



## Long-Term Care Regulatory Provider Letter

<b>Number:</b> PL 19-10
<b>Title:</b> Enforcement of Requirements Related to Training of Staff Who Care for Individuals with Alzheimer’s Disease or Related Disorders
<b>Provider Types:</b> Assisted Living Facility (ALF), Day Activity and Health Services (DAHS) Facility and Nursing Facility (NF)
<b>Date Issued:</b> May 2, 2019

### 1.0 Subject and Purpose

The purpose of this letter is to remind ALF, DAHS and NF providers that they must have completed the development and implementation of the required policies related to training staff who care for persons with Alzheimer’s disease or related disorders by no later than May 1, 2019. These requirements are found in the Texas Health and Safety Code (HSC) Chapter 326 and various chapters of the Texas Administrative Code<sup>1</sup> (TAC).

### 2.0 Policy Details & Provider Responsibilities

HSC Chapter 326 and the rules adopted under that chapter require ALF, DAHS and NF providers to adopt, implement and enforce a written policy that requires a facility employee who provides direct care to an individual with Alzheimer’s disease or a related disorder to successfully complete training in the provision of care to such individuals. The written policy must also ensure that care and services provided to an individual with Alzheimer’s disease or a related disorder meets the individual’s specific, identified needs related to the diagnosis of Alzheimer's disease or a related disorder. Surveyors will cite facilities for any noncompliance identified on or after May 1, 2019.

During a survey or investigation, facility staff may be asked to provide the facility’s written policy and evidence that the facility is implementing the policy. The evidence must include documentation that each employee who

<sup>1</sup> 40 TAC §19.1920(e), for a nursing facility; 26 TAC §553.43, for an assisted living facility and 40 TAC §98.62(e)(3), for a day activity and health services (DAHS) facility.

provides direct care to an individual with Alzheimer's disease or a related disorder has successfully completed training in the provision of care to such an individual. The documentation must demonstrate that the training included the information required by the applicable rule<sup>2</sup>. The evidence must also include documentation that the care and services provided meet the specific identified needs of the individual relating to the diagnosis of Alzheimer's disease or a related disorder, as identified in the applicable care plan for the individual.

The Health and Human Services Commission (HHSC) will not provide the staff training necessary to meet the requirements of HSC Chapter 326 and the related TAC chapters. Therefore, providers must offer or ensure that their employees receive appropriate training.

### **3.0 Background/History**

House Bill (HB) 2025, which was passed during the 85<sup>th</sup> Texas Legislature, Regular Session, 2017, required HHSC to develop rules requiring ALF, DAHS and NF providers to train facility employees who provide direct care to individuals with Alzheimer's disease or related disorders and to ensure the care and services provided to those individuals meet their needs related to their diagnosis of Alzheimer's disease or a related disorder. The rules became effective on October 28, 2018; however, HHSC allowed ALF, DAHS and NF providers until May 1, 2019 to develop and implement the required policies related to Alzheimer's training.

### **4.0 Contact Information**

If you have any questions about this letter, please contact the Policy, Rules and Training Section by email at [PolicyRulesTraining@hhsc.state.tx.us](mailto:PolicyRulesTraining@hhsc.state.tx.us) or call (512) 438-3161.

*[signature on file]*

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<sup>2</sup> See rules reference in footnote 1.