

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH SESSION

S.F. No. 2140

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DATE	D-PG	OFFICIAL STATUS
03/03/2014	5917	Introduction and first reading Referred to Health, Human Services and Housing
03/19/2014	6387	Author added Nelson
03/20/2014		Comm report: To pass as amended and re-refer to Finance Author added Franzen

A bill for an act

relating to health; requiring training on Alzheimer's disease for all long-term care facilities; proposing coding for new law in Minnesota Statutes, chapter 144A.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [144A.80] DEMENTIA TRAINING ACT.

Subdivision 1. Short title. Sections 144A.80 and 144A.801 may be cited as the Dementia Training Act.

Subd. 2. Definitions. (a) For purposes of sections 144A.80 and 144A.801, the following terms have the meanings given.

(b) "Commissioner" means the commissioner of the Department of Health.

(c) "Dementia" means a variety of diseases and conditions that develop when nerve cells in the brain die or no longer function normally. The death or malfunction of these nerve cells, called neurons, causes changes in one's memory, behavior, and ability to think clearly.

(d) "Direct care staff" means all persons who provide paid or unpaid hands-on personal care services for persons with dementia including but not limited to management, all nurses, nursing assistants, respite care providers, mealtime assistants, and any other position providing hands-on care to a patient.

(e) "Facility" means any health care provider providing services to patients, including assisted living and nursing facilities as licensed under chapter 144; home care services under section 256B.0651; personal care assistance services under section 256B.0659; community first services and supports under section 256B.85; adult day care providers under section 245A.04; and housing with services establishments under chapter 144D.

2.1 (f) "Nondirect care staff" means any personnel, paid or unpaid, within the facility
2.2 who are not members of the direct care staff.

2.3 (g) "Training" means dementia-specific training approved by the commissioner
2.4 pursuant to section 144A.801.

2.5 Subd. 3. **Rulemaking.** (a) The commissioner shall adopt rules to implement this
2.6 section and section 144A.801.

2.7 (b) In adopting rules, the commissioner shall consult with and seek input from the
2.8 Alzheimer's Association or ACT on Alzheimer's.

2.9 **Sec. 2. [144A.801] TRAINING REQUIREMENTS.**

2.10 Subdivision 1. **Facility duties.** (a) The facility shall require:

2.11 (1) all direct care staff have at least eight hours of training prior to having resident
2.12 interaction and eight additional hours of training on an annual basis; and

2.13 (2) all nondirect care staff have at least four hours of training prior to having resident
2.14 interaction and two additional hours of training on an annual basis.

2.15 (b) The facility shall ensure that all direct and nondirect care staff are proficient to
2.16 carry out job duties in a safe, effective, and efficient manner and shall supervise direct and
2.17 nondirect care staff in practice after completion of training.

2.18 Subd. 2. **Training curriculum.** (a) Training may be conducted by an in-person
2.19 trainer or via an Internet-based curriculum.

2.20 (b) All trainers conducting approved training must be subject matter experts in
2.21 the field of dementia care.

2.22 (c) If Internet-based training is used, the trainer must be available to answer
2.23 questions that arise during the course of the training, including questions that may be
2.24 facility or resident specific.

2.25 (d) Training programs must be reviewed and approved by the commissioner prior to
2.26 the training being conducted. Approved trainings include but are not limited to:

2.27 (1) ACT on Alzheimer's Dementia Curriculum;

2.28 (2) Alzheimer's Association and Aging Services of Minnesota Dementia Care
2.29 Certificate Program;

2.30 (3) Alzheimer's Association Foundations of Dementia Care;

2.31 (4) Care and Compliance Assisted Living Dementia Care Training Kit;

2.32 (5) CARES online training and essentiALZ certification;

2.33 (6) Centers for Medicare and Medicaid Services Hand in Hand;

2.34 (7) Dementia Care Specialists Dementia Capable Care;

2.35 (8) Mirabelle Management EduCare Dementia Care; and

- 3.1 (9) Relias Learning Silverchair Learning Systems.
- 3.2 (e) All approved trainings for direct care staff must include:
- 3.3 (1) an overview of Alzheimer's disease and other dementias;
- 3.4 (2) understanding communication and how it relates to behavior and the management
- 3.5 of behavioral symptoms;
- 3.6 (3) activities of daily living;
- 3.7 (4) understanding and dealing with family issues; and
- 3.8 (5) a competency-based demonstration of job duties.
- 3.9 (f) All approved trainings for nondirect care staff must include:
- 3.10 (1) an overview of Alzheimer's disease and other dementias;
- 3.11 (2) understanding communication and how it relates to behavior and the management
- 3.12 of behavioral symptoms; and
- 3.13 (3) a competency-based demonstration of job duties.
- 3.14 (g) The commissioner shall keep a list of current providers who are approved
- 3.15 to provide training.
- 3.16 Subd. 3. **Training certification.** (a) As evidence of successful completion of the
- 3.17 training, the trainer shall issue a signed and dated certificate to the trainee.
- 3.18 (b) The facility shall maintain a copy of the training certificate in the trainee's
- 3.19 personnel file.
- 3.20 (c) A trainee shall not be required to complete additional training for one year after
- 3.21 the date of completion even if the trainee changes employment to another facility.

3.22 Sec. 3. **EFFECTIVE DATE.**

3.23 Sections 1 and 2 are effective July 1, 2015.