



151902

LEGISLATIVE ACTION

Senate

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House

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Senator Garcia moved the following:

1           **Senate Substitute for Amendment (842572) (with title**  
2 **amendment)**

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4           Between lines 742 and 743  
5 insert:

6           Section 11. Subsection (11) is added to section 395.0191,  
7 Florida Statutes, to read:

8           395.0191 Staff membership and clinical privileges.—

9           (11) (a) Definitions.—As used in this subsection, the term:

10           1. "Certified surgical assistant" means a surgical  
11 assistant who maintains valid and active one of the following  
12 certifications:

13           a. Certified Surgical First Assistant from the National



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14 Board of Surgical Technology and Surgical Assisting.

15 b. Certified Surgical Assistant from the National Surgical  
16 Assistant Association.

17 c. Surgical Assistant-Certified from the American Board of  
18 Surgical Assistants.

19 2. "Certified surgical technologist" means a surgical  
20 technologist who maintains valid and active certification as a  
21 Certified Surgical Technologist from the National Board of  
22 Surgical Technology and Surgical Assisting.

23 3. "Surgeon" means any health care practitioner as defined  
24 in chapter 456 whose scope of practice includes performing  
25 surgery and who is listed as the primary surgeon in the  
26 operative record.

27 4. "Surgical assistant" means a person who provides aid in  
28 exposure, hemostasis, closures, and other intraoperative  
29 technical functions and assists the surgeon in performing a safe  
30 operation with optimal results for the patient.

31 5. "Surgical technologist" means a person who assists and  
32 practices to ensure that the operating room environment is safe,  
33 that proper equipment is available, and that the operative  
34 procedure is conducted efficiently. Surgical technologist duties  
35 include, but are not limited to, maintaining sterility during a  
36 surgical procedure, handling and ensuring the availability of  
37 necessary equipment and supplies, and maintaining visibility of  
38 the operative site.

39 (b) *Employment limitations.*—

40 1. A facility may not employ or contract with any person to  
41 perform the duties of a surgical assistant unless the person is  
42 a certified surgical assistant.



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43           2. A facility may not employ or contract with any person to  
44 perform the duties of a surgical technologist unless the person  
45 is a certified surgical technologist.

46           3. Subparagraphs 1. and 2. do not apply to:

47           a. A person who was employed or contracted to perform the  
48 duties of a surgical technologist or a surgical assistant at any  
49 time between January 1, 2013, and July 1, 2013.

50           b. A health care practitioner as defined in chapter 456 or  
51 a student if the duties he or she performs fall within the scope  
52 of the practitioner's or the student's training and practice.

53           c. A person enrolled in a surgical technology or surgical  
54 assisting training program accredited by the Commission on  
55 Accreditation of Allied Health Education Programs, the  
56 Accrediting Bureau of Health Education Schools, or another  
57 accrediting body recognized by the United States Department of  
58 Education on July 1, 2013. A person may practice as a surgical  
59 technologist or a surgical assistant for 1 year after completion  
60 of such a training program before he or she is required to meet  
61 the criteria in subparagraph 1. or subparagraph 2.

62  
63 ===== T I T L E   A M E N D M E N T =====

64 And the title is amended as follows:

65           Delete line 53

66 and insert:

67           inspection; amending s. 395.0191, F.S.; providing  
68           definitions; providing requirements for health care  
69           facilities that employ or contract with surgical  
70           assistants or surgical technologists; providing  
71           exceptions to these requirements; repealing s.



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395.1046, F.S., relating to