

By the Committees on Health Care; Banking and Insurance; and
Senator Fasano

587-2311-05

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.

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

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.

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 or an osteopathic physician licensed under
17 chapter 459, and who is certified by the National Surgical
18 Assistant Association on the Certification of Surgical
19 Assistants, the Liaison Council on Certification of Surgical
20 Technologists, or the American Board of Surgical Assistants.
21 This paragraph does not require an insurer to reimburse a
22 certified surgical first assistant or the employer of a
23 certified surgical first assistant if payment to the
24 physician, osteopathic physician, or licensed healthcare
25 facility includes the payment of a certified surgical first
26 assistant. The physician to whom the certified surgical first
27 assistant is directly accountable shall be solely responsible
28 for any acts or omissions of the certified surgical first
29 assistant.

30 Section 2. This act shall take effect July 1, 2005.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
CS/SB 594

The committee substitute does not authorize a nurse to supervise the work of a certified surgical first assistant. A medical physician licensed under ch. 458, F.S., or an osteopathic physician licensed under ch. 459, F.S., must directly supervise the work of a certified surgical first assistant.