

By Senator Harrell

25-00536-19

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1 A bill to be entitled
2 An act relating to ambulatory surgical centers;
3 amending s. 395.002, F.S.; revising the definition of
4 the term "ambulatory surgical center"; amending s.
5 395.1055, F.S.; requiring the Agency for Health Care
6 Administration, in consultation with the Board of
7 Medicine and the Board of Osteopathic Medicine, to
8 adopt rules that establish requirements for
9 practitioners and facilities related to the delivery
10 of surgical care to children in ambulatory surgical
11 centers, in accordance with specified standards;
12 requiring that the rules establish minimum standards
13 for certain pediatric patient care practices;
14 specifying that ambulatory surgical centers may
15 provide certain procedures only if authorized by
16 agency rule; providing an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Subsection (3) of section 395.002, Florida
21 Statutes, is amended to read:

22 395.002 Definitions.—As used in this chapter:

23 (3) "Ambulatory surgical center" means a facility the
24 primary purpose of which is to provide elective surgical care,
25 in which the patient is admitted to and discharged from such
26 facility within 24 hours ~~the same working day and is not~~
27 ~~permitted to stay overnight~~, and which is not part of a
28 hospital. However, a facility existing for the primary purpose
29 of performing terminations of pregnancy, an office maintained by

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30 a physician for the practice of medicine, or an office
31 maintained for the practice of dentistry may not be construed to
32 be an ambulatory surgical center, provided that any facility or
33 office which is certified or seeks certification as a Medicare
34 ambulatory surgical center shall be licensed as an ambulatory
35 surgical center pursuant to s. 395.003.

36 Section 2. Present subsections (3) through (12) of section
37 395.1055, Florida Statutes, are redesignated as subsections (4)
38 through (13), respectively, and a new subsection (3) is added to
39 that section, to read:

40 395.1055 Rules and enforcement.—

41 (3) (a) The agency, in consultation with the Board of
42 Medicine and the Board of Osteopathic Medicine, shall adopt
43 rules that establish requirements for practitioners and
44 facilities to ensure the safe and effective delivery of surgical
45 care to children in ambulatory surgical centers. The rules must
46 be consistent with the American College of Surgeons' 2015
47 standards document entitled "Optimal Resources for Children's
48 Surgical Care" and must establish minimum standards for
49 pediatric patient care treatment practices, including at least
50 all of the following: surgical risk assessment; anesthetic care;
51 resuscitation; transfer agreements; and training and
52 certification requirements for pediatric health care providers.

53 (b) Ambulatory surgical centers may provide operative
54 procedures that require a length of stay past midnight on the
55 day of surgery for children younger than 18 years of age only if
56 the agency authorizes the performance of such procedures by
57 rule.

58 Section 3. This act shall take effect July 1, 2019.