

1                                   A bill to be entitled  
 2           An act relating to applied behavior analysis services;  
 3           amending s. 400.9905, F.S.; revising the definition of  
 4           the term "clinic" to exempt certain groups of  
 5           individuals providing applied behavior analysis  
 6           services from health care clinic licensure  
 7           requirements; amending s. 1003.572, F.S.; revising the  
 8           definition of the term "private instructional  
 9           personnel" to include certain registered behavior  
 10          technicians; providing an effective date.

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

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14           Section 1. Present paragraphs (o), (p), and (q) of  
 15           subsection (4) of section 400.9905, Florida Statutes, are  
 16           redesignated as paragraphs (p), (q), and (r), respectively, and  
 17           a new paragraph (o) is added to that subsection, to read:

18           400.9905 Definitions.—

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

25           (o) A group of individuals who are certified under s.

26 | 393.17 or licensed under chapter 490 or chapter 491 and are  
 27 | employed by or under contract with a group practice, a billing  
 28 | provider, or an agency that provides applied behavior analysis  
 29 | services as defined in ss. 627.6686 and 641.31098.

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 31 | Notwithstanding this subsection, an entity shall be deemed a  
 32 | clinic and must be licensed under this part in order to receive  
 33 | reimbursement under the Florida Motor Vehicle No-Fault Law, ss.  
 34 | 627.730-627.7405, unless exempted under s. 627.736(5)(h).

35 | Section 2. Present paragraphs (b) through (f) of  
 36 | subsection (1) of section 1003.572, Florida Statutes, are  
 37 | redesignated as paragraphs (c) through (g), respectively, and a  
 38 | new paragraph (b) is added to that subsection, 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 | (b) Registered behavior technicians who have a nationally  
 44 | recognized paraprofessional certification in behavior analysis  
 45 | and who practice under the supervision of an individual  
 46 | described in paragraph (a), assisting and supporting such  
 47 | individual in the provision of applied behavior analysis  
 48 | services.

49 | Section 3. This act shall take effect July 1, 2021.