

Subject: Public Records Request :: P117306-042524

Date: Tuesday, May 21, 2024 at 1:28:07 PM Eastern Daylight Time

From: Florida Department of Health

To: AO Records

EXTERNAL SENDER

Attachments:

[From.pdf](#)

[To.pdf](#)

--- Please respond above this line ---

Dear Requestor:

Responsive records attached.

Best,

Kendra Washington

Public Records Manager

Florida Department of Health

Office of the General Counsel

4052 Bald Cypress Way, Bin A-02

Tallahassee, FL 32399

Telephone: 850-617-1408

Fax: 850-245-4790

Email: Kendra.Washington@flhealth.gov

From: [Smith, Charles](#)
To: [Wenhold, Jennifer](#); [Vazquez, Paul](#); [Sapp, Jessica](#)
Subject: FW: Rule No.: 64B15-14.007 Standard of Care for Office Surgery
Date: Thursday, April 18, 2024 11:01:39 AM

Please see follow-up and health update below.

Sincerely,

Charles P. Smith

Legislative Planning Director
Office of Legislative Planning
Florida Department of Health
Phone: 850.759.2693
Mobile: 727.560.1002
Email: charles.smith@flhealth.gov

From: Rossitto-Vanwinkle, Tari <ROSSITTO-VANWINKLE.TARI@flsenate.gov>
Date: Wednesday, April 17, 2024 at 3:23 PM
To: Smith, Charles <Charles.Smith@flhealth.gov>
Subject: RE: Rule No.: 64B15-14.007 Standard of Care for Office Surgery

EXTERNAL EMAIL: DO NOT CLICK links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Charles,

Thanks. Doing fine with my new hip.

Do you know if the BOM's proposed Rule amendment to F.A.C. Rule 64B8-9.009 Standard of Care for Office Surgery is the same Language? Or is it different? If different, would you please provide me with a copy of the BOM's proposed changes to F.A.C. Rule 64B8-9.009.

Thanks for all your help.

Tari Rossitto-Van Winkle, R.N., J.D.
Senior Attorney
The Florida Senate Committee on Health Policy
530 Knott Building
404 South Monroe Street
Tallahassee, Florida 32399-1100
(850) 487-5824
(850) 410-0081 Fax
e-mail: rossitto-vanwinkle.tari@flsenate.gov

From: Smith, Charles <Charles.Smith@flhealth.gov>
Sent: Wednesday, April 17, 2024 9:41 AM
To: Rossitto-Vanwinkle, Tari <ROSSITTO-VANWINKLE.TARI@flsenate.gov>
Subject: RE: Rule No.: 64B15-14.007 Standard of Care for Office Surgery

Hi Tari,

I hope all is well. Please see response below:

Attached is a draft of the proposed changes to Rule 64B15-14.007, F.A.C. As of yesterday morning, the Board of Osteopathic Medicine has not received any materials or correspondence in response to the proposed changes.

Sincerely,

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Email: charles.smith@flhealth.gov

From: [Vazquez, Paul](#)
To: [Smith, Charles](#)
Subject: Automatic reply: Rule No.: 64B15-14.007 Standard of Care for Office Surgery
Date: Thursday, April 18, 2024 11:01:42 AM

Thank you for your email. I will be out of the office on April 16-19, 2024. I plan to be back in the office on April 22, 2024. If you need immediate assistance, please contact Cherise Strickland at bettye.strickland@flhealth.gov.

From: [Vazquez, Paul](#)
To: [Rossitto-Vanwinkle, Tari](#)
Subject: RE: Rule 64B8-9.009 Standard of Care for Office Surgery
Date: Monday, April 15, 2024 2:48:29 PM
Attachments: [64B8-9.009 - approved text.doc](#)

Tari:

The only changes to 64B8-9.009 currently in development are attached. I am not aware of any related materials.

Paul



Paul A. Vazquez, J.D.
Executive Director
Florida Board of Medicine
Division of Medical Quality Assurance
Florida Department of Health
Phone: 850-245-4130

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

From: Rossitto-Vanwinkle, Tari <ROSSITTO-VANWINKLE.TARI@flsenate.gov>
Sent: Monday, April 15, 2024 2:42 PM
To: Vazquez, Paul <Paul.Vazquez@flhealth.gov>
Cc: Brown, Allen <Brown.Allen@flsenate.gov>
Subject: Rule 64B8-9.009 Standard of Care for Office Surgery

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Good afternoon Paul;

May I please have a copy of any proposed rule changes to F.A.C. Rule 64B8-9.009, an correspondence, or other written materials filed with the department in support of or in opposition to the proposed changes to F.A.C. Rule 64B8-9.009. Thank you in advance for your anticipated prompt attention and cooperation in this regard.

Sincerely,

Tari Rossitto-Van Winkle, R.N., J.D.
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530 Knott Building
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64B8-9.009 Standard of Care for Office Surgery.

Nothing in this rule relieves the surgeon of the responsibility for making the medical determination that the office is an appropriate forum for the particular procedure(s) to be performed on the particular patient.

(1) Definitions.

(d) Office surgery.

1. For the purpose of this rule, office surgery is defined as surgery which is performed in an office maintained by a physician for the practice of medicine where a surgeon performs procedures as permitted by this rule and which is governed pursuant to Rule 64B8-9.0091, F.A.C., and Section 458.328, F.S. The Physician's office must be an office at which the the surgeon regularly performs consultations with surgical patients, pre-surgical examinations, and post-surgical care related to the surgeries performed at the physician's office, and where patient records are readily maintained and available. ~~outside of any facility licensed under Chapter 390 or 395, F.S.~~ Office surgical procedures shall not be of a type that generally result in blood loss of more than ten percent of estimated blood volume in a patient with a normal hemoglobin; require major or prolonged intracranial, intrathoracic, abdominal, or major joint replacement procedures, except for laparoscopic procedures; involve major blood vessels performed with direct visualization by open exposure of the major vessel, except for percutaneous endovascular intervention; or are generally emergent or life threatening in nature.

2. A facility that meets the definition of an ambulatory surgical center as defined in Section 395.002(3), F.S., a hospital as defined in Section 395.002(12), F.S., or an abortion clinic as defined in Section 390.011(2), F.S., may not be registered as an office surgery facility under Rule 64B8-9.0091, F.A.C.

Rulemaking Authority 458.309(1), 458.328(2), 458.331(1)(v) FS. Law Implemented 458.328, 458.331(1)(v), 458.351 FS. History—New 2-1-94, Amended 5-17-94, Formerly 61F6-27.009, Amended 9-8-94, 11-15-94, Formerly 59R-9.009, Amended 2-17-00, 12-7-00, 2-27-01, 8-1-01, 8-12-01, 3-25-02, 3-22-05, 4-19-05, 10-23-05, 10-10-06, 4-18-07, 9-3-07, 3-25-10, 8-6-12, 11-22-12, 1-9-13, 3-3-13, 7-22-14, 4-6-15, 9-4-16, 5-22-17, 6-23-17, 9-4-17, 5-7-18, 7-2-18, 9-3-19, 3-2-20, 3-10-22, _____.