

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 732**

**Representatives Pelanda, Arndt**

**Cosponsors: Representatives Koehler, Gavarone, Patterson, Boggs, Lanese,  
Carfagna**

---

**A BILL**

To enact section 173.041 of the Revised Code to 1  
establish dementia training requirements for 2  
long-term services and supports providers. 3

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 173.041 of the Revised Code be 4  
enacted to read as follows: 5

**Sec. 173.041.** (A) As used in this section: 6

(1) "Community-based long-term care services" has the same 7  
meaning as in section 173.14 of the Revised Code. 8

(2) "Community-based long-term care services provider" 9  
means a person or government entity that provides community- 10  
based long-term care services. 11

(3) "Dementia" includes Alzheimer's disease or a related 12  
disorder. 13

(4) "Employee" means an individual engaged in activities 14  
for compensation on behalf of a long-term services and supports 15  
provider or its arranged health and social service providers. 16

<u>"Employee" includes an independent contractor.</u>	17
<u>(5) "Indirect-care staff" means an individual who works in a position that does not involve providing direct care.</u>	18
<u>"Indirect-care staff" includes maintenance, housekeeping, food service, and administrative staff.</u>	19
<u>"Indirect-care staff" includes maintenance, housekeeping, food service, and administrative staff.</u>	20
<u>"Indirect-care staff" includes maintenance, housekeeping, food service, and administrative staff.</u>	21
<u>(6) "Long-term care facility" means both of the following:</u>	22
<u>(a) A long-term care facility as defined in section 3702.51 of the Revised Code;</u>	23
<u>(a) A long-term care facility as defined in section 3702.51 of the Revised Code;</u>	24
<u>(b) A residential care facility as defined in section 3721.01 of the Revised Code.</u>	25
<u>(b) A residential care facility as defined in section 3721.01 of the Revised Code.</u>	26
<u>(7) "Long-term services and supports provider" means a long-term care facility or a community-based long-term care services provider.</u>	27
<u>(7) "Long-term services and supports provider" means a long-term care facility or a community-based long-term care services provider.</u>	28
<u>(7) "Long-term services and supports provider" means a long-term care facility or a community-based long-term care services provider.</u>	29
<u>(8) "Supervisor" means an individual who supervises direct-care staff.</u>	30
<u>(8) "Supervisor" means an individual who supervises direct-care staff.</u>	31
<u>(B) If a long-term services and supports provider has a special program or special care unit for individuals with dementia or advertises, markets, or otherwise promotes itself as providing services for individuals with dementia, the employees described in division (C) of this section shall complete, at minimum, the training described in that division.</u>	32
<u>(B) If a long-term services and supports provider has a special program or special care unit for individuals with dementia or advertises, markets, or otherwise promotes itself as providing services for individuals with dementia, the employees described in division (C) of this section shall complete, at minimum, the training described in that division.</u>	33
<u>(B) If a long-term services and supports provider has a special program or special care unit for individuals with dementia or advertises, markets, or otherwise promotes itself as providing services for individuals with dementia, the employees described in division (C) of this section shall complete, at minimum, the training described in that division.</u>	34
<u>(B) If a long-term services and supports provider has a special program or special care unit for individuals with dementia or advertises, markets, or otherwise promotes itself as providing services for individuals with dementia, the employees described in division (C) of this section shall complete, at minimum, the training described in that division.</u>	35
<u>(B) If a long-term services and supports provider has a special program or special care unit for individuals with dementia or advertises, markets, or otherwise promotes itself as providing services for individuals with dementia, the employees described in division (C) of this section shall complete, at minimum, the training described in that division.</u>	36
<u>(B) If a long-term services and supports provider has a special program or special care unit for individuals with dementia or advertises, markets, or otherwise promotes itself as providing services for individuals with dementia, the employees described in division (C) of this section shall complete, at minimum, the training described in that division.</u>	37
<u>(C) (1) Supervisors shall complete the following instruction:</u>	38
<u>(C) (1) Supervisors shall complete the following instruction:</u>	39
<u>(a) Eight hours in the topics listed in division (D) of this section within the first one hundred twenty hours of work for the long-term services and supports provider. At least two of the eight hours shall be completed within the first forty hours of work.</u>	40
<u>(a) Eight hours in the topics listed in division (D) of this section within the first one hundred twenty hours of work for the long-term services and supports provider. At least two of the eight hours shall be completed within the first forty hours of work.</u>	41
<u>(a) Eight hours in the topics listed in division (D) of this section within the first one hundred twenty hours of work for the long-term services and supports provider. At least two of the eight hours shall be completed within the first forty hours of work.</u>	42
<u>(a) Eight hours in the topics listed in division (D) of this section within the first one hundred twenty hours of work for the long-term services and supports provider. At least two of the eight hours shall be completed within the first forty hours of work.</u>	43
<u>(a) Eight hours in the topics listed in division (D) of this section within the first one hundred twenty hours of work for the long-term services and supports provider. At least two of the eight hours shall be completed within the first forty hours of work.</u>	44

