

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0213.01 Christy Chase x2008

**SENATE BILL 22-079**

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**SENATE SPONSORSHIP**

**Kolker and Ginal,**

**HOUSE SPONSORSHIP**

**Young,**

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**Senate Committees**  
Health & Human Services

**House Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING REQUIRED DEMENTIA TRAINING FOR DIRECT-CARE STAFF**  
102         **OF SPECIFIED FACILITIES THAT PROVIDE SERVICES TO CLIENTS**  
103         **LIVING WITH DEMENTIA.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill requires the department of public health and environment, with regard to nursing care facilities and assisted living residences, and the medical services board in the department of health care policy and financing, with regard to adult day care facilities, to adopt rules requiring these facilities to provide dementia training for staff providing direct-care

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

services to clients and residents of the facilities.

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1     *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3     finds that:

4           (a) In 2022, an estimated seventy-six thousand Coloradans are  
5     living with Alzheimer's disease, and that number is predicted to rise by  
6     more than twenty-one percent by 2025;

7           (b) As dementia progresses, individuals living with the disease  
8     increasingly rely on direct-care staff to help them with activities of daily  
9     living, such as bathing, dressing, and eating, among others, and are  
10    dependent on staff for their health, safety, and welfare;

11          (c) Direct-care staff in particular settings are more likely to  
12    encounter people with dementia, as evidenced by the following data:

13           (I) Forty-eight percent of nursing facility residents have dementia;

14           (II) Forty-two percent of residents in residential care facilities,  
15    including assisted living residences, have dementia; and

16           (III) Thirty-one percent of individuals using adult day care  
17    services have dementia;

18          (d) During the COVID-19 pandemic, when families were  
19    restricted from visiting their loved ones with dementia who live in  
20    nursing or other residential facilities, the critical need for direct-care staff  
21    to be adequately trained in dementia care was highlighted;

22          (e) Training has the dual benefit of supporting direct-care staff  
23    and increasing the quality of care provided to residents or program  
24    participants to whom they provide care;

25          (f) Staff turnover presents a major challenge to direct-care

1 employers across the country, especially given that recruitment and  
2 training is often costly and time consuming;

3 (g) Dementia training can more adequately prepare direct-care  
4 staff for the responsibilities of these jobs, potentially reducing stress, staff  
5 burnout, and turnover; and

6 (h) The single most important determinant of quality dementia  
7 care across all care settings is direct-care staff.

8 **SECTION 2.** In Colorado Revised Statutes, **add 25-1.5-118** as  
9 follows:

10 **25-1.5-118. Training for staff providing direct-care services to**  
11 **residents with dementia - rules - definitions.** (1) BY JANUARY 1, 2024,  
12 THE STATE BOARD OF HEALTH SHALL ADOPT RULES REQUIRING COVERED  
13 FACILITIES TO PROVIDE DEMENTIA TRAINING FOR DIRECT-CARE STAFF  
14 MEMBERS. THE RULES MUST SPECIFY THE FOLLOWING, AT A MINIMUM:

15 (a) THE DATE ON WHICH THE DEMENTIA TRAINING REQUIREMENT  
16 IS EFFECTIVE;

17 (b) THE LENGTH AND FREQUENCY OF THE DEMENTIA TRAINING,  
18 WHICH MUST BE COMPETENCY-BASED AND MUST REQUIRE A COVERED  
19 FACILITY TO PROVIDE:

20 (I) AT LEAST FOUR HOURS OF INITIAL DEMENTIA TRAINING FOR:

21 (A) ALL DIRECT-CARE STAFF MEMBERS HIRED BY OR WHO START  
22 PROVIDING DIRECT-CARE SERVICES AT A COVERED FACILITY ON OR AFTER  
23 THE EFFECTIVE DATE OF THE DEMENTIA TRAINING REQUIREMENT SPECIFIED  
24 IN THE RULES, UNLESS AN EXCEPTION ESTABLISHED PURSUANT TO  
25 SUBSECTION (1)(e) OF THIS SECTION APPLIES, WHICH TRAINING MUST BE  
26 COMPLETED WITHIN ONE HUNDRED TWENTY DAYS AFTER THE START OF  
27 EMPLOYMENT OR THE PROVISION OF DIRECT-CARE SERVICES, AS

