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LEGISLATIVE ACTION

Senate . House

. . . . .

Senator Garcia moved the following:

Senate Amendment (with title amendment)

Before line 218

insert:

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

395.0191 Staff membership and clinical privileges.—

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

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(a) "Certified surgical assistant" means a surgical assistant who maintains a valid and active certification under one of the following designations:

1. Certified surgical first assistant, from the National Board of Surgical Technology and Surgical Assisting.

2. Certified surgical assistant, from the National Surgical Assistant Association.

3. Surgical assistant-certified, from the American Board of Surgical Assistants.

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

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

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

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

(7) ~~(6)~~ Upon the written request of the applicant, a ~~any~~

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licensed facility that has denied staff membership or clinical privileges to an ~~any~~ applicant specified in subsection (2) ~~(1)~~ or subsection (3) ~~(2)~~ shall, within 30 days of such request, provide the applicant with the reasons for such denial in writing. A denial of staff membership or clinical privileges to an ~~any~~ applicant shall be submitted, in writing, to the applicant's respective licensing board.

(12)(a) At least 50 percent of the surgical assistants that a facility employs or contracts with must be certified surgical assistants.

(b) At least 50 percent of the surgical technologists that a facility employs or contracts with must be certified surgical technologists.

(c) The certification requirements in paragraphs (a) and (b) do not apply to:

1. A person who has completed an appropriate training program for surgical technology in any branch of the Armed Forces or reserve component of the Armed Forces.

2. A person who was employed or contracted to perform the duties of a surgical technologist or surgical assistant at any time before July 1, 2014.

3. A health care practitioner as defined in s. 456.001 or a student if the duties performed by the practitioner or the student are within the scope of the practitioner's or the student's training and practice.

4. A person enrolled in a surgical technology or surgical assisting training program accredited by the Commission on Accreditation of Allied Health Education Programs, the Accrediting Bureau of Health Education Schools, or another

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accrediting body recognized by the United States Department of Education on July 1, 2014. A person may practice as a surgical technologist or a surgical assistant for 2 years after completing such a training program before he or she is required to meet the criteria in paragraphs (a) and (b).

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

And the title is amended as follows:

Delete line 2

and insert:

An act relating to health care; amending s. 395.0191, F.S.; defining terms; requiring a certain percentage of surgical assistants and surgical technologists employed or contracting with a hospital to be certified; providing exceptions; amending s. 395.1051,