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AMENDED IN SENATE JUNE 18, 2007
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AMENDED IN ASSEMBLY MARCH 22, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 317

Introduced by Assembly Member Berg
(Coauthors: Assembly Members *De Leon, Dymally, Eng, Hancock,*
***Horton, Ma, and Salas*)**
(Coauthors: Senators ~~Kuehl~~ *Alquist, Kuehl,* and Wiggins)

February 13, 2007

An act to amend Section 9542 of the Welfare and Institutions Code, relating to community-based services.

LEGISLATIVE COUNSEL'S DIGEST

AB 317, as amended, Berg. Alzheimer's Day Care Resource Center Program.

Existing law, the Mello-Grandlund Older Californians Act, is administered by the California Department of Aging, and provides for various programs that serve the state's older population. This act includes the Alzheimer's Day Care Resource Center Program, which provides access to specialized adult day care resource centers for individuals with Alzheimer's disease and other dementia-related disorders and support to their families and caregivers. A direct services contract applicant is required to take specified actions in order to be eligible to receive funds under the program.

This bill would require the direct services contract applicant to also participate in ongoing training opportunities regarding best practices for meeting the needs of individuals with Alzheimer’s disease or other dementia disorders, as prescribed, to be eligible for funds. The bill would require the department to provide onsite technical support and assistance, as needed, that are related to the provision of specialized dementia services, to adult day care resource centers to ensure that these centers have the ability to meet funding eligibility criteria under the program. The bill would also require the department to provide for an annual training conference that would be available to these centers and may be available to other stakeholders, as specified, relating to the most current research on treatment for, and strategies for managing the needs of people with, dementia.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 9542 of the Welfare and Institutions Code
- 2 is amended to read:
- 3 9542. (a) The Legislature finds and declares that the purpose
- 4 of the Alzheimer’s Day Care Resource Center Program is to
- 5 provide access to specialized day care resource centers for
- 6 individuals with Alzheimer’s disease and other dementia disorders,
- 7 prevent their unnecessary institutionalization, and provide support
- 8 and respite for their families and caregivers. The Legislature further
- 9 finds and declares that Alzheimer’s day care resource centers shall
- 10 continue to serve as a model for the optimum type and level of
- 11 day care services needed by persons at all stages of dementia, and
- 12 shall continue to provide dementia training for professionals in
- 13 other settings.
- 14 (b) The following definitions shall govern the construction of
- 15 this section:
- 16 (1) “Person with dementia” means an individual with
- 17 Alzheimer’s disease or other dementia disorder, particularly
- 18 someone in the moderate to severe stages, whose care needs and
- 19 behavioral symptoms may make it difficult for the individual to
- 20 participate in other care programs.
- 21 (2) “Other dementia disorders” means those irreversible brain
- 22 disorders that result in the symptoms described in paragraph (3).

1 This shall include, but is not limited to, vascular dementia,
2 dementia with Lewy bodies, ~~and~~ frontotemporal dementia, and
3 conditions such as Parkinson’s disease that may result in dementia.

4 (3) “Care needs” or “behavioral ~~problems~~” *symptoms*” means
5 the manifestations of Alzheimer’s disease or other dementia
6 disorders that may include, but are not limited to, all of the
7 following:

8 (A) Impairments in memory, attention, language, visual-spatial
9 abilities, or executive functioning.

10 (B) Neuropsychiatric symptoms such as depression, anxiety,
11 agitation, wandering, aggressiveness, and disinhibition.

12 (C) Loss of functional abilities, including the ability to
13 self-toilet, and to perform other activities of daily living.

14 (4) “Alzheimer’s day care resource center” or “center” means
15 a center developed pursuant to this section to provide a program
16 of specialized day care for persons with dementia.

17 (c) The department shall adopt policies and guidelines to carry
18 out the purposes of this section, and the adoption thereof shall not
19 be subject to Chapter 3.5 (commencing with Section 11340) of
20 Part 1 of Division 3 of Title 2 of the Government Code.

21 (d) In order to be eligible to receive funds under this section, a
22 direct services contract applicant shall do all of the following:

23 (1) Provide a program and services to meet the special care
24 needs of, and address the behavioral symptoms of, persons with
25 dementia.

26 (2) Provide adequate and appropriate staffing to meet the
27 nursing, psychosocial, and recreational needs of persons with
28 dementia.

