

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 81 Session of 2019

INTRODUCED BY KAUFFMAN, MURT, PYLE, ZIMMERMAN, READSHAW, HILL- EVANS AND JOZWIAK, JANUARY 28, 2019

AS REPORTED FROM COMMITTEE ON HEALTH, HOUSE OF REPRESENTATIVES, AS AMENDED, FEBRUARY 5, 2019

AN ACT

1 Providing for certification of central service technicians;
2 imposing continuing education requirements on central service
3 technicians; providing for duties of hospitals and ambulatory
4 surgical facilities and the Department of Health; and
5 regulating the practice of surgical technology and surgical
6 technologists.

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1 Section 504. Scope of practice.
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6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 CHAPTER 1

9 PRELIMINARY PROVISIONS

10 Section 101. Short title.

11 This act shall be known and may be cited as the Central
12 Service Technician and Surgical Technologist Regulation Act.

13 Section 102. Definitions.

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

17 "Ambulatory surgical facility." As defined in section 802.1
18 of the act of July 19, 1979 (P.L.130, No.48), known as the
19 Health Care Facilities Act.

20 "Central service technician." An individual who provides the
21 services of inspecting, assembling, decontamination,
22 preparation, packaging and sterilization of reusable medical
23 instruments or devices in a hospital or an ambulatory surgical
24 facility.

25 "Department." The Department of Health of the Commonwealth.

26 "Health care facility." A hospital, ambulatory surgical
27 center or freestanding surgical outpatient facility.

28 "Health care practitioner." As defined in section 103 of
29 the Health Care Facilities Act.

30 "Hospital." As defined in section 802.1 of the Health Care

1 Facilities Act.

2 "Surgical technologist." An individual who is employed or
3 contracted by a health care facility to perform surgical
4 technology tasks and functions AS DIRECTED. <--

5 "Surgical technology." Surgical patient care that includes,
6 but is not limited to, the following tasks or functions:

7 ~~(1) preparing the operating room and the sterile field~~ <--
8 ~~for surgical procedures by ensuring that surgical equipment~~
9 ~~is functioning properly and safely and preparing sterile~~
10 ~~supplies, instruments and equipment using sterile technique;~~
11 ~~and~~

12 ~~(2) as directed, performing tasks at the sterile field,~~
13 ~~including:~~

14 ~~(i) maintaining asepsis and correcting breaks in the~~
15 ~~sterile field;~~

16 ~~(ii) passing supplies, equipment or instruments~~
17 ~~according to the needs of the surgical team;~~

18 ~~(iii) sponging or suctioning an operative site;~~

19 ~~(iv) preparing and cutting suture material;~~

20 ~~(v) transferring and irrigating with fluids;~~

21 ~~(vi) transferring but not administering drugs within~~
22 ~~the sterile field;~~

23 ~~(vii) handling specimens;~~

24 ~~(viii) holding retractors and other instruments;~~

25 ~~(ix) applying electrocautery to clamps on bleeders;~~

26 ~~(x) connecting drains to suction apparatus;~~

27 ~~(xi) applying dressings to closed wounds; and~~

28 ~~(xii) performing sponge, needle, supply and~~
29 ~~instrument counts with the registered nurse circulator.~~

30 (1) PREPARING THE OPERATING ROOM AND THE STERILE <--

1 OPERATING FIELD FOR SURGICAL PROCEDURES BY ENSURING THAT
2 SURGICAL EQUIPMENT IS FUNCTIONING PROPERLY AND SAFELY AND
3 USING STERILE TECHNIQUE TO PREPARE SUPPLIES, INSTRUMENTS AND
4 EQUIPMENT;

5 (2) ASSISTING THE SURGEON WITH PLACING STERILE DRAPES ON
6 THE PATIENT TO ESTABLISH THE STERILE OPERATING FIELD;

7 (3) PARTICIPATING IN THE TIME-OUT PROCESS OF VERIFYING
8 THE CORRECT PATIENT, PROCEDURE AND SURGICAL SITE;

