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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1721**

March 5, 2007

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The bill was read for the first time and referred to the Committee on Health and Human Services

1.1 A bill for an act
1.2 relating to human services; requiring initial and continuing training in dementia
1.3 care and mental illness care for certain direct care staff; requiring employers to
1.4 maintain training records; establishing employee access to training records;
1.5 amending Minnesota Statutes 2006, sections 182.653, by adding a subdivision;
1.6 182.654, subdivision 10.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2006, section 182.653, is amended by adding a
1.9 subdivision to read:

1.10 Subd. 4h. **Dementia care and mental illness care training.** (a) An employer that
1.11 operates a facility that provides services for persons with Alzheimer's disease or other
1.12 forms of dementia shall provide direct care staff and their supervisors a minimum of eight
1.13 hours of training in protection and safety considerations for interactions with persons
1.14 suffering from Alzheimer's disease and other forms of dementia or chronic and persistent
1.15 mental illness, including, but not limited to, mental illness and dementia resulting from
1.16 chemical dependency and withdrawal. This training shall begin immediately upon
1.17 employment and be completed within three months. Within 12 months following the
1.18 completion of the initial training and annually thereafter, direct care staff and their
1.19 supervisors shall annually be provided four hours of continuing training. Training
1.20 provided under sections 144.6503, 144A.45, 144D.065, and 245A.04 may count towards
1.21 satisfaction of the training requirement in this subdivision if that training satisfies the
1.22 provisions of this subdivision.

1.23 (b) An employer shall maintain a list of names and positions of employees trained,
1.24 the total hours and dates on which training was conducted, and the subjects covered in

2.1 training. This information shall be provided to employees when requested under section
2.2 182.654, subdivision 10.

2.3 (c) An employer covered by this subdivision shall establish a written workplace
2.4 accident and injury reduction program (AWAIR) as described in subdivision 8.

2.5 (d) The training required under this subdivision shall be consistent with the United
2.6 States Department of Labor Occupational Safety and Health Administration's guidelines
2.7 for preventing workplace violence for health care and social service workers.

2.8 (e) A facility whose direct care staff are represented by a collective bargaining
2.9 representative shall meet and confer with the representative for the purpose of reaching
2.10 agreement on the terms and conditions of the training program. A facility shall be required
2.11 to submit and file a copy of its training program to the commissioner. For a facility with
2.12 care staff represented by a collective bargaining representative, the filed copy shall reflect
2.13 the approval of the representative.

2.14 Sec. 2. Minnesota Statutes 2006, section 182.654, subdivision 10, is amended to read:

2.15 Subd. 10. **Access to information.** An employee, except an employee employed
2.16 in a farming operation with ten or fewer employees and no temporary labor camp, or
2.17 the designated representative of the employee has the right to request and receive from
2.18 the employer, within a reasonable period of time, access to information the employer is
2.19 required to provide the employee under section 182.653, subdivision 4b, 4c, 4d, ~~or 4e,~~ or
2.20 4h. For the purposes of this subdivision and section 182.668, subdivision 5, "designated
2.21 representative" means a labor organization, as defined in section 179.01, subdivision
2.22 6, that represents employees under a valid collective bargaining agreement, or another
2.23 employee whom an employee or former employee has authorized, in writing, to exercise
2.24 the employee's rights under this chapter.

2.25 Every employee employed in a farming operation with ten or fewer employees and
2.26 no temporary labor camp, and any agricultural employee association or union representing
2.27 that employee, shall have the right, upon request, to receive from their employer, within a
2.28 reasonable period of time, any information on a label that is required by any federal or
2.29 state health and safety law to be on the container of any substance or chemical to which
2.30 the employee is routinely exposed.