

By Senator Gibson

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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 a registrant to notify the
9 department of specified changes; requiring the
10 department to establish specified fees; requiring the
11 department to adopt rules for biennial renewal of
12 registration; prohibiting an unregistered person from
13 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 specified violations;
17 authorizing 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

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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.

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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 a registration 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

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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 \$100.

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

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

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

102 468.935 Prohibited acts; exemptions.—

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

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

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

113 (b) A person employed by and performing tasks or activities
114 under the supervision of a person licensed under chapter 456,
115 chapter 458, chapter 459, chapter 461, chapter 463, chapter 464,
116 chapter 465, chapter 466, part III or part X of this chapter,

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117 chapter 483, part I of chapter 484, chapter 486, chapter 490, or
118 chapter 491 from rendering services within the scope of the
119 profession or occupation of the licensee.

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

123 (d) A person who is a diabetes educator registered in
124 another state, district, or territory of the United States, or
125 another country, if the department determines that the criteria
126 for issuance of such registration are substantially equivalent
127 to or more stringent than those of this state, from providing
128 diabetes self-management training.

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

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

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