

By Senator Sobel

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1 A bill to be entitled
2 An act relating to hair restoration or transplant;
3 amending ss. 458.331 and 459.015, F.S.; authorizing
4 the Board of Medicine, the Board of Osteopathic
5 Medicine, and the Department of Health to deny a
6 license to or to discipline a hair restoration or
7 transplant surgeon for improperly delegating certain
8 tasks; authorizing the boards and the department to
9 discipline an individual other than a physician
10 assistant or an advanced registered nurse practitioner
11 for improperly accepting the delegation of certain
12 tasks; amending ss. 458.347, 459.022, and 464.012,
13 F.S.; authorizing a supervisory hair restoration or
14 transplant surgeon to delegate to a physician
15 assistant and an advanced registered nurse
16 practitioner certain tasks; creating ss. 458.352 and
17 459.027, F.S.; requiring a hair restoration or
18 transplant surgeon to document the licensure,
19 education, training, and experience of an individual
20 who accepts the delegation of certain tasks; defining
21 the term "surgical procedure"; requiring a health care
22 provider of hair restoration or transplant to inform a
23 patient of the identity and training status of the
24 individuals involved in the patient's care; providing
25 an effective date.

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27 Be It Enacted by the Legislature of the State of Florida:

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29 Section 1. Paragraphs (tt) and (uu) are added to subsection

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30 (1) of section 458.331, Florida Statutes, to read:

31 458.331 Grounds for disciplinary action; action by the
32 board and department.—

33 (1) The following acts constitute grounds for denial of a
34 license or disciplinary action, as specified in s. 456.072(2):

35 (tt) Delegating a surgical procedure, as defined in s.
36 458.352(1), or delegating an incisional or excisional aspect of
37 such surgical procedure, to a person other than a physician
38 assistant licensed under this chapter or chapter 459 or an
39 advanced registered nurse practitioner certified under chapter
40 464, by a hair restoration or transplant surgeon.

41 (uu) Accepting a delegation of a surgical procedure, as
42 defined in s. 458.352(1), or accepting an incisional or
43 excisional aspect of such surgical procedure, by a person other
44 than a physician assistant licensed under this chapter or
45 chapter 459 or an advanced registered nurse practitioner
46 certified under chapter 464, from a hair restoration or
47 transplant surgeon.

48 Section 2. Paragraph (h) is added to subsection (4) of
49 section 458.347, Florida Statutes, to read:

50 458.347 Physician assistants.—

51 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

52 (h) A supervisory hair restoration or transplant surgeon
53 licensed under this chapter or chapter 459 may delegate to a
54 physician assistant the authority to conduct the incisional or
55 excisional aspects of a surgical procedure as defined in s.
56 458.352(1).

57 Section 3. Section 458.352, Florida Statutes, is created to
58 read:

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59 458.352 Hair restoration or transplant.-

60 (1) If a hair restoration or transplant surgeon delegates
61 an incisional or excisional aspect of a surgical procedure, the
62 surgeon must document the licensure, education, training, and
63 experience of the individual who receives the delegation. As
64 used in this subsection, the term "surgical procedure" means a
65 follicular unit transplant, follicular unit extraction, scalp
66 reduction surgery, scalp flap surgery, or scalp expansion
67 surgery.

68 (2) A health care provider of hair restoration or
69 transplant must inform a patient of the identity and training
70 status of the individuals involved in the patient's care.

71 Section 4. Paragraphs (vv) and (ww) are added to subsection
72 (1) of section 459.015, Florida Statutes, to read:

73 459.015 Grounds for disciplinary action; action by the
74 board and department.-

75 (1) The following acts constitute grounds for denial of a
76 license or disciplinary action, as specified in s. 456.072(2):

77 (vv) Delegating a surgical procedure, as defined in s.
78 459.027(1), or delegating an incisional or excisional aspect of
79 such surgical procedure, to a person other than a physician
80 assistant licensed under this chapter or chapter 458 or an
81 advanced registered nurse practitioner certified under chapter
82 464, by a hair restoration or transplant surgeon.

83 (ww) Accepting a delegation of a surgical procedure, as
84 defined in s. 459.027(1), or accepting an incisional or
85 excisional aspect of such surgical procedure, by a person other
86 than a physician assistant licensed under this chapter or
87 chapter 458 or an advanced registered nurse practitioner

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88 certified under chapter 464, from a hair restoration or
89 transplant surgeon.

90 Section 5. Paragraph (g) is added to subsection (4) of
91 section 459.022, Florida Statutes, to read:

92 459.022 Physician assistants.—

93 (4) PERFORMANCE OF PHYSICIAN ASSISTANTS.—

94 (g) A supervisory hair restoration or transplant surgeon
95 licensed under this chapter or chapter 458 may delegate to a
96 physician assistant the authority to conduct the incisional or
97 excisional aspects of a surgical procedure as defined in s.
98 459.027(1).

99 Section 6. Section 459.027, Florida Statutes, is created to
100 read:

101 459.027 Hair restoration or transplant.—

102 (1) If a hair restoration or transplant surgeon delegates
103 an incisional or excisional aspect of a surgical procedure, the
104 surgeon must document the licensure, education, training, and
105 experience of the individual who receives the delegation. As
106 used in this subsection, the term "surgical procedure" means a
107 follicular unit transplant, follicular unit extraction, scalp
108 reduction surgery, scalp flap surgery, or scalp expansion
109 surgery.

110 (2) A health care provider of hair restoration or
111 transplant must inform a patient of the identity and training
112 status of the individuals involved in the patient's care.

113 Section 7. Paragraph (c) of subsection (4) of section
114 464.012, Florida Statutes, is amended to read:

115 464.012 Certification of advanced registered nurse
116 practitioners; fees.—

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117 (4) In addition to the general functions specified in
118 subsection (3), an advanced registered nurse practitioner may
119 perform the following acts within his or her specialty:

120 (c) The nurse practitioner may perform any or all of the
121 following acts within the framework of established protocol:

- 122 1. Manage selected medical problems.
- 123 2. Order physical and occupational therapy.
- 124 3. Initiate, monitor, or alter therapies for certain
125 uncomplicated acute illnesses.
- 126 4. Monitor and manage patients with stable chronic
127 diseases.
- 128 5. Establish behavioral problems and diagnosis and make
129 treatment recommendations.
- 130 6. Accept a delegation from a hair restoration or
131 transplant surgeon licensed under chapter 458 or chapter 459 to
132 perform the incisional or excisional aspects of a surgical
133 procedure as defined in s. 458.352(1).

134 Section 8. This act shall take effect July 1, 2015.