

By the Committee on Health Policy; and Senator Gibson

588-03387-17

20171578c1

1 A bill to be entitled
2 An act relating to diabetes educators; amending s.
3 456.001, F.S.; redefining the term "health care
4 practitioner" to include diabetes educators; creating
5 part XVII of ch. 468, F.S., entitled "Diabetes
6 Educators"; providing legislative findings and intent;
7 requiring implementation by a specified date;
8 providing definitions; providing requirements for
9 registration as a diabetes educator; requiring the
10 Department of Health to renew a registration under
11 certain circumstances; requiring the department to
12 adopt rules for biennial renewal of registrations;
13 requiring the department to establish specified fees;
14 prohibiting an unregistered person from certain
15 activities relating to diabetes self-management
16 training; providing exemptions; authorizing the
17 department to take disciplinary action against an
18 applicant or registrant for specified violations;
19 authorizing rulemaking; providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Subsection (4) of section 456.001, Florida
24 Statutes, is amended to read:

25 456.001 Definitions.—As used in this chapter, the term:
26 (4) "Health care practitioner" means any person licensed
27 under chapter 457; chapter 458; chapter 459; chapter 460;
28 chapter 461; chapter 462; chapter 463; chapter 464; chapter 465;
29 chapter 466; chapter 467; part I, part II, part III, part V,

588-03387-17

20171578c1

30 part X, part XIII, ~~or~~ part XIV, or part XVII of chapter 468;
31 chapter 478; chapter 480; part III or part IV of chapter 483;
32 chapter 484; chapter 486; chapter 490; or chapter 491.

33 Section 2. Part XVII of chapter 468, Florida Statutes,
34 consisting of sections 468.931 through 468.935, Florida
35 Statutes, is created to read:

36 PART XVII

37 DIABETES EDUCATORS

38 468.931 Legislative intent; implementation.-

39 (1) The Legislature finds that the provision of diabetes
40 self-management training by unregistered and incompetent
41 practitioners presents a danger to the public health and safety.
42 Therefore, it is the intent of the Legislature to prohibit
43 diabetes educators who fall below minimum competency standards
44 or who otherwise present a danger to the public health and
45 safety from providing diabetes self-management training in this
46 state.

47 (2) The Department of Health must implement the provisions
48 of this part by July 1, 2018.

49 468.932 Definitions.-As used in this part, the term:

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

51 (2) "Diabetes educator" means a health care practitioner
52 registered under this part who has demonstrated a comprehensive
53 knowledge of and experience in prediabetes, diabetes prevention,
54 and diabetes education and who provides diabetes self-management
55 training.

56 (3) "Diabetes self-management training" means the
57 assessment and development of a plan of care for a person with
58 diabetes through a collaborative process through which such

588-03387-17

20171578c1

59 person gains the knowledge and skills necessary to modify
60 behavior and successfully self-manage the disease as provided
61 for in the national standards published by the American Diabetes
62 Association.

63 468.933 Requirements for registration; registration
64 renewal.—

65 (1) The department shall issue a registration to an
66 applicant who has submitted to the department:

67 (a) A completed application in a form prescribed by the
68 department.

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

70 (c)1. Proof of certification as a Certified Diabetes
71 Educator by the National Certification Board for Diabetes
72 Educators or certification in Board Certified—Advanced Diabetes
73 Management by the American Association of Diabetes Educators; or

74 2. Proof of completion of at least 250 practice hours of
75 diabetes education, of which at least 100 practice hours are
76 earned in the calendar year immediately preceding application,
77 and proof of passing the registration examination administered
78 by the National Certification Board for Diabetes Educators; and

79 a. Proof of licensure under chapter 456, chapter 458,
80 chapter 459, chapter 461, chapter 463, chapter 464, chapter 465,
81 chapter 466, part III or part X of this chapter, chapter 483,
82 part I of chapter 484, chapter 486, chapter 490, or s. 491.0145;

83 b. Proof of certification as a clinical exercise
84 physiologist or Registered Clinical Exercise Physiologist by the
85 American College of Sports Medicine; or

86 c. Proof of a master's degree or higher in social work from
87 an accredited United States college or university.

588-03387-17

20171578c1

88 (2) The department shall renew a registration under this
89 section upon receipt of a renewal application and biennial
90 renewal fee from a registrant. The department shall adopt rules
91 establishing a procedure for the biennial renewal of
92 registrations under this section.

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

97 (1) A nonrefundable application fee, which may not exceed
98 \$100.

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

100 (3) A biennial renewal fee, which may not exceed \$80.

101 (4) A fee for reactivation of an inactive registration,
102 which may not exceed \$135.

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, part I of chapter 464,
110 chapter 465, chapter 466, part III or part X of this chapter,
111 chapter 483, part I of chapter 484, chapter 486, or chapter 490
112 from engaging in the profession or occupation for which he or
113 she is licensed.

114 (b) A person employed by the federal government or any
115 bureau, division, or agency of the federal government from
116 discharging his or her official duties.

588-03387-17

20171578c1

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

121 (4) The department may adopt rules to implement and
122 administer this section.

123 Section 3. This act shall take effect July 1, 2017.