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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 81 Session of 2019

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

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SENATOR BROOKS, HEALTH AND HUMAN SERVICES, IN SENATE, AS  
AMENDED, OCTOBER 6, 2020

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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~~ HEALTH CARE facilities and the Department of Health; <--  
5 and regulating the practice of surgical technology and  
6 surgical technologists.

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

10 CHAPTER 1  
11 PRELIMINARY PROVISIONS

12 Section 101. Short title.

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

15 Section 102. Definitions.

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

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

22 "Central service technician." An individual who provides the  
23 services of inspecting, assembling, decontamination,  
24 preparation, packaging and sterilization of reusable medical  
25 instruments or devices ~~in a hospital or an ambulatory surgical~~ <--  
26 BEING USED BY A HEALTH CARE facility. <--

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

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

30 "Health care practitioner." As defined in section 103 of

1 the Health Care Facilities Act.

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

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

7 "Surgical technology." Surgical patient care that includes,  
8 but is not limited to, PERFORMING the following PERIOPERATIVE <--  
9 tasks or functions AS DIRECTED: <--

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

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

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

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

23 (5) sponging and suctioning the operative site;

24 (6) preparing and cutting suture material;

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

27 (8) preparing and passing medications and hemostatic  
28 agents during a surgical procedure BUT NOT ADMINISTERING <--  
29 DRUGS;

30 ~~(9) transferring and administering drugs within the~~ <--

1 ~~sterile field in accordance with the applicable laws of this~~

2 ~~Commonwealth;~~

3 ~~(10)~~ (9) preparing and passing off specimens; <--

4 ~~(11)~~ (10) holding retractors or other instruments; <--

5 ~~(12)~~ (11) applying electrocautery to clamps or forceps <--  
6 on bleeding vessels;

7 ~~(13) operating the camera during an endoscopic~~ <--  
8 ~~procedure;~~

9 ~~(14) placing instruments in robotic arms during a~~  
10 ~~surgical procedure;~~

11 ~~(15)~~ (12) connecting drains to suction apparatuses; <--

12 ~~(16) performing urinary catheterizations;~~ <--

13 ~~(17)~~ (13) preparing and applying sterile dressings to <--  
14 closed wounds;

15 ~~(18)~~ (14) performing counts of sponges, needles, <--  
16 supplies and instruments with a registered nurse circulator;

17 ~~(19)~~ (15) cleaning and preparing instruments for <--  
18 sterilization upon completion of a surgical procedure;

19 ~~(20) assisting the surgical team with cleaning of the~~ <--  
20 ~~operating room upon completion of a surgical procedure;~~

21 ~~(21)~~ (16) assisting with transferring the patient to and <--  
22 positioning the patient on the operating table; and

23 ~~(22)~~ (17) maintaining the highest standard of sterile <--  
24 technique, including identifying and correcting breaks in the  
25 sterile operating field.

26 CHAPTER 3

27 CENTRAL SERVICE TECHNICIANS

28 Section 301. Certification.

29 (a) Requirements.--An individual shall not function as a  
30 central service technician ~~in a health care facility~~, and a <--

1 health care facility shall not employ or otherwise contract for  
2 the services of a central service technician unless the  
3 individual has successfully passed a nationally accredited  
4 central service exam for central service technicians and holds  
5 and maintains one of the following credentials:

6 (1) Certified registered central service technician  
7 credential.

8 (2) Certified sterile processing and distribution  
9 technician credential.

10 (b) Exemption.--The certification requirement under  
11 subsection (a) shall not apply to an individual who has been  
12 employed or otherwise contracted for services as a central  
13 service technician ~~in a hospital or ambulatory surgical~~ BY A <--  
14 HEALTH CARE facility on or before the effective date of this  
15 act.

16 Section 302. Employment and continuing education.

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

20 (b) Continuing education.--An individual who qualifies to  
21 function as a central service technician ~~in a hospital or an~~ <--  
22 ~~ambulatory surgical facility~~ under section 301 shall annually  
23 complete 10 hours of continuing education to remain qualified as  
24 a central service technician. The continuing education required  
25 under this subsection shall be in areas related to the functions  
26 of a central service technician.

27 (c) Facility responsibility.--

28 (1) A ~~hospital or ambulatory surgical~~ HEALTH CARE <--  
29 facility shall maintain documentation to verify that an  
30 individual meets the certification requirements under section

1 301(a).

2 (2) If an individual does not meet the certification  
3 requirements under section 301(a), a ~~hospital or ambulatory~~ <--  
4 ~~surgical~~ HEALTH CARE facility shall maintain documentation of <--  
5 a central service technician's dates of employment or the  
6 contract period when the central service technician provided  
7 services to the ~~hospital or ambulatory surgical~~ HEALTH CARE <--  
8 facility to verify that the central service technician meets  
9 the exemption requirements under section 301(b).

10 Section 303. Scope of practice.

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

14 (1) A health care practitioner.

