



LEGISLATIVE ACTION

Senate	.	House
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Floor: WD/2R	.	
04/30/2014 10:59 AM	.	
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Senator Garcia moved the following:

**Senate Amendment (with title amendment)**

Between lines 455 and 456  
insert:

Section 6. Present subsections (1) through (10) of section 395.0191, Florida Statutes, are redesignated as subsections (2) through (11), respectively, present subsection (6) is amended, and new subsection (1) and subsection (12) are added to that section, to read:

395.0191 Staff membership and clinical privileges.—

(1) As used in this section, the term:



252920

12           (a) "Certified surgical assistant" means a surgical  
13 assistant who maintains a valid and active certification under  
14 one of the following designations:

15           1. Certified surgical first assistant, from the National  
16 Board of Surgical Technology and Surgical Assisting.

17           2. Certified surgical assistant, from the National Surgical  
18 Assistant Association.

19           3. Surgical assistant-certified, from the American Board of  
20 Surgical Assistants.

21           (b) "Certified surgical technologist" means a surgical  
22 technologist who maintains a valid and active certification as a  
23 certified surgical technologist from the National Board of  
24 Surgical Technology and Surgical Assisting.

25           (c) "Surgeon" means a health care practitioner as defined  
26 in s. 456.001 whose scope of practice includes performing  
27 surgery and who is listed as the primary surgeon in the  
28 operative record.

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

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

40           (7) ~~(6)~~ Upon the written request of the applicant, a ~~any~~



252920

41 licensed facility that has denied staff membership or clinical  
42 privileges to an any applicant specified in subsection (2) ~~(1)~~  
43 or subsection (3) ~~(2)~~ shall, within 30 days of such request,  
44 provide the applicant with the reasons for such denial in  
45 writing. A denial of staff membership or clinical privileges to  
46 an any applicant shall be submitted, in writing, to the  
47 applicant's respective licensing board.

48 (12) (a) At least 50 percent of the surgical assistants that  
49 a facility employs or contracts with must be certified surgical  
50 assistants.

51 (b) At least 50 percent of the surgical technologists that  
52 a facility employs or contracts with must be certified surgical  
53 technologists.

54 (c) The certification requirements in paragraphs (a) and  
55 (b) do not apply to:

56 1. A person who has completed an appropriate training  
57 program for surgical technology in any branch of the Armed  
58 Forces or reserve component of the Armed Forces.

59 2. A person who was employed or contracted to perform the  
60 duties of a surgical technologist or surgical assistant at any  
61 time before July 1, 2014.

62 3. A health care practitioner as defined in s. 456.001 or a  
63 student if the duties performed by the practitioner or the  
64 student are within the scope of the practitioner's or the  
65 student's training and practice.

66 4. A person enrolled in a surgical technology or surgical  
67 assisting training program accredited by the Commission on  
68 Accreditation of Allied Health Education Programs, the  
69 Accrediting Bureau of Health Education Schools, or another



252920

70 accrediting body recognized by the United States Department of  
71 Education on July 1, 2014. A person may practice as a surgical  
72 technologist or a surgical assistant for 2 years after  
73 completing such a training program before he or she is required  
74 to meet the criteria in paragraphs (a) and (b).

75  
76 ===== T I T L E A M E N D M E N T =====

77 And the title is amended as follows:

78       Between lines 32 and 33

79 insert:

80       395.0191, F.S.; defining terms; requiring a certain  
81       percentage of surgical assistants or surgical  
82       technologists employed or contracting with a hospital  
83       to be certified; providing exceptions; amending s.