

# MAINE STATE LEGISLATURE

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# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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Legislative Document

No. 1548

S.P. 485

In Senate, April 11, 2019

**Resolve, To Promote Quality and Transparency in the Provision of  
Services by Assisted Housing Programs That Provide Memory Care**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator LIBBY of Androscoggin.

1           **Sec. 1. Time study of needs of residents in assisted housing programs.**

2           **Resolved:** That, in order to determine the needs of residents in assisted housing  
3 programs as defined in the Maine Revised Statutes, Title 22, section 7852, subsection 2,  
4 the Department of Health and Human Services shall contract with the University of  
5 Southern Maine's Edmund S. Muskie School of Public Service to conduct a study to  
6 determine the amount of time assisted housing program staff devote to meeting the needs  
7 of residents in assisted housing programs. The time study must focus on the time  
8 allocated to meeting the needs of residents with Alzheimer's disease or dementia. The  
9 study must document the amount of time assisted housing program staff engage in all  
10 tasks required to meet the needs of residents, including, but not limited to, hands-on care  
11 and redirection, cueing and reminders provided to residents experiencing symptoms of  
12 distress.

13           **Sec. 2. Rulemaking regarding Alzheimer's and dementia care and other**  
14 **memory care in assisted housing programs. Resolved:** That the Department of  
15 Health and Human Services shall amend its rule Chapter 113: Regulations Governing the  
16 Licensing and Functioning of Assisted Housing Programs to:

17           1. Require assisted housing programs to provide disclosure statements to prospective  
18 and current residents of Alzheimer's and dementia care units or other memory care units  
19 and to post the statements in a conspicuous place in each unit. The disclosure statements  
20 must include:

- 21           A. A description of the care and services relevant to specialized Alzheimer's and  
22 dementia care or other memory care provided by the unit;
- 23           B. Information on staffing in the unit to meet residents' needs;
- 24           C. A description of therapeutic activities provided by the unit;
- 25           D. Information on staff training specific to Alzheimer's and dementia care and other  
26 memory care; and
- 27           E. Other information the department determines necessary to adequately inform  
28 consumers and family members about specialized services provided by the unit;

29           2. Change a requirement that facilities with Alzheimer's or dementia care units or  
30 other memory care units provide classroom training to new employees on dealing with  
31 difficult behaviors to a requirement that facilities with Alzheimer's or dementia care units  
32 or other memory care units provide classroom training to new employees on  
33 understanding behavior as communication;

34           3. Require all facilities with Alzheimer's or dementia care units or other memory care  
35 units to offer individual or group activities in accordance with assessed individual person-  
36 centered needs of each resident; and

37           4. Require staffing agencies, including agencies that provide temporary staffing, to  
38 provide evidence to facilities with Alzheimer's or dementia care units or other memory  
39 care units that the staff provided to the units have received training required by  
40 department rule.

1           **Sec. 3. Department of Health and Human Services; Alzheimer's and**  
2 **dementia care and other memory care work group. Resolved:** That the  
3 Department of Health and Human Services' division of licensing and certification shall  
4 establish a work group including providers, advocates and family members of persons  
5 with Alzheimer's disease or dementia to review the adequacy of current training for direct  
6 care staff in Alzheimer's and dementia care units or other memory care units within  
7 assisted housing programs required by department rules. The work group shall:

8           1. Consider the development and implementation of a written or oral competency  
9 exam or evaluation to demonstrate skill competency and knowledge gained through the  
10 training curriculum for direct care staff. The work group shall also consider the inclusion  
11 of care recipient and family surveys as part of the evaluation of training competency;

12           2. Review current rules regarding training for direct care staff in Alzheimer's or  
13 dementia care units and other memory care units within assisted housing programs to  
14 ensure that training includes:

15           A. A basic introduction to the foundations of Alzheimer's and dementia care and  
16 other memory care;

17           B. Communicating and connecting with residents with Alzheimer's disease or  
18 dementia;

19           C. Techniques and approaches to care of persons with Alzheimer's disease or  
20 dementia;

21           D. Person-centered care;

22           E. Understanding the needs of and working with families;

23           F. The dietary needs of residents with Alzheimer's disease or dementia;

24           G. The social needs and appropriate activities in the care of residents with  
25 Alzheimer's disease or dementia;

26           H. Recognizing and responding to caregiver stress;

27           I. Preventing, recognizing and responding to abuse and neglect of residents with  
28 Alzheimer's disease or dementia; and

29           J. Interactive training;

30           3. Review ongoing training requirements for direct care staff in Alzheimer's or  
31 dementia care units and other memory care units and consider whether:

32           A. An additional 4 to 8 hours of annual training should be provided; and

33           B. Management and other staff should be included in training; and

34           4. Make recommendations to the department for amendments to the rules governing  
35 assisted housing programs that focus on person-centered care. The recommendations  
36 must include a definition of "person-centered care." The review must include a review of  
37 life stories of residents and their habits and preferences as approaches to better  
38 understand resident needs to plan and provide care.

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**SUMMARY**

2           This resolve requires the Department of Health and Human Services to contract with  
3 the University of Southern Maine's Edmund S. Muskie School of Public Service to  
4 conduct a study to determine the amount of time assisted housing program staff devote to  
5 meeting the needs of residents in assisted housing programs, with a focus on residents  
6 with Alzheimer's disease or dementia. It requires the department to amend certain  
7 provisions in the department's rule governing the licensing and functioning of assisted  
8 housing programs. It requires the department to establish a work group to review  
9 department rules governing training for direct care staff in Alzheimer's or dementia care  
10 units and other memory care units to determine the adequacy of the training.