

1 that an appropriate training program for unlicensed employees is in place
 2 for such adult care home, employed on and after the effective date of this
 3 act January 1, 2014, who provide direct, individual care to residents and
 4 who do not administer medications to residents and who have not
 5 completed a course of education and training relating to resident care and
 6 treatment approved by the secretary of health and environment or are not
 7 participating in such a course on the effective date of this act shall
 8 complete successfully 40 90 hours of education and training in basic
 9 resident care skills and treatment approved by the secretary of health and
 10 environment. Any unlicensed person who has not completed 40 90 hours
 11 of training education relating to resident care and treatment approved by
 12 the secretary of health and environment shall not provide direct, individual
 13 care to residents. The 40 90 hours of training shall be supervised by a
 14 registered professional nurse and the content and administration thereof
 15 shall comply with rules and regulations adopted by the secretary of health
 16 and environment. The 40 90 hours of training may be prepared and
 17 administered by an adult care home or by any other qualified person and
 18 may be conducted on the premises of the adult care home. The 40 90 hours
 19 of training required in this section shall be a part of any course of
 20 education and training required by the secretary of health and environment
 21 under subsection (c)(2). Training for paid nutrition assistants shall consist
 22 of at least eight 12 hours of instruction, at a minimum, which meets the
 23 requirements of 42 C.F.R. § 483.160.

24 (2) The licensing agency may require unlicensed employees of an
 25 adult care home, except an adult care home licensed for the provision of
 26 services to people with intellectual disability which has been granted an
 27 exception by the secretary of health and environment upon a finding by the
 28 licensing agency that an appropriate training program for unlicensed
 29 employees is in place for such adult care home, who provide direct,
 30 individual care to residents and who do not administer medications to
 31 residents and who do not meet the definition of paid nutrition ~~assistant~~
 32 ~~assistant~~ under paragraph (a)(27) of K.S.A. 39-923, and amendments
 33 thereto, after 90 60 days of employment to successfully complete an
 34 approved course of instruction and an examination relating to resident care
 35 and treatment as a condition to continued employment by an adult care
 36 home. A course of instruction may be prepared and administered by any
 37 adult care home or by any other qualified person. A course of instruction
 38 prepared and administered by an adult care home may be conducted on the
 39 premises of the adult care home which prepared and which will administer
 40 the course of instruction. The licensing agency shall not require unlicensed
 41 employees of an adult care home who provide direct, individual care to
 42 residents and who do not administer medications to residents to enroll in
 43 any particular approved course of instruction as a condition to the taking

HB 2348 Balloon Amendment #1
 Committee on Children & Seniors
 Prepared by: K. McBride, Office of Revisor of
 Statutes

strike "shall", reinsert current statutory language: "and
 who have not completed a course of education and
 training relating to resident care and treatment
 approved by the secretary of health and environment
 or are not participating in such a course on and after
 January 1, 2014, to"

and training

education and

Att: 1/18