9 (4) ANTICIPATING THE NEEDS OF THE SURGEON, BASED ON
10 KNOWLEDGE OF HUMAN ANATOMY AND PATHOPHYSIOLOGY, BY PREPARING
11 AND PASSING INSTRUMENTS AND SUPPLIES DURING A SURGICAL
12 PROCEDURE;

13 (5) SPONGING AND SUCTIONING THE OPERATIVE SITE;

14 (6) PREPARING AND CUTTING SUTURE MATERIAL;

15 (7) PREPARING AND POURING IRRIGATION SOLUTIONS DURING A
16 SURGICAL PROCEDURE;

17 (8) PREPARING AND PASSING MEDICATIONS AND HEMOSTATIC
18 AGENTS DURING A SURGICAL PROCEDURE;

19 (9) TRANSFERRING AND ADMINISTERING DRUGS WITHIN THE
20 STERILE FIELD IN ACCORDANCE WITH THE APPLICABLE LAWS OF THIS
21 COMMONWEALTH;

22 (10) PREPARING AND PASSING OFF SPECIMENS;

23 (11) HOLDING RETRACTORS OR OTHER INSTRUMENTS;

24 (12) APPLYING ELECTROCAUTERY TO CLAMPS OR FORCEPS ON
25 BLEEDING VESSELS;

26 (13) OPERATING THE CAMERA DURING AN ENDOSCOPIC
27 PROCEDURE;

28 (14) PLACING INSTRUMENTS IN ROBOTIC ARMS DURING A
29 SURGICAL PROCEDURE;

30 (15) CONNECTING DRAINS TO SUCTION APPARATUSES;

- 1 (16) PERFORMING URINARY CATHETERIZATIONS;
- 2 (17) PREPARING AND APPLYING STERILE DRESSINGS TO CLOSED
- 3 WOUNDS;
- 4 (18) PERFORMING COUNTS OF SPONGES, NEEDLES, SUPPLIES AND
- 5 INSTRUMENTS WITH A REGISTERED NURSE CIRCULATOR;
- 6 (19) CLEANING AND PREPARING INSTRUMENTS FOR
- 7 STERILIZATION UPON COMPLETION OF A SURGICAL PROCEDURE;
- 8 (20) ASSISTING THE SURGICAL TEAM WITH CLEANING OF THE
- 9 OPERATING ROOM UPON COMPLETION OF A SURGICAL PROCEDURE;
- 10 (21) ASSISTING WITH TRANSFERRING THE PATIENT TO AND
- 11 POSITIONING THE PATIENT ON THE OPERATING TABLE; AND
- 12 (22) MAINTAINING THE HIGHEST STANDARD OF STERILE
- 13 TECHNIQUE, INCLUDING IDENTIFYING AND CORRECTING BREAKS IN THE
- 14 STERILE OPERATING FIELD.

15 CHAPTER 3

16 CENTRAL SERVICE TECHNICIANS

17 Section 301. Certification.

18 (a) Requirements.--An individual shall not function as a
19 central service technician in a health care facility, and a
20 health care facility shall not employ or otherwise contract for
21 the services of a central service technician unless the
22 individual has successfully passed a nationally accredited
23 central service exam for central service technicians and holds
24 and maintains one of the following credentials:

25 (1) Certified registered central service technician
26 credential.

27 (2) Certified sterile processing and distribution
28 technician credential.

29 (b) Exemption.--The certification requirement under
30 subsection (a) shall not apply to an individual who has been

1 employed or otherwise contracted for services as a central
2 service technician in a hospital or ambulatory surgical facility
3 on or before ~~December 31, 2019~~ THE EFFECTIVE DATE OF THIS ACT. <--

4 Section 302. Employment and continuing education.

5 (a) New employees.--A central service technician who does
6 not meet the requirements under section 301 shall have 18 months
7 from the date of hire to comply with section 301.

