
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1066 Session of
2020

INTRODUCED BY J. WARD, MENSCH AND YAW, MARCH 10, 2020

REFERRED TO HEALTH AND HUMAN SERVICES, MARCH 10, 2020

AN ACT

1 Regulating the practice of surgical technology and surgical
2 technologists; and imposing powers and duties on the
3 Department of Health.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Surgical
8 Technologist Regulation Act.

9 Section 2. Definitions.

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

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

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

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

19 "Surgical technology." Surgical patient care that includes,

1 but is not limited to, performing the following perioperative
2 tasks or functions as directed:

3 (1) preparing an operating room and sterile operating
4 field for surgical procedures by ensuring that surgical
5 equipment is functioning properly and safely and using
6 sterile technique to prepare supplies, instruments and
7 equipment;

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

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

12 (4) anticipating the needs of the surgeon by preparing
13 and passing instruments and supplies during surgical
14 procedure;

15 (5) sponging and suctioning an operative site;

16 (6) preparing and cutting suture material;

17 (7) preparing and pouring irrigation solutions during
18 procedure;

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

21 (9) preparing and passing off specimens;

22 (10) holding retractors or other instruments;

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

25 (12) connecting drains to suction apparatus;

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

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

30 (15) cleaning and preparing instruments for

1 sterilization on completion of surgery;

2 (16) assisting with transferring a patient to and
3 positioning a patient on an operating table; and

4 (17) maintaining the highest standard of sterile
5 technique, including identifying and correcting breaks in the
6 sterile operating field.

7 Section 3. Requirements for health care facilities.

8 (a) Prerequisite.--A health care facility shall not employ
9 or otherwise contract for the services of a surgical
10 technologist in the health care facility unless the individual
11 meets at least one of the following:

12 (1) has successfully completed a surgical technologist
13 program sponsored by an entity holding nationally recognized
14 institutional or programmatic accreditation and holds and
15 maintains surgical technologist certification from an
16 accredited certification program. The department may
17 promulgate regulations which identify nationally recognized
18 accredited programs that meet the standards necessary to
19 promote the public good and protect the health and safety of
20 surgical patients in a health care facility;

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

24 (3) provides evidence that the individual maintains a
25 surgical technologist certification from an accredited
26 certification program or was employed to practice surgical
27 technology by the health care facility on or before the
28 effective date of this section or was employed to practice
29 surgical technology as the individual's primary function in
30 another health care facility at any time during the two years

1 immediately preceding the effective date of this section.

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

9 Section 4. Continuing education.

10 (a) General rule.--An individual who qualifies to practice
11 surgical technology in a health care facility under section 3(a)
12 (1) must comply with the continuing education requirements
13 specified by the credentialing organization as necessary to keep
14 the certification current and shall provide proof of compliance
15 with those continuing education requirements to an employer,
16 upon the employer's request.

17 (b) Verification.--A surgical technologist employed or
18 contracted by a health care facility, who is not certified
19 according to section 3(a) (1), shall complete 30 hours of
20 relevant continuing education every two years in order to remain
21 eligible to practice surgical technology and shall prove, to the
22 satisfaction of the employer, compliance with this requirement.

23 Section 5. Health care facilities in rural areas.

24 A health care facility located in an area designated as rural
25 by the department shall make every effort to employ a surgical
26 technologist who is certified according to section 3(a) (1), but
27 may employ a surgical technologist who does not qualify under
28 section 3 if the health care facility:

29 (1) conducts exhaustive and verifiable recruitment
30 efforts;

1 (2) maintains records documenting the recruitment
2 efforts; and

3 (3) ensures that a noncertified surgical technologist
4 employed by the health care facility complies with the
5 continuing education requirements of section 3(b).

6 Section 6. Restriction.

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

11 Section 7. Nonapplicability.

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

15 Section 8. Construction.

16 Nothing in this act shall be construed to prohibit a licensed
17 practitioner from performing surgical technology tasks or
18 functions if the practitioner is acting within the scope of the
19 practitioner's license.

20 Section 9. Duties of department.

21 The Department of Health shall enforce the provisions of this
22 act.

23 Section 10. Effective date.

24 This act shall take effect in 60 days.