

By the Committee on Banking and Insurance; and Senator Fasano

597-2145A-05

1   A bill to be entitled  
2           An act relating to health insurance; amending  
3           s. 627.419, F.S.; providing for payments to a  
4           physician assistant under contracts providing  
5           for paying for surgical first assisting  
6           benefits or services; including certified  
7           surgical first assistants, as defined, within  
8           certain benefits or services payment  
9           provisions; limiting application; providing an  
10          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. Subsection (6) of section 627.419, Florida  
15 Statutes, is amended to read:

16           627.419 Construction of policies.--  
17           (6)(a) Notwithstanding any other provision of law,  
18 when any health insurance policy, health care services plan,  
19 or other contract provides for payment for surgical first  
20 assisting benefits or services, the policy, plan, or contract  
21 is to be construed as providing for payment to a physician  
22 assistant or registered nurse first assistant or employers of  
23 a physician assistant or registered nurse first assistant who  
24 performs such services that are within the scope of a  
25 physician assistant's or a registered nurse first assistant's  
26 professional license. ~~The provisions of This paragraph applies~~  
27 ~~subsection apply~~ only if reimbursement for an assisting  
28 physician, licensed under chapter 458 or chapter 459, would be  
29 covered and a physician assistant or a registered nurse first  
30 assistant who performs such services is used as a substitute.

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1           **(b) Notwithstanding any other provision of law, when**  
2 **any health insurance policy, health care services plan, or**  
3 **other contract provides for payment for surgical first**  
4 **assisting benefits or services, the policy, plan, or contract**  
5 **is to be construed as providing for payment to a certified**  
6 **surgical first assistant or to the employer of a certified**  
7 **surgical first assistant who performs such services that are**  
8 **assigned by the supervising physician or osteopathic**  
9 **physician. This paragraph applies only if reimbursement for an**  
10 **assisting physician, licensed under chapter 458 or chapter**  
11 **459, would be covered and the certified surgical first**  
12 **assistant who performs such services is used as a substitute.**  
13 **As used in this paragraph, the term "certified surgical first**  
14 **assistant" means a person who is an unlicensed health care**  
15 **provider that is directly accountable to a physician licensed**  
16 **under chapter 458, an osteopathic physician licensed under**  
17 **chapter 459, or, in the absence of a physician or osteopathic**  
18 **physician, a registered nurse licensed under chapter 464, and**  
19 **who is certified by the National Surgical Assistant**  
20 **Association on the Certification of Surgical Assistants, the**  
21 **Liaison Council on Certification of Surgical Technologists, or**  
22 **the American Board of Surgical Assistants. This paragraph does**  
23 **not require an insurer to reimburse a certified surgical first**  
24 **assistant or the employer of a certified surgical first**  
25 **assistant if payment to the physician, osteopathic physician,**  
26 **or licensed healthcare facility includes the payment of a**  
27 **certified surgical first assistant. The physician to whom the**  
28 **certified surgical first assistant is directly accountable**  
29 **shall be solely responsible for any acts or omissions of the**  
30 **certified surgical first assistant.**

31           Section 2. This act shall take effect July 1, 2005.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
Senate Bill 594

The committee substitute provides the following changes:

- o Expands the lists of entities that may receive direct reimbursement from an insurer to include a physician assistant.
- o Specifies that none of the provisions in the bill would require an insurer to provide payment to the certified surgical first assistant directly if the insurer's payment to the physician included the payment of the surgical first assistant.
- o Requires that the physician to whom the certified surgical assistant is accountable be solely responsible for the acts and omissions of the certified surgical first assistant.