

1                   A bill to be entitled  
2           An act relating to dementia-related staff training;  
3           providing a short title; amending s. 429.83, F.S.;  
4           requiring that employees of an adult family-care home  
5           receive certain information upon beginning employment;  
6           requiring that certain employees complete additional  
7           training within a specified period; providing  
8           requirements for such training; providing additional  
9           requirements for certain employees of such home;  
10          creating s. 430.5025, F.S.; providing definitions;  
11          requiring the Department of Elderly Affairs or its  
12          designee to develop education and training regarding  
13          Alzheimer's disease and other dementia-related  
14          disorders and offer such training at no cost to  
15          certain persons and employees; providing requirements  
16          for such education and training; requiring certain  
17          employees to complete certain training under certain  
18          circumstances; requiring training providers to provide  
19          such employees with a certificate of completion;  
20          providing requirements for the certificate; providing  
21          requirements for covered providers; providing that  
22          certain employees are not required to repeat certain  
23          training after changing employment under certain  
24          circumstances; providing applicability; authorizing  
25          the department to adopt rules; amending ss. 400.1755,

26 | 400.4785, 400.6045, 429.178, 429.52, 429.917, and  
 27 | 429.918, F.S.; revising dementia-related staff  
 28 | training requirements for nursing homes, home health  
 29 | agencies, hospices, facilities that provide special  
 30 | care for persons who have Alzheimer's disease or other  
 31 | related disorders, assisted living facilities, and  
 32 | adult day care centers, respectively, to conform to  
 33 | changes made by the act; providing an effective date.  
 34 |

35 | Be It Enacted by the Legislature of the State of Florida:  
 36 |

37 | Section 1. This act may be cited as the "Florida  
 38 | Alzheimer's Disease and Dementia Education and Training Act."

39 | Section 2. Section 429.83, Florida Statutes, is amended to  
 40 | read:

41 | 429.83 Residents with Alzheimer's disease or other related  
 42 | disorders; training; certain disclosures.—

43 | (1) (a) Upon beginning employment with an adult family-care  
 44 | home, each employee must receive basic written information about  
 45 | interacting with residents who have Alzheimer's disease or other  
 46 | related disorders.

47 | (b) In addition to the requirements of paragraph (a), an  
 48 | employee who will be providing direct care to a resident who has  
 49 | Alzheimer's disease or a related disorder must complete an  
 50 | additional 3 hours of training within 9 months after beginning

51 employment. This training must include, but is not limited to,  
52 the management of problem behaviors, information about promoting  
53 the resident's independence in activities of daily living, and  
54 instruction in skills for working with families and caregivers.

55 (c) An employee of a home that provides special care for  
56 residents who have Alzheimer's disease or other related  
57 disorders, and who has regular contact with such residents, must  
58 complete 4 hours of initial dementia-specific training developed  
59 or approved by the department, which must be completed within 3  
60 months after beginning employment, and satisfy the core training  
61 requirements of s. 429.52(3)(g). A direct caregiver who is  
62 employed by a facility that provides special care for residents  
63 who have Alzheimer's disease or other related disorders, and who  
64 provides direct care to such residents, must complete the  
65 required initial dementia-specific training and 4 additional  
66 hours of training, which must be completed within 9 months after  
67 beginning employment; satisfy the core training requirements of  
68 s. 429.52(3)(g); and complete a minimum of 4 contact hours of  
69 continuing education each calendar year. The continuing  
70 education must include one or more topics included in the  
71 dementia-specific training developed or approved by the  
72 department in which the direct caregiver has not received  
73 previous training.

74 (2) An adult family-care home licensed under this part  
75 which claims that it provides special care for persons who have

76 Alzheimer's disease or other related disorders must disclose in  
 77 its advertisements or in a separate document those services that  
 78 distinguish the care as being especially applicable to, or  
 79 suitable for, such persons. The home must give a copy of all  
 80 such advertisements or a copy of the document to each person who  
 81 requests information about programs and services for persons  
 82 with Alzheimer's disease or other related disorders offered by  
 83 the home and must maintain a copy of all such advertisements and  
 84 documents in its records. The agency shall examine all such  
 85 advertisements and documents in the home's records as part of  
 86 the license renewal procedure.

87 Section 3. Section 430.5025, Florida Statutes, is created  
 88 to read:

89 430.5025 Education and training to foster awareness of  
 90 Alzheimer's disease and related forms of dementia.—

91 (1) As used in this section, the term:

92 (a) "Covered provider" means a person, an entity, or a  
 93 facility licensed or registered under part II, part III, or part  
 94 IV of chapter 400 or chapter 429.

