

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED  (Y/N)  
ADOPTED AS AMENDED  (Y/N)  
ADOPTED W/O OBJECTION  (Y/N)  
FAILED TO ADOPT  (Y/N)  
WITHDRAWN  (Y/N)  
OTHER

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1 Committee/Subcommittee hearing bill: Health & Human Services  
2 Quality Subcommittee  
3 Representative Renuart offered the following:  
4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:  
7 Section 1. Subsection (2) of section 395.0191, Florida  
8 Statutes, is amended to read:

9 395.0191 Staff membership and clinical privileges.—

10 (2) (a) Each licensed facility shall establish rules and  
11 procedures for consideration of an application for clinical  
12 privileges submitted by an advanced registered nurse  
13 practitioner licensed and certified under part I of chapter 464,  
14 in accordance with the provisions of this section. No licensed  
15 facility shall deny such application solely because the  
16 applicant is licensed under part I of chapter 464 or because the  
17 applicant is not a participant in the Florida Birth-Related  
18 Neurological Injury Compensation Plan.

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19 (b) An advanced registered nurse practitioner who is  
20 certified as a registered nurse anesthetist licensed under part  
21 I of chapter 464 shall administer anesthesia under the onsite  
22 medical direction of a professional licensed under chapter 458,  
23 chapter 459, or chapter 466, and in accordance with an  
24 established protocol approved by the medical staff. The medical  
25 direction shall specifically address the needs of the individual  
26 patient.

27 (c) Each licensed facility shall establish rules and  
28 procedures for consideration of an application for clinical  
29 privileges submitted by a physician assistant licensed pursuant  
30 to s. 458.347 or s. 459.022. Clinical privileges granted to a  
31 physician assistant pursuant to this subsection shall  
32 automatically terminate upon termination of staff membership of  
33 the physician assistant's supervising physician.

34 (d) Each hospital shall meet the requirements of the  
35 Medicare and Medicaid Conditions of Participation for Hospitals  
36 under 42 C.F.R. s. 482.51(a)(3) as they apply to registered  
37 nurses performing circulating duties in the operating room and  
38 as provided in the interpretive guidelines provided by the  
39 United States Department of Health and Human Services. A  
40 circulating nurse shall be present in the operating room for the  
41 duration of a surgical procedure.

42 (e) Each hospital shall establish policies and procedures  
43 for employment of persons who may perform surgical technology  
44 functions in an operating room. The hospital shall only  
45 consider a person who successfully completed a nationally  
46 accredited educational program for surgical technologist. Such a

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47 person must hold the credential of certified surgical  
48 technologist within 6 months from the date of hire. Persons who  
49 are currently employed by a specific hospital or hospital system  
50 are exempt from this provision as long said employment is  
51 maintained and not terminated. A persons who is licensed  
52 pursuant to chapter 458, chapter 459, chapter 464, or who is an  
53 intern or resident on a surgical rotation, is exempt from the  
54 provisions of this paragraph. The agency shall accept, in lieu  
55 of its own periodic inspections for licensure, the survey or  
56 inspection of an accrediting organization, providing the  
57 accreditation of the licensed facility is not provisional and  
58 provided the licensed facility authorizes release of, and the  
59 agency receives the report of, the accrediting organization to  
60 ensure compliance with this subsection.

61 Section 2. This act shall take effect October 1, 2012.

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64 **T I T L E A M E N D M E N T**

65 Remove the entire title and insert:

66 A bill to be entitled  
67 An act relating to surgical technology; amending s. 395.0191,  
68 F.S., requiring hospitals to establish rules and procedures for  
69 consideration of an application submitted by a person who may  
70 perform surgical technology functions in an operating room;  
71 provide educational and licensure requirements for the person;  
72 provide a timeline for employees to acquire the licensure  
73 requirement; provide exemption to certain persons; provides the  
74 agency authority to accept the survey or inspection conducted by

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75 | an accrediting agency as documentation of compliance; providing  
76 | an effective date.