1 APPLICABLE; AND

2 (B) ALL DIRECT-CARE STAFF MEMBERS HIRED BY OR PROVIDING  
3 DIRECT-CARE SERVICES AT A COVERED FACILITY BEFORE THE EFFECTIVE  
4 DATE OF THE DEMENTIA TRAINING REQUIREMENT SPECIFIED IN THE RULES,  
5 UNLESS AN EXCEPTION ESTABLISHED PURSUANT TO SUBSECTION (1)(e) OF  
6 THIS SECTION APPLIES, WHICH TRAINING MUST BE COMPLETED WITHIN ONE  
7 HUNDRED TWENTY DAYS AFTER THE EFFECTIVE DATE OF THE DEMENTIA  
8 TRAINING REQUIREMENT SPECIFIED IN THE RULES; AND

9 (II) AT LEAST TWO HOURS OF CONTINUING EDUCATION ON  
10 DEMENTIA TOPICS FOR ALL DIRECT-CARE STAFF MEMBERS EVERY TWO  
11 YEARS. THE CONTINUING EDUCATION MUST INCLUDE CURRENT  
12 INFORMATION ON BEST PRACTICES IN THE TREATMENT AND CARE OF  
13 PERSONS LIVING WITH DEMENTIA DISEASES AND RELATED DISABILITIES.

14 (c) THE CONTENT OF THE INITIAL DEMENTIA TRAINING, WHICH  
15 MUST BE CULTURALLY COMPETENT AND INCLUDE THE FOLLOWING TOPICS:

16 (I) DEMENTIA DISEASES AND RELATED DISABILITIES;

17 (II) PERSON-CENTERED CARE;

18 (III) ASSESSMENT AND CARE PLANNING;

19 (IV) ACTIVITIES OF DAILY LIVING; AND

20 (V) DEMENTIA-RELATED BEHAVIORS AND COMMUNICATION;

21 (d) THE METHOD OF DEMONSTRATING COMPLETION OF THE  
22 REQUIRED DEMENTIA TRAINING AND CONTINUING EDUCATION AND OF  
23 EXEMPTING A DIRECT-CARE STAFF MEMBER FROM THE REQUIRED  
24 DEMENTIA TRAINING IF THE DIRECT-CARE STAFF MEMBER MOVES TO A  
25 DIFFERENT COVERED FACILITY THAN THE COVERED FACILITY THROUGH  
26 WHICH THE DIRECT-CARE STAFF MEMBER RECEIVED THE TRAINING. FOR  
27 PURPOSES OF THIS SUBSECTION (1)(d), "COVERED FACILITY" INCLUDES AN

1       ADULT DAY CARE FACILITY AS DEFINED IN SECTION 25.5-6-303 (1).

2           (e)    AN EXCEPTION TO THE INITIAL DEMENTIA TRAINING  
3        REQUIREMENTS FOR:

4           (I)    A DIRECT-CARE STAFF MEMBER HIRED BY OR WHO STARTS  
5        PROVIDING DIRECT-CARE SERVICES AT A COVERED FACILITY ON OR AFTER  
6        THE EFFECTIVE DATE OF THE DEMENTIA TRAINING REQUIREMENT SPECIFIED  
7        IN THE RULES WHO HAS:

8           (A)    COMPLETED AN EQUIVALENT DEMENTIA TRAINING PROGRAM  
9        WITHIN THE TWENTY-FOUR MONTHS IMMEDIATELY PRECEDING THE  
10       EFFECTIVE DATE OF THE DEMENTIA TRAINING REQUIREMENT SPECIFIED IN  
11       THE RULES; AND

12           (B)    PROVIDED PROOF OF SATISFACTORY COMPLETION OF THE  
13        TRAINING PROGRAM; AND

14           (II)    A DIRECT-CARE STAFF MEMBER HIRED BY OR PROVIDING  
15        DIRECT-CARE SERVICES AT A COVERED FACILITY BEFORE THE EFFECTIVE  
16       DATE OF THE DEMENTIA TRAINING REQUIREMENT SPECIFIED IN THE RULES  
17       WHO HAS:

18           (A)    RECEIVED EQUIVALENT TRAINING, AS DEFINED IN THE RULES,  
19        WITHIN THE TWENTY-FOUR MONTHS IMMEDIATELY PRECEDING THE  
20       EFFECTIVE DATE OF THE DEMENTIA TRAINING REQUIREMENT SPECIFIED IN  
21       THE RULES; AND

22           (B)    PROVIDED PROOF OF SATISFACTORY COMPLETION OF THE  
23        TRAINING PROGRAM;

24           (f)    MINIMUM REQUIREMENTS FOR INDIVIDUALS CONDUCTING THE  
25        DEMENTIA TRAINING;

26           (g)    A PROCESS FOR THE DEPARTMENT TO VERIFY COMPLIANCE  
27        WITH THIS SECTION AND THE RULES ADOPTED BY THE STATE BOARD OF

1       HEALTH PURSUANT TO THIS SECTION;

2           (h) A REQUIREMENT THAT COVERED FACILITIES PROVIDE THE  
3        DEMENTIA TRAINING AND CONTINUING EDUCATION PROGRAMS TO  
4        DIRECT-CARE STAFF MEMBERS AT NO COST TO THE STAFF MEMBERS; AND  
5           (i) ANY OTHER MATTERS THE STATE BOARD OF HEALTH DEEMS  
6        NECESSARY TO IMPLEMENT THIS SECTION.

7           (2) THE DEPARTMENT SHALL ENCOURAGE COVERED FACILITIES  
8        AND DEMENTIA TRAINING PROVIDERS TO EXPLORE AND APPLY FOR  
9        AVAILABLE GIFTS, GRANTS, AND DONATIONS FROM STATE AND FEDERAL  
10       PUBLIC AND PRIVATE SOURCES TO SUPPORT THE DEVELOPMENT AND  
11       IMPLEMENTATION OF DEMENTIA TRAINING PROGRAMS.

12           (3) AS USED IN THIS SECTION:

13           (a) "COVERED FACILITY" MEANS A NURSING CARE FACILITY OR AN  
14        ASSISTED LIVING RESIDENCE LICENSED BY THE DEPARTMENT PURSUANT TO  
15        SECTION 25-1.5-103 (1)(a).

16           (b) "DEMENTIA DISEASES AND RELATED DISABILITIES" HAS THE  
17        SAME MEANING AS SET FORTH IN SECTION 25-1-502 (2.5).

18           (c) "DIRECT-CARE STAFF MEMBER" MEANS A STAFF MEMBER  
19        CARING FOR THE PHYSICAL, EMOTIONAL, OR MENTAL HEALTH NEEDS OF  
20        RESIDENTS IN A COVERED FACILITY AND WHOSE WORK INVOLVES REGULAR  
21        CONTACT WITH RESIDENTS WHO ARE LIVING WITH DEMENTIA DISEASES  
22        AND RELATED DISABILITIES.

23           (d) "STAFF MEMBER" MEANS AN INDIVIDUAL, OTHER THAN A  
24        VOLUNTEER, WHO IS EMPLOYED BY A COVERED FACILITY.

25           **SECTION 3.** In Colorado Revised Statutes, **add 25.5-6-314** as  
26        follows:

27           **25.5-6-314. Training for staff providing direct-care services to**

1       **clients with dementia - rules - definitions.** (1) AS USED IN THIS  
2       SECTION:

3               (a) "COVERED FACILITY" MEANS A NURSING CARE FACILITY OR AN  
4       ASSISTED LIVING RESIDENCE LICENSED BY THE DEPARTMENT OF PUBLIC  
5       HEALTH AND ENVIRONMENT PURSUANT TO SECTION 25-1.5-103 (1)(a).

6               (b) "DEMENTIA DISEASES AND RELATED DISABILITIES" HAS THE  
7       SAME MEANING AS SET FORTH IN SECTION 25-1-502 (2.5).

8               (c) "DIRECT-CARE STAFF MEMBER" MEANS A STAFF MEMBER  
9       CARING FOR THE PHYSICAL, EMOTIONAL, OR MENTAL HEALTH NEEDS OF  
10      CLIENTS OF AN ADULT DAY CARE FACILITY AND WHOSE WORK INVOLVES  
11      REGULAR CONTACT WITH CLIENTS WHO ARE LIVING WITH DEMENTIA  
12      DISEASES AND RELATED DISABILITIES.

