

1 A bill to be entitled
 2 An act relating to diabetes educators; creating part
 3 XVII of ch. 468, F.S., entitled "Diabetes Educators";
 4 providing legislative findings and intent; providing
 5 definitions; providing requirements for registration
 6 as a diabetes educator; requiring the Department of
 7 Health to renew a registration under certain
 8 circumstances; requiring the department to adopt rules
 9 for biennial renewal of registration; requiring a
 10 registrant to notify the department of specified
 11 changes; requiring the department to establish
 12 specified fees; prohibiting an unregistered person
 13 from certain activities relating to diabetes self-
 14 management training; providing exemptions; authorizing
 15 the department to take disciplinary action against an
 16 applicant or registrant for violations; authorizing
 17 rulemaking; providing an effective date.

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 19 Be It Enacted by the Legislature of the State of Florida:

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 21 Section 1. Part XVII of chapter 468, Florida Statutes,
 22 consisting of sections 468.931 through 468.935, Florida
 23 Statutes, is created to read:

24 PART XVII
 25 DIABETES EDUCATORS

26 468.931 Legislative intent.—The Legislature finds that the
27 provision of diabetes self-management training by unregistered
28 and incompetent practitioners presents a danger to the public
29 health and safety. Therefore, it is the intent of the
30 Legislature to prohibit diabetes educators who fall below
31 minimum competency standards or who otherwise present a danger
32 to the public health and safety from providing diabetes self-
33 management training in this state.

34 468.932 Definitions.—As used in this part, the term:

35 (1) "Department" means the Department of Health.

36 (2) "Diabetes educator" means a health care practitioner
37 registered under this part who has demonstrated a comprehensive
38 knowledge of and experience in prediabetes, diabetes prevention,
39 and diabetes education and who provides diabetes self-management
40 training.

41 (3) "Diabetes self-management training" means the
42 assessment and development of a plan of care for a person with
43 diabetes through a collaborative process through which such
44 person gains the knowledge and skills necessary to modify
45 behavior and successfully self-manage the disease as provided
46 for in the national standards published by the American Diabetes
47 Association.

48 468.933 Requirements for registration; registration
49 renewal.—

50 (1) A person may not receive compensation for providing

51 diabetes self-management training, or hold himself or herself
52 out as a diabetes educator, unless he or she is registered in
53 accordance with this part.

54 (2) The department shall issue a registration to an
55 applicant who has submitted to the department:

56 (a) A completed application in a form prescribed by the
57 department.

58 (b) A registration fee, pursuant to s. 468.934.

59 (c)1. Proof of certification as a Certified Diabetes
60 Educator by the National Certification Board for Diabetes
61 Educators or certification in Board Certified-Advanced Diabetes
62 Management by the American Association of Diabetes Educators; or

63 2. Proof of completion of at least 250 hours of diabetes
64 education, of which at least 100 hours are earned in the
65 calendar year immediately preceding application, and proof of
66 passing the examination administered by the National
67 Certification Board for Diabetes Educators; and

68 a. Proof of licensure under chapter 456, chapter 458,
69 chapter 459, chapter 461, chapter 463, chapter 464, chapter 465,
70 chapter 466, part III or part X of this chapter, chapter 483,
71 part I of chapter 484, chapter 486, chapter 490, or chapter 491;

72 b. Proof of certification as a clinical exercise
73 physiologist or Registered Clinical Exercise Physiologist by the
74 American College of Sports Medicine; or

75 c. Proof of graduation with a master's degree or higher

76 with a major course of study in social work from an institution
77 of higher learning that is, or at the time the applicant was
78 enrolled and graduated was, accredited by an accrediting agency
79 recognized by the Council for Higher Education Accreditation or
80 its successor or the United States Department of Education.

81 (3) The department shall renew a registration under this
82 section upon receipt of a renewal application and biennial
83 renewal fee from a registrant. The department shall adopt rules
84 establishing a procedure for the biennial renewal of
85 registrations under this section.

86 (4) A registrant shall notify the department, in a form
87 prescribed by the department, within 10 days after a
88 registrant's change in address or certification status required
89 pursuant to paragraph (2) (c).

90 468.934 Fees.—The department shall establish, by rule, the
91 following fees to be paid by a person seeking registration or
92 registration renewal as a diabetes educator, which must be
93 adequate to implement and administer this part:

94 (1) A nonrefundable application fee, which may not exceed
95 \$100.

96 (2) An initial registration fee, which may not exceed
97 \$100.

98 (3) A biennial renewal fee, which may not exceed \$50.

99 (4) A fee for reactivation of an inactive registration,
100 which may not exceed \$50.

101 (5) Additional fees for verification, recordmaking, and
 102 recordkeeping.

103 468.935 Prohibited acts; exemptions.-

104 (1) A person may not provide diabetes self-management
 105 training, or represent himself or herself as being a diabetes
 106 educator, unless he or she is registered pursuant to this part.

107 (2) This section does not prohibit or restrict:

108 (a) A person licensed under chapter 456, chapter 458,
 109 chapter 459, chapter 461, chapter 463, chapter 464, chapter 465,
 110 chapter 466, part III or part X of this chapter, chapter 483,
 111 part I of chapter 484, chapter 486, chapter 490, or chapter 491
 112 from engaging in the profession or occupation for which he or
 113 she is licensed.

114 (b) A person employed by and performing tasks or
 115 activities under the supervision of a person licensed under
 116 chapter 456, chapter 458, chapter 459, chapter 461, chapter 463,
 117 chapter 464, chapter 465, chapter 466, part III or part X of
 118 this chapter, chapter 483, part I of chapter 484, chapter 486,
 119 chapter 490, or chapter 491 from rendering services within the
 120 scope of the profession or occupation of the licensee.

121 (c) A person employed by the federal government or any
 122 bureau, division, or agency of the federal government from
 123 discharging his or her official duties.

124 (d) A person who is a diabetes educator registered in
 125 another state, district, or territory of the United States, or

126 | another country, if the department determines that the criteria
127 | for issuance of such registration are substantially equivalent
128 | to or more stringent than those of this state, from providing
129 | diabetes self-management training.

130 | (3) The department may take disciplinary action pursuant
131 | to s. 456.072 against an applicant or registrant and may deny,
132 | revoke, or suspend registration or registration renewal for a
133 | violation of this section.

134 | (4) The department may adopt rules to implement and
135 | administer this section.

136 | Section 2. This act shall take effect July 1, 2017.