



112984

LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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03/08/2016 04:37 PM

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Senator Garcia moved the following:

Senate Amendment (with title amendment)

Between lines 342 and 343

insert:

Section 4. 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 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: certified surgical first
15 assistant, from the National Board of Surgical Technology and
16 Surgical Assisting; certified surgical assistant, from the
17 National Surgical Assistant Association; or surgical assistant-
18 certified, from the American Board of Surgical Assistants.

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

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

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

31 (e) "Surgical technologist" means a person whose duties
32 include, but are not limited to, maintaining sterility during a
33 surgical procedure, handling and ensuring the availability of
34 necessary equipment and supplies, and maintaining visibility of
35 the operative site to ensure that the operating room environment
36 is safe, that proper equipment is available, and that the
37 operative procedure is conducted efficiently.

38 (6) Upon the written request of the applicant, any licensed
39 facility that has denied staff membership or clinical privileges
40 to any applicant specified in subsection (2) or subsection (3)



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41 ~~subsection (1) or subsection (2)~~ shall, within 30 days of such
42 request, provide the applicant with the reasons for such denial
43 in writing. A denial of staff membership or clinical privileges
44 to any applicant shall be submitted, in writing, to the
45 applicant's respective licensing board.

46 (12) At least 50 percent of the surgical assistants and 50
47 percent of the surgical technologists that a licensed facility
48 employs or with whom it contracts must be certified surgical
49 assistants and certified surgical technologists, respectively.
50 The requirements of this subsection do not apply to the
51 following:

52 (a) A person who has completed an appropriate training
53 program for surgical technology in any branch of the Armed
54 Forces or reserve component of the Armed Forces.

55 (b) A person who was employed or contracted to perform the
56 duties of a surgical technologist or surgical assistant at any
57 time before July 1, 2016.

58 (c) A health care practitioner as defined in s. 456.001 or
59 a student if the duties performed by the practitioner or the
60 student are within the scope of the practitioner's or the
61 student's training and practice.

62 (d) A person enrolled in a surgical technology or surgical
63 assisting training program accredited by the Commission on
64 Accreditation of Allied Health Education Programs, the
65 Accrediting Bureau of Health Education Schools, or another
66 accrediting body recognized by the United States Department of
67 Education on July 1, 2016. A person may practice as a surgical
68 technologist or a surgical assistant for 2 years after
69 completion of such a training program before he or she is



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70 required to obtain a certification under this subsection.

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

73 And the title is amended as follows:

74 Delete line 51

75 and insert:

76 circumstances; amending s. 395.0191, F.S.; defining
77 terms; requiring a certain percentage of surgical
78 assistants and surgical technologists employed or
79 contracting with a hospital to be certified; providing
80 exceptions to the certification requirement;
81 conforming cross-references; creating s. 624.27, F.S.;
82 defining