ~~subsection~~ (2)
14 and (3).

15 (2)(a) An individual who is employed by a facility
16 that provides ~~special~~ care for residents with Alzheimer's
17 disease or other related disorders, ~~and who has regular~~
18 ~~contact with such residents~~, must complete up to 4 hours of
19 initial dementia-specific training developed or approved by
20 the department. The training shall be completed within 3
21 months after beginning employment and shall satisfy the core
22 training requirements of s. 400.452(2)(g).

23 (b) A direct caregiver who is employed by a facility
24 that provides ~~special~~ care for residents with Alzheimer's
25 disease or other related disorders, and who provides direct
26 care to such residents, must complete the required initial
27 training and 4 additional hours of training developed or
28 approved by the department. The training shall be completed
29 within 9 months after beginning employment and shall satisfy
30 the core training requirements of s. 400.452(2)(g).

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1 ~~(c) An individual who is employed by a facility that~~
2 ~~provides special care for residents with Alzheimer's disease~~
3 ~~or other related disorders, but who only has incidental~~
4 ~~contact with such residents, must be given, at a minimum,~~
5 ~~general information on interacting with individuals with~~
6 ~~Alzheimer's disease or other related disorders, within 3~~
7 ~~months after beginning employment.~~

8 (3) In addition to the training required under
9 subsection (2), a direct caregiver must participate in a
10 minimum of 4 contact hours of dementia-specific continuing
11 education each calendar year as approved by the department.
12 ~~The continuing education must include one or more topics~~
13 ~~included in the dementia-specific training developed or~~
14 ~~approved by the department, in which the caregiver has not~~
15 ~~received previous training.~~

16 (4) Upon completing any training listed in subsection
17 (2), the employee or direct caregiver shall be issued a
18 certificate that includes the name of the training provider,
19 the topic covered, and the date and signature of the training
20 provider. The certificate is evidence of completion of
21 training in the identified topic, and the employee or direct
22 caregiver is not required to repeat training in that topic if
23 the employee or direct caregiver changes employment to a
24 different facility or to a nursing home, home health agency,
25 adult day care center, or adult family-care home. The
26 ~~employee or~~ direct caregiver must comply with other applicable
27 continuing education requirements.

28 (5) The department, or its designee, shall approve the
29 initial and continuing education courses and providers.

30 (6) The department shall keep a current list of
31 providers who are approved to provide initial and continuing

1 education for staff of facilities that provide ~~special~~ care
2 for persons with Alzheimer's disease or other related
3 disorders.

4 (7) Any facility in which more than 90 percent of
5 whose residents receive monthly optional supplementation
6 payments is not required to pay for the training and education
7 programs required under this section. A facility that has one
8 or more such residents shall pay a reduced fee that is
9 proportional to the percentage of such residents in the
10 facility. A facility that does not have any residents who
11 receive monthly optional supplementation payments must pay a
12 reasonable fee, as established by the department, for such
13 training and education programs.

14 (8) The department shall adopt rules to establish
15 standards for trainers and training and to implement this
16 section.

17 Section 3. Section 400.1755, Florida Statutes, is
18 created to read:

19 400.1755 Care for persons with Alzheimer's disease or
20 other related disorders.--

21 (1)(a) An individual who is employed by a facility
22 that provides care for residents with Alzheimer's disease or
23 other related disorders must complete up to 4 hours of initial
24 dementia-specific training developed or approved by the
25 Department of Elderly Affairs. The training shall be completed
26 within 3 months after beginning employment.

27 (b) A direct caregiver who is employed by a facility
28 that provides care for residents with Alzheimer's disease or
29 other related disorders, and who provides direct care to such
30 residents, must complete the required initial training and 4
31 additional hours of training developed or approved by the

1 Department of Elderly Affairs. The training shall be
2 completed within 9 months after beginning employment.

3 (2) In addition to the training required under
4 subsection (1), a direct caregiver must participate in a
5 minimum of 4 contact hours of dementia-specific continuing
6 education each calendar year as approved by the Department of
7 Elderly Affairs.

