



804702

LEGISLATIVE ACTION

Senate

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House

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Floor: 3/AD/2R

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04/28/2014 06:52 PM

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Senator Garcia moved the following:

Senate Amendment (with title amendment)

Before line 52

insert:

Section 1. Section 383.336, Florida Statutes, is repealed.

Section 2. 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 a new subsection (1) and subsection (12) are added to that section, to read:

395.0191 Staff membership and clinical privileges.—



804702

- 12 (1) As used in this section, the term:
- 13 (a) "Certified surgical assistant" means a surgical
- 14 assistant who maintains a valid and active certification under
- 15 one of the following designations:
- 16 1. Certified surgical first assistant, from the National
- 17 Board of Surgical Technology and Surgical Assisting.
- 18 2. Certified surgical assistant, from the National Surgical
- 19 Assistant Association.
- 20 3. Surgical assistant-certified, from the American Board of
- 21 Surgical Assistants.
- 22 (b) "Certified surgical technologist" means a surgical
- 23 technologist who maintains a valid and active certification as a
- 24 certified surgical technologist from the National Board of
- 25 Surgical Technology and Surgical Assisting.
- 26 (c) "Surgeon" means a health care practitioner as defined
- 27 in s. 456.001 whose scope of practice includes performing
- 28 surgery and who is listed as the primary surgeon in the
- 29 operative record.
- 30 (d) "Surgical assistant" means a person who provides aid in
- 31 exposure, hemostasis, closures, and other intraoperative
- 32 technical functions and who assists the surgeon in performing a
- 33 safe operation with optimal results for the patient.
- 34 (e) "Surgical technologist" means a person whose 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 to ensure that the operating room environment
- 39 is safe, that proper equipment is available, and that the
- 40 operative procedure is conducted efficiently.



804702

41 ~~(7)~~~~(6)~~ Upon the written request of the applicant, a ~~any~~
42 licensed facility that has denied staff membership or clinical
43 privileges to an ~~any~~ applicant specified in subsection (2) ~~(1)~~
44 or subsection (3) ~~(2)~~ shall, within 30 days of such request,
45 provide the applicant with the reasons for such denial in
46 writing. A denial of staff membership or clinical privileges to
47 an ~~any~~ applicant shall be submitted, in writing, to the
48 applicant's respective licensing board.

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

- 52 1. A certified surgical assistant; or
53 2. A certified surgical technologist.

54 (b) Paragraph (a) does 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 before
60 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 other
69 accrediting body recognized by the United States Department of



804702

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).

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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; repealing s. 383.336,
80 F.S., relating to the establishment of practice
81 parameters for caesarean sections; amending s.
82 395.0191, F.S.; defining terms; prohibiting a health
83 care facility from employing or contracting with a
84 surgical assistant or surgical technologist under
85 certain circumstances; providing exceptions; amending
86 s. 409.967,