

Subchapter F. Provider Responsibilities

§6867. Staff Training

A. - H.1. ...

I. Dementia Training

1. All employees shall be trained in the care of persons diagnosed with dementia and dementia-related practices that include or that are informed by evidence-based care practices.

2. ARCP staff who provide care to residents in an Alzheimer's special care unit shall meet the following training requirements:

a. Staff who provide direct face-to-face care to residents shall be required to obtain at least eight hours of dementia-specific training within 90 days of employment and eight hours of dementia-specific training annually. The training shall include the following topics:

- i. an overview of Alzheimer's disease and related dementias;
- ii. communicating with persons with dementia;
- iii. behavior management;
- iv. promoting independence in activities of daily living; and
- v. understanding and dealing with family issues.

b. Staff who have regular contact with residents, but who do not provide direct face-to-face care, shall be required to obtain at least four hours of dementia-specific training within 90 days of employment and two hours of dementia training annually. This training shall include the following topics:

- i. an overview of dementias; and
- ii. communicating with persons with dementia.

c. Staff who have only incidental contact with residents shall receive general written information provided by the facility on interacting with residents with dementia.

3. ARCP staff who do not provide care to residents in an Alzheimer's special care unit shall meet the following training requirements:

a. Staff who provide direct face-to-face care to residents shall be required to obtain at least two hours of dementia-specific training annually. This training shall include the following topics:

- i. an overview of Alzheimer's disease and related dementias; and
- ii. communicating with persons with dementia.

b. All other staff shall receive general written information provided by the facility on interacting with residents with dementia.

4. Any dementia-specific training received in a nursing or nursing assistant program approved by the Department of Health and Hospitals or the Department of Social Services may be used to fulfill the training hours required pursuant to this Section.

5. Adult residential care providers may offer a complete training curriculum themselves or they may contract with another organization, entity, or individual to provide the training.

6. The dementia-specific training curriculum must be approved by the department. To obtain training curriculum approval, the organization, entity, or individual must submit the following information to the department or its designee:

- a. a copy of the curriculum;

b. the name of the training coordinator and his/her qualifications;

c. a list of all instructors;

d. the location of the training; and

e. whether the training will be web-based or not.

7. A provider, organization, entity, or individual must submit any content changes to an approved training curriculum to the department, or its designee, for review and approval.

8. If a provider, organization, entity, or individual, with an approved curriculum, ceases to provide training, the department must be notified in writing within 30 days of cessation of training. Prior to resuming the training program, the provider, organization, entity, or individual must reapply to the department for approval to resume the program.

9. Disqualification of Training Programs and Sanctions

a. The department may disqualify a training curriculum offered by a provider, organization, entity, or individual that has demonstrated substantial noncompliance with training requirements including, but not limited to:

- i. the qualifications of training coordinators; or
- ii. training curriculum requirements.

10. Compliance with Training Requirements

a. The review of compliance with training requirements will include, at a minimum, a review of:

- i. the existence of an approved training curriculum; and
- ii. the provider's adherence to established training requirements.

b. The department may impose applicable sanctions for failure to adhere to the training requirements outlined in this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:254, R.S. 40:2166.1-2166.8 and R.S. 40:2200.1-2200.5.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing, LR 34:2599 (December 2008), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 35:1541 (August 2009).

Alan Levine
Secretary

0908#089

RULE

Department of Health and Hospitals Bureau of Health Services Financing

Nursing Facilities—Minimum Licensing Standards

Dementia Training Requirements (LAC 48:I.9701 and 9727)

The Department of Health and Hospitals, Bureau of Health Services Financing has amended LAC 48:I.9701 and §9727 in the Medical Assistance Program as authorized by R.S. 36:254 and R.S. 40:2200.1-2200.5. This Rule is promulgated in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950, et seq.

Title 48
PUBLIC HEALTH—GENERAL
Part I. General Administration
Subpart 3. Licensing

Chapter 97. Nursing Homes
Subchapter A. General Provisions
§9701. General Provisions

* * *

Alzheimer's Special Care Unit—any nursing home as defined in R.S. 40:2009.2, that segregates or provides a special program or special unit for residents with a diagnosis of probable Alzheimer's disease or related disorder so as to prevent or limit access by a resident to areas outside the designated or separated area, or that advertises, markets, or otherwise promotes the facility as providing specialized Alzheimer/dementia care services.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2009.1-2116.4 and R.S. 40:2200.1-2200.5.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 24:44 (January 1998), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 35:1542 (August 2009).

