

CHAPTER 142

(SB 198)

AN ACT relating to diabetes educators.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 309.325 is amended to read as follows:

As used in KRS 309.325 to 309.339, unless the context requires otherwise:

- (1) "Board" means the Kentucky Board of Licensed Diabetes Educators;
- (2) "Diabetes education" means a *comprehensive* collaborative process through which people with or at risk for diabetes gain the knowledge and skills needed to modify behavior and successfully self-manage the disease and its related conditions; ~~and~~
- (3) "Licensed diabetes educator" means a health care professional who has met the requirements of KRS 309.335, 309.337, and 309.339 and who focuses on training or educating people with or at risk for diabetes and related conditions to change their behavior to achieve better clinical outcomes and improved health status. *The nondiabetes educator health professional and the nonhealth-care professional who provide or support health care services to individuals with diabetes as defined by the American Association of Diabetes Educators, Competencies for Diabetes Educators, shall work under the direction of a qualified diabetes care provider; and*
- (4) *"Practice of diabetes education" means assessing and developing a plan of care for a person with or at risk of diabetes, identifying self-management goals for the person, providing self-management training according to the plan, evaluating the individual's outcome and recording a complete record of the individual's experience and follow-ups.*

➔Section 2. KRS 309.327 is amended to read as follows:

- (1) No person shall use the title "licensed diabetes educator" or hold himself or herself out as a "licensed diabetes educator" *or a title substantially similar, or engage in the practice of diabetes education, display a sign or in any other way advertise or present himself or herself as a person who practices diabetes education unless he or she holds a current, unsuspended and unrevoked license issued by the board* ~~[unless he or she is licensed]~~ pursuant to KRS 309.325 to 309.339.
- (2) Nothing in KRS 309.325 to 309.339 shall apply to persons licensed, certified, or registered under any other provision of the Kentucky Revised Statutes, including but not limited to physicians, nurses, pharmacists, dietitians, and nutritionists or students in accredited training programs in those professions, and nothing in KRS 309.325 to 309.339 shall be construed to limit, interfere with, or restrict the practice, descriptions of services, or manner in which they hold themselves out to the public.
- (3) Nothing in KRS 309.325 to 309.339 shall be construed to alter, amend, or interfere with the practice of those who provide health care services, including but not limited to physicians, nurses, pharmacists, dietitians, and nutritionists.
- (4) Nothing in KRS 309.325 to 309.339 shall apply to activities and services of an accredited institution of higher education as part of a program of studies.

➔SECTION 3. A NEW SECTION OF KRS 309.325 TO 309.339 IS CREATED TO READ AS FOLLOWS:

Any person who violates subsection (1) of Section 2 of this Act shall be guilty of a Class A misdemeanor.

Signed by Governor April 11, 2012.