

By the Committee on Health Policy; and Senators Gibson and Torres

588-02917-18

2018758c1

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; defining  
8 terms; providing requirements for registration as a  
9 diabetes educator; requiring the Department of Health  
10 to renew a registration under certain circumstances;  
11 requiring the department to adopt rules for biennial  
12 renewal of registrations; requiring the department to  
13 establish specified fees; prohibiting an unregistered  
14 person from certain activities relating to diabetes  
15 self-management training; providing exemptions;  
16 authorizing the department to take disciplinary action  
17 against an applicant or registrant for specified  
18 violations; authorizing rulemaking; providing an  
19 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 or  
27 registered under chapter 457; chapter 458; chapter 459; chapter  
28 460; chapter 461; chapter 462; chapter 463; chapter 464; chapter  
29 465; chapter 466; chapter 467; part I, part II, part III, part

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30 V, 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 findings and 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, 2019.

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 the

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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 proof of licensure as a health care practitioner as defined in  
80 s. 456.001.

81 (2) 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 procedures for biennial renewal of registrations  
85 under this section.

86 468.934 Fees.—The department shall establish by rule the  
87 following fees to be paid by a person seeking registration or

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

90 (1) A nonrefundable application fee, which may not exceed  
91 \$100.

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

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

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

96 468.935 Prohibited acts; exemptions.-

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

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

101 (a) An emergency medical technician or paramedic licensed  
102 under chapter 401 or a health care practitioner as defined in s.  
103 456.001 from engaging in, or practicing within, the scope of the  
104 occupation or profession for which he or she is licensed.

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

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

112 (4) The department may adopt rules to implement and  
113 administer this section.

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