



494604

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2014	.	
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The Committee on Community Affairs (Latvala) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 12 and 13

insert:

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



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395.0191 Staff membership and clinical privileges.—

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

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

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

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

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

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

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

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

(e) "Surgical technologist" means a person who assists and practices under the supervision of a surgeon to ensure that the operating room environment is safe, that proper equipment is available, and that the operative procedure is conducted efficiently. Surgical technologist duties include, but are not



39 limited to, maintaining sterility during a surgical procedure,  
40 handling and ensuring the availability of necessary equipment  
41 and supplies, and maintaining visibility of the operative site.

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

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

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

49 1. A person who was employed or contracted to perform the  
50 duties of a surgical technologist or surgical assistant at any  
51 time between January 1, 2014, and December 31, 2014.

52 2. A health care practitioner as defined in s. 456.001 or a  
53 student if the duties that the practitioner or the student  
54 performs fall within the scope of the practitioner's or the  
55 student's training and practice.

56 3. A person enrolled in a surgical technology or surgical  
57 assisting training program accredited by the Commission on  
58 Accreditation of Allied Health Education Programs, the  
59 Accrediting Bureau of Health Education Schools, or another  
60 accrediting body recognized by the United States Department of  
61 Education on July 1, 2014. A person may practice as a surgical  
62 technologist or a surgical assistant for 1 year after completion  
63 of such a training program before he or she is required to meet  
64 the criteria in paragraph (a) or paragraph (b).

65  
66 ===== T I T L E A M E N D M E N T =====

67 And the title is amended as follows:



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68 Delete lines 2 - 4

69 and insert:

70 An act relating to the responsibilities of health care  
71 facilities; repealing s. 383.336, F.S., relating to  
72 provider hospitals; amending s. 395.0191, F.S.;  
73 defining terms; prohibiting a health care facility  
74 from employing or contracting with a surgical  
75 assistant or surgical technologist under certain  
76 circumstances; providing exceptions; amending s.  
77 395.1051, F.S.; requiring a