

BILL ANALYSIS

Senate Research Center

H.B. 1673
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Individuals with Alzheimer's are high users of long-term care services. By the age of 80, 75 percent of people with Alzheimer's live in a long-term care setting, compared with just four percent of the general population. Individuals and families affected by Alzheimer's face a debilitating and progressive disease that requires different types of care and support throughout the stages of the disease, often making care delivery more challenging and more demanding.

The Alzheimer's Association has noted that the single most important determinant of quality dementia care across all care settings is direct care staff. These providers help shape the daily lives of people with dementia and assist with all aspects of care. Through their close interactions with people with dementia, direct care workers gain an in-depth knowledge of the individual including their preferences, behaviors, and cognitive ability. Unfortunately, the ability of these health care professionals to provide quality dementia care is jeopardized due to high levels of turnover and job dissatisfaction due to low pay, poor working conditions, and few opportunities for career advancement. Reviews have shown that staff training programs to improve the quality of dementia care has positive benefits, but staff are unlikely to receive adequate training.

Current law states that assisted-living staff serving Alzheimer's residents should be trained in Alzheimer's, but does not specify content or number of hours. H.B. 1673 would require that assisted living facility employees receive an initial four hours of dementia training and two hours of continuing education annually. Dementia training of those involved in the delivery of care can improve the quality of care and the living experience of residents with Alzheimer's and dementia. Equally important, this enhanced dementia training can provide the tools and resources long-term care staff need to feel supported and successful in caring for residents with Alzheimer's and dementia, as well as increase job satisfaction and retention rates.

Key provisions:

H.B. 1673 would add Section 247.0291, Health and Safety Code, which does the following:

- Defines terms such as "assisted living manager," "direct service staff member," and "staff member."
- Clarifies that training requirements for staff members only apply to assisted living facilities that provide personal care services to residents with Alzheimer's disease.
- Requires direct staff members providing care to residents with Alzheimer's disease or related disorders to complete four hours of training and pass a competency-based evaluation. Additionally, staff members must complete two hours of continuing education on best practices related to the treatment of and provision of care annually.

H.B. 1673 amends current law relating to training requirements for staff members of certain assisted living facilities that provide care to persons with Alzheimer's disease and related disorders.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 247.0291, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 247, Health and Safety Code, by adding Section 247.0291, as follows:

Sec. 247.0291. TRAINING REQUIREMENTS FOR STAFF MEMBERS OF ASSISTED LIVING FACILITIES PROVIDING CARE TO RESIDENTS WITH ALZHEIMER'S DISEASE OR RELATED DISORDERS. (a) Defines "assisted living manager," "direct service staff member," and "staff member."

(b) Provides that this section applies only to an assisted living facility that:

(1) provides personal care services to residents with Alzheimer's disease or related disorders; and

(2) does not hold a license classified under Section 247.029 (Facilities for Persons with Alzheimer's Disease) to provide those services.

(c) Requires an assisted living facility to require each facility staff member to complete training on Alzheimer's disease and related disorders in accordance with this section. Authorizes training hours completed by a staff member under this section to be credited toward any applicable training requirements the executive commissioner of the Health and Human Services Commission (executive commissioner; HHSC) prescribes for assisted living facility managers or employees.

(d) Requires an assisted living facility to require each direct service staff member to successfully complete four hours of training and pass a competency-based evaluation on:

(1) Alzheimer's disease and related disorders;

(2) the provision of person-centered care;

(3) assessment and care planning;

(4) daily life activities of residents with Alzheimer's disease or related disorders; and

(5) common behaviors and communications associated with residents with Alzheimer's disease and related disorders.

(e) Prohibits a direct service staff member from providing any direct care to a resident with Alzheimer's disease or related disorders until the staff member successfully completes the training and passes the evaluation required under Subsection (d).

(f) Requires an assisted living facility to require each assisted living manager employed by the facility to successfully complete four hours of training and pass a competency-based evaluation on:

(1) the topics listed under Subsection (d);

(2) administrative support services related to information for comorbidities management, care planning, and the provision of medically appropriate education and support services and resources in the community, including person-centered care, to residents with Alzheimer's disease or related disorders and their families;

(3) staffing requirements to facilitate collaboration and cooperation among facility staff members and to ensure each staff member obtains appropriate informational materials and training to properly care for and interact with residents with Alzheimer's disease or related disorders based on the staff member's position;

(4) the establishment of a supportive and therapeutic environment for residents with Alzheimer's disease or related disorders to enhance the sense of community among the residents and within the facility; and

(5) the transition of care and coordination of services for residents with Alzheimer's disease or related disorders.

(g) Requires an assisted living facility to require each staff member who is not required to complete the training or pass the evaluation under Subsection (d) or (f), including housekeeping staff, front desk staff, maintenance staff, and other staff members with incidental but recurring contact with residents with Alzheimer's disease or related disorders, to successfully complete training and pass a competency-based evaluation on the topics listed under Subsections (d)(1), (2), and (5).

(h) Requires an assisted living facility to provide a certificate of completion to and maintain records of each certificate, in accordance with applicable records retention policies HHSC prescribes, for each staff member who successfully completes the training and passes the evaluation required under Subsection (d), (f), or (g).

(i) Requires each direct service staff member and assisted living manager who successfully completes the training and passes the evaluation required under Subsection (d) or (f) to complete annually two hours of continuing education on best practices related to the treatment of and provision of care to residents with Alzheimer's disease or related disorders.

(j) Provides that an assisted living facility staff member who successfully completes the training and passes the evaluation required under Subsection (d), (f), or (g) and who transfers to another facility is not required to complete those requirements for the other facility, except as provided by Subsection (k).

(k) Authorizes an assisted living facility to require a staff member who has had a lapse of employment with facilities to which this section applies for a period of two years or more to successfully complete the training and pass the evaluation required under Subsection (d), (f), or (g) even if the staff member previously completed those requirements.

(l) Requires each assisted living facility staff member who successfully completes the training, including continuing education requirements, and passes an evaluation required under this section to maintain documentation regarding the training and evaluation.

(m) Requires the executive commissioner to adopt rules necessary to implement this section.

SECTION 2. Requires the executive commissioner, as soon as practicable after the effective date of this Act, to adopt any rules necessary to implement the changes in law made by this Act.

SECTION 3. Provides that an assisted living facility staff member to which Section 247.0291, Health and Safety Code, as added by this Act, applies, notwithstanding that section, is not required to complete the training or pass the competency-based evaluation required under that section until December 31, 2024.

SECTION 4. Effective date: September 1, 2023.