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

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

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

25 Section 304. Departmental duties.

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

29 CHAPTER 5

30 SURGICAL TECHNOLOGIES

1 Section 501. Requirements for health care facilities.

2 The following apply:

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

7 ~~(i) has successfully completed a program accredited~~ <--  
8 ~~by a nationally recognized accredited education program~~  
9 ~~or the United States Department of Education for surgical~~  
10 ~~technologists and holds and maintains credentials as a~~  
11 ~~surgical technologist.~~ HAS SUCCESSFULLY COMPLETED A <--  
12 SURGICAL TECHNOLOGIST PROGRAM SPONSORED BY AN ENTITY  
13 HOLDING NATIONALLY RECOGNIZED INSTITUTIONAL OR  
14 PROGRAMMATIC ACCREDITATION AND HOLDS AND MAINTAINS A  
15 SURGICAL TECHNOLOGIST CERTIFICATION FROM AN ACCREDITED  
16 CERTIFICATION PROGRAM. The department may promulgate  
17 regulations which identify nationally recognized  
18 accredited programs which meet the standards necessary to  
19 promote the public good and protect the health and safety  
20 of individuals in a health care facility;

21 (ii) has successfully completed an appropriate  
22 training program for surgical technology in the United  
23 States Army, Navy, OR Air Force, Marine Corps or Coast <--  
24 Guard or in the United States Public Health Service;

25 ~~(iii) provides evidence that the individual was~~  
26 ~~employed to practice surgical technology as the~~  
27 ~~individual's primary function in a health care facility~~  
28 ~~on the effective date of this act or was employed to~~  
29 ~~practice surgical technology during the two years~~  
30 ~~immediately preceding the effective date of this act; or~~

1           ~~(iv) is in the service of the Federal Government, to~~  
2 ~~the extent that the individual is performing duties~~  
3 ~~related to that service.;~~ OR <--

4           (III) PROVIDES EVIDENCE THAT THE INDIVIDUAL  
5 MAINTAINS A SURGICAL TECHNOLOGIST CERTIFICATION FROM AN  
6 ACCREDITED CERTIFICATION PROGRAM OR WAS EMPLOYED TO  
7 PRACTICE SURGICAL TECHNOLOGY BY THE HEALTH CARE FACILITY  
8 ON OR BEFORE THE EFFECTIVE DATE OF THIS SECTION, OR WAS  
9 EMPLOYED TO PRACTICE SURGICAL TECHNOLOGY AS THE  
10 INDIVIDUAL'S PRIMARY FUNCTION IN ANOTHER HEALTH CARE  
11 FACILITY AT ANY TIME DURING THE TWO YEARS IMMEDIATELY  
12 PRECEDING THE EFFECTIVE DATE OF THIS SECTION.

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

18           (i) another health care facility;

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

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

25           (3) A health care facility may employ or contract an  
26 individual to practice surgical technology during the six-  
27 month period immediately following successful completion of a  
28 surgical technology program UNDER PARAGRAPH (1)(I), but may <--  
29 not continue to be employed or contracted with beyond that  
30 period without documentation that the ~~employee or contractor~~ <--



1 ~~holds and maintains the Certified Surgical Technologist~~  
2 ~~credential required under paragraph (1)(i).~~ INDIVIDUAL HAS <--  
3 OBTAINED CERTIFICATION AS REQUIRED UNDER PARAGRAPH (1)(I).  
4 Section 502. Continuing education.

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

8 (1) comply with the continuing education requirements ~~as~~<--  
9 ~~necessary to maintain the Certified Surgical Technologist~~  
10 ~~credential under section 501(1)(i)~~ SPECIFIED BY THE <--  
11 CREDENTIALING ORGANIZATION AS NECESSARY TO KEEP THE  
12 CERTIFICATION CURRENT; 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 (c) Verification.--A health care facility that employs or  
27 contracts with an individual to practice surgical technology  
28 shall verify that the individual meets the continuing education  
29 requirements under subsection (b) ~~or, if applicable, that the~~ <--  
30 ~~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. RESTRICTION. <--

14 A HEALTH CARE FACILITY MAY RESTRICT AN EMPLOYEE'S ELIGIBILITY  
15 TO PRACTICE SURGICAL TECHNOLOGY, AS DEEMED APPROPRIATE BY THE  
16 HEALTH CARE FACILITY, IN THE EVENT THE EMPLOYEE DOES NOT COMPLY  
17 WITH THIS ACT.

18 Section ~~504~~ 505. Scope of practice. <--

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

22 (1) A health care practitioner.

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

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

30 Section ~~505~~ 506. Applicability. <--

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

5 SECTION 507. NONAPPLICABILITY. <--

6 THIS ACT SHALL NOT APPLY TO A HEALTH CARE FACILITY OWNED OR  
7 OPERATED BY THE FEDERAL GOVERNMENT OR AN EMPLOYEE OF SUCH HEALTH  
8 CARE FACILITY.

9 Section ~~506~~ 508. Departmental duties. <--

10 The Department of Health shall enforce the provisions of this  
11 chapter.

12 CHAPTER 21

13 MISCELLANEOUS PROVISIONS

14 Section 2101. Effective date.

15 This act shall take effect in 60 days.