



HOUSE BILL 43: Establish Standards for Surgical Technology.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	March 25, 2019
Introduced by:	Reps. Murphy, Lambeth, Humphrey	Prepared by:	Kristen L. Harris
Analysis of:	PCS to Second Edition H43-CSBC-9		Committee Co-Counsel

OVERVIEW: *The Proposed Committee Substitute for House Bill 43 would prevent hospitals and ambulatory surgical facilities from employing surgical technologists who did not have at least one of the following: a credential from a national credentialing agency, military training in the field of surgical technology, or prior work experience as a surgical technologist. Exceptions would be permitted in the event a hospital or ambulatory surgical facility was not able to find a qualified surgical technologist after a diligent search. Surgical technologists would also be required to complete thirty hours of continuing education every two years, and the employing hospitals and ambulatory surgical facilities would have to verify completion of those hours. The bill also creates a definition for "surgical technology" and "surgical technologist."*

CURRENT LAW: Currently, there is no law requiring individuals employed as surgical technologists to be credentialed or complete continuing education.

BILL ANALYSIS:

Section 1 applies to hospitals and would:

- Create definitions for "surgical technologists" and "surgical technology."
- Prevent hospitals from employing a surgical technologist unless that individual met one of the following criteria:
 - Completion of a program accredited by the Commission on Accreditation of Allied Health Education programs and holding the Certified Surgical technologist credential issued by the National Board of Surgical Technology and Surgical Assisting.
 - Completion an appropriate training program through the United States Military or the United States Public Health Service.
 - Documentation of employment as a surgical technologist on December 31, 2019, or during the three years immediately preceding December 31, 2019.
- Allow probationary employment for one year of individuals who had completed the requisite training and were working on obtaining the necessary credential.
- Require surgical technologists to complete either (1) thirty hours of continuing education every two years, or (2) continuing education sufficient to maintain a surgical technologist credential.
- Allow hospitals to employ surgical technologists who did not meet any of the training and credentialing criteria, provided that the hospitals conducted a diligent search for individuals who

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met the criteria, maintained records of their search, and required non-credentialed individuals to meet all continuing education requirements.

- Allow DHHS to take adverse action against hospitals that fail to comply.

Section 2 is identical to Section 1, except that it applies to ambulatory surgical facilities instead of hospitals.

EFFECTIVE DATE: This act would be effective January 1, 2020.

BACKGROUND:

According to the Commission on Accreditation of Allied Health Education Programs, surgical technologists are an integral part of the team of medical practitioners providing surgical care to patients in a variety of settings. Surgical patient care includes preparing the operating room and the sterile field for surgical procedures by ensuring that surgical equipment is functioning properly and safely and preparing sterile supplies, instruments, and equipment using sterile technique, and as directed by the surgical team, performing tasks in the sterile field.

The Commission is a programmatic postsecondary accrediting agency recognized by the Council for Higher Education Accreditation and carries out its accrediting activities in cooperation with 23 review committees. The Commission currently accredits over 2,100 entry level education programs in 28 health science professions.

The National Board of Surgical Technology and Surgical Assisting is the certifying agency for surgical technologists. The NBSTSA's duty is to determine, through examination, if an individual has acquired both theoretical and practical knowledge of surgical technology. Certification, while voluntary, demonstrates that the individual meets the national standard for knowledge that underlies surgical technologist practice. Certified individuals possess a mastery of a broad range of skills related to surgical procedures, aseptic technique, and patient care.

*Staff Attorney Jason Moran-Bates substantially contributed to this summary.