§9727. Staff Orientation, Training and Education

A. - F. ...

G. Dementia Training

1. All employees shall be trained in the care of persons diagnosed with dementia and dementia-related practices that include or that are informed by evidence-based care practices.

2. Nursing facility staff who provide care on a regular basis to residents in Alzheimer's special care units shall meet the following training requirements:

a. Staff who provide nursing and nursing assistant care to residents shall be required to obtain at least eight hours of dementia-specific training within 90 days of employment and five hours of dementia-specific training annually. The training shall include the following topics:

- i. an overview of Alzheimer's disease and related dementias;
- ii. communicating with persons with dementia;
- iii. behavior management;
- iv. promoting independence in activities of daily living; and
- v. understanding and dealing with family issues.

b. Staff who have regular communicative contact with residents, but who do not provide nursing and nursing assistant care, shall be required to obtain at least four hours of dementia-specific training within 90 days of employment and one hour of dementia training annually. This training shall include the following topics:

- i. an overview of dementias; and
- ii. communicating with persons with dementia.

c. Staff who have only incidental contact with residents shall receive general written information provided by the facility on interacting with residents with dementia.

3. Nursing facility staff who do not provide care to residents in an Alzheimer's special care unit shall meet the following training requirements.

a. Staff who provide nursing assistant care shall be required to obtain four hours of dementia-specific training within 90 days of employment and two hours of dementia training annually.

b. Staff who are not licensed and who have regular communicative contact with residents but do not provide nursing assistant care shall be required to obtain four hours of dementia-specific training within 90 days of employment and one hour of dementia training annually. The training shall include the following topics:

- i. an overview of dementias; and
- ii. communicating with persons with dementia.

c. Staff who have only incidental contact with residents shall receive general written information provided by the facility on interacting with residents with dementia.

4. Nothing herein shall be construed to increase the number of training hours already required by regulations promulgated by the department.

5. Any dementia-specific training received in a nursing assistant program approved by the Department of Health and Hospitals or the Department of Social Services may be used to fulfill the training hours required pursuant to this Section.

6. Nursing facility providers may offer an approved complete training curriculum themselves or may contract with another organization, entity, or individual to provide the training.

7. The dementia-specific training curriculum must be approved by the department. To obtain training curriculum approval, the organization, entity, or individual must submit the following information to the department or its designee:

- a. a copy of the curriculum;
- b. the name of the training coordinator and his/her qualifications;
- c. a list of all instructors;
- d. the location of the training; and
- e. whether the training will be web-based or not.

8. A provider, organization, entity, or individual must submit any content changes to an approved training curriculum to the department, or its designee, for review and approval.

9. If a provider, organization, entity, or individual, with an approved curriculum, ceases to provide training, the department must be notified in writing within 30 days of cessation of training. Prior to resuming the training program, the provider, organization, entity, or individual must reapply to the department for approval to resume the program.

10. Disqualification of Training Programs and Sanctions

a. The department may disqualify a training curriculum offered by a provider, organization, entity, or individual that has demonstrated substantial noncompliance with training requirements, including, but not limited to:

- i. the qualifications of training coordinators; or
- ii. training curriculum requirements.

11. Compliance with Training Requirements

a. The review of compliance with training requirements will include, at a minimum, a review of:

- i. the existence of an approved training curriculum; and
- ii. the provider's adherence to established training requirements.

b. The department may impose applicable sanctions for failure to adhere to the training requirements outlined in this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 40:2009.1-2116.4 and R.S. 40:2200.1-2200.5.

HISTORICAL NOTE: Promulgated by the Department of Health and Hospitals, Office of the Secretary, Bureau of Health Services Financing LR 24:48 (January 1998), amended by the Department of Health and Hospitals, Bureau of Health Services Financing, LR 35:1542 (August 2009).

Alan Levine
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RULE

Department of Revenue Policy Services Division

Income Tax Withholding Tables (LAC 61:I.1501)

Under the authority of R.S. 47:32, R.S. 47:112, R.S. 47:295, and R.S. 47:1511 and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the Department of Revenue, Policy Services Division, is amending LAC 61:I.1501 relative to individual income tax withholding tables based on the income tax rates as provided by Act 396 of the 2008 Regular Session of the Louisiana Legislature.