95 (b) "Department" means the Department of Elderly Affairs.

96 (c) "Employee" means any staff member, contracted staff,  
 97 or independent contractor hired or referred by a covered  
 98 provider who is required to undergo a level 2 background  
 99 screening as required pursuant to s. 408.809 and chapter 435.

100 The term includes, but is not limited to, staff providing direct

101 care; staff responsible for housekeeping, the front desk, and  
102 other administrative functions; and companions or homemakers.

103 (2) The department or its designee shall develop education  
104 and training in a variety of formats, including, but not limited  
105 to, Internet-based formats and videos, and offer such training  
106 at no cost to families, caregivers, and employees of covered  
107 providers regarding Alzheimer's disease and related forms of  
108 dementia.

109 (a) Education for families and caregivers must provide  
110 basic information about the most common forms of dementia, how  
111 to identify the signs and symptoms of dementia, coping skills  
112 and responding to the changes, planning for the future, and how  
113 to access additional resources about dementia.

114 (b) Training for employees of covered providers must  
115 consist of a one-time, 1-hour course on identifying the signs  
116 and symptoms of dementia and methods for interacting with  
117 individuals with Alzheimer's disease or a related form of  
118 dementia. A certificate of completion must identify the training  
119 provider, the name of the employee, and the date of completion.

120 1. A covered provider must require an employee to complete  
121 the training within 30 days after the date the employee begins  
122 employment.

123 2. A covered provider must maintain a copy of the  
124 employee's certificate of completion of the training in the  
125 covered provider's files.

126        3. An employee who has completed the training is not  
 127 required to repeat the course after changing employment to a  
 128 different covered provider.

129        (3) Employees hired on or before July 1, 2022, must  
 130 complete the applicable Alzheimer's and dementia-related  
 131 training under the Florida Alzheimer's Disease and Dementia  
 132 Education and Training Act as required by the act or within 9  
 133 months after the dementia-specific training is developed or  
 134 approved by the department, whichever is later.

135        (4) The department may adopt rules to implement this  
 136 section.

137        Section 4. Section 400.1755, Florida Statutes, is amended  
 138 to read:

139        400.1755 Care for persons with Alzheimer's disease or  
 140 related disorders; staff training requirements.-

141        (1) As a condition of licensure, facilities licensed under  
 142 this part must provide to each of their employees, upon  
 143 beginning employment, basic written information about  
 144 interacting with persons with Alzheimer's disease or a related  
 145 disorder.

146        ~~(2) All employees who are expected to, or whose~~  
 147 ~~responsibilities require them to, have direct contact with~~  
 148 ~~residents with Alzheimer's disease or a related disorder must,~~  
 149 ~~in addition to being provided the information required in~~  
 150 ~~subsection (1), also have an initial training of at least 1 hour~~

151 ~~completed in the first 3 months after beginning employment. This~~  
152 ~~training must include, but is not limited to, an overview of~~  
153 ~~dementias and must provide basic skills in communicating with~~  
154 ~~persons with dementia.~~

155 (2)~~(3)~~ An individual who provides direct care shall be  
156 considered a direct caregiver and must complete ~~the required~~  
157 ~~initial training and~~ an additional 3 hours of training within 9  
158 months after beginning employment. This training shall include,  
159 but is not limited to, managing problem behaviors, promoting the  
160 resident's independence in activities of daily living, and  
161 skills in working with families and caregivers.

162 (a) The required 4 hours of training for certified nursing  
163 assistants are part of the total hours of training required  
164 annually.

165 (b) For a health care practitioner as defined in s.  
166 456.001, continuing education hours taken as required by that  
167 practitioner's licensing board shall be counted toward this  
168 total of 4 hours.

169 (3)~~(4)~~ For an employee who is a licensed health care  
170 practitioner as defined in s. 456.001, training that is  
171 sanctioned by that practitioner's licensing board shall be  
172 considered to be approved by the Department of Elderly Affairs.

173 (4)~~(5)~~ The Department of Elderly Affairs or its designee  
174 must approve the additional 3 hours of ~~initial and continuing~~  
175 training provided in the facilities. The department must approve

176 training offered in a variety of formats, including, but not  
177 limited to, Internet-based training, videos, teleconferencing,  
178 and classroom instruction. The department shall keep a list of  
179 current providers who are approved to provide the additional  
180 ~~initial and continuing~~ training. The department shall adopt  
181 rules to establish standards for the trainers and the training  
182 required in this section.

