

Thurs 8:00am
B

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3200
OFFERED BY MS. DEGETTE OF COLORADO
(AINS-EC_001)**

Add at the end of title III of division B the following:

1 **SEC. 1311. RECOGNITION OF CERTIFIED DIABETES EDU-**
2 **CATORS AS CERTIFIED PROVIDERS FOR PUR-**
3 **POSES OF MEDICARE DIABETES OUTPATIENT**
4 **SELF-MANAGEMENT TRAINING SERVICES.**

5 (a) IN GENERAL.—Section 1861(qq) of the Social Se-
6 curity Act (42 U.S.C. 1395x(qq)) is amended—

7 (1) in paragraph (1), by inserting “or by a cer-
8 tified diabetes educator (as defined in paragraph
9 (3))” after “paragraph (2)(B)”; and

10 (2) by adding at the end the following new
11 paragraphs:

12 “(3) For purposes of paragraph (1), the term
13 ‘certified diabetes educator’ means an individual
14 who—

15 “(A) is licensed or registered by the State
16 in which the services are performed as a health
17 care professional;

1 “(B) specializes in teaching individuals
2 with diabetes to develop the necessary skills and
3 knowledge to manage the individual’s diabetic
4 condition; and

5 “(C) is certified as a diabetes educator by
6 a recognized certifying body (as defined in
7 paragraph (4)).

8 “(4)(A) For purposes of paragraph (3)(C), the
9 term ‘recognized certifying body’ means—

10 “(i) the National Certification Board for
11 Diabetes Educators, or

12 “(ii) a certifying body for diabetes edu-
13 cators, which is recognized by the Secretary as
14 authorized to grant certification of diabetes
15 educators for purposes of this subsection pursu-
16 ant to standards established by the Secretary,
17 if the Secretary determines such Board or body,
18 respectively, meets the requirement of subpara-
19 graph (B).

20 “(B) The National Certification Board for Dia-
21 betes Educators or a certifying body for diabetes
22 educators meets the requirement of this subpara-
23 graph, with respect to the certification of an indi-
24 vidual, if the Board or body, respectively, is incor-
25 porated and registered to do business in the United

1 States and requires as a condition of such certifi-
2 cation each of the following:

3 “(i) The individual has a qualifying cre-
4 dential in a specified health care profession.

5 “(ii) The individual has professional prac-
6 tice experience in diabetes self-management
7 training that includes a minimum number of
8 hours and years of experience in such training.

9 “(iii) The individual has successfully com-
10 pleted a national certification examination of-
11 fered by such entity.

12 “(iv) The individual periodically renews
13 certification status following initial certifi-
14 cation.”.

15 (b) EFFECTIVE DATE.—The amendments made by
16 subsection (a) shall apply to diabetes outpatient self-man-
17 agement training services furnished on or after the first
18 day of the first calendar year that is at least 6 months
19 after the date of the enactment of this Act.

Add at the end of subtitle C of title VII of division
B the following:

20 **SEC. 1726. INCLUDING PODIATRISTS AS PHYSICIANS**
21 **UNDER THE MEDICAID PROGRAM.**

22 (a) IN GENERAL.—Section 1905(a)(5)(A) of the So-
23 cial Security Act (42 U.S.C. 1396d(a)(5)(A)) is amended

1 by striking “section 1861(r)(1)” and inserting “para-
2 graphs (1) and (3) of section 1861(r)”.

3 (b) EFFECTIVE DATE.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), the amendment made by subsection (a)
6 shall apply to services furnished on or after January
7 1, 2010.

8 (2) EXTENSION OF EFFECTIVE DATE FOR
9 STATE LAW AMENDMENT.—In the case of a State
10 plan under title XIX of the Social Security Act (42
11 U.S.C. 1396 et seq.) which the Secretary of Health
12 and Human Services determines requires State legis-
13 lation in order for the plan to meet the additional
14 requirement imposed by the amendment made by
15 subsection (a), the State plan shall not be regarded
16 as failing to comply with the requirements of such
17 title solely on the basis of its failure to meet these
18 additional requirements before the first day of the
19 first calendar quarter beginning after the close of
20 the first regular session of the State legislature that
21 begins after the date of enactment of this Act. For
22 purposes of the previous sentence, in the case of a
23 State that has a 2-year legislative session, each year

1 of the session is considered to be a separate regular
2 session of the State legislature.



