

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 or recognized under
 25 s. 393.17 or licensed under chapter 490 or chapter 491, and who

26 are employed by or under contract with a group practice, billing
27 provider, or agency that provides applied behavior analysis
28 services as 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.