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LEGISLATIVE ACTION

Senate

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House

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Senator Garcia moved the following:

**Senate Amendment (with title amendment)**

Between lines 742 and 743

insert:

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

395.0191 Staff membership and clinical privileges.—

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

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

a. Certified Surgical First Assistant from the National Board of Surgical Technology and Surgical Assisting.



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

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

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

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

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

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