8 (3) Upon completing any training listed in subsection
9 (1), the employee or direct caregiver shall be issued a
10 certificate that includes the name of the training provider,
11 the topic covered, and the date and signature of the training
12 provider. The certificate is evidence of completion of
13 training in the identified topic, and the employee or direct
14 caregiver is not required to repeat training in that topic if
15 the employee or direct caregiver changes employment to a
16 different facility or to an assisted living facility, home
17 health agency, adult day care center, or adult family-care
18 home. The direct caregiver must comply with other applicable
19 continuing education requirements.

20 (4) The Department of Elderly Affairs, or its
21 designee, shall approve the initial and continuing education
22 courses and providers.

23 (5) The Department of Elderly Affairs shall keep a
24 current list of providers who are approved to provide initial
25 and continuing education for staff of facilities that provide
26 care for persons with Alzheimer's disease or other related
27 disorders.

28 (6) Any facility in which more than 90 percent of
29 whose residents receive monthly optional supplementation
30 payments is not required to pay for the training and education
31 programs required under this section. A facility that has one

1 or more such residents shall pay a reduced fee that is
2 proportional to the percentage of such residents in the
3 facility. A facility that does not have any residents who
4 receive monthly optional supplementation payments must pay a
5 reasonable fee, as established by the department, for such
6 training and education programs.

7 (7) The Department of Elderly Affairs shall adopt
8 rules to establish standards for trainers and training and to
9 implement this section.

10 Section 4. Section 400.4786, Florida Statutes, is
11 created to read:

12 400.4786 Care for persons with Alzheimer's disease or
13 other related disorders.--

14 (1)(a) An individual who is employed by a home health
15 agency that provides care for persons with Alzheimer's disease
16 or other related disorders must complete up to 4 hours of
17 initial dementia-specific training developed or approved by
18 the Department of Elderly Affairs. The training shall be
19 completed within 3 months after beginning employment.

20 (b) A direct caregiver who is employed by a home
21 health agency that provides care for persons with Alzheimer's
22 disease or other related disorders, and who provides direct
23 care to such persons, must complete the required initial
24 training and 4 additional hours of training developed or
25 approved by the Department of Elderly Affairs. The training
26 shall be completed within 9 months after beginning employment.

27 (2) In addition to the training required under
28 subsection (1), a direct caregiver must participate in a
29 minimum of 4 contact hours of dementia-specific continuing
30 education each calendar year as approved by the Department of
31 Elderly Affairs.

1 (3) Upon completing any training listed in subsection
2 (1), the employee or direct caregiver shall be issued a
3 certificate that includes the name of the training provider,
4 the topic covered, and the date and signature of the training
5 provider. The certificate is evidence of completion of
6 training in the identified topic, and the employee or direct
7 caregiver is not required to repeat training in that topic if
8 the employee or direct caregiver changes employment to a
9 different home health agency or to an assisted living
10 facility, nursing home, adult day care center, or adult
11 family-care home. The direct caregiver must comply with other
12 applicable continuing education requirements.

13 (4) The Department of Elderly Affairs, or its
14 designee, shall approve the initial and continuing education
15 courses and providers.

16 (5) The Department of Elderly Affairs shall keep a
17 current list of providers who are approved to provide initial
18 and continuing education for staff of home health agencies
19 that provide care for persons with Alzheimer's disease or
20 other related disorders.

21 (6) The department shall adopt rules to establish
22 standards for trainers and training and to implement this
23 section.

24 Section 5. Section 400.55715, Florida Statutes, is
25 created to read:

26 400.55715 Care for persons with Alzheimer's disease or
27 other related disorders.--

28 (1)(a) An individual who is employed by an adult day
29 care center that provides care for persons with Alzheimer's
30 disease or other related disorders must complete up to 4 hours
31 of initial dementia-specific training developed or approved by

1 the department. The training shall be completed within 3
2 months after beginning employment.

3 (b) A direct caregiver who is employed by an adult day
4 care center that provides care for persons with Alzheimer's
5 disease or other related disorders, and who provides direct
6 care to such persons, must complete the required initial
7 training and 4 additional hours of training developed or
8 approved by the department. The training shall be completed
9 within 9 months after beginning employment.

10 (2) In addition to the training required under
11 subsection (1), a direct caregiver must participate in a
12 minimum of 4 contact hours of dementia-specific continuing
13 education each calendar year as approved by the department.

