



2009 BILL

1 **AN ACT** *to create* 146.43 of the statutes; **relating to:** dementia specialist
2 certification program and requiring the exercise of rule-making authority.

Analysis by the Legislative Reference Bureau

This bill creates a dementia specialist certification program. If a nurse aide or a person designated by a care provider to coordinate and supervise resident activities attends an appropriate instructional program, completes a competency evaluation, and pays a certification fee, the Department of Health Services (DHS) must certify him or her as a dementia specialist. A certificate as a dementia specialist is valid for two years. To renew the certificate, a person must provide proof to DHS of four hours of continuing education. No person may use the title “dementia specialist” or “certified dementia specialist” unless he or she is certified by DHS.

The bill requires DHS to establish standards for a curriculum for the instructional program, which includes certain instructional topics. The instructional program must consist of at least 40 hours and must include both classroom and clinical instruction. DHS approves instructional programs that meet the standards DHS established and reviews each program at least once every two years. DHS may suspend or revoke an instructional program that fails to satisfy the standards.

Under the bill, DHS approves competency evaluations that meet its standards, and may suspend or revoke a competency evaluation program that fails to meet the standards.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 146.43 of the statutes is created to read:

2 **146.43 Dementia specialist certification. (1)** ELIGIBILITY FOR
3 CERTIFICATION. The department shall certify as a dementia specialist any of the
4 following persons who successfully complete an instructional program under sub.
5 (4), successfully complete a competency evaluation program under sub. (5), and pay
6 a fee set by the department by rule:

7 (a) A nurse aide, as defined in s. 146.40 (1) (d).

8 (b) A person designated by an entity, that is licensed or certified under ch. 50,
9 to coordinate and supervise resident–centered activities for the entity.

10 **(2) RENEWAL OF CERTIFICATE.** A certificate as a dementia specialist under sub.
11 (1) is valid for 24 months from the date the certificate is issued by the department.
12 A person who is certified as a dementia specialist may renew the certificate by
13 providing proof to the department of completion, every 24 months, of 4 hours of
14 continuing education, as defined by the department by rule.

15 **(3) PROGRAM CURRICULUM.** (a) The department shall promulgate rules
16 establishing standards for the curriculum of an instructional program that shall
17 include instruction in all of the following:

18 1. Understanding the signs and symptoms of the various forms of dementia and
19 the possible variations in care needs among individuals affected by the various forms
20 of dementia.

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1 2. How to approach, observe, listen to, and communicate with, an individual
2 with dementia.

3 3. Recognizing pain in an individual with dementia.

4 4. Skills and techniques for encouraging purposeful activities to provide
5 holistic care intended to promote optimal life experiences for persons with dementia.

6 5. Understanding the needs of an individual with dementia, how to develop a
7 trusting relationship within the challenges of the effects of dementia, and how to
8 avoid and manage behaviors that may be harmful to the individual or others.

9 6. Communication skills necessary to communicate with coworkers,
10 professionals, and families regarding individuals with dementia.

11 7. Skills necessary to effectively advocate for the needs and interests of persons
12 with dementia.

13 8. Developing and using care plans to assist individuals with dementia in
14 experiencing the highest possible quality of life.

15 9. Techniques for effective problem solving.

16 (b) The curriculum under par. (a) shall be no less than 40 hours of instruction,
17 including both classroom and clinical instruction.

18 **(4) INSTRUCTION PROGRAM APPROVAL.** (a) The department shall approve
19 instructional programs for dementia specialists that apply for approval and that
20 satisfy the standards promulgated by rule under sub. (3).

21 (b) The department shall review the curriculum of each approved instructional
22 program at least once every 24 months following the date of approval to determine
23 whether the program continues to satisfy the standards for approval.

24 (c) The department may, after providing notice, suspend or revoke the approval
25 of an instructional program or impose a plan of correction for the program if the

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1 program fails to satisfy the standards for approval or operates under conditions that
2 are other than those contained in the application approved by the department.

3 **(5) COMPETENCY EVALUATION PROGRAM APPROVAL.** (a) The department shall
4 promulgate rules to establish standards for the approval of competency evaluation
5 programs for dementia specialists.

6 (b) The department shall approve competency evaluation programs that apply
7 for approval and that satisfy the standards for approval promulgated by rule under
8 par. (a).

9 (c) The department may, after providing notice, suspend or revoke the approval
10 of a competency evaluation program or impose a plan of correction for the program
11 if the competency evaluation program fails to satisfy the standards for approval or
12 operates under conditions that are other than those contained in the application
13 approved by the department.

14 **(6) PROHIBITIONS ON USE OF TITLE.** No person may use the title “dementia
15 specialist” or “certified dementia specialist” unless he or she is certified under sub.
16 (1).

17 **(END)**