

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

22
 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 or registered under chapter 457; chapter 458; chapter 459;
 28 chapter 460; chapter 461; chapter 462; chapter 463; chapter 464;
 29 chapter 465; chapter 466; chapter 467; part I, part II, part
 30 III, part V, part X, part XIII, ~~or~~ part XIV, or part XVII of
 31 chapter 468; chapter 478; chapter 480; part III or part IV of
 32 chapter 483; chapter 484; chapter 486; chapter 490; or chapter
 33 491.

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

37 PART XVII

38 DIABETES EDUCATORS

39 468.931 Legislative findings and intent; implementation.-

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

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

50 468.932 Definitions.-As used in this part, the term:

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

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

57 (3) "Diabetes self-management training" means the
 58 assessment and development of a plan of care for a person with
 59 diabetes through a collaborative process through which the
 60 person gains the knowledge and skills necessary to modify
 61 behavior and successfully self-manage the disease as provided
 62 for in the national standards published by the American Diabetes
 63 Association.

64 468.933 Requirements for registration; registration
 65 renewal.—

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

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

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

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

75 2. Proof of completion of at least 250 practice hours of

76 diabetes education, of which at least 100 practice hours are
77 earned in the calendar year immediately preceding application,
78 and proof of passing the registration examination administered
79 by the National Certification Board for Diabetes Educators; and
80 at least one of the following:

81 a. Proof of licensure as a health care practitioner as
82 defined in s. 456.001;

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
87 from an accredited United States college or university.

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 procedures for biennial renewal of registrations
92 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. The fees 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.

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

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

104 468.935 Prohibited acts; exemptions.-

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

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

109 (a) An emergency medical technician or paramedic licensed
110 under chapter 401 or a health care practitioner as defined in s.
111 456.001 from engaging in, or practicing within the scope of, the
112 occupation or profession for which he or she is licensed.

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

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

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

122 Section 3. This act shall take effect July 1, 2018.