

By Representative Henriquez

1 A bill to be entitled
2 An act relating to surgical devices; providing
3 legislative findings and purpose relating to
4 single-use surgical devices; providing a
5 definition; prohibiting knowingly reusing,
6 recycling, or refurbishing for reuse, or
7 providing for the reuse of, a single-use
8 surgical device; providing rulemaking authority
9 to the Department of Health; providing a
10 penalty; providing an effective date.

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

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14 Section 1. Single-use surgical devices.--

15 (1) The Legislature finds that certain surgical
16 devices are designed to be used for only one surgical
17 procedure. Further, the reuse, recycling, and refurbishing of
18 surgical devices intended for single use have been linked to
19 cases of patient infection, chemical injury, and mechanical
20 failure. It is therefore the purpose of this section to
21 protect the public health and safety by prohibiting the
22 unregulated reuse, recycling, and refurbishing of single-use
23 surgical devices.

24 (2) For purposes of this section, "single-use surgical
25 device" means any device marketed or sold as a disposable or
26 single-use device for use in a single surgical procedure to
27 avoid risk of infection from improper sterilization or risk of
28 mechanical failure posed by subsequent use. Single-use
29 surgical devices shall include, but shall not be limited to,
30 cardiac catheters, angioplasty balloon catheters, arthroscopic
31 knee surgery blades, and other single-use surgical devices as

1 determined by rule of the Department of Health. The department
2 is authorized to adopt rules to implement this subsection.

3 (3) No person shall knowingly reuse, recycle, or
4 refurbish for reuse, or provide for the reuse of, a single-use
5 surgical device. A person convicted of violating this section
6 is guilty of a misdemeanor of the second degree, punishable as
7 provided in s. 775.082 or s. 775.083.

8 Section 2. This act shall take effect January 1, 2001.

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11 HOUSE SUMMARY

12 Defines "single-use surgical device," and provides a
13 second degree misdemeanor penalty for knowingly reusing,
14 recycling, or refurbishing for reuse, or providing for
the reuse of, such a device.

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