



355120

LEGISLATIVE ACTION

Senate

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House

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Senator Garcia moved the following:

**Senate Amendment (with title amendment)**

Before line 26

insert:

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

395.0191 Staff membership and clinical privileges.—

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



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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, any



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41 licensed facility that has denied staff membership or clinical  
42 privileges to any applicant specified in subsection (2) ~~(1)~~ or  
43 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 any applicant shall be submitted, in writing, to the applicant's  
47 respective licensing board.

48 (12) (a) A facility may not employ or contract with any  
49 person to perform the duties of a surgical assistant unless the  
50 person is a certified surgical assistant.

51 (b) A facility may not employ or contract with any person  
52 to perform the duties of a surgical technologist unless the  
53 person is a certified surgical technologist.

54 (c) Paragraphs (a) and (b) do not apply to:

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

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

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

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



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70 Education on July 1, 2014. A person may practice as a surgical  
71 technologist or a surgical assistant for 1 year after completion  
72 of such a training program before he or she is required to meet  
73 the criteria in paragraph (a) or paragraph (b).

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

76 And the title is amended as follows:

77       Delete line 2

78 and insert:

79       An act relating to health care; amending s. 395.0191,  
80       F.S.; defining terms; prohibiting a health care  
81       facility from employing or contracting with a surgical  
82       assistant or surgical technologist under certain  
83       circumstances; providing exceptions; amending s.

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