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Legislative Service Commission

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136th General Assembly
Regular Session
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Sub. S. B. No. 314

To enact section 3721.36 of the Revised Code to enact the Ohio Dementia Care Training Act for Nurse Aides.

## BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

**Section 1.** That section 3721.36 of the Revised Code be enacted to read as follows:

**Sec. 3721.36.** (A) As used in this section:

(1) "Dementia" has the same meaning as in section 5165.03 of the Revised Code.

(2) "Long-term care facility" and "residential care facility" have the same meanings as in section 3721.21 of the Revised Code.

(3) "Nurse aide" has the same meaning as in section 3721.21 of the Revised Code, except that it also includes an individual who provides nursing and nursing-related services to residents in a residential care facility.

(B) Beginning not later than one hundred eighty days after the effective date of this section, each long-term care facility

and residential care facility shall require each nurse aide providing direct care to residents or patients of the facility to complete a minimum of two hours of dementia-specific training approved by the director of health on all of the following topics:

(1) An overview of dementia, including its different types;

(2) Communication techniques for interacting with individuals with dementia;

(3) Behavioral symptoms of individuals with dementia and management of those symptoms;

(4) Person-centered care practices;

(5) Promoting dignity, independence, and quality of life for individuals with dementia;

(6) Resident rights established under section 3721.13 of the Revised Code.

(C) The director of health shall approve dementia-specific training programs that meet the requirements described in division (B) of this section, including any of the following:

(1) Accredited in-person or online courses;

(2) Programs developed or endorsed by recognized dementia care organizations, including the essentiALZ program offered by the Alzheimer's association;

(3) State-provided or state-licensed training modules;

(4) Programs developed by a long-term care facility or residential care facility.

(D) Each long-term care facility and residential care

facility shall maintain records of compliance with division (B) of this section for each nurse aide employed by the facility.

(E) No nurse aide shall provide direct care to residents with dementia in a long-term care facility or residential care facility until the nurse aide has completed the training required under division (B) of this section.

(F) Each long-term care facility and residential care facility shall provide two hours of annual in-service education that meets the requirements for dementia-specific training in division (B) of this section to nurse aides providing nursing and nursing-related services to residents and patients with cognitive impairments.

(G) If the director of health determines that a long-term care facility or residential care facility has violated or failed to comply with the dementia-specific training requirements in divisions (B) and (F) of this section, the director may do any of the following:

(1) Impose a fine in an amount determined by the director;

(2) Request a licensee to submit an acceptable plan of correction to the director;

(3) In accordance with section 3721.07 of the Revised Code, revoke a license to operate.

**Section 2.** This act shall be known as the Ohio Dementia Care Training Act for Nurse Aides.