By Senator Harrell

A bill to be entitled
An act relating to ambulatory surgical centers;
amending s. 395.002, F.S.; revising the definition of the term “ambulatory surgical center”; amending s. 395.1055, F.S.; requiring the Agency for Health Care Administration, in consultation with the Board of Medicine and the Board of Osteopathic Medicine, to adopt rules that establish requirements for practitioners and facilities related to the delivery of surgical care to children in ambulatory surgical centers, in accordance with specified standards; requiring that the rules establish minimum standards for certain pediatric patient care practices; specifying that ambulatory surgical centers may provide certain procedures only if authorized by agency rule; providing an effective date.

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

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

395.002 Definitions.—As used in this chapter:
(3) “Ambulatory surgical center” means a facility the primary purpose of which is to provide elective surgical care, in which the patient is admitted to and discharged from such facility within 24 hours the same working day and is not permitted to stay overnight, and which is not part of a hospital. However, a facility existing for the primary purpose of performing terminations of pregnancy, an office maintained by

CODING: Words stricken are deletions; words underlined are additions.
a physician for the practice of medicine, or an office
maintained for the practice of dentistry may not be construed to
be an ambulatory surgical center, provided that any facility or
office which is certified or seeks certification as a Medicare
ambulatory surgical center shall be licensed as an ambulatory
surgical center pursuant to s. 395.003.

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

395.1055 Rules and enforcement.—

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

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

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