

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 a certain
 5 training requirement is met; requiring that the Agency
 6 for Health Care Administration, in consultation with
 7 the Board of Nursing, develop a certain training
 8 program; providing minimum requirements for such
 9 program; amending s. 400.211, F.S.; authorizing
 10 certain persons to be employed by a nursing home
 11 facility as personal care attendants for a specified
 12 period if a certain training requirement is met;
 13 providing a definition for the term "personal care
 14 attendants"; providing an effective date.

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 16 Be It Enacted by the Legislature of the State of Florida:
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18 Section 1. Paragraph (w) is added to subsection (1) of
 19 section 400.141, Florida Statutes, to read:

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

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

24 (w) Be allowed to employ personal care attendants as
 25 defined in s. 400.211(2)(d), if such personal care attendants

26 | have successfully completed the personal care attendant training
27 | program developed by the agency, in consultation with the Board
28 | of Nursing, which must consist of a minimum of 8 hours of
29 | education. The program must include training in the content
30 | areas and lessons specified in the program curriculum, which
31 | must include, but need not be limited to:

- 32 | 1. Residents' rights.
- 33 | 2. Confidentiality of residents' personal information and
34 | medical records.
- 35 | 3. Control of contagious and infectious diseases.
- 36 | 4. Emergency response measures.
- 37 | 5. Assistance with activities of daily living.
- 38 | 6. Measuring vital signs.
- 39 | 7. Skin care and pressure sores prevention.
- 40 | 8. Portable oxygen use and safety.
- 41 | 9. Nutrition and hydration.
- 42 | 10. Dementia care.

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

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

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

50 | (a) Persons who are enrolled in, or have completed, a

51 state-approved nursing assistant program.~~†~~

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

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

57 (d) Persons who are employed as personal care attendants
58 and who have completed the personal care attendant training
59 program developed pursuant to s. 400.141(1)(w). As used in this
60 paragraph, the term "personal care attendants" means persons who
61 meet the training requirement in s. 400.141(1)(w) and provide
62 care to and assist residents with tasks related to the
63 activities of daily living.

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

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