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H.B. No. 3428

A BILL TO BE ENTITLED

AN ACT

relating to training on Alzheimer's disease and dementia for certain Department of Family and Protective Services employees and area agencies on aging employees and volunteers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 40, Human Resources Code, is amended by adding Section 40.036 to read as follows:

Sec. 40.036. ALZHEIMER'S DISEASE AND DEMENTIA TRAINING.

(a) In this section:

(1) "Adult protective services employee" means a division employee who performs a function described by Section 40.035(a).

(2) "Division" means the department's adult protective services division.

(b) Except as provided by Subsections (c) and (d), the department shall develop a training program for adult protective services employees on identifying and interacting with individuals who have Alzheimer's disease or dementia. The program must include an initial four-hour training requirement and an annual two-hour continuing education requirement. The requirements are in addition to the training required by Section 40.035, but may be provided in conjunction with that training. The training program must cover, at a minimum, information about:

(1) dementia, including behavioral and psychiatric

1 symptoms;

2 (2) interaction with an individual who has impaired  
3 communication skills, including effective and respectful  
4 communication techniques;

5 (3) techniques for understanding and approaching an  
6 individual's behavioral symptoms;

7 (4) specific aspects of safety, including wandering by  
8 an individual;

9 (5) abuse, neglect, and exploitation, as defined by  
10 Section 48.002, of an individual with Alzheimer's disease or  
11 dementia, including:

12 (A) identifying the most common types of abuse;

13 (B) recognizing signs of abuse, neglect, and  
14 exploitation; and

15 (C) identifying when it is necessary to contact a  
16 law enforcement agency about potential criminal behavior toward an  
17 individual with Alzheimer's disease or dementia that is committed  
18 by a family member or caretaker of the individual or that occurs in  
19 an institution;

20 (6) identification of self-neglect by an individual  
21 with Alzheimer's disease or dementia; and

22 (7) protocols for connecting an individual with  
23 Alzheimer's disease or dementia to local care resources or  
24 professionals who are skilled in dementia care to encourage  
25 cross-referring the individual for services and increase reporting  
26 of incidents of abuse, neglect, or exploitation.

27 (c) The division may use a training program developed or

1 adopted by the Health and Human Services Commission or the  
2 Department of State Health Services if the program is equivalent to  
3 or more extensive than the program requirements under Subsection  
4 (b).

5 (d) If another state law or a federal law or regulation  
6 requires training on Alzheimer's disease or dementia that is more  
7 rigorous or extensive than the training required by Subsection (b),  
8 the division shall provide training to adult protective services  
9 employees that complies with that law or regulation.

10 (e) An area agency on aging must ensure that the agency's  
11 employees or volunteers who provide services directly to an elderly  
12 individual or the individual's family members or caregivers receive  
13 training on Alzheimer's disease and dementia. The training must:

14 (1) be evidence-based or evidence-informed; and

15 (2) focus on:

16 (A) recognizing the signs and symptoms of  
17 cognitive impairments caused by Alzheimer's disease or dementia;  
18 and

19 (B) understanding how the cognitive impairments  
20 may affect the screening of and service planning for an elderly  
21 individual.

22 (f) An area agency on aging may provide the training  
23 described by Subsection (b) through:

24 (1) a course developed by the agency; or

25 (2) a course that is available from the department,  
26 the Health and Human Services Commission, the Department of State  
27 Health Services, or an entity that is involved in education or

1 services relating to Alzheimer's disease or dementia, including the  
2 Alzheimer's Association and caregiver organizations.

3 SECTION 2. As soon as practicable after the effective date  
4 of this Act, the Department of Family and Protective Services  
5 shall:

6 (1) develop or approve the Alzheimer's disease and  
7 dementia training program required by Section 40.036, Human  
8 Resources Code, as added by this Act; and

9 (2) begin providing the initial training required by  
10 that section to all existing and newly hired adult protective  
11 services employees, as defined by that section.

12 SECTION 3. This Act takes effect September 1, 2019.