13               (d) "STAFF MEMBER" MEANS AN INDIVIDUAL, OTHER THAN A  
14       VOLUNTEER, WHO IS EMPLOYED BY AN ADULT DAY CARE FACILITY.

15               (2) BY JANUARY 1, 2024, THE STATE BOARD SHALL ADOPT RULES  
16       REQUIRING ADULT DAY CARE FACILITIES TO PROVIDE DEMENTIA TRAINING  
17       FOR DIRECT-CARE STAFF MEMBERS. THE RULES MUST SPECIFY THE  
18       FOLLOWING, AT A MINIMUM:

19               (a) THE DATE ON WHICH THE DEMENTIA TRAINING REQUIREMENT  
20       IS EFFECTIVE;

21               (b) THE LENGTH AND FREQUENCY OF THE DEMENTIA TRAINING,  
22       WHICH MUST BE COMPETENCY-BASED AND MUST REQUIRE AN ADULT DAY  
23       CARE FACILITY TO PROVIDE:

24               (I) AT LEAST FOUR HOURS OF INITIAL DEMENTIA TRAINING FOR:

25               (A) ALL DIRECT-CARE STAFF MEMBERS HIRED BY OR WHO START  
26       PROVIDING DIRECT-CARE SERVICES AT AN ADULT DAY CARE FACILITY ON  
27       OR AFTER THE EFFECTIVE DATE OF THE DEMENTIA TRAINING REQUIREMENT

1       SPECIFIED IN THE RULES, UNLESS AN EXCEPTION ESTABLISHED PURSUANT  
2       TO SUBSECTION (2)(e) OF THIS SECTION APPLIES, WHICH TRAINING MUST  
3       BE COMPLETED WITHIN ONE HUNDRED TWENTY DAYS AFTER THE START OF  
4       EMPLOYMENT OR THE PROVISION OF DIRECT-CARE SERVICES, AS  
5       APPLICABLE; AND

6               (B) ALL DIRECT-CARE STAFF MEMBERS HIRED BY OR PROVIDING  
7       DIRECT-CARE SERVICES AT AN ADULT DAY CARE FACILITY BEFORE THE  
8       EFFECTIVE DATE OF THE DEMENTIA TRAINING REQUIREMENT SPECIFIED IN  
9       THE RULES, UNLESS AN EXCEPTION ESTABLISHED PURSUANT TO  
10      SUBSECTION (2)(e) OF THIS SECTION APPLIES, WHICH TRAINING MUST BE  
11      COMPLETED WITHIN ONE HUNDRED TWENTY DAYS AFTER THE EFFECTIVE  
12      DATE OF THE DEMENTIA TRAINING REQUIREMENT SPECIFIED IN THE RULES;  
13      AND

14               (II) AT LEAST TWO HOURS OF CONTINUING EDUCATION ON  
15       DEMENTIA TOPICS FOR ALL DIRECT-CARE STAFF MEMBERS EVERY TWO  
16       YEARS. THE CONTINUING EDUCATION MUST INCLUDE CURRENT  
17       INFORMATION ON BEST PRACTICES IN THE TREATMENT AND CARE OF  
18       PERSONS LIVING WITH DEMENTIA DISEASES AND RELATED DISABILITIES.

19               (c) THE CONTENT OF THE INITIAL DEMENTIA TRAINING, WHICH  
20       MUST BE CULTURALLY COMPETENT AND INCLUDE THE FOLLOWING TOPICS:

21               (I) DEMENTIA DISEASES AND RELATED DISABILITIES;

22               (II) PERSON-CENTERED CARE;

23               (III) ASSESSMENT AND CARE PLANNING;

24               (IV) ACTIVITIES OF DAILY LIVING; AND

25               (V) DEMENTIA-RELATED BEHAVIORS AND COMMUNICATION;

26               (d) THE METHOD OF DEMONSTRATING COMPLETION OF THE  
27       REQUIRED DEMENTIA TRAINING AND CONTINUING EDUCATION AND OF

