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LEGISLATIVE ACTION

Senate

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House

Floor: 1/AD/2R

02/18/2016 10:27 AM

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Senator Garcia moved the following:

**Senate Amendment (with title amendment)**

Between lines 14 and 15

insert:

Section 2. Present subsections (1) through (10) of section 395.0191, Florida Statutes, are redesignated as subsections (2) through (11), respectively, present subsection (6) of that section is amended, and a new subsection (1) and subsection (12) are added to that section, 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           (7)(6) Upon the written request of the applicant, any  
39 licensed facility that has denied staff membership or clinical  
40 privileges to any applicant specified in ~~subsection (1) or~~



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41 subsection (2) or subsection (3) 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 facility employs or  
48 with whom it contracts must be certified surgical assistants and  
49 certified surgical technologists, respectively. The requirements  
50 of this subsection do not apply to the following:

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

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

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

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



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

And the title is amended as follows:

Between lines 5 and 6

insert:

amending s. 395.0191, F.S.; defining terms; requiring  
a certain percentage of surgical assistants or  
surgical technologists employed by or contracting with  
a facility to be certified; providing exceptions to  
such certification requirements;