

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 45:130

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Subject Headings: Diabetes Educators, Education Professional Standards, Licensing

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation sets forth the continuing education requirements for diabetes educators

(b) The necessity of this administrative regulation: The Board is required by KRS 309.331 to regulate the practice of diabetes education and promulgate regulations regarding continuing education.

(c) How this administrative regulation conforms to the content of the authorizing statutes: The Board is required by KRS 309.331 to regulate the practice of diabetes education and promulgate regulations regarding continuing education.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: KRS 309.337 requires licensees to provide documentation of the successful completion of board-approved continuing education credits and that waivers and extensions of continuing education may be approved at the discretion of the board. KRS 309.331(1) requires the board to promulgate administrative regulations establishing continuing education requirements. This administrative regulation establishes continuing education requirements for licensed 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 continuing education is required for a licensed diabetes educator and a diabetes educator apprentice and removes the requirement for the name of a presenter as part of the documentation that must be kept by the credential holder.

(b) The necessity of the amendment to this administrative regulation: The amendment is necessary to clarify the continuing education requirements for all credential holders and to remove the requirement for name of presenter since it is not needed if the continuing education was through a board-approved provider or program.

(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 continuing education requirements for licensed diabetes educators and apprentices.

(d) How the amendment will assist in the effective administration of the statutes: The amendment will assist in the effective administration of the statutes by clarifying the continuing education requirements for all credential holders and relieving the credential holder of maintaining the name of a presenter for a program that was pre-approved by the board.

(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: The Public Protection Cabinet, the Board of Diabetes Educators, and its licensees and permit holders. There are currently 244 licensees and permit holders 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: There are no new actions the regulated entities will have to take to comply with this amendment as the regulation already requires continuing education.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): The regulated entities currently pay for continuing education so there are no new costs to the regulated entities as a result of compliance with this amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): There will be clarification that all regulated entities are required to have continuing education and that programs for approval must list the name of the presenter and what approved provider the presenter is affiliated with.

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

(a) Initially: There are no new costs initially.

(b) On a continuing basis: There are no new costs on a continuing basis.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment: Current Board funding comprised of fees for licensing, renewal and reinstatement will be used to implement and enforce this administrative regulation.

(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 additional funding or increase in fees is needed.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: No fees are directly or indirectly established or increased by the administrative regulation

(10) TIERING: Is tiering applied? Tiering is not applicable as the proposed language will be applied equally to all entities impacted by it.