



AST Model Legislation

An Act relating to the practice of surgical technology and surgical technologists.

SECTION 1.

- (1) “Healthcare facility” means a hospital, ambulatory surgical center, or freestanding surgical outpatient facility [as defined by applicable state law(s)].
- (2) “Surgical technologist” means a person who is employed or contracted by a healthcare facility to perform surgical technology tasks and functions.
- (3) “Surgical technology” means surgical patient care including, but not limited to, the following perioperative tasks and functions:
 - a) 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 technique to prepare supplies, instruments, and equipment;
 - b) assisting the surgeon with placing sterile drapes on the patient to establish the sterile operating field;
 - c) participating in the “time-out” process of verifying correct patient, procedure, and surgical site;
 - d) anticipating the needs of the surgeon, based on knowledge of human anatomy and pathophysiology, by preparing and passing instruments and supplies during surgical procedure;
 - e) sponging and suctioning the operative site to provide a view of the surgical wound;
 - f) preparing and cutting suture material, as directed by surgeon;
 - g) preparing and utilizing irrigation solutions during the procedure, as directed by surgeon;
 - h) preparing and passing medications and hemostatic agents utilized during surgical procedure, but not administering drugs;
 - i) preparing and passing-off specimens, as appropriate;
 - j) holding retractors or instruments, as directed by surgeon;
 - k) applying electrocautery to clamps or forceps on bleeding vessels, as directed by surgeon;

- l) operating the camera during endoscopic procedures, as directed by surgeon;
- m) placing instruments in robotic arms during surgical procedure, as directed by surgeon;
- n) connecting drains to suction apparatus;
- o) performing urinary catheterization;
- p) preparing and applying sterile dressings to closed wounds;
- q) performing counts of instruments and sponges with the registered nurse circulator;
- r) assisting with transferring the patient to and positioning patient on operating table; and
- s) maintaining the highest standard of sterile technique, including identifying and correcting breaks in the sterile operating field.

SECTION 2.

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

(a) has successfully completed a surgical technology program accredited by the Commission on Accreditation of Allied Health Education Programs or other nationally-accredited educational program and holds and maintains the Certified Surgical Technologist credential administered by the National Board of Surgical Technology and Surgical Assisting or its successor; or

(b) has successfully completed an appropriate surgical technology training program in the United States Army, Navy, Air Force, Marine Corps or Coast Guard, or in the United States Public Health Service; or

(c) provides evidence that the person was either employed to practice surgical technology in a healthcare facility on the effective date of this Act or was employed to practice surgical technology at any time during the two years immediately prior to the effective date of this Act; or

(d) is in the service of the federal government, to the extent the person is performing surgical technology duties related to that service.

(2) A healthcare facility may employ or contract with a person to practice surgical technology during the twelve-month period immediately following successful completion of an accredited surgical technology program, but the person may not continue to be employed or contracted with beyond that twelve-month period without documentation that the employee or contractor holds and maintains the Certified Surgical Technologist credential required in Section 2 (1)(a).

SECTION 3.

(a) A person who qualifies to practice surgical technology in a healthcare facility under Section 2 (1)(b) or (c) must annually complete 15 hours of continuing education to remain qualified to practice as a surgical technologist.

(b) A healthcare facility that employs or contracts with a person to practice surgical technology shall verify that the person meets the continuing education requirements of subsection (a) of Section 3 or, if applicable, that the person holds and maintains the Certified Surgical Technologist credential as required in Section 1(a).

(Optional) SECTION 4: A healthcare facility may employ or otherwise contract with a person who does not meet the requirements of Section 2 of this Act to practice surgical technology in a healthcare facility if:

(a) After a diligent and thorough effort has been made, the healthcare facility is unable to employ or contract with a sufficient number of surgical technologists who meet the requirements of Section 2; and

(b) The healthcare facility documents its efforts under subsection (a) of this Section and retains the documented record at the healthcare facility.

SECTION 5. Nothing in this Act shall prohibit any licensed