(b) Two hours annually in topics related to dementia care, 45  
beginning in the first full calendar year after completion of 46  
the instruction required by division (C) (1) (a) of this section. 47

(2) Direct-care staff shall complete the following 48  
instruction: 49

(a) Eight hours in the topics listed in division (D) of 50  
this section within the first one hundred twenty hours of work 51  
with the long-term services and supports provider. At least four 52  
of the eight hours shall be completed within the first forty 53  
hours of work. 54

(b) Two hours annually in topics related to dementia care, 55  
beginning in the first full calendar year after completion of 56  
the instruction required by division (C) (2) (a) of this section. 57

(3) Indirect-care staff shall complete the following 58  
instruction: 59

(a) Four hours in the topics listed in division (D) of 60  
this section within the first one hundred sixty hours of work 61  
with the long-term services and supports provider; 62

(b) Two hours annually in topics related to dementia care, 63  
beginning in the first full calendar year after completion of 64  
the instruction required by division (C) (3) (a) of this section. 65

(D) The instruction required under division (C) of this 66  
section shall include all of the following topics: 67

(1) The long-term services and supports provider's 68  
mission, values, and expectations of staff; 69

(2) Person-centered training and care planning, including 70  
cultural awareness; 71

<u>(3) Social and physical environment characteristics that</u>	72
<u>trigger or exacerbate behavioral and psychological symptoms of</u>	73
<u>dementia;</u>	74
<u>(4) Meaningful and engaging activities for individuals</u>	75
<u>with dementia;</u>	76
<u>(5) Pain assessment;</u>	77
<u>(6) Medication management;</u>	78
<u>(7) Family dynamics;</u>	79
<u>(8) General information about dementia;</u>	80
<u>(9) How to assist an individual with dementia with daily</u>	81
<u>living activities, including evaluating preferences and goals;</u>	82
<u>(10) Problem solving challenging behavior, including</u>	83
<u>nonpharmacological intervention;</u>	84
<u>(11) Communication skills.</u>	85
<u>(E) (1) The instruction required by division (C) of this</u>	86
<u>section shall be evidence-based, include competency evaluations,</u>	87
<u>and utilize interactive learning techniques such as experiential</u>	88
<u>exercises, case studies, and group discussions.</u>	89
<u>(2) Not more than four of the eight hours of instruction</u>	90
<u>required by divisions (C) (1) (a) and (2) (a) of this section shall</u>	91
<u>be completed by unfacilitated online or video presentations. Not</u>	92
<u>more than two of the four hours of instruction required by</u>	93
<u>division (C) (3) (a) of this section shall be completed by</u>	94
<u>unfacilitated online or video presentations.</u>	95
<u>(F) (1) No person shall provide direct care to an</u>	96
<u>individual with dementia on behalf of a long-term services and</u>	97
<u>supports provider if the person has not completed the initial</u>	98

four hours of instruction required by division (C) (2) (a) of this 99  
section, unless directly supervised by a staff member who has 100  
completed the initial four hours of that instruction. 101

(2) A long-term services and supports provider shall 102  
ensure that a supervisor who has completed the instruction 103  
required by division (C) (1) of this section is available to 104  
consult with direct-care staff members who have not yet 105  
completed the instruction required by division (C) (2) (a) of this 106  
section. 107

(G) A long-term services and supports provider shall 108  
provide to consumers information about the provider's dementia 109  
training program, including information about the categories of 110  
employees instructed, the content of the instruction, and the 111  
frequency of the instruction. The information shall be in 112  
written format and may be provided electronically. 113