



ALZHEIMER SPECIAL CARE MODEL LEGISLATION (RI)

Title

Section 1. –This statute is entitled “The Alzheimer’s Special Care Disclosure Act.”

Preamble

Section 2. –The legislature finds and declares that:

- (a) certain nursing home and related facilities, residential care/assisted living facilities, adult congregate living facilities, home health agencies, adult day care centers, hospices, and adult foster homes are presently known to claim special care for persons who have Alzheimer’s disease;
- (b) it is in the public interest to provide for the protection of consumers regarding the accuracy and authenticity of such claims; and
- (c) the provisions of the Act are intended to require such facilities to disclose the reasons for those claims, require records of such disclosures to be kept, require the appropriate state licensing agency (ies) to examine the records, provide penalties, and provide an effective date.

Definitions

Section 3. –For the purposes of this Act, the meaning of the terms specified shall be as follows:

"Alzheimer's Special Care Unit/Program" means any nursing facility, residential care/assisted living facility, adult congregate living facility, home health agency, adult day care center, hospice, or adult foster home that locks, secures, segregates, or provides a special program or special unit for residents with a diagnosis of probable Alzheimer's or a related disorder, to prevent or limit access by a resident outside the designated or separated area; and that advertises or markets the facility as providing specialized Alzheimer/dementia care services.

Special care unit disclosure by facilities

Section 4. –Any facility which offers to provide or provides care for patients or residents with Alzheimer's

COMMENTARY

Section 1. *The title of the Act should conform to state practice.*

Section 2. *The preamble establishes the rationale for providing consumer protection in SCUs.*

Section 3. *This section defines Special Care broadly to ensure all possible variations are appropriately covered by the Act. In terms of referring to your state’s individual special care options as either “Units” or “Programs” it is best to mirror the language that providers are currently using when marketing them.*

Section 4. *This is the heart of the Act. It is intended to protect the consumers of Special Care Unit/Program services*

disease or other dementia by means of an Alzheimer's special care unit shall be required to disclose the form of care or treatment provided, in addition to that care and treatment required by the rules and regulations for the licensing of nursing facilities. That disclosure shall be made to the licensing agency (ies) and to any person seeking placement in an Alzheimer's special care unit/program of a nursing facility.

The information disclosed shall explain the additional care provided in each of the following areas:

(1) Philosophy. The Alzheimer's special care unit's written statement of its overall philosophy and mission which reflects the needs of residents with dementia.

(2) Pre-admission, admission, and discharge. The process and criteria for placement, transfer or discharge from the unit.

(3) Assessment, care planning, and implementation. The process used for assessment and establishing the plan of care and its implementation, including the method by which the plan of care evolves and is responsive to changes in condition.

(4) Staffing patterns and training ratios. Staff training and continuing education practices.

(5) Physical environment. The physical environment and design features appropriate to support the functioning of cognitively impaired adult residents.

(6) Residents' activities. The frequency and types of resident activities.

(7) Family role in care. The involvement of families and family support programs.

(8) Program costs. The cost of care and any additional fees.

(b) The licensing agency shall develop a standard disclosure form and shall review the information provided on the disclosure form by the nursing facility to verify the accuracy of the information reported on it. Any significant changes in the information provided by the nursing facility will be reported to the licensing agency at the time the changes are made.

Effective Date

Section 5—This Act shall take effect upon passage.

from becoming victims of false claims made by care facilities. Detailed in the Act are specific areas of disclosure that closely mirror those outlined by the Alzheimer's Association in its Guidelines for Dignity: Goals of Specialized Alzheimer/Dementia Care in Residential Settings.

This section gives the Act "teeth" by spelling out the requirement that the appropriate state regulatory/licensing agency be appraised of any claims made by facilities regarding their Special Care Units/Programs, and provides a record-keeping requirement to ensure that such claims will be verified by the agency that renews the facility's license.

Section 5. *This section sets an effective date for the requirements of the Act to begin to take effect.*