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LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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05/02/2013 03:33 PM

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Senator Garcia moved the following:

1 **Senate Amendment to Amendment (566056) (with title**
2 **amendment)**

3
4 Between lines 4 and 5
5 insert:

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

8 395.0191 Staff membership and clinical privileges.—

9 (11) (a) Definitions.—As used in this subsection, the term:

10 1. "Certified surgical assistant" means a surgical
11 assistant who maintains valid and active one of the following
12 certifications:

13 a. Certified Surgical First Assistant from the National



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14 Board of Surgical Technology and Surgical Assisting.

15 b. Certified Surgical Assistant from the National Surgical
16 Assistant Association.

17 c. Surgical Assistant-Certified from the American Board of
18 Surgical Assistants.

19 2. "Certified surgical technologist" means a surgical
20 technologist who maintains valid and active certification as a
21 Certified Surgical Technologist from the National Board of
22 Surgical Technology and Surgical Assisting.

23 3. "Surgeon" means any health care practitioner as defined
24 in chapter 456 whose scope of practice includes performing
25 surgery and who is listed as the primary surgeon in the
26 operative record.

27 4. "Surgical assistant" means a person who provides aid in
28 exposure, hemostasis, closures, and other intraoperative
29 technical functions and assists the surgeon in performing a safe
30 operation with optimal results for the patient.

31 5. "Surgical technologist" means a person who assists and
32 practices to ensure that the operating room environment is safe,
33 that proper equipment is available, and that the operative
34 procedure is conducted efficiently. Surgical technologist duties
35 include, but are not limited to, maintaining sterility during a
36 surgical procedure, handling and ensuring the availability of
37 necessary equipment and supplies, and maintaining visibility of
38 the operative site.

39 (b) *Employment limitations.*—

40 1. A facility may not employ or contract with any person to
41 perform the duties of a surgical assistant unless the person is
42 a certified surgical assistant.



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43 2. A facility may not employ or contract with any person to
44 perform the duties of a surgical technologist unless the person
45 is a certified surgical technologist.

46 3. Subparagraphs 1. and 2. do not apply to:

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

50 b. A health care practitioner as defined in chapter 456 or
51 a student if the duties he or she performs fall within the scope
52 of the practitioner's or the student's training and practice.

53 c. A person enrolled in a surgical technology or surgical
54 assisting training program accredited by the Commission on
55 Accreditation of Allied Health Education Programs, the
56 Accrediting Bureau of Health Education Schools, or another
57 accrediting body recognized by the United States Department of
58 Education on July 1, 2013. A person may practice as a surgical
59 technologist or a surgical assistant for 1 year after completion
60 of such a training program before he or she is required to meet
61 the criteria in subparagraph 1. or subparagraph 2.

62
63 ===== T I T L E A M E N D M E N T =====

64 And the title is amended as follows:

65 Delete line 173

66 and insert:

67 An act relating to health care; amending s. 395.0191,
68 F.S.; providing definitions; providing requirements
69 for health care facilities that employ or contract
70 with surgical assistants or surgical technologists;
71 providing exceptions to these requirements;