

By the Committee on Health Policy; and Senator Harrell

588-02473-19

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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 related to the
9 delivery of surgical care to children in ambulatory
10 surgical centers, in accordance with specified
11 standards; specifying that ambulatory surgical centers
12 may provide certain procedures only if authorized by
13 agency rule; providing an effective date.

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

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

19 395.002 Definitions.—As used in this chapter:

20 (3) "Ambulatory surgical center" means a facility the
21 primary purpose of which is to provide elective surgical care,
22 in which the patient is admitted to and discharged from such
23 facility within 24 hours ~~the same working day and is not~~
24 ~~permitted to stay overnight~~, and which is not part of a
25 hospital. However, a facility existing for the primary purpose
26 of performing terminations of pregnancy, an office maintained by
27 a physician for the practice of medicine, or an office
28 maintained for the practice of dentistry may not be construed to
29 be an ambulatory surgical center, provided that any facility or

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30 office which is certified or seeks certification as a Medicare
31 ambulatory surgical center shall be licensed as an ambulatory
32 surgical center pursuant to s. 395.003.

33 Section 2. Present subsections (3) through (12) of section
34 395.1055, Florida Statutes, are redesignated as subsections (4)
35 through (13), respectively, and a new subsection (3) is added to
36 that section, to read:

37 395.1055 Rules and enforcement.—

38 (3) (a) The agency, in consultation with the Board of
39 Medicine and the Board of Osteopathic Medicine, shall adopt
40 rules that establish requirements to ensure the safe and
41 effective delivery of surgical care to children in ambulatory
42 surgical centers. The rules must be consistent with the American
43 College of Surgeons' 2015 standards document entitled "Optimal
44 Resources for Children's Surgical Care" and must establish
45 minimum standards for pediatric patient care in ambulatory
46 surgical centers.

47 (b) Ambulatory surgical centers may provide operative
48 procedures that require a length of stay past midnight on the
49 day of surgery for children younger than 18 years of age only if
50 the agency authorizes the performance of such procedures by
51 rule.

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