

JAN 17 2020

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# A BILL FOR AN ACT

RELATING TO ALZHEIMER'S DISEASE AND RELATED DEMENTIA.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that an estimated twenty-  
2 nine thousand individuals in the State suffer from Alzheimer's  
3 disease, a progressive brain disease that is the sixth leading  
4 cause of death in the nation. Alzheimer's disease affects a  
5 person's memory and eventually causes the individual to  
6 experience difficulties with speech and language skills, vision,  
7 decision making, and many other daily activities.

8           The legislature further finds that, due to the nature of  
9 Alzheimer's disease, there is a high demand for in-home care,  
10 adult daycare, assisted living facilities, and care homes.  
11 Assistance for most of the daily life activities at these  
12 facilities is performed by nurse aides or nursing assistants.

13           As residents of Hawaii have the longest life expectancy of  
14 any state, the need for skilled care facilities, nursing homes,  
15 intermediate care facilities, assisted living facilities,  
16 residential care facilities, respite care, adult foster care,  
17 adult day programs, home health care, in-home care, and hospice



1 are estimated to grow as the prevalence of Alzheimer's disease  
2 increases. Therefore, it is important to ensure that staff in  
3 these facilities are adequately trained to work with people with  
4 Alzheimer's disease and related dementias.

5 The purpose of this Act is to:

6 (1) Require the department of health to develop and  
7 coordinate an Alzheimer's disease and related dementia  
8 training program for care workers whose work involves  
9 extensive contact with participants or residents; and

10 (2) Authorize the department of human services to  
11 negotiate an increased reimbursement rate to  
12 facilities for individuals with Alzheimer's disease  
13 and related dementias.

14 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
15 amended by adding a new part to be appropriately designated and  
16 to read as follows:

17 "PART . ALZHEIMER'S DISEASE AND RELATED DEMENTIA TRAINING  
18 §321- Alzheimer's disease and related dementia training  
19 program; established. The department shall develop and  
20 coordinate an Alzheimer's disease and related dementia training  
21 program in the State.



1           §321-       Duties of the department. (a) The department  
2 shall designate the following for the Alzheimer's disease and  
3 related dementia training program:

4           (1) The process by which in-person training or facility-  
5 based training meets the requirements for training;

6           (2) The type of training requirements that meet the  
7 minimum requirements of this part; and

8           (3) Oversight of a facility or program's training program;  
9 provided that the oversight shall:

10           (A) Ensure that the facility or program provides  
11 continuing education opportunities;

12           (B) Use evidence-based, designated training programs  
13 or appropriate in-person training;

14           (C) Involve observation and assessment of the  
15 proficiencies of direct care staff; and

16           (D) Ensure compliance with any other requirements  
17 specified.

18           (b) The department shall review the efficacy of the  
19 Alzheimer's disease and related dementia training program on an  
20 annual basis and may utilize the recommendations from the state  
21 plan on Alzheimer's disease and related dementias.



1           §321-       Training; curriculum; continuing education. (a)

2 At a minimum, the curriculum used for the initial training shall  
3 cover the following topic areas:

4           (1) Alzheimer's disease and related dementia;

5           (2) Person-centered care;

6           (3) Assessment and care planning;

7           (4) Activities of daily living; and

8           (5) Dementia-related behaviors and communication.

9           (b) The department shall require all direct care workers,  
10 administrative staff, and additional staff to complete at least  
11 eight credit hours of Alzheimer's disease and related dementia  
12 training on a reoccurring two-year basis. The department shall  
13 issue a certificate to any individual who completes the  
14 training.

15           For the purposes of this subsection:

16           "Additional staff" means other staff who may be covered by  
17 Alzheimer's disease and related dementia training requirements  
18 who have incidental contact with residents or program  
19 participants on a recurring basis. "Additional staff" includes  
20 but is not limited to housekeeping, front desk, maintenance, and



1 other administrative staff, as well as other individuals who  
2 have such incidental contact.

3 "Administrative staff" means a senior manager of a facility  
4 or program, including administrators and managerial staff who  
5 supervise direct service staff.

6 "Direct service staff" means an employee whose work  
7 involves extensive contact with participants or residents..

8 "Direct service staff" includes but is not limited to registered  
9 nurses, licensed practical nurses, licensed vocational nurses,  
10 nurse practitioners, certified nurse aides, nursing assistants,  
11 physician assistants, home health or personal aides, activities  
12 directors, feeding assistants, social workers, dietary staff,  
13 respite care providers, adult daycare providers, and  
14 occupational, physical, and speech therapy staff.

15 (c) The training shall be conducted by an individual who  
16 meets the following criteria:

- 17 (1) Has at least two years of work experience related to  
18 Alzheimer's disease and related dementia, health care,  
19 gerontology, or a related field; and  
20 (2) Has completed at the least the minimum training  
21 requirements pursuant to this section.



1 (d) For individuals who have undergone initial Alzheimer's  
2 disease and related dementia training, the department shall:

3 (1) Ensure that facilities or programs provide ongoing  
4 onsite support, supervision, and mentoring for those  
5 trained to provide treatment and care for individuals  
6 with Alzheimer's disease and related dementia; and

7 (2) Determine when and how often continuing education on  
8 dementia shall be required; provided that such  
9 continuing education shall include new information on  
10 best practices in the treatment and care of  
11 individuals living with Alzheimer's disease and  
12 related dementia.

13 (e) The department shall establish rules pursuant to  
14 chapter 91 for the purposes of this section."

15 SECTION 3. Chapter 346, Hawaii Revised Statutes, is  
16 amended by adding a new section to be appropriately designated  
17 and to read as follows:

18 "§346- Alzheimer's disease and related dementias;  
19 facilities; reimbursements; medicaid. Notwithstanding any law  
20 to the contrary, reimbursements for medicaid services to  
21 facilities for individuals with Alzheimer's disease and related



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1 dementias shall be based on a rate negotiated by the department  
 2 of human services; provided effective July 30, 2020, that the  
 3 reimbursement rate shall reflect an increase of \_\_\_\_\_ per cent."


4 SECTION 4. New statutory material is underscored.

5 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

  
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# S.B. NO. 2339

**Report Title:**

Alzheimer's Disease and Related Dementia Training; Department of Health; Medicaid; Department of Human Services; Kupuna Caucus

**Description:**

Requires the department of health to establish an Alzheimer's disease and related dementia training program for care workers whose work involves extensive contact with participants or residents. Specifies training curriculum and continuing education requirements. Authorizes the Department of Human Services to negotiate a reimbursement rate to facilities for individuals with Alzheimer's disease and related dementias. Specifies the percentage by which these reimbursement rates are to be increased.

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