183 (5)~~(6)~~ Upon completing the additional ~~any~~ training listed  
184 in this section, the employee or direct caregiver shall be  
185 issued a certificate that includes the name of the training  
186 provider, the topic covered, and the date and signature of the  
187 training provider. The certificate is evidence of completion of  
188 training in the identified topic, and the employee or direct  
189 caregiver is not required to repeat training in that topic if  
190 the employee or direct caregiver changes employment to a  
191 different facility or to an assisted living facility, home  
192 health agency, adult day care center, or adult family-care home.  
193 The direct caregiver must comply with other applicable  
194 continuing education requirements.

195 Section 5. Subsection (1) of section 400.4785, Florida  
196 Statutes, is amended to read:

197 400.4785 Patients with Alzheimer's disease or other  
198 related disorders; staff training requirements; certain  
199 disclosures.-



200 (1) A home health agency must provide the following staff  
201 training:

202 (a) Upon beginning employment with the agency, each  
203 employee must receive basic written information about  
204 interacting with participants who have Alzheimer's disease or  
205 dementia-related disorders.

206 (b) In addition to the information and training provided  
207 under paragraph (a), newly hired home health agency personnel  
208 who will be providing direct care to patients must complete an  
209 additional 2 hours of training in Alzheimer's disease and  
210 dementia-related disorders within 9 months after beginning  
211 employment with the agency. This training must include, but is  
212 not limited to, an overview of dementia, a demonstration of  
213 basic skills in communicating with persons who have dementia,  
214 the management of problem behaviors, information about promoting  
215 the client's independence in activities of daily living, and  
216 instruction in skills for working with families and caregivers.

217 (c) For certified nursing assistants, the required 3 ~~2~~  
218 hours of training shall be part of the total hours of training  
219 required annually.

220 (d) For a health care practitioner as defined in s.  
221 456.001, continuing education hours taken as required by that  
222 practitioner's licensing board shall be counted toward the total  
223 of 3 ~~2~~ hours.

224 (e) For an employee who is a licensed health care  
225 practitioner as defined in s. 456.001, training that is  
226 sanctioned by that practitioner's licensing board shall be  
227 considered to be approved by the Department of Elderly Affairs.

228 (f) The Department of Elderly Affairs, or its designee,  
229 must approve the required additional 2 hours of training. The  
230 department must consider for approval training offered in a  
231 variety of formats. The department shall keep a list of current  
232 providers who are approved to provide the 2-hour training. The  
233 department shall adopt rules to establish standards for the  
234 employees who are subject to this training, for the trainers,  
235 and for the training required in this section.

236 (g) Upon completing the additional training listed in this  
237 section, the employee shall be issued a certificate that states  
238 that the training mandated under this section has been received.  
239 The certificate shall be dated and signed by the training  
240 provider. The certificate is evidence of completion of this  
241 training, and the employee is not required to repeat this  
242 training if the employee changes employment to a different home  
243 health agency.

244 (h) A licensed home health agency whose unduplicated  
245 census during the most recent calendar year was composed  
246 ~~comprised~~ of at least 90 percent of individuals aged 21 years or  
247 younger at the date of admission is exempt from the training  
248 requirements in this section.

249 Section 6. Subsection (1) of section 400.6045, Florida  
250 Statutes, is amended to read:

251 400.6045 Patients with Alzheimer's disease or other  
252 related disorders; staff training requirements; certain  
253 disclosures.—

254 (1) A hospice licensed under this part must provide the  
255 following staff training:

256 (a) Upon beginning employment with the agency, each  
257 employee must receive basic written information about  
258 interacting with persons who have Alzheimer's disease or  
259 dementia-related disorders.

260 ~~(b) In addition to the information provided under~~  
261 ~~paragraph (a), employees who are expected to, or whose~~  
262 ~~responsibilities require them to, have direct contact with~~  
263 ~~participants who have Alzheimer's disease or dementia-related~~  
264 ~~disorders must complete initial training of at least 1 hour~~  
265 ~~within the first 3 months after beginning employment. The~~  
266 ~~training must include an overview of dementias and must provide~~  
267 ~~instruction in basic skills for communicating with persons who~~  
268 ~~have dementia.~~

269 (b)(e) In addition to the requirements of paragraph  
270 paragraphs (a) and ~~(b)~~, an employee who will be providing direct  
271 care to a participant who has Alzheimer's disease or a dementia-  
272 related disorder must complete an additional 3 hours of training  
273 within 9 months after beginning employment. This training must

274 include, but is not limited to, the management of problem  
275 behaviors, information about promoting the patient's  
276 independence in activities of daily living, and instruction in  
277 skills for working with families and caregivers.

