

By Senator Lynn

7-00338B-11

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1                   A bill to be entitled  
2           An act relating to the practice of surgical  
3           technology; providing legislative purpose and intent;  
4           providing definitions; prohibiting a person from  
5           practicing surgical technology in a health care  
6           facility unless he or she meets certain criteria;  
7           providing an exception for a specified time;  
8           prohibiting a health care facility from employing or  
9           contracting for the services of a surgical  
10          technologist unless the surgical technologist meets  
11          certain requirements; requiring continuing education  
12          for persons qualified to practice surgical technology;  
13          requiring a health care facility to verify that a  
14          person who is qualified to practice surgical  
15          technology meets continuing education requirements and  
16          maintains the credential of certified surgical  
17          technologist; requiring a health care facility to  
18          supervise persons employed or contracted by a health  
19          care facility to practice surgical technology;  
20          providing that the act does not prohibit certain  
21          licensed health care practitioners and medical and  
22          osteopathic students from performing tasks or  
23          functions related to surgical technology; requiring  
24          the Agency for Health Care Administration to adopt  
25          rules; providing an effective date.

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

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29          Section 1. (1) LEGISLATIVE PURPOSE AND INTENT.—The sole

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30 legislative purpose for enacting this section is to ensure that  
31 every surgical technologist employed in this state meets minimum  
32 requirements for safe practice as a member of the surgical care  
33 team. The Legislature intends to prohibit from practicing in  
34 this state surgical technologists who fail to meet minimum  
35 competencies or who otherwise present a danger to the public  
36 health and safety.

37 (2) DEFINITIONS.—As used in this section, the term:

38 (a) "Health care facility" means a hospital, an ambulatory  
39 surgical center, or a mobile surgical facility regulated by the  
40 Department of Health under chapter 395, Florida Statutes.

41 (b) "Surgical technologist" means a person who practices  
42 surgical technology.

43 (c) "Surgical technology" means surgical patient care that  
44 is performed collaboratively with a surgical team and includes,  
45 but is not limited to, the following tasks or functions:

46 1. Preparing the operating room for surgical procedures by  
47 ensuring that surgical equipment is functioning properly and  
48 safely.

49 2. Preparing the operating room and the sterile field for  
50 surgical procedures by using sterilization techniques to prepare  
51 sterile supplies, instruments, and equipment.

52 3. Anticipating the needs of the surgical team based on  
53 knowledge of human anatomy and pathophysiology and how they  
54 relate to the surgery patient and the patient's surgical  
55 procedure.

56 4. As directed, performing tasks at the sterile field  
57 including:

58 a. Passing supplies, equipment, or instruments;

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- 59        b. Sponging or suctioning an operating site;  
60        c. Preparing and cutting suture material;  
61        d. Transferring and irrigating with fluids;  
62        e. Transferring drugs within the sterile field, according  
63 to applicable law;  
64        f. Handling specimens;  
65        g. Holding retractors and other instruments;  
66        h. Applying electrocautery to clamps on blood vessels that  
67 bleed profusely;  
68        i. Connecting drains to suction apparatus;  
69        j. Applying dressings to closed wounds; and  
70        k. Performing sponge, needle, supply, and instrument counts  
71 with the registered nurse circulator.
- 72        (3) TRAINING AND CERTIFICATION REQUIRED.—
- 73        (a) A person may not practice surgical technology in a  
74 health care facility in this state unless the person:
- 75            1. Has successfully completed a nationally accredited  
76 educational program for surgical technologists and holds and  
77 maintains the credential of certified surgical technologist,  
78 which is administered by the National Board of Surgical  
79 Technology and Surgical Assisting or its successor;
- 80            2. Has completed an appropriate training program for  
81 surgical technology in the United States Armed Forces or Public  
82 Health Service Commissioned Corps;
- 83            3. Provides evidence that he or she was employed to  
84 practice surgical technology in a health care facility on July  
85 1, 2011; or
- 86            4. Is in the service of the Federal Government, to the  
87 extent he or she is performing duties related to that service.

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88  
89 However, a person may be employed or contracted to practice  
90 surgical technology during the 12-month period immediately  
91 following successful completion of a program in surgical  
92 technology, but may not continue to be employed or contracted to  
93 practice beyond that period without documentation that the  
94 employee or contractor holds and maintains the credential of  
95 certified surgical technologist.

96 (b) A health care facility in this state may not employ or  
97 otherwise contract for the services of a surgical technologist  
98 unless the person meets the requirements in this subsection.

99 (4) CONTINUING EDUCATION REQUIRED.—

100 (a) A person who qualifies to practice surgical technology  
101 in a health care facility under subparagraph (3) (a)2. or  
102 subparagraph (3) (a)3. must annually complete 15 hours of  
103 continuing education to remain qualified to practice as a  
104 surgical technologist.

105 (b) A health care facility that employs or contracts with a  
106 person to practice surgical technology must verify that the  
107 person meets the continuing education requirements in paragraph  
108 (a) and, where applicable, that the person maintains the  
109 credential of certified surgical technologist.

110 (5) SUPERVISION AND COMPLIANCE.—A health care facility  
111 shall supervise each person employed or contracted by a health  
112 care facility to practice surgical technology according to the  
113 health care facility's policies and procedures to ensure that  
114 the person competently performs delegated, perioperative tasks  
115 in accordance with this section and other applicable law.

116 (6) TASK OR FUNCTIONS RELATED TO SURGICAL TECHNOLOGY.—This

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117 section does not prohibit a licensed health care practitioner  
118 from performing tasks or functions related to surgical  
119 technology if the practitioner is acting within the scope of his  
120 or her license. This section also does not prohibit medical and  
121 osteopathic students and residents from performing their duties.

122 (7) RULES.—The Agency for Health Care Administration shall  
123 adopt rules to administer this section.

124 Section 2. This act shall take effect July 1, 2011.