

By the Committee on Health Policy; and Senator Garcia

588-03416-13

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1 A bill to be entitled

2 An act relating to surgical assistants and surgical
3 technologists; amending s. 395.0191, F.S.; providing
4 definitions; providing requirements for health care
5 facilities that employ or contract with surgical
6 assistants and surgical technologists; providing
7 exceptions to these requirements; providing an
8 effective date.

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

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12 Section 1. Subsection (11) is added to section 395.0191,
13 Florida Statutes, to read:

14 395.0191 Staff membership and clinical privileges.—

15 (11) SURGICAL ASSISTANTS AND SURGICAL TECHNOLOGISTS.—

16 (a) Definitions.—As used in this subsection, the term:

17 1. "Certified surgical assistant" means a surgical
18 assistant who maintains valid and active one of the following
19 certifications:

20 a. Certified Surgical First Assistant from the National
21 Board of Surgical Technology and Surgical Assisting.

22 b. Certified Surgical Assistant from the National Surgical
23 Assistant Association.

24 c. Surgical Assistant-Certified from the American Board of
25 Surgical Assistants.

26 2. "Certified surgical technologist" means a surgical
27 technologist who maintains valid and active certification as a
28 Certified Surgical Technologist from the National Board of
29 Surgical Technology and Surgical Assisting.

588-03416-13

2013360c1

30 3. "Surgeon" means any health care practitioner as defined
31 in chapter 456 whose scope of practice includes performing
32 surgery and who is listed as the primary surgeon in the
33 operative record.

34 4. "Surgical assistant" means a person who provides aid
35 under the supervision of a surgeon in exposure, hemostasis,
36 closures, and other intraoperative technical functions and
37 assists the surgeon in performing a safe operation with optimal
38 results for the patient.

39 5. "Surgical technologist" means a person who assists and
40 practices under the supervision of a surgeon to ensure that the
41 operating room environment is safe, that proper equipment is
42 available, and that the operative procedure is conducted
43 efficiently. Surgical technologist duties include, but are not
44 limited to, maintaining sterility during a surgical procedure,
45 handling and ensuring the availability of necessary equipment
46 and supplies, and maintaining visibility of the operative site.

47 (b) *Employment limitations.*

48 1. A facility may not employ or contract with any person to
49 perform the duties of a surgical assistant unless the person is
50 a certified surgical assistant.

51 2. A facility may not employ or contract with any person to
52 perform the duties of a surgical technologist unless the person
53 is a certified surgical technologist.

54 3. Subparagraphs 1. and 2. do not apply to:

55 a. A person who was employed or contracted to perform the
56 duties of a surgical technologist or a surgical assistant at any
57 time between January 1, 2013, and July 1, 2013.

58 b. A health care practitioner as defined in chapter 456 or

588-03416-13

2013360c1

59 a student if the duties he or she performs fall within the scope
60 of the practitioner's or the student's training and practice.

61 c. A person enrolled in a surgical technology or surgical
62 assisting training program accredited by the Commission on
63 Accreditation of Allied Health Education Programs, the
64 Accrediting Bureau of Health Education Schools, or another
65 accrediting body recognized by the United States Department of
66 Education on July 1, 2013. A person may practice as a surgical
67 technologist or a surgical assistant for 1 year after completion
68 of such a training program before he or she is required to meet
69 the criteria in subparagraphs 1. or 2.

70 Section 2. This act shall take effect July 1, 2013.