278 (c)~~(d)~~ For certified nursing assistants, the required 4  
279 hours of training shall be part of the total hours of training  
280 required annually.

281 (d)~~(e)~~ For a health care practitioner as defined in s.  
282 456.001, continuing education hours taken as required by that  
283 practitioner's licensing board shall be counted toward the total  
284 of 4 hours.

285 (e)~~(f)~~ For an employee who is a licensed health care  
286 practitioner as defined in s. 456.001, training that is  
287 sanctioned by that practitioner's licensing board shall be  
288 considered to be approved by the Department of Elderly Affairs.

289 (f)~~(g)~~ The Department of Elderly Affairs or its designee  
290 must approve the required additional ~~1-hour and~~ 3-hour training  
291 provided to employees or direct caregivers under this section.  
292 The department must consider for approval training offered in a  
293 variety of formats. The department shall keep a list of current  
294 providers who are approved to provide the additional ~~1-hour and~~  
295 3-hour training. The department shall adopt rules to establish  
296 standards for the employees who are subject to this training,  
297 for the trainers, and for the training required in this section.

298        (g) ~~(h)~~ Upon completing the additional ~~any~~ training  
299 described in this section, the employee or direct caregiver  
300 shall be issued a certificate that includes the name of the  
301 training provider, the topic covered, and the date and signature  
302 of the training provider. The certificate is evidence of  
303 completion of training in the identified topic, and the employee  
304 or direct caregiver is not required to repeat training in that  
305 topic if the employee or direct caregiver changes employment to  
306 a different hospice or to a home health agency, assisted living  
307 facility, nursing home, or adult day care center.

308        Section 7. Paragraph (c) of subsection (2) and subsection  
309 (7) of section 429.178, Florida Statutes, are amended to read:

310        429.178 Special care for persons with Alzheimer's disease  
311 or other related disorders.—

312        (2)

313        ~~(c) An individual who is employed by a facility that  
314 provides special care for residents with Alzheimer's disease or  
315 other related disorders, but who only has incidental contact  
316 with such residents, must be given, at a minimum, general  
317 information on interacting with individuals with Alzheimer's  
318 disease or other related disorders, within 3 months after  
319 beginning employment.~~

320        (7) Any facility more than 90 percent of whose residents  
321 receive monthly optional supplementation payments is not  
322 required to pay for the training and education programs required

323 | under this section. A facility that has one or more such  
324 | residents must ~~shall~~ pay a reduced fee that is proportional to  
325 | the percentage of such residents in the facility. A facility  
326 | that does not have any residents who receive monthly optional  
327 | supplementation payments must pay a reasonable fee, as  
328 | established by the department, for such training and education  
329 | programs.

330 |       Section 8. Subsection (1) of section 429.52, Florida  
331 | Statutes, is amended to read:

332 |       429.52 Staff training and educational requirements.—

333 |       (1) (a) Each new assisted living facility employee who has  
334 | not previously completed core training must attend a preservice  
335 | orientation provided by the facility before interacting with  
336 | residents. The preservice orientation must be at least 2 hours  
337 | in duration and cover topics that help the employee provide  
338 | responsible care and respond to the needs of facility residents.  
339 | Upon completion, the employee and the administrator of the  
340 | facility must sign a statement that the employee completed the  
341 | required preservice orientation. The facility must keep the  
342 | signed statement in the employee's personnel record.

343 |       (b) Upon beginning employment with the facility, each new  
344 | assisted living facility employee must receive basic written  
345 | information about interacting with residents who have  
346 | Alzheimer's disease or dementia-related disorders.

347        (c) In addition to the requirements of paragraphs (a) and  
348 (b), an employee who will be providing direct care to a resident  
349 who has Alzheimer's disease or a dementia-related disorder must  
350 complete an additional 3 hours of training within 9 months after  
351 beginning employment. This training must include, but is not  
352 limited to, the management of problem behaviors, information  
353 about promoting the resident's independence in activities of  
354 daily living, and instruction in skills for working with  
355 families and caregivers.