Act 396 amended R.S. 47:32 to reduce state income tax rates in the two highest income brackets for tax years beginning on or after January 1, 2009. Act 396 provided that the revised withholding tables will not become effective until after July 1, 2009. LAC 61:I.1501 is being amended to correct minor errors in the income tax withholding tax formulas. The errors do not affect the income tax withholding tables.

Title 61

REVENUE AND TAXATION

Part I. Taxes Collected and Administered by the Secretary of Revenue

Chapter 15. Income: Withholding Tax

§1501. Income Tax Withholding Tables

A. - C.4. ...

D. Income Tax Withholding Formulas. The overall structure of the formulas used to compute the withholding tax is to calculate the tax on the total wage amount and then subtract the amount of tax calculated on the personal exemptions and dependency credits the taxpayer claims for withholding purposes. The correct withholding formula depends upon the number of personal exemptions claimed and annual wages.

1. Withholding Formulas for Single or Married Taxpayers Claiming 0 or 1 Personal Exemption

W is the withholding tax per pay period.

S is employee's salary per pay period for each bracket.

X is the number of personal exemptions; X must be 0 or 1.

Y is the number of dependency credits; Y must be a whole number that is 0 or greater.

N is the number of pay periods.

A is the effect of the personal exemptions and dependency credits equal to or less than \$12,500;

$A = .021(((X * 4500) + (Y * 1000)) \div N)$.

B is the effect of the personal exemptions and dependency credits in excess of \$12,500

$B = .016(((X * 4500) + (Y * 1000)) - 12,500) \div N$.

If annual wages are less than or equal to \$12,500, then

$W = .021(S) - (A + B)$.

If annual wages are greater \$12,500 but less than or equal to \$50,000, then

$W = .021(S) + .0160(S - (12,500 \div N)) - (A + B)$.

If annual wages are greater than \$50,000, then

$W = .021(S) + .0160(S - (12,500 \div N)) + .0135(S - (50,000 \div N)) - (A + B)$.

2. Withholding Formulas for Married Taxpayers Claiming 2 Personal Exemptions

W is the withholding tax per pay period.

S is the employee's salary per pay period for each bracket.

X is the number of personal exemptions. X must be 2.

Y is the number of dependency credits. Y must be 0 or greater.

N is the number of pay periods.

A is the effect of the personal exemptions and dependency credits equal to or less than \$25,000;

$A = .021(((X * 4500) + (Y * 1000)) \div N)$

B is the effect of the personal exemptions and dependency credits in excess of \$25,000;

$B = .0165(((X * 4500) + (Y * 1000)) - 25,000) \div N$

If annual wages are less than or equal to \$25,000, then

$W = .021(S) - (A + B)$.

If annual wages are greater \$25,000 but less than or equal to \$100,000, then

$W = .021(S) + .0165(S - (25,000 \div N)) - (A + B)$.

If annual wages are greater than \$100,000, then

$W = .021(S) + .0165(S - (25,000 \div N)) + .0135(S - (100,000 \div N)) - (A + B)$.

AUTHORITY NOTE: Promulgated in accordance with R.S. 47:32, R.S. 47:112, R.S. 47:295 and R.S. 47:1511.

HISTORICAL NOTE: Promulgated by the Louisiana Department of Revenue, Policy Services Division, LR 35:255 (February 2009), amended LR 35:1543 (August 2009).

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RULE

Department of Social Services Office of Community Services

Residential Licensing (LAC 67:V.Chapters 61-69)

EDITOR'S NOTE: The Chapters below have been moved from Part I to Part V. These Chapters have been recodified and being repromulgated pursuant to Act 400 of the 2009 Regular Legislative Session.

Title 67

SOCIAL SERVICES

Part V. Community Services

Subpart 8. Residential Licensing

Chapter 61. Emergency Shelter

§6101. General

NOTE: This Section has been moved from LAC 67:I.1101.

A. A child caring agency offering emergency shelter care is a person group or organization operating one or more facilities established for the purpose of providing 24 hour emergency shelter care on a regular basis to children under age 18. Facilities caring for five or more children must be licensed but licensure is optional when emergency shelter care is to be provided to fewer than five children. The standards do not apply to state approved foster homes or to foster homes developed by licensed child placing agencies.

B. For the purpose of these standards the word child caring agency shall mean child caring agency offering emergency shelter care.

C. There is an annual fee for the license as determined by the Division of Licensing and Certification based on capacity.