

**216.9375 Minimum training requirements for direct-care staff serving individuals with Alzheimer's or other dementias -- Certificates of completion -- Penalties.**

- (1) The purpose of this section is to set minimum training requirements for direct-care staff members that are employed by facilities or programs regulated by the cabinet that provide services to individuals who exhibit symptoms of Alzheimer's disease or other dementias in the populations they serve.
- (2) Direct-care staff members shall, prior to providing care to recipients who exhibit symptoms of Alzheimer's disease or other dementias, complete cabinet-approved training in dementia care that includes a curriculum that is:
  - (a) Culturally competent for staff and care recipients; and
  - (b) Person-centered, including thorough knowledge of the recipient and the recipient's abilities and care needs, advancement of optimal functioning and a high quality of life, use of problem-solving approaches to care, and techniques that ensure and preserve the recipient's respect, values, choice, and dignity.
- (3) Facilities or programs shall ensure that all direct-care staff members who provide care to recipients who exhibit symptoms of Alzheimer's disease or other dementias have completed the training required in subsection (2) of this section, received at least six (6) hours of cabinet-approved training within the first sixty (60) days of employment and a minimum of three (3) additional hours of cabinet-approved training annually. The content of this annual training shall address the most current information on best practices in the treatment and care of persons who exhibit symptoms of Alzheimer's disease or other dementias. The training curriculum shall include but not be limited to the following topics:
  - (a) Alzheimer's disease or other dementias;
  - (b) Person-centered care;
  - (c) Assessment and care planning;
  - (d) Activities of daily living; and
  - (e) Dementia-related behaviors and communications.
- (4) Facilities or programs shall provide certificates of completion of cabinet-approved trainings to direct-care staff members who successfully complete the required courses. Successful completion is determined by attendance for the entire course and achievement of a passing grade on the post-evaluation measures. The certificates of completion shall be portable among employment settings within the state.
- (5) Facilities or programs shall be responsible for maintaining documentation of completed training courses for each direct-care staff member who provides care to recipients who exhibit symptoms of Alzheimer's disease or other dementias.
- (6) Direct-care staff members who have a lapse of twenty-four (24) months or more providing home health aide services to recipients who exhibit symptoms of Alzheimer's disease or other dementias shall be required to complete the six (6) hours of initial dementia care training within sixty (60) days of providing care to recipients who exhibit symptoms of Alzheimer's disease or other dementias as

required by subsection (3) of this section.

- (7) Facilities or programs may submit any training curriculums currently in use to the cabinet for approval.
- (8) Advertising, marketing, or verbally offering to provide care for a recipient who exhibits symptoms of Alzheimer's disease or other dementias that is not in compliance with the requirements set forth in this section is prohibited.
- (9) Any facility or program licensed, certified, or regulated by the cabinet that knowingly holds itself out as a provider to a recipient who exhibits symptoms of Alzheimer's disease or other dementias and fails to comply with this section is deemed to have violated this section and shall be fined an amount not to exceed five hundred dollars (\$500) for each day it is in violation of this section.
- (10) Any individual or entity, not a facility or program or not operated by the federal government or any agency thereof, that knowingly holds himself, herself, or itself out as a provider of care to a recipient who exhibits symptoms of Alzheimer's disease or other dementias and fails to comply with this section is deemed to have violated this section and shall be fined an amount not to exceed five hundred dollars (\$500) for each day it is in violation of this section.
- (11) The cabinet shall within ninety (90) days of June 29, 2021:
  - (a) Promulgate administrative regulations to implement, monitor, and enforce compliance with the training requirements of this section;
  - (b) Identify, designate, and approve standardized curriculums, including online training programs, that will satisfy the requirements of this section; and
  - (c) Ensure that the cabinet-approved training programs, both online and in classroom, reflect current standards and best practices in the care and treatment of persons who exhibit symptoms of Alzheimer's disease or other dementias.

**Effective:** June 29, 2021

**History:** Created 2021 Ky. Acts ch. 72, sec. 4, effective June 29, 2021.