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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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03/08/2018 10:09 AM

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Senator Gibson moved the following:

**Senate Amendment (with title amendment)**

Before line 51

insert:

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

456.001 Definitions.—As used in this chapter, the term:

(4) "Health care practitioner" means any person licensed or registered under chapter 457; chapter 458; chapter 459; chapter 460; chapter 461; chapter 462; chapter 463; chapter 464; chapter 465; chapter 466; chapter 467; part I, part II, part III, part



802326

12 V, part X, part XIII, ~~or~~ part XIV, or part XVII of chapter 468;  
13 chapter 478; chapter 480; part III or part IV of chapter 483;  
14 chapter 484; chapter 486; chapter 490; or chapter 491.

15 Section 2. Part XVII of chapter 468, Florida Statutes,  
16 consisting of sections 468.931 through 468.935, Florida  
17 Statutes, is created to read:

18 PART XVII

19 DIABETES EDUCATORS

20 468.931 Legislative findings and intent; implementation.—

21 (1) The Legislature finds that the provision of diabetes  
22 self-management training by unregistered and incompetent  
23 practitioners presents a danger to the public health and safety.  
24 Therefore, it is the intent of the Legislature to prohibit  
25 diabetes educators who fall below minimum competency standards  
26 or who otherwise present a danger to the public health and  
27 safety from providing diabetes self-management training in this  
28 state.

29 (2) The Department of Health must implement the provisions  
30 of this part by July 1, 2019.

31 468.932 Definitions.—As used in this part, the term:

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

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

38 (3) "Diabetes self-management training" means the  
39 assessment and development of a plan of care for a person with  
40 diabetes through a collaborative process through which the



802326

41 person gains the knowledge and skills necessary to modify  
42 behavior and successfully self-manage the disease as provided  
43 for in the national standards published by the American Diabetes  
44 Association.

45 468.933 Requirements for registration; registration  
46 renewal.—

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

49 (a) A completed application in a form prescribed by the  
50 department.

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

52 (c)1. Proof of certification as a Certified Diabetes  
53 Educator by the National Certification Board for Diabetes  
54 Educators or certification in Board Certified—Advanced Diabetes  
55 Management by the American Association of Diabetes Educators; or

56 2. Proof of completion of at least 250 practice hours of  
57 diabetes education, of which at least 100 practice hours are  
58 earned in the calendar year immediately preceding application,  
59 and proof of passing the registration examination administered  
60 by the National Certification Board for Diabetes Educators; and  
61 proof of licensure as a health care practitioner as defined in  
62 s. 456.001.

63 (2) The department shall renew a registration under this  
64 section upon receipt of a renewal application and biennial  
65 renewal fee from a registrant. The department shall adopt rules  
66 establishing procedures for biennial renewal of registrations  
67 under this section.

68 468.934 Fees.—The department shall establish by rule the  
69 following fees to be paid by a person seeking registration or



802326

70 registration renewal as a diabetes educator. The fees must be  
71 adequate to implement and administer this part:

72 (1) A nonrefundable application fee, which may not exceed  
73 \$100.

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

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

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

78 468.935 Prohibited acts; exemptions.-

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

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

83 (a) An emergency medical technician or paramedic licensed  
84 under chapter 401 or a health care practitioner as defined in s.  
85 456.001 from engaging in, or practicing within, the scope of the  
86 occupation or profession for which he or she is licensed.

87 (b) A person employed by the Federal Government or any  
88 bureau, division, or agency of the Federal Government from  
89 discharging his or her official duties.

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

94 (4) The department may adopt rules to implement and  
95 administer this section.

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97 ===== T I T L E A M E N D M E N T =====

98 And the title is amended as follows:



802326

99           Delete line 2  
100 and insert:  
101           An act relating to health care practitioners; amending  
102           s. 456.001, F.S.; redefining the term "health care  
103           practitioner" to include diabetes educators; creating  
104           part XVII of ch. 468, F.S., entitled "Diabetes  
105           Educators"; providing legislative findings and intent;  
106           requiring implementation by a specified date; defining  
107           terms; providing requirements for registration as a  
108           diabetes educator; requiring the Department of Health  
109           to renew a registration under certain circumstances;  
110           requiring the department to adopt rules for biennial  
111           renewal of registrations; requiring the department to  
112           establish specified fees; prohibiting an unregistered  
113           person from certain activities relating to diabetes  
114           self-management training; providing exemptions;  
115           authorizing the department to take disciplinary action  
116           against an applicant or registrant for specified  
117           violations; authorizing rulemaking; amending s.  
118           464.003, F.S.;