356        Section 9. Subsection (1) of section 429.917, Florida  
357 Statutes, is amended to read:

358        429.917 Patients with Alzheimer's disease or other related  
359 disorders; staff training requirements; certain disclosures.—

360        (1) An adult day care center licensed under this part must  
361 provide the following staff training:

362        (a) Upon beginning employment with the facility, each  
363 employee must receive basic written information about  
364 interacting with participants who have Alzheimer's disease or  
365 dementia-related disorders.

366        ~~(b) In addition to the information provided under~~  
367 ~~paragraph (a), newly hired adult day care center personnel who~~  
368 ~~are expected to, or whose responsibilities require them to, have~~  
369 ~~direct contact with participants who have Alzheimer's disease or~~  
370 ~~dementia-related disorders must complete initial training of at~~  
371 ~~least 1 hour within the first 3 months after beginning~~

372 ~~employment. The training must include an overview of dementias~~  
373 ~~and must provide instruction in basic skills for communicating~~  
374 ~~with persons who have dementia.~~

375 (b)~~(e)~~ In addition to the requirements of paragraph  
376 ~~paragraphs~~ (a) and ~~(b)~~, an employee who will be providing direct  
377 care to a participant who has Alzheimer's disease or a dementia-  
378 related disorder must complete an additional 3 hours of training  
379 within 9 months after beginning employment. This training must  
380 include, but is not limited to, the management of problem  
381 behaviors, information about promoting the participant's  
382 independence in activities of daily living, and instruction in  
383 skills for working with families and caregivers.

384 (c)~~(d)~~ For certified nursing assistants, the required 4  
385 hours of training shall be part of the total hours of training  
386 required annually.

387 (d)~~(e)~~ For a health care practitioner as defined in s.  
388 456.001, continuing education hours taken as required by that  
389 practitioner's licensing board shall be counted toward the total  
390 of 4 hours.

391 (e)~~(f)~~ For an employee who is a licensed health care  
392 practitioner as defined in s. 456.001, training that is  
393 sanctioned by that practitioner's licensing board shall be  
394 considered to be approved by the Department of Elderly Affairs.

395 (f)~~(g)~~ The Department of Elderly Affairs or its designee  
396 must approve the additional ~~1-hour and~~ 3-hour training provided



397 to employees and direct caregivers under this section. The  
398 department must consider for approval training offered in a  
399 variety of formats. The department shall keep a list of current  
400 providers who are approved to provide the additional ~~1-hour and~~  
401 3-hour training. The department shall adopt rules to establish  
402 standards for the employees who are subject to this training,  
403 for the trainers, and for the training required in this section.

404 ~~(g)-(h)~~ Upon completing the additional ~~any~~ training  
405 described in this section, the employee or direct caregiver  
406 shall be issued a certificate that includes the name of the  
407 training provider, the topic covered, and the date and signature  
408 of the training provider. The certificate is evidence of  
409 completion of training in the identified topic, and the employee  
410 or direct caregiver is not required to repeat training in that  
411 topic if the employee or direct caregiver changes employment to  
412 a different adult day care center or to an assisted living  
413 facility, nursing home, home health agency, or hospice. The  
414 direct caregiver must comply with other applicable continuing  
415 education requirements.

416 ~~(i) An employee who is hired on or after July 1, 2004,~~  
417 ~~must complete the training required by this section.~~

418 Section 10. Paragraph (a) of subsection (6) of section  
419 429.918, Florida Statutes, is amended to read:

420 429.918 Licensure designation as a specialized Alzheimer's  
421 services adult day care center.—

422 (6) (a) An adult day care center having a license  
423 designated under this section must provide the following staff  
424 training and supervision:

425 1. A registered nurse or licensed practical nurse must be  
426 on site daily for at least 75 percent of the time that the  
427 center is open to ADRD participants. Each licensed practical  
428 nurse who works at the center must be supervised in accordance  
429 with chapter 464.

430 2. Upon beginning employment with the center, each  
431 employee must receive and review basic written information about  
432 interacting with ADRD participants.

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

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

442 5. In addition to the requirements of subparagraphs 2.,  
443 3., and 4., each employee who provides direct care to ADRD  
444 participants shall complete a minimum of 4 contact hours of  
445 continuing education each calendar year. The continuing  
446 education must include one or more topics included in the

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447 | dementia-specific training developed or approved by the  
448 | department in which the caregiver has not received previous  
449 | training.

450 |       Section 11. This act shall take effect July 1, 2021.