

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
 19 are 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.

29 |
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. Paragraphs (b) through (f) of subsection (1) of
35 | section 1003.572, Florida Statutes, are redesignated as
36 | paragraphs (c) through (g), respectively, paragraph (a) is
37 | amended, and a new paragraph (b) is added to that subsection, to
38 | 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~~
44 | under chapter 490 or chapter 491, or behavior analysts certified
45 | by a nonprofit credentialing entity approved by the department,
46 | for applied behavior analysis services as defined in ss.
47 | 627.6686 and 641.31098.

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

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51 | analysis services.

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