29 (3) Provide physical facilities that include the safeguards
30 necessary to protect the individuals’ safety.

31 (4) Provide a program for assisting individuals who cannot
32 afford the entire cost of the program. This may include, but need
33 not be limited to, utilizing additional funding sources to provide
34 supplemental aid.

35 (5) Utilize volunteers and volunteer aides and provide adequate
36 training for those volunteers.

37 (6) Provide a match of not less than 25 percent of the direct
38 services contract amount consisting of cash or in-kind
39 contributions, identify other potential sources of funding for the

- 1 applicant’s facility, and outline plans to seek additional funding
- 2 to remain solvent.
- 3 (7) Maintain family and caregiver support groups.
- 4 (8) Encourage family members and caregivers to provide
- 5 transportation to and from the applicant’s facility for persons with
- 6 dementia.
- 7 (9) Concentrate on individuals in the moderate to severe stages
- 8 of dementia.
- 9 (10) Provide or arrange for a noon meal to persons with
- 10 dementia.
- 11 (11) Provide training to students in local educational programs,
- 12 such as nursing and gerontology programs.
- 13 (12) Provide support and services to assist family members,
- 14 including counseling and referral to other resources.
- 15 (13) Serve as model centers available to other service providers
- 16 for onsite training in the care of persons with dementia.
- 17 (14) Involve the center in community outreach activities and
- 18 provide educational and informational materials to the community.
- 19 (15) Maintain a systematic means of capturing and reporting
- 20 all required community-based services program data.
- 21 (16) Participate in ongoing training opportunities regarding the
- 22 best practices for meeting the care needs of individuals with
- 23 Alzheimer’s disease or other dementia disorders offered by the
- 24 department, an area agency on aging, a public entity, or a private,
- 25 nonprofit agency.
- 26 (e) A direct services contractor shall be licensed as an adult day
- 27 program, as defined in paragraph (2) of subdivision (a) of Section
- 28 1502 of the Health and Safety Code, or as an adult day health care
- 29 center, as defined in subdivision (b) of Section 1570.7 of the Health
- 30 and Safety Code, and shall be subject to the requirements of this
- 31 division, including this chapter, for purposes of operating an
- 32 Alzheimer’s day care resource center. If the direct services
- 33 contractor surrenders its adult day program or adult day health
- 34 care center license, or if the license has been terminated as a result
- 35 of noncompliance with applicable licensure or certification
- 36 standards, these actions shall also serve to terminate the direct
- 37 services contractor’s Alzheimer’s day care resource center contract.
- 38 (f) An Alzheimer’s day care resource center that was not
- 39 licensed as an adult day program or adult day health care center
- 40 prior to January 1, 2005, shall be required to be so licensed by

1 January 1, 2008. A direct services program that qualifies to operate
2 as an Alzheimer’s day care resource center after January 1, 2005,
3 shall be required to be licensed as an adult day program or adult
4 day health care center.

5 (g) Nothing in this chapter shall be construed to prevent existing
6 adult day care services, including adult day health care centers,
7 from developing a specialized program under this chapter. The
8 applicants shall meet all of the requirements for direct services
9 contractors in this chapter and satisfactorily demonstrate that the
10 direct services contract funding award shall be used to develop a
11 distinct specialized program for this target population.

12 (h) (1) The department shall provide for the following technical
13 support and training services related to the provision of specialized
14 dementia services:

15 (A) Onsite technical support and assistance, in partnership with
16 the area agency on aging, as needed, to Alzheimer’s day care
17 resource centers to ensure that these centers have the ability to
18 meet the care needs of individuals with Alzheimer’s disease or
19 other dementia disorders.

20 (B) Ongoing statewide, regional, or local training opportunities
21 in coordination with area agencies on aging and local dementia
22 experts that shall provide Alzheimer’s day care resource centers
23 with the most current research on the symptoms and progression
24 of, treatments for, and strategies for managing the psychosocial,
25 health, and physical needs of persons with, dementia. This training
26 may also be made available to other community-based providers,
27 health care and social services professionals, and local area
28 agencies on aging.

29 (2) To meet the technical support and assistance requirements
30 set forth in subparagraph (A) of paragraph (1), the department may
31 contract with a public entity or private nonprofit agency, or with
32 experts in Alzheimer’s disease who work in the field of health care
33 or social services.

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