



594148

LEGISLATIVE ACTION

Senate

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House

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Floor: 1a/RE/2R

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03/09/2016 05:33 PM

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Senator Garcia moved the following:

1           **Senate Amendment to Amendment (899458) (with title**  
2 **amendment)**

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4           Between lines 123 and 124  
5 insert:

6           Section 5. Present subsections (1) through (10) of section  
7 395.0191, Florida Statutes, are redesignated as subsections (2)  
8 through (11), respectively, a new subsection (1) and subsection  
9 (12) are added to that section, and present subsection (6) of  
10 that section is amended, to read:

11           395.0191 Staff membership and clinical privileges.—



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- 12       (1) As used in this section, the term:
- 13       (a) "Certified surgical assistant" means a surgical  
14 assistant who maintains a valid and active certification under  
15 one of the following designations: certified surgical first  
16 assistant, from the National Board of Surgical Technology and  
17 Surgical Assisting; certified surgical assistant, from the  
18 National Surgical Assistant Association; or surgical assistant-  
19 certified, from the American Board of Surgical Assistants.
- 20       (b) "Certified surgical technologist" means a surgical  
21 technologist who maintains a valid and active certification as a  
22 certified surgical technologist from the National Board of  
23 Surgical Technology and Surgical Assisting.
- 24       (c) "Surgeon" means a health care practitioner as defined  
25 in s. 456.001 whose scope of practice includes performing  
26 surgery and who is listed as the primary surgeon in the  
27 operative record.
- 28       (d) "Surgical assistant" means a person who provides aid in  
29 exposure, hemostasis, closures, and other intraoperative  
30 technical functions and who assists the surgeon in performing a  
31 safe operation with optimal results for the patient.
- 32       (e) "Surgical technologist" means a person whose duties  
33 include, but are not limited to, maintaining sterility during a  
34 surgical procedure, handling and ensuring the availability of  
35 necessary equipment and supplies, and maintaining visibility of  
36 the operative site to ensure that the operating room environment  
37 is safe, that proper equipment is available, and that the  
38 operative procedure is conducted efficiently.
- 39       (7)~~(6)~~ Upon the written request of the applicant, any  
40 licensed facility that has denied staff membership or clinical



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41 privileges to any applicant specified in subsection (2) or  
42 subsection (3) ~~subsection (1) or subsection (2)~~ shall, within 30  
43 days of such request, provide the applicant with the reasons for  
44 such denial in writing. A denial of staff membership or clinical  
45 privileges to any applicant shall be submitted, in writing, to  
46 the applicant's respective licensing board.

47 (12) At least 50 percent of the surgical assistants and 50  
48 percent of the surgical technologists that a licensed facility  
49 employs or with whom it contracts must be certified surgical  
50 assistants and certified surgical technologists, respectively.

51 The requirements of this subsection do not apply to the  
52 following:

53 (a) A person who has completed an appropriate training  
54 program for surgical technology in any branch of the Armed  
55 Forces or reserve component of the Armed Forces.

56 (b) A person who was employed or contracted to perform the  
57 duties of a surgical technologist or surgical assistant at any  
58 time before July 1, 2016.

59 (c) A health care practitioner as defined in s. 456.001 or  
60 a student if the duties performed by the practitioner or the  
61 student are within the scope of the practitioner's or the  
62 student's training and practice.

63 (d) A person enrolled in a surgical technology or surgical  
64 assisting training program accredited by the Commission on  
65 Accreditation of Allied Health Education Programs, the  
66 Accrediting Bureau of Health Education Schools, or another  
67 accrediting body recognized by the United States Department of  
68 Education on July 1, 2016. A person may practice as a surgical  
69 technologist or a surgical assistant for 2 years after



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70 completion of such a training program before he or she is  
71 required to obtain a certification under this subsection.

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

74 And the title is amended as follows:

75       Between lines 1017 and 1018

76 insert:

77       s. 395.0191, F.S.; defining terms; requiring a certain  
78       percentage of surgical assistants and surgical  
79       technologists employed or contracting with a hospital  
80       to be certified; providing exceptions to the  
81       certification requirement; conforming cross-  
82       references; amending