

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 45:110

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Subject Headings: Diabetes Educators, Licensing, Boards and Commissions

(1) Provide a brief summary of:

(a) What this administrative regulation does: The regulation establishes the work experience and supervision required for licensure.

(b) The necessity of this administrative regulation: This regulation is necessary because it explains the amount of work experience needed for licensure and the standards for supervision.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The Board is given the authority to establish administrative regulations for the practice of diabetes educators.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: : This administrative regulation sets forth the definitions of work experience and supervision for apprentice diabetes educators.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment clarifies that an apprentice diabetes educator cannot practice diabetes education until a supervisor has been approved by the board, and puts the supervisor on notice they are assuming the responsibility for the apprentice diabetes educator's practice; that the supervisor must complete an assessment of the apprentice using the DPL-BDE-01 which must accompany an application for independent licensure; sets specific requirements for meeting with the supervisor in-person or virtual; reorganizes the regulation to streamline the supervision process; clarifies observation requirements of the apprentice and a patient by the supervisor and to include telehealth; establishes a requirement for the supervisor and the apprentice to maintain documentation of the supervised work experience; and, updates and renumbers required forms.

(b) The necessity of the amendment to this administrative regulation: These amendments were necessary to clarify the responsibility of the supervisor and the requirements for the supervised work experience for full licensure, and to update the forms.

(c) How the amendment conforms to the content of the authorizing statutes: The amendment conforms to the content of KRS 309.331(1) through the board's promulgation of administrative regulations to carry out and clarify standards of practice and requirements for licensed diabetes educators and apprentices.

(d) How the amendment will assist in the effective administration of the statutes: The amendment clarifies the requirements for supervision, the responsibilities of the supervisor, and requirements for full licensure.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: This regulation affects approximately 244 active and 2 inactive credential holders.

(5) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The supervisors and apprentice diabetes educators will have to complete the supervision requirements, including an assessment which must now accompany any application for full licensure by the apprentice, and maintain documentation of the supervised experience work report for five (5) years.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): The fee is established in a separate regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Apprentice diabetes educators and supervisors will better understand the requirements for licensure and receive proper supervision and work experience.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: No new costs will be incurred by the changes.

(b) On a continuing basis: No new costs will be incurred by the changes.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment: The board's operation is funded by the fees paid by licensees and apprentice diabetes educators

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding will be necessary to implement this administrative regulation.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation did not establish the fees. The application fee is set in a separate regulation and is not affected directly or indirectly by this administrative regulation.

(10) TIERING: Is tiering applied? Tiering was not applied because these requirements apply equally to all licensees