8 (b) Continuing education.--An individual who qualifies to
9 function as a central service technician in a hospital or an
10 ambulatory surgical facility under section 301 shall annually
11 complete 10 hours of continuing education to remain qualified as
12 a central service technician. The continuing education required
13 under this subsection shall be in areas related to the functions
14 of a central service technician.

15 (c) Facility responsibility.--

16 (1) A hospital or ambulatory surgical facility shall
17 maintain documentation to verify that an individual meets the
18 certification requirements under section 301(a).

19 (2) If an individual does not meet the certification
20 requirements under section 301(a), a hospital or ambulatory
21 surgical facility shall maintain documentation of a central
22 service technician's dates of employment or the contract
23 period when the central service technician provided services
24 to the hospital or ambulatory surgical facility to verify
25 that the central service technician meets the exemption
26 requirements under section 301(b).

27 Section 303. Scope of practice.

28 Nothing in this chapter may be construed to prohibit any of
29 the following individuals from performing the tasks or functions
30 of a central service technician:

1 (1) A health care practitioner.

2 (2) A dental assistant or an individual who is licensed
3 or registered under the act of May 1, 1933 (P.L.216, No.76),
4 known as The Dental Law.

5 (3) A student or intern performing the functions of a
6 central service technician under the direct supervision of a
7 health care practitioner as part of the student's or intern's
8 training or internship.

9 Section 304. Departmental duties.

10 The department shall administer the provisions of this
11 chapter and promulgate and adopt such regulations as may be
12 necessary to implement this act.

13 CHAPTER 5

14 SURGICAL TECHNOLOGIES

15 Section 501. Requirements for health care facilities.

16 The following apply:

17 (1) A health care facility shall not employ or otherwise
18 contract for the services of a surgical technologist in a
19 health care facility unless the individual meets at least one
20 of the following:

21 (i) has successfully completed a program accredited
22 by the Commission on Accreditation of Allied Health
23 Education Programs or other nationally accredited
24 educational program for surgical technologists and holds
25 and maintains the Certified Surgical Technologist
26 credential administered by the National Board of Surgical
27 Technology and Surgical Assisting or its successor;

28 (ii) has successfully completed an appropriate
29 training program for surgical technology in the United
30 States Army, Navy, Air Force, Marine Corps or Coast Guard

1 or in the United States Public Health Service;

2 (iii) provides evidence that the individual was
3 employed to practice surgical technology AS THE <--
4 INDIVIDUAL'S PRIMARY FUNCTION in a health care facility
5 on the effective date of this act or was employed to
6 practice surgical technology during the two years
7 immediately preceding the effective date of this act; or
8 (iv) is in the service of the Federal Government, to
9 the extent that the individual is performing duties
10 related to that service.

11 (2) A HEALTH CARE FACILITY THAT EMPLOYS OR CONTRACTS <--
12 WITH AN INDIVIDUAL TO PRACTICE SURGICAL TECHNOLOGY SHALL
13 VERIFY THE DATES OF EMPLOYMENT OF THE INDIVIDUAL OR CONTRACT
14 PERIOD WITH THE INDIVIDUAL UPON REQUEST BY ANY OF THE
15 FOLLOWING:

16 (I) ANOTHER HEALTH CARE FACILITY;

17 (II) ANOTHER INDIVIDUAL WHO IS EMPLOYED BY OR
18 CONTRACTS WITH THE HEALTH CARE FACILITY TO PRACTICE
19 SURGICAL TECHNOLOGY; OR

20 (III) ANOTHER INDIVIDUAL WHO WAS FORMERLY EMPLOYED
21 BY OR CONTRACTED WITH THE HEALTH CARE FACILITY TO
22 PRACTICE SURGICAL TECHNOLOGY.

23 ~~(2)~~ (3) A health care facility may employ or contract an <--
24 individual to practice surgical technology during the ~~12-~~ <--
25 ~~month~~ SIX-MONTH period immediately following successful <--
26 completion of a surgical technology program, but may not
27 continue to be employed or contracted with beyond that period
28 without documentation that the employee or contractor holds
29 and maintains the Certified Surgical Technologist credential
30 required under paragraph (1) (i).

