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CS/HB 1567, Engrossed 1

2025 Legislature

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 2 An act relating to insulin administration by direct-
 3 support professionals and relatives; amending s.
 4 393.063, F.S.; defining the term "direct-support
 5 professional"; creating s. 393.504, F.S.; authorizing
 6 direct-support professionals and relatives of clients
 7 in group home facilities for individuals with
 8 developmental disabilities to administer insulin as
 9 prescribed to the client if specified conditions are
 10 met; providing group home facilities, direct-support
 11 professionals, and relatives of clients with immunity
 12 from civil liability for damages and civil and
 13 criminal penalties under certain circumstances;
 14 including specific administration methods in the
 15 meaning of "administration of insulin"; amending s.
 16 393.506, F.S.; authorizing an unlicensed direct
 17 service provider to supervise self-administration of
 18 insulin and epinephrine through the use of specified
 19 devices; amending s. 1002.394, F.S.; conforming a
 20 cross-reference; providing an effective date.

21
 22 Be It Enacted by the Legislature of the State of Florida:

23
 24 Section 1. Subsections (13) through (46) of section
 25 393.063, Florida Statutes, are renumbered as subsections (14)

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26 | through (47), respectively, and a new subsection (13) is added
 27 | to that section, to read:

28 | 393.063 Definitions.—For the purposes of this chapter, the
 29 | term:

30 | (13) "Direct-support professional" means a person paid to
 31 | provide services directly to a client receiving home and
 32 | community-based services to address activities of daily living
 33 | or instrumental activities of daily living, behavioral supports,
 34 | employment supports, or other services to promote community
 35 | integration of the client.

36 | Section 2. Section 393.504, Florida Statutes, is created
 37 | to read:

38 | 393.504 Administration of insulin.—

39 | (1) Notwithstanding any other law, a direct-support
 40 | professional or a client's relative may administer insulin to a
 41 | client residing in a group home facility if all of the following
 42 | conditions have been met:

43 | (a) The group home facility has an established procedure
 44 | to provide training to the direct-support professional or
 45 | relative in the administration of insulin. The training must be
 46 | provided by a registered nurse, a licensed practical nurse, or
 47 | an advanced practice registered nurse licensed under chapter
 48 | 464; a physician licensed under chapter 458 or chapter 459; or a
 49 | physician assistant licensed under chapter 458 or chapter 459.

50 | (b) The group home facility has adopted policies and

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51 procedures governing the administration of insulin by direct-
52 support professionals and relatives. The policies and procedures
53 must include, but need not be limited to, the following
54 provisions:

55 1. For clients requiring insulin, the group home facility
56 shall have on file the prescribed dosage of insulin required for
57 the client and proof of the direct-support professional's or
58 relative's training as required under paragraph (a).

59 2. The group home facility and the direct-support
60 professional or relative shall coordinate in advance before
61 insulin is administered to the client to avoid duplication in
62 administration.

63 3. The group home facility shall establish emergency
64 procedures related to the administration of insulin to clients.

65 4. The group home facility must certify any direct-support
66 professional or relative to administer insulin under this
67 section if he or she is in compliance with the requirements of
68 this section.

69 5. The group home facility must immediately notify a
70 direct-support professional or relative if he or she is not in
71 compliance with this section and immediately cease to allow them
72 to administer insulin.

73 (2) A group home facility that complies with this section
74 and its established policies and procedures is immune from civil
75 liability for damages arising out of the administration of

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76 | insulin by a direct-support professional or a client's relative.

77 | (3) A direct-support professional or relative
 78 | administering insulin to a client residing in a group home
 79 | facility in compliance with this section is immune from civil
 80 | liability for damages or civil or criminal penalties arising out
 81 | of the administration of insulin to the client.

82 | (4) For purposes of this section, the administration of
 83 | insulin includes sliding scale insulin therapy, to include the
 84 | calculation of an insulin dose based on current blood glucose
 85 | and the administration of that calculated dose subcutaneously
 86 | using an insulin pen containing premeasured doses or a syringe
 87 | filled with the calculated dose drawn from a vial of insulin.

88 | Section 3. Subsection (1) of section 393.506, Florida
 89 | Statutes, is amended to read:

90 | 393.506 Administration of medication.—

91 | (1) An unlicensed direct service provider may supervise
 92 | the self-administration of medication or may administer oral,
 93 | transdermal, ophthalmic, otic, rectal, inhaled, enteral, or
 94 | topical prescription medications to a client if the unlicensed
 95 | direct service provider meets the requirements of this section.
 96 | This includes, but is not limited to, the subcutaneous
 97 | administration of insulin and epinephrine through an insulin
 98 | pen, epinephrine pen, or similar device designed for self-
 99 | administration.

100 | Section 4. Paragraph (e) of subsection (2) of section

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101 1002.394, Florida Statutes, is amended to read:
 102 1002.394 The Family Empowerment Scholarship Program.—
 103 (2) DEFINITIONS.—As used in this section, the term:
 104 (e) "Disability" means, for a 3- or 4-year-old child or
 105 for a student in kindergarten to grade 12, autism spectrum
 106 disorder, as defined in the Diagnostic and Statistical Manual of
 107 Mental Disorders, Fifth Edition, published by the American
 108 Psychiatric Association; cerebral palsy, as defined in s.
 109 393.063; Down syndrome, as defined in s. 393.063; an
 110 intellectual disability, as defined in s. 393.063; a speech
 111 impairment; a language impairment; an orthopedic impairment; any
 112 other health impairment; an emotional or a behavioral
 113 disability; a specific learning disability, including, but not
 114 limited to, dyslexia, dyscalculia, or developmental aphasia;
 115 Phelan-McDermid syndrome, as defined in s. 393.063; Prader-Willi
 116 syndrome, as defined in s. 393.063; spina bifida, as defined in
 117 s. 393.063; being a high-risk child, as defined in s.
 118 393.063(23)(a) ~~s. 393.063(22)(a)~~; muscular dystrophy; Williams
 119 syndrome; rare diseases which affect patient populations of
 120 fewer than 200,000 individuals in the United States, as defined
 121 by the National Organization for Rare Disorders; anaphylaxis; a
 122 hearing impairment, including deafness; a visual impairment,
 123 including blindness; traumatic brain injury; hospital or
 124 homebound; or identification as dual sensory impaired, as
 125 defined by rules of the State Board of Education and evidenced

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126 | by reports from local school districts. The term "hospital or
127 | homebound" includes a student who has a medically diagnosed
128 | physical or psychiatric condition or illness, as defined by the
129 | state board in rule, and who is confined to the home or hospital
130 | for more than 6 months.

131 | Section 5. This act shall take effect July 1, 2025.