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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



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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



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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



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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:



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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.;