1 Section 502. Continuing education.

2 ~~(a) General rule. An individual who qualifies to practice <--~~
3 ~~surgical technology in a health care facility under section~~
4 ~~501(1)(i) or (ii) must annually complete 15 hours of continuing~~
5 ~~education to remain qualified to practice as a surgical~~
6 ~~technologist.~~

7 (A) COMPLIANCE.--AN INDIVIDUAL WHO IS EMPLOYED BY OR <--
8 CONTRACTS WITH A HEALTH CARE FACILITY TO PRACTICE SURGICAL
9 TECHNOLOGY AND IS CERTIFIED UNDER SECTION 501(1)(I) SHALL:

10 (1) COMPLY WITH THE CONTINUING EDUCATION REQUIREMENTS AS
11 NECESSARY TO MAINTAIN THE CERTIFIED SURGICAL TECHNOLOGIST
12 CREDENTIAL UNDER SECTION 501(1)(I); AND

13 (2) PROVIDE PROOF OF COMPLIANCE WITH THE CONTINUING
14 EDUCATION REQUIREMENTS TO THE HEALTH CARE FACILITY UPON
15 REQUEST.

16 (B) ADDITIONAL REQUIREMENT.--AN INDIVIDUAL WHO IS EMPLOYED
17 BY OR CONTRACTS WITH A HEALTH CARE FACILITY TO PRACTICE SURGICAL
18 TECHNOLOGY AND IS NOT CERTIFIED UNDER SECTION 501(1)(I) OR HAS
19 LET THE INDIVIDUAL'S CERTIFICATION LAPSE SHALL:

20 (1) COMPLETE 30 HOURS OF RELEVANT CONTINUING EDUCATION
21 EVERY TWO YEARS IN ORDER TO REMAIN ELIGIBLE TO PRACTICE
22 SURGICAL TECHNOLOGY; AND

23 (2) BE RESPONSIBLE FOR PROVING, TO THE SATISFACTION OF
24 THE HEALTH CARE FACILITY, THAT THE INDIVIDUAL COMPLIES WITH
25 THIS SUBSECTION.

26 ~~(b)~~ (C) Verification.--A health care facility that employs <--
27 or contracts with an individual to practice surgical technology
28 shall verify that the individual meets the continuing education
29 requirements under subsection ~~(a)~~ (B) or, if applicable, that <--
30 the individual holds and maintains the Certified Surgical

1 Technologist credential as required under section 501(1)(i).

2 Section 503. Exception.

3 A health care facility may employ or otherwise contract with
4 an individual who does not meet the requirements of section 501
5 to practice surgical technology in a health care facility if:

6 (1) after a diligent and thorough effort has been made,
7 the health care facility is unable to employ or contract with
8 a sufficient number of qualified surgical technologists who
9 meet the requirements of section 501; and

10 (2) the health care facility makes a written record of
11 its efforts under paragraph (1) and retains the record at the
12 health care facility.

13 Section 504. Scope of practice.

14 Nothing in this chapter may be construed to prohibit any of
15 the following individuals from performing the tasks or functions
16 of a surgical technologist:

17 (1) A health care practitioner.

18 (2) A dental assistant or an individual who is licensed
19 or registered under the act of May 1, 1933 (P.L.216, No.76),
20 known as The Dental Law.

21 (3) A student or intern performing the functions of a
22 ~~central service technician~~ SURGICAL TECHNOLOGIST under the <--
23 direct supervision of a health care practitioner as part of
24 the student's or intern's training or internship.

25 Section 505. Applicability.

26 Nothing in this chapter shall prohibit any licensed
27 practitioner from performing surgical technology tasks or
28 functions if the practitioner is acting within the scope of the
29 practitioner's license.

30 Section 506. Departmental duties.

