



230430

LEGISLATIVE ACTION

Senate

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House

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Floor: 1a/RE/2R

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03/08/2016 07:02 PM

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Senator Garcia moved the following:

1 **Senate Amendment to Amendment (725590) (with title**
2 **amendment)**

3
4 Between lines 240 and 241
5 insert:

6 Section 4. Present subsections (1) through (10) of section
7 395.0191, Florida Statutes, are redesignated as subsections (2)
8 through (11), respectively, a new subsection (1) and subsection
9 (12) are added to that section, and present subsection (6) of
10 that section is amended, to read:

11 395.0191 Staff membership and clinical privileges.—



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

13 (a) "Certified surgical assistant" means a surgical
14 assistant who maintains a valid and active certification under
15 one of the following designations: certified surgical first
16 assistant, from the National Board of Surgical Technology and
17 Surgical Assisting; certified surgical assistant, from the
18 National Surgical Assistant Association; or surgical assistant-
19 certified, from the American Board of Surgical Assistants.

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

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

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

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

39 (7)~~(6)~~ Upon the written request of the applicant, any
40 licensed facility that has denied staff membership or clinical



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

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

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

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

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

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



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

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

74 And the title is amended as follows:

75 Delete line 773

76 and insert:

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

83 defining