



189950

LEGISLATIVE ACTION

Senate	.	House
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Floor: NC/2R	.	
03/09/2016 05:01 PM	.	
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Senator Garcia moved the following:

**Senate Amendment (with title amendment)**

Between lines 233 and 234

insert:

Section 6. 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.—



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



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40 privileges to any applicant specified in ~~subsection (1) or~~  
41 subsection (2) or subsection (3) shall, within 30 days after ~~of~~  
42 such request, provide the applicant with the reasons for such  
43 denial in writing. A denial of staff membership or clinical  
44 privileges to any applicant shall be submitted, in writing, to  
45 the 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



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69 completion of such a training program before he or she is  
70 required to obtain a certification under this subsection.

71  
72 ===== T I T L E A M E N D M E N T =====

73 And the title is amended as follows:

74       Between lines 13 and 14

75 insert:

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