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Sokola, Townsend, Walsh; Reps. Griffith, Hilovsky,
Longhurst, Morrison, Wilson-Anton

DELAWARE STATE SENATE
152nd GENERAL ASSEMBLY

SENATE BILL NO. 150

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO DEMENTIA CARE SERVICES IN
LONG-TERM CARE FACILITIES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Chapter 11, Title 16 of the Delaware Code by making deletions as shown by strike through and
2 insertions as show by underline as follows:

3 § 1192 Definitions.

4 For the purposes of this subchapter:

5 (a) “Activity Services” means the provision of activities intended to stimulate and engage residents with
6 Alzheimer’s disease or other dementias.

7 (b) “Dementia Care Services” means specialized care for individuals with Alzheimer’s disease or other
8 dementias. Long-term care facilities providing this specialized care must have a clear mission and programming that is
9 structured to meet the needs of these residents.

10 (c) “Department” means the Department of Health and Social Services.

11 (d) “Division” means the Division of Health Care Quality.

12 (e) “Long-term care facility” means any facility as defined in § 1102(4) of this title.

13 (f) “Resident” means an individual, whether identified as a patient, guest, or other designation, residing and
14 receiving services in a long-term care facility.

15 § 1193 Dementia Care Services.

16 (a) All long-term care facilities providing dementia care services must have a sufficient number of dedicated staff
17 to meet the individual needs of each resident.

18 (b) Prior to providing dementia care services, all staff working with residents receiving dementia care services
19 must complete 12 hours of initial dementia care services training. Training must include all of the following topics:

20 (1) Communicating and interacting with individuals with Alzheimer’s disease or other dementias.

21 (2) The psychological, social, and physical needs of individuals with Alzheimer's disease or other
22 dementias.

23 (3) The benefits of non-pharmacological approaches to treatment.

24 (4) Safety measures necessary for individuals with Alzheimer's disease or other dementias.

25 (c) Staff working with residents receiving dementia care services must continue to receive ongoing, evidence-
26 based, dementia care services training as determined by the Department.

27 (d) Facilities that provide dementia care services must have dedicated activity staff in numbers adequate to meet
28 the individualized activity needs of the residents.

29 (1) The activity services program must involve the resident in an ongoing program of activities that is
30 designed to appeal to individual resident needs.

31 (2) The activity services program may include a combination of large and small group, one-to-one, and
32 self-directed activities.

33 (e) The Department may impose additional staffing requirements for any long-term care facility due to
34 unsatisfactory outcomes for a resident in such facility. Such determination is made at the sole discretion of the Department.

35 (f) Evidence of a failure to meet the individual needs of residents is grounds for enforcement action under this
36 chapter.

37 (g) The Department shall promulgate and adopt rules and regulations to fully and effectively implement the
38 provisions of this subchapter.

39 Section 2. This Act is effective immediately and is to be implemented upon receipt of notice by the Secretary of
40 Health and Social Services published in the Register of Regulations that final regulations to implement this Act have been
41 promulgated.

SYNOPSIS

This Act defines dementia care services and activity services, and it requires that all long-term care facilities that offer dementia care services have sufficient staff to meet the needs of each resident, including a sufficient number of dedicated activity staff. This Act also requires that the staff who work with residents receiving dementia care services complete dementia care services training and identifies certain requirements for such training.

Author: Senator Mantzavinos