

# JUSTICE IN AGING

FIGHTING SENIOR POVERTY THROUGH LAW

## Dementia Care in Long-Term Care Facilities

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# Committing Persons Due to Dementia

- Older Montanans with dementia committed to Montana State Hospital.
- In 2021, 10 persons with dementia committed. None of 10 had mental illness diagnosis.

# State Hospitals Are Not Appropriate for Dementia Care

- Until now, I have never heard of commitments due to dementia.
- State hospitals are for persons with mental illness.

# Dementia Common in Long-Term Care Facilities

- 48% of nursing facility residents have dementia.
- 42% of assisted living facility residents have dementia.
- Dementia is a progressive disease.
- Likely that:
  - Facility resident will develop dementia, or
  - Dementia will worsen.

# Federal Nursing Facility Law

- Applies to any facility that accepts Medicare and/or Medicaid.
- Broad application, because almost every facility accepts Medicare or Medicaid.

# Federal Law re: Dementia Care

- Must provide necessary behavioral health care so that resident can attain or maintain highest practicable level of functioning.
- Services based upon assessment and care plan.
- Resident and resident's representative participate in care plan development.

# Nursing Facility Staff

- Nursing staff must have “appropriate competencies and skills.”
- Certified nurse aides with at least 75 hours of individual training.
- Must pass written and hands-on tests.

# Dementia Covered in Nursing Facility Training

- Training for nurse aides must address dementia care, including
  - Meeting needs of residents with dementia;
  - Communicating with residents;
  - Understanding behavior;
  - Appropriate responses to behavior; and
  - How to reduce effects of dementia.



# Assisted Living Based on State Law

- Licensing standards set by state law.
- Even name of licensure type varies from state to state.
  - E.g., assisted living, personal care home, residential care facility for the elderly.

# 44 States Requiring Dementia Training in Assisted Living

- Standards for
  - Basic licensure, and/or
  - Specialization in dementia care.
- My Opinion: Training requirements better as part of basic licensure, since dementia is so common among older adults who require assisted living care.

# Arizona Basic Licensure

- 62 hours of training for direct-care staff, including 8 hours in dementia care.
  - Meeting resident needs;
  - Communicating;
  - Understanding behavior; and
  - Reducing effects of dementia.

# Training in Specialized Facilities

- Alabama: Staff must complete dementia training series developed by state agency.
- Arkansas: Additional 30 hours, including dementia treatment, dementia stages, behavior management, and communications.

# Training in Specialized Facilities (cont.)

- Maine: Additional 16 hours of training, including “activity focused care,” how to deal with “difficult” behaviors, and family issues.
- Massachusetts: 7 additional hours, including therapeutic environments and how to interpret expressions of distress.

# Summary

- Long-term care facilities should be prepared to address needs of older persons with dementia.
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