

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1641 Session of
2009

INTRODUCED BY GINGRICH, BAKER, CALTAGIRONE, D. COSTA, CUTLER,
DELOZIER, FLECK, HALUSKA, HARHART, HICKERNELL, M. KELLER,
KORTZ, MANDERINO, MARSHALL, MCGEEHAN, MILNE, MURT, OLIVER,
PICKETT, PYLE, READSHAW, REICHLEY, SEIP, SIPTROTH, SOLOBAY,
SONNEY, STABACK, SWANGER, TALLMAN, J. TAYLOR, WATSON, SAYLOR,
CREIGHTON, HORNAMAN, RAPP, QUINN, FREEMAN AND BEYER,
JUNE 9, 2009

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
NOVEMBER 10, 2009

AN ACT

1 Requiring a circulating nurse in certain operating rooms.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Circulating
6 Nurse Act.

7 Section 2. Purpose.

8 The purpose of this legislation is to require a registered
9 nurse to be the circulating nurse in an operating room for the
10 safety of the patient.

11 Section 3. Definitions.

12 The following words and phrases when used in this act shall
13 have the meanings given to them in this section unless the
14 context clearly indicates otherwise:

~~"Anesthesia." Includes general anesthesia and spinal or major regional anesthesia. It does not include local anesthesia. General anesthesia is a drug induced loss of consciousness during which patients are not arousable, even by painful stimulation. The ability to independently maintain ventilatory function is often impaired. Patients often require assistance in maintaining a patent airway, and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug induced depression of neuromuscular function. Cardiovascular function may be impaired.~~

~~"Deep sedation/analgesia." A drug induced depression of consciousness during which patients cannot be easily aroused but respond purposefully following repeated or painful stimulation. The ability to independently maintain ventilatory function may be impaired. Patients may require assistance in maintaining a patent airway, and spontaneous ventilation may be inadequate. Cardiovascular function is usually maintained.~~

"Health care facility." Any hospital or class C ambulatory surgical facility as defined by 28 Pa. Code Pt. IV (relating to health facilities).

"Operating room of the facility." The phrase shall only include the number of operating rooms covered by a health care facility's license issued by the Department of Health.

"Registered nurse." An individual licensed under the laws of this Commonwealth to practice professional nursing.

Section 4. Operating room staff.

Only a registered nurse, licensed in this Commonwealth, qualified by training and experience in operating room nursing shall function as a circulating nurse during all surgical procedures performed in a health care facility under general

1 ~~anesthesia or deep sedation in~~ AN OPERATING ROOM OF a health
2 care ~~facility's operating room~~ FACILITY.
3 Section 5. Effective date.
4 This act shall take effect in 60 days.

