

1                                   A bill to be entitled  
 2           An act relating to surgical assistants and surgical  
 3           technologists; amending s. 395.0191, F.S.; providing  
 4           definitions; providing employment limitations for  
 5           health care facilities employing or contracting with  
 6           surgical assistants and surgical technologists;  
 7           providing exceptions; providing an effective date.

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 9   Be It Enacted by the Legislature of the State of Florida:

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 11           Section 1. Subsection (11) is added to section 395.0191,  
 12   Florida Statutes, to read:

13           395.0191 Staff membership and clinical privileges.—

14           (11) (a) As used in this subsection, the term:

15           1. "Certified surgical assistant" means a surgical  
 16           assistant who maintains one of the following valid and active  
 17           certifications:

18           a. Certified Surgical First Assistant from the National  
 19           Board of Surgical Technology and Surgical Assisting.

20           b. Certified Surgical Assistant from the National Surgical  
 21           Assistant Association.

22           c. Surgical Assistant-Certified from the American Board of  
 23           Surgical Assistants.

24           2. "Certified surgical technologist" means a surgical  
 25           technologist who maintains a valid and active certification as a  
 26           Certified Surgical Technologist from the National Board of  
 27           Surgical Technology and Surgical Assisting.

28           3. "Surgeon" means a health care practitioner as defined

29 in chapter 456 whose scope of practice includes performing  
30 surgery and who is listed as the primary surgeon in the  
31 operative record.

32 4. "Surgical assistant" means a person who provides aid,  
33 under the supervision of a surgeon, with exposure, hemostasis,  
34 closures, and other intraoperative technical functions that  
35 assist the surgeon in performing a safe operation with optimal  
36 results for the patient.

37 5. "Surgical technologist" means a person who assists and  
38 practices under the supervision of a surgeon to ensure that the  
39 operating room environment is safe, that proper equipment is  
40 available, and that the operative procedure is conducted  
41 efficiently. Surgical technologist duties include, but are not  
42 limited to, maintaining sterility during a surgical procedure,  
43 handling and ensuring the availability of necessary equipment  
44 and supplies, and maintaining visibility of the operative site.

45 (b) A facility may not employ or contract with a person to  
46 perform the duties of a surgical assistant or surgical  
47 technologist unless the person is a certified surgical assistant  
48 or certified surgical technologist, respectively.

49 (c) Paragraph (b) does not apply to:

50 1. A person who was employed or contracted to perform the  
51 duties of a surgical technologist or a surgical assistant at any  
52 time between January 1, 2013, and July 1, 2013.

53 2. A health care practitioner as defined in chapter 456 or  
54 a student if the duties that the health practitioner or student  
55 performs fall within the scope of his or her training and  
56 practice.

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57        3. A person enrolled in a surgical technology or surgical  
58 assisting training program accredited by the Commission on  
59 Accreditation of Allied Health Education Programs, the  
60 Accrediting Bureau of Health Education Schools, or any other  
61 accrediting body recognized by the United States Department of  
62 Education as of July 1, 2013. Such a person may practice as a  
63 surgical technologist or a surgical assistant for 1 year after  
64 completion of such a training program before he or she is  
65 required to meet the criteria in paragraph (b).

66        Section 2. This act shall take effect July 1, 2013.