

1 AN ACT relating to direct-care staff.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 216 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) For purposes of this section, "direct-care staff":*

6 *(a) Means any person employed by a personal services agency as defined by*
7 *KRS 216.710, a home health agency as defined by KRS 216.935, or any*
8 *other entity to provide care for a client who has Alzheimer's or another*
9 *form of dementia in the client's home;*

10 *(b) Includes but is not limited to certified nursing assistants, nurse aides,*
11 *personal care assistants, home health or personal care aides, licensed*
12 *practical nurses, licensed vocational nurses, registered nurses, and social*
13 *workers; and*

14 *(c) Does not include a person who is employed to provide care for a client with*
15 *Alzheimer's or another form of dementia in a long-term care facility as*
16 *defined by KRS 216.510.*

17 *(2) In addition to any other training required by law, all direct-care staff shall, prior*
18 *to providing care to clients who have Alzheimer's or another form of dementia,*
19 *complete cabinet-approved training in dementia care that includes a curriculum*
20 *that is:*

21 *(a) Culturally competent for staff and care recipients; and*

22 *(b) Person-centered, including thorough knowledge of the person and the*
23 *person's abilities and needs, advancement of optimal functioning and a*
24 *high quality of life, use of problem-solving approaches to care, and*
25 *techniques that ensure and preserve residents' respect, values, choice, and*
26 *dignity.*

27 *(3) Employers shall ensure that all direct-care staff who provide care to clients who*

- 1 have Alzheimer's or another form of dementia have received at least four (4)
2 hours of initial training that is approved by the cabinet within the first sixty (60)
3 days of employment in that capacity or within six (6) months after the effective
4 date of this Act regarding:
- 5 (a) Alzheimer's disease and dementia;
6 (b) Person-centered care;
7 (c) Assessment and care planning;
8 (d) Activities of daily living; and
9 (e) Dementia-related behaviors and communication.
- 10 (4) Employers shall ensure that all direct-care staff who provide direct care to clients
11 who have Alzheimer's or another form of dementia receive a minimum of two (2)
12 additional hours of cabinet-approved training annually regarding the most
13 current information on best practices in the treatment and care of persons who
14 have Alzheimer's and other forms of dementia.
- 15 (5) Employers shall provide certificates of completion of cabinet-approved trainings
16 to direct-care staff who provide care to clients who have Alzheimer's or another
17 form of dementia as required by this section only after each direct-care staff
18 person has taken the trainings and passed an evaluation which has been
19 approved by the cabinet.
- 20 (6) Employers shall be responsible for maintaining documentation regarding
21 completed dementia trainings.
- 22 (7) A direct-care staff person who has a lapse of twenty-four (24) months in direct-
23 care staff employment shall be required to repeat the required four (4) hours of
24 initial dementia care training.
- 25 (8) The certificates of completion referenced in subsection (5) of this section shall be
26 portable among employment settings within the state.
- 27 (9) The cabinet shall:

- 1 (a) Promulgate administrative regulations to implement, monitor, and enforce
2 compliance with the training requirements of this section;
- 3 (b) Identify and designate standardized trainings, including online trainings,
4 that will satisfy the requirements of this section within ninety (90) days of
5 the effective date of this Act; and
- 6 (c) Ensure that the cabinet-approved trainings, both online and in-person,
7 reflect current standards and best practices in the care and treatment of
8 persons with Alzheimer's and other forms of dementia.
- 9 (10) Employers may submit training curriculum to the cabinet for approval.