

By Senator Lynn

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1                   A bill to be entitled  
2           An act relating to surgical technology; creating part  
3           XVII of ch. 468, F.S., relating to minimum  
4           requirements to practice surgical technology;  
5           providing legislative intent; providing definitions;  
6           prohibiting a person from practicing surgical  
7           technology in a health care facility unless he or she  
8           meets certain criteria; providing an exception for a  
9           specified time; prohibiting a health care facility  
10          from employing or contracting for the services of a  
11          surgical technologist unless the surgical technologist  
12          meets certain requirements; requiring continuing  
13          education for persons qualified to practice surgical  
14          technology; requiring a health care facility to verify  
15          that a person who is qualified to practice surgical  
16          technology meets continuing education requirements and  
17          maintains the credential of certified surgical  
18          technologist; requiring a health care facility to  
19          supervise persons employed or contracted by a health  
20          care facility to practice surgical technology;  
21          providing that the act does not prohibit certain  
22          licensed health care practitioners and medical and  
23          osteopathic students from performing tasks or  
24          functions related to surgical technology; requiring  
25          the Agency for Health Care Administration to adopt  
26          rules; providing an effective date.

27  
28   Be It Enacted by the Legislature of the State of Florida:  
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30 Section 1. Part XVII of chapter 468, Florida Statutes,  
31 consisting of sections 468.91, 468.92, 468.93, 468.94, 468.95,  
32 468.96, and 468.97, is created to read:

33 468.91 Legislative intent.—The sole legislative purpose for  
34 enacting this part is to ensure that every surgical technologist  
35 employed in this state meets minimum requirements for safe  
36 practice as a member of the surgical care team. It is the  
37 legislative intent that surgical technologists who fail to meet  
38 minimum competencies or who otherwise present a danger to the  
39 public health and safety be prohibited from practicing in this  
40 state.

41 468.92 Definitions.—As used in this part, the term:

42 (1) "Health care facility" means a hospital, an ambulatory  
43 surgical center, or a mobile surgical facility that is regulated  
44 by the Department of Health under chapter 395.

45 (2) "Surgical technologist" means a person who practices  
46 surgical technology.

47 (3) "Surgical technology" means surgical patient care  
48 performed collaboratively with the surgical team which includes,  
49 but is not limited to, the following tasks or functions:

50 (a) Preparing the operating room for surgical procedures by  
51 ensuring that surgical equipment is functioning properly and  
52 safely;

53 (b) Preparing the operating room and the sterile field for  
54 surgical procedures by preparing sterile supplies, instruments,  
55 and equipment using sterile techniques;

56 (c) Anticipating the needs of the surgical team based on  
57 knowledge of human anatomy and pathophysiology and how those  
58 needs relate to the surgical patient and the patient's surgical

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59 procedure; and

60 (d) Performing tasks at the sterile field, as directed,  
61 including:

62 1. Passing supplies, equipment, or instruments.

63 2. Sponging or suctioning an operative site.

64 3. Preparing and cutting suture material.

65 4. Transferring and irrigating with fluids.

66 5. Transferring drugs within the sterile field, according  
67 to applicable law.

68 6. Handling specimens.

69 7. Holding retractors and other instruments.

70 8. Applying electrocautery to clamps on blood vessels that  
71 bleed.

72 9. Connecting drains to suction apparatus.

73 10. Applying dressings to closed wounds.

74 11. Performing sponge, needle, supply, and instrument  
75 counts with the registered nurse circulator.

76 468.93 Training and certification required.—

77 (1) A person may not practice surgical technology in a  
78 health care facility in this state unless the person meets one  
79 of the following requirements:

80 (a) Has successfully completed a nationally accredited  
81 educational program for surgical technologists and holds and  
82 maintains the credential of certified surgical technologist,  
83 which is administered by a nationally accredited credentialing  
84 body;

85 (b) Has completed an appropriate training program for  
86 surgical technology in the United States Armed Forces or Public  
87 Health Service Commissioned Corps;

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88 (c) Provides evidence that the person was employed to  
89 practice surgical technology in a health care facility within 2  
90 years before July 1, 2012; or

91 (d) Is in the service of the Federal Government, to the  
92 extent the person is performing duties related to that service.

93 (2) A person may be employed or contracted to practice  
94 surgical technology during the 12-month period immediately  
95 following successful completion of a program in surgical  
96 technology, but may not continue to be employed or contracted to  
97 practice beyond that period without documentation that the  
98 employee or contractor holds and maintains the credential of  
99 certified surgical technologist.

100 (3) A health care facility in this state may not employ or  
101 otherwise contract for the services of a surgical technologist  
102 unless the person meets the requirements of this section.

103 468.94 Continuing education required.—

104 (1) A person who qualifies to practice surgical technology  
105 in a health care facility under s. 468.93(1)(b) or (c) must  
106 annually complete 15 hours of continuing education to remain  
107 qualified to practice as a surgical technologist.

108 (2) A health care facility that employs or contracts with a  
109 person to practice surgical technology shall verify that the  
110 person meets the continuing education requirements of subsection  
111 (1) and, where applicable, maintains the credential of certified  
112 surgical technologist.

113 468.95 Supervision and compliance.—A health care facility  
114 shall supervise each person employed or contracted by a health  
115 care facility to practice surgical technology according to the  
116 health care facility's policies and procedures to ensure that

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117 the person competently performs delegated perioperative tasks in  
118 accordance with this part and other applicable laws.

119 468.96 Applicability.—This part does not prohibit any  
120 licensed practitioner from performing tasks or functions related  
121 to surgical technology if the person is acting within the scope  
122 of his or her license. This section also does not prohibit any  
123 medical student, osteopathic student, or resident from  
124 performing tasks or functions related to surgical technology if  
125 the person is acting within the scope of his or her duties.

126 468.97 Rulemaking authority.—The Agency for Health Care  
127 Administration shall adopt rules to administer the requirements  
128 of this part.

129 Section 2. This act shall take effect July 1, 2012.