CENTRAL SERVICE TECHNICIAN AND SURGICAL TECHNOLOGIST REGULATION ACT - ENACTMENT

Act of Oct. 29, 2020, P.L. 710, No. 80 Cl. 35

An Act

Providing for certification of central service technicians; imposing continuing education requirements on central service technicians; providing for duties of health care facilities and the Department of Health; and regulating the practice of surgical technology and surgical technologists.

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

CHAPTER 1
PRELIMINARY PROVISIONS

Section 101. Short title.

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

Section 102. Definitions.

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

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

"Central service technician." An individual who provides the services of inspecting, assembling, decontamination, preparation, packaging and sterilization of reusable medical instruments or devices being used by a health care facility.

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

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

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

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

"Surgical technologist." An individual who is employed or contracted by a health care facility to perform surgical technology tasks and functions as directed.

"Surgical technology." Surgical patient care that includes, but is not limited to, performing the following perioperative tasks or functions as directed:

(1) preparing the operating room and the sterile operating field for surgical procedures by ensuring that surgical equipment is functioning properly and safely and using sterile techniques to prepare supplies, instruments and equipment;

(2) assisting the surgeon with placing sterile drapes on the patient to establish the sterile operating field;

(3) participating in the time-out process of verifying the correct patient, procedure and surgical site;

(4) anticipating the needs of the surgeon, based on knowledge of human anatomy and pathophysiology, by preparing and passing instruments and supplies during a surgical procedure;

(5) sponging and suctioning the operative site;

(6) preparing and cutting suture material;

(7) preparing and pouring irrigation solutions during a surgical procedure;

(8) preparing and passing medications and hemostatic agents during a surgical procedure but not administering drugs;

(9) preparing and passing off specimens;

(10) holding retractors or other instruments;

(11) applying electrocautery to clamps or forceps on bleeding vessels;

(12) connecting drains to suction apparatuses;

(13) preparing and applying sterile dressings to closed wounds;

(14) performing counts of sponges, needles, supplies and instruments with a registered nurse circulator;

(15) cleaning and preparing instruments for sterilization upon completion of a surgical procedure;

(16) assisting with transferring the patient to and positioning the patient on the operating table; and

(17) maintaining the highest standard of sterile techniques, including identifying and correcting breaks in the sterile operating field.

CHAPTER 3
CENTRAL SERVICE TECHNICIANS

Section 301. Certification.

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

(1) Certified registered central service technician credential.

(2) Certified sterile processing and distribution technician credential.

(b) Exemption.--The certification requirement under subsection (a) shall not apply to an individual who has been employed or otherwise contracted for services as a central service technician by a health care facility on or before the effective date of this act.

Section 302. Employment and continuing education.

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

(b) Continuing education.--An individual who qualifies to function as a central service technician under section 301 shall annually complete 10 hours of continuing education to remain qualified as a central service technician. The continuing education required under this subsection shall be in areas related to the functions of a central service technician.

(c) Facility responsibility.--

(1) A health care facility shall maintain documentation to verify that an individual meets the certification requirements under section 301(a).

(2) If an individual does not meet the certification requirements under section 301(a), a health care facility shall maintain documentation of a central service technician's dates of employment or the contract period when the central service technician provided services to the health care facility to verify that the central service technician meets the exemption requirements under section 301(b).

Section 303. Scope of practice.

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

(1) A health care practitioner.

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

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

(4) A person who holds or maintains a registration, certification or license by a nationally accredited credentialing organization to perform health services.

Section 304. Departmental duties.

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

CHAPTER 5
SURGICAL TECHNOLOGIES

Section 501. Requirements for health care facilities.

The following apply:

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

(i) has successfully completed a surgical technologist program sponsored by an entity holding

nationally recognized institutional or programmatic accreditation and holds and maintains a surgical technologist certification from an accredited certification program. The department may promulgate regulations which identify nationally recognized accredited programs which meet the standards necessary to promote the public good and protect the health and safety of individuals in a health care facility;

(ii) has successfully completed an appropriate training program for surgical technology in the United States Army, Navy or Air Force; or

(iii) provides evidence that the individual maintains a surgical technologist certification from an accredited certification program or was employed to practice surgical technology by the health care facility on or before the effective date of this section, or was employed to practice surgical technology as the individual's primary function in another health care facility at any time during the two years immediately preceding the effective date of this section.

(2) A health care facility that employs or contracts with an individual to practice surgical technology shall verify the dates of employment of the individual or contract period with the individual upon request by any of the following:

(i) another health care facility;

(ii) another individual who is employed by or contracts with the health care facility to practice surgical technology; or

(iii) another individual who was formerly employed by or contracted with the health care facility to practice surgical technology.

(3) A health care facility may employ or contract an individual to practice surgical technology during the six-month period immediately following successful completion of a surgical technology program under paragraph (1)(i), but may not continue to be employed or contracted with beyond that period without documentation that the individual has obtained certification as required under paragraph (1)(i).

Section 502. Continuing education.

(a) Compliance.--An individual who is employed by or contracts with a health care facility to practice surgical technology and is certified under section 501(1)(i) shall:

(1) comply with the continuing education requirements specified by the credentialing organization as necessary to keep the certification current; and

(2) provide proof of compliance with the continuing education requirements to the health care facility upon request.

(b) Additional requirement.--An individual who is employed by or contracts with a health care facility to practice surgical technology and is not certified under section 501(1)(i) or has let the individual's certification lapse shall:

(1) complete 30 hours of relevant continuing education every two years in order to remain eligible to practice surgical technology; and

(2) be responsible for proving, to the satisfaction of the health care facility, that the individual complies with this subsection.

(c) Verification.--A health care facility that employs or contracts with an individual to practice surgical technology

shall verify that the individual meets the continuing education requirements under subsection (b).

Section 503. Exception.

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

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

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

Section 504. Restriction.

A health care facility may restrict an employee's eligibility to practice surgical technology, as deemed appropriate by the health care facility, in the event the employee does not comply with this act.

Section 505. Scope of practice.

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

(1) A health care practitioner.

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

(3) A student or intern performing the functions of a surgical technologist under the direct supervision of a health care practitioner as part of the student's or intern's training or internship.

Section 506. Applicability.

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

Section 507. Nonapplicability.

This act shall not apply to a health care facility owned or operated by the Federal Government or an employee of such health care facility.

Section 508. Departmental duties.

The department shall enforce the provisions of this chapter.

CHAPTER 21
MISCELLANEOUS PROVISIONS

Section 2101. Effective date.

This act shall take effect in 60 days.