

1 A bill to be entitled
2 An act relating to surgical technology; amending s.
3 395.0191, F.S.; requiring hospitals to establish
4 policies and procedures for consideration of an
5 application submitted by a person who may perform
6 surgical technology functions in an operating room;
7 providing educational and credentialing requirements;
8 providing a timeline for employees to acquire the
9 required credential; providing an exemption to hold
10 the credential of certified surgical technologists
11 within 6 months after the date of hire; authorizing
12 the Agency for Health Care Administration to accept
13 the survey or inspection conducted by an accrediting
14 organization as documentation of compliance; providing
15 an effective date.

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

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19 Section 1. Subsection (2) of section 395.0191, Florida
20 Statutes, is amended to read:

21 395.0191 Staff membership and clinical privileges.—

22 (2)(a) Each licensed facility shall establish rules and
23 procedures for consideration of an application for clinical
24 privileges submitted by an advanced registered nurse
25 practitioner licensed and certified under part I of chapter 464,
26 in accordance with the provisions of this section. No licensed
27 facility shall deny such application solely because the
28 applicant is licensed under part I of chapter 464 or because the

29 applicant is not a participant in the Florida Birth-Related
30 Neurological Injury Compensation Plan.

31 (b) An advanced registered nurse practitioner who is
32 certified as a registered nurse anesthetist licensed under part
33 I of chapter 464 shall administer anesthesia under the onsite
34 medical direction of a professional licensed under chapter 458,
35 chapter 459, or chapter 466, and in accordance with an
36 established protocol approved by the medical staff. The medical
37 direction shall specifically address the needs of the individual
38 patient.

39 (c) Each licensed facility shall establish rules and
40 procedures for consideration of an application for clinical
41 privileges submitted by a physician assistant licensed pursuant
42 to s. 458.347 or s. 459.022. Clinical privileges granted to a
43 physician assistant pursuant to this subsection shall
44 automatically terminate upon termination of staff membership of
45 the physician assistant's supervising physician.

46 (d) Each hospital shall meet the requirements of the
47 Medicare and Medicaid Conditions of Participation for Hospitals
48 under 42 C.F.R. s. 482.51(a)(3) as they apply to registered
49 nurses performing circulating duties in the operating room and
50 as provided in the interpretive guidelines provided by the
51 United States Department of Health and Human Services. A
52 circulating nurse shall be present in the operating room for the
53 duration of a surgical procedure.

54 (e) Each hospital shall establish policies and procedures
55 for the employment of persons who may perform surgical
56 technology functions in an operating room. The hospital may

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57 consider for such employment only a person who has successfully
58 completed a nationally accredited educational program for
59 surgical technologists. Such a person must hold the credential
60 of certified surgical technologist within 6 months after the
61 date of hire. Persons who are currently employed by a specific
62 hospital or hospital system are exempt from this paragraph as
63 long as such employment is maintained and not terminated. A
64 person who is licensed pursuant to chapter 458, chapter 459, or
65 chapter 464, or who is an intern or resident on a surgical
66 rotation, is exempt from this paragraph. The agency shall
67 accept, in lieu of its own periodic inspections for licensure,
68 the survey or inspection of an accrediting organization,
69 provided the accreditation of the licensed facility is not
70 provisional and the licensed facility authorizes release of, and
71 the agency receives the report of, the accrediting organization
72 to ensure compliance with this paragraph.

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