14 (3) Upon completing any training listed in subsection
15 (1), the employee or direct caregiver shall be issued a
16 certificate that includes the name of the training provider,
17 the topic covered, and the date and signature of the training
18 provider. The certificate is evidence of completion of
19 training in the identified topic, and the employee or direct
20 caregiver is not required to repeat training in that topic if
21 the employee or direct caregiver changes employment to a
22 different adult day care center or to an assisted living
23 facility, nursing home, home health agency, or adult
24 family-care home. The direct caregiver must comply with other
25 applicable continuing education requirements.

26 (4) The department, or its designee, shall approve the
27 initial and continuing education courses and providers.

28 (5) The department shall keep a current list of
29 providers who are approved to provide initial and continuing
30 education for staff of adult day care centers that provide
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1 care for persons with Alzheimer's disease or other related
2 disorders.

3 (6) Any adult day care center in which more than 90
4 percent of the persons whom it serves receive monthly optional
5 supplementation payments is not required to pay for the
6 training and education programs required under this section.

7 An adult day care center that has one or more such persons
8 shall pay a reduced fee that is proportional to the percentage
9 of such persons served by the center. A center that does not
10 serve any persons who receive monthly optional supplementation
11 payments must pay a reasonable fee, as established by the
12 department, for such training and education programs.

13 (7) The department shall adopt rules to establish
14 standards for trainers and training and to implement this
15 section.

16 Section 6. Section 400.626, Florida Statutes, is
17 created to read:

18 400.626 Care for persons with Alzheimer's disease or
19 other related disorders.--

20 (1)(a) An individual who is employed by an adult
21 family-care home that provides care for residents with
22 Alzheimer's disease or other related disorders must complete
23 up to 4 hours of initial dementia-specific training developed
24 or approved by the department. The training shall be completed
25 within 3 months after beginning employment.

26 (b) A direct caregiver who is employed by an adult
27 family-care home that provides care for residents with
28 Alzheimer's disease or other related disorders, and who
29 provides direct care to such residents, must complete the
30 required initial training and 4 additional hours of training
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1 developed or approved by the department. The training shall
2 be completed within 9 months after beginning employment.

3 (2) In addition to the training required under
4 subsection (1), a direct caregiver must participate in a
5 minimum of 4 contact hours of dementia-specific continuing
6 education each calendar year as approved by the department.

7 (3) Upon completing any training listed in subsection
8 (1), the employee or direct caregiver shall be issued a
9 certificate that includes the name of the training provider,
10 the topic covered, and the date and signature of the training
11 provider. The certificate is evidence of completion of
12 training in the identified topic, and the employee or direct
13 caregiver is not required to repeat training in that topic if
14 the employee or direct caregiver changes employment to a
15 different adult family-care home or to an assisted living
16 facility, nursing home, home health agency, or adult day care
17 center. The direct caregiver must comply with other
18 applicable continuing education requirements.

19 (4) The department, or its designee, shall approve the
20 initial and continuing education courses and providers.

21 (5) The department shall keep a current list of
22 providers who are approved to provide initial and continuing
23 education for staff of adult family-care homes that provide
24 care for persons with Alzheimer's disease or other related
25 disorders.

26 (6) Any adult family-care home in which more than 90
27 percent of the residents receive monthly optional
28 supplementation payments is not required to pay for the
29 training and education programs required under this section.
30 An adult family-care home that has one or more such residents
31 shall pay a reduced fee that is proportional to the percentage

1 of such residents in the home. A home that does not have any
2 residents who receive monthly optional supplementation
3 payments must pay a reasonable fee, as established by the
4 department, for such training and education programs.

5 (7) The department shall adopt rules to establish
6 standards for trainers and training and to implement this
7 section.

8 Section 7. This act shall take effect October 1, 2001.

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11 SENATE SUMMARY

12 Requires all employees of assisted living facilities that
13 provide care for residents with Alzheimer's disease or
14 related disorders, including those employees having only
15 incidental contact with such residents, to complete
16 dementia-specific training. Requires such training for
17 employees of nursing homes, home health agencies, adult
18 day care centers, and adult family-care homes that
19 provide care for persons with Alzheimer's disease or
20 related disorders. Provides for certificates of such
21 training. Prescribes duties of the Department of Elderly
22 Affairs in approving training providers.
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