

By Senator Harrell

25-01641-20

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1 A bill to be entitled
2 An act relating to applied behavior analysis services;
3 amending s. 400.9905, F.S.; providing an exemption
4 from licensure requirements for certain individuals
5 who are employed or under contract with certain
6 entities providing applied behavior analysis services;
7 amending s. 1003.572, F.S.; redefining the term
8 "private instructional personnel" to include certain
9 behavior analysts and paraprofessionals providing
10 applied behavior analysis services; providing an
11 effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Paragraph (o) is added to subsection (4) of
16 section 400.9905, Florida Statutes, to read:

17 400.9905 Definitions.—

18 (4) "Clinic" means an entity where health care services are
19 provided to individuals and which tenders charges for
20 reimbursement for such services, including a mobile clinic and a
21 portable equipment provider. As used in this part, the term does
22 not include and the licensure requirements of this part do not
23 apply to:

24 (o) A group of individuals certified under s. 393.17 or
25 licensed under chapter 490 or chapter 491, and who are employed
26 by or under contract with a group practice, billing provider, or
27 agency that provides applied behavior analysis services as
28 defined in ss. 627.6686 and 641.31098.
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30 Notwithstanding this subsection, an entity shall be deemed a
31 clinic and must be licensed under this part in order to receive
32 reimbursement under the Florida Motor Vehicle No-Fault Law, ss.
33 627.730-627.7405, unless exempted under s. 627.736(5)(h).

34 Section 2. Present paragraphs (b) through (f) of subsection
35 (1) of section 1003.572, Florida Statutes, are redesignated as
36 paragraphs (c) through (g), respectively, a new paragraph (b) is
37 added to that subsection, and paragraph (a) of that subsection
38 is amended, to read:

39 1003.572 Collaboration of public and private instructional
40 personnel.—

41 (1) As used in this section, the term "private
42 instructional personnel" means:

43 (a) Individuals ~~certified under s. 393.17 or~~ licensed under
44 chapter 490 or chapter 491, or behavior analysts certified by a
45 nonprofit credentialing entity approved by the department, for
46 applied behavior analysis services as defined in ss. 627.6686
47 and 641.31098.

48 (b) Paraprofessionals who practice under the supervision of
49 a professional authorized under paragraph (a) and who assist and
50 support such professional in providing applied behavior analysis
51 services.

52 Section 3. This act shall take effect July 1, 2020.