

HB 425

2012

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.

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

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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Section 1. Part XVII of chapter 468, Florida Statutes, consisting of sections 468.91, 468.92, 468.93, 468.94, 468.95, 468.96, and 468.97, is created to read:

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

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

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

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

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

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

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

(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
 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;

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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;

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
109 a 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.

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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
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.