



317876

LEGISLATIVE ACTION

Senate

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House

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Floor: NC/2R

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03/08/2016 05:34 PM

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Senator Garcia moved the following:

Senate Amendment (with title amendment)

Between lines 135 and 136

insert:

Section 5. 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.—

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



317876

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, with the National Board of Surgical Technology and
16 Surgical Assisting; certified surgical assistant, with the
17 National Surgical Assistant Association; or surgical assistant-
18 certified, with 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 with 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 2 or



317876

41 subsection (3) ~~subsection (1) or subsection (2)~~ shall, within 30
42 days of such request, provide the applicant with the reasons for
43 such 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 facility employs or
48 with whom it contracts must be certified surgical assistants and
49 certified surgical technologists. This subsection does not apply
50 to the following:

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

55 (b) A person who was employed as, or who contracted to
56 perform the duties of, a surgical technologist or surgical
57 assistant at any 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



317876

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 Between lines 11 and 12

75 insert:

76 amending s. 395.0191, F.S.; defining terms; requiring
77 a certain percent of surgical assistants or surgical
78 technologists employed by or contracting with a
79 hospital to be certified; providing exceptions to
80 certification requirement;