1 EXEMPTING A DIRECT-CARE STAFF MEMBER FROM THE REQUIRED  
2 DEMENTIA TRAINING IF THE DIRECT-CARE STAFF MEMBER MOVES TO A  
3 DIFFERENT ADULT DAY CARE FACILITY THAN THE ADULT DAY CARE  
4 FACILITY THROUGH WHICH THE DIRECT-CARE STAFF MEMBER RECEIVED  
5 THE TRAINING OR MOVES TO A COVERED FACILITY AFTER RECEIVING THE  
6 TRAINING THROUGH AN ADULT DAY CARE FACILITY;

7 (e) AN EXCEPTION TO THE INITIAL DEMENTIA TRAINING  
8 REQUIREMENTS FOR:

9 (I) A DIRECT-CARE STAFF MEMBER HIRED BY OR WHO STARTS  
10 PROVIDING DIRECT-CARE SERVICES AT AN ADULT DAY CARE FACILITY ON  
11 OR AFTER THE EFFECTIVE DATE OF THE DEMENTIA TRAINING REQUIREMENT  
12 SPECIFIED IN THE RULES WHO HAS:

13 (A) COMPLETED AN EQUIVALENT DEMENTIA TRAINING PROGRAM  
14 WITHIN THE TWENTY-FOUR MONTHS IMMEDIATELY PRECEDING THE  
15 EFFECTIVE DATE OF THE DEMENTIA TRAINING REQUIREMENT SPECIFIED IN  
16 THE RULES; AND

17 (B) PROVIDED PROOF OF SATISFACTORY COMPLETION OF THE  
18 TRAINING PROGRAM; AND

19 (II) A DIRECT-CARE STAFF MEMBER HIRED BY OR PROVIDING  
20 DIRECT-CARE SERVICES AT AN ADULT DAY CARE FACILITY BEFORE THE  
21 EFFECTIVE DATE OF THE DEMENTIA TRAINING REQUIREMENT SPECIFIED IN  
22 THE RULES WHO HAS:

23 (A) RECEIVED EQUIVALENT TRAINING, AS DEFINED IN THE RULES,  
24 WITHIN THE TWENTY-FOUR MONTHS IMMEDIATELY PRECEDING THE  
25 EFFECTIVE DATE OF THE DEMENTIA TRAINING REQUIREMENT SPECIFIED IN  
26 THE RULES; AND

27 (B) PROVIDED PROOF OF SATISFACTORY COMPLETION OF THE

1 TRAINING PROGRAM;

2 (f) MINIMUM REQUIREMENTS FOR INDIVIDUALS CONDUCTING THE  
3 DEMENTIA TRAINING;

4 (g) A PROCESS FOR THE STATE DEPARTMENT TO VERIFY  
5 COMPLIANCE WITH THIS SECTION AND THE RULES ADOPTED BY THE STATE  
6 BOARD PURSUANT TO THIS SECTION;

7 (h) A REQUIREMENT THAT ADULT DAY CARE FACILITIES PROVIDE  
8 THE DEMENTIA TRAINING AND CONTINUING EDUCATION PROGRAMS TO  
9 DIRECT-CARE STAFF MEMBERS AT NO COST TO THE STAFF MEMBERS; AND

10 (i) ANY OTHER MATTERS THE STATE BOARD DEEMS NECESSARY TO  
11 IMPLEMENT THIS SECTION.

12 (3) THE STATE DEPARTMENT SHALL ENCOURAGE ADULT DAY CARE  
13 FACILITIES AND DEMENTIA TRAINING PROVIDERS TO EXPLORE AND APPLY  
14 FOR AVAILABLE GIFTS, GRANTS, AND DONATIONS FROM STATE AND  
15 FEDERAL PUBLIC AND PRIVATE SOURCES TO SUPPORT THE DEVELOPMENT  
16 AND IMPLEMENTATION OF DEMENTIA TRAINING PROGRAMS.

17 **SECTION 4. Act subject to petition - effective date.** This act  
18 takes effect at 12:01 a.m. on the day following the expiration of the  
19 ninety-day period after final adjournment of the general assembly; except  
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
21 of the state constitution against this act or an item, section, or part of this  
22 act within such period, then the act, item, section, or part will not take  
23 effect unless approved by the people at the general election to be held in  
24 November 2022 and, in such case, will take effect on the date of the  
25 official declaration of the vote thereon by the governor.