

By the Committee on Health Policy; and Senator Steube

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1 A bill to be entitled
2 An act relating to ambulatory surgical centers and
3 mobile surgical facilities; amending s. 395.002, F.S.;
4 revising the definition of the terms "ambulatory
5 surgical center" and "mobile surgical facility";
6 amending s. 395.1055, F.S.; requiring the Agency for
7 Health Care Administration, in consultation with the
8 Board of Medicine and the Board of Osteopathic
9 Medicine to adopt rules that establish requirements
10 for practitioners and facilities related to the
11 delivery of surgical care to children in ambulatory
12 surgical centers, in accordance with specified
13 standards; requiring that the rules establish minimum
14 standards for certain pediatric patient care
15 practices; specifying that ambulatory surgical centers
16 may only provide certain procedures if authorized by
17 agency rule; providing an effective date.

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

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

23 395.002 Definitions.—As used in this chapter:

24 (3) "Ambulatory surgical center" or "mobile surgical
25 facility" means a facility the primary purpose of which is to
26 provide elective surgical care, in which the patient is admitted
27 to and discharged from such facility within 24 hours ~~the same~~
28 ~~working day and is not permitted to stay overnight~~, and which is
29 not part of a hospital. However, a facility existing for the

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30 primary purpose of performing terminations of pregnancy, an
31 office maintained by a physician for the practice of medicine,
32 or an office maintained for the practice of dentistry shall not
33 be construed to be an ambulatory surgical center, provided that
34 any facility or office which is certified or seeks certification
35 as a Medicare ambulatory surgical center shall be licensed as an
36 ambulatory surgical center pursuant to s. 395.003. Any structure
37 or vehicle in which a physician maintains an office and
38 practices surgery, and which can appear to the public to be a
39 mobile office because the structure or vehicle operates at more
40 than one address, shall be construed to be a mobile surgical
41 facility.

42 Section 2. Present subsections (3) through (10) of section
43 395.1055, Florida Statutes, are redesignated as subsections (4)
44 through (11), respectively, and a new subsection (3) is added to
45 that section, to read:

46 395.1055 Rules and enforcement.—

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

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

64 Section 3. This act shall take effect July 1, 2018.