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LEGISLATIVE ACTION

Senate

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House

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Floor: 6/AD/2R

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05/01/2014 02:25 PM

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Senator Garcia moved the following:

Senate Amendment (with title amendment)

Between lines 2694 and 2695

insert:

Section 48. 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) 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



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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 paragraph (a) or paragraph (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 Delete line 292

79 and insert:

80 home health agencies; amending s. 395.0191, F.S.;

81 defining terms; prohibiting a health care facility

82 from employing or contracting with a surgical

83 assistant or surgical technologist under certain

84 circumstances; providing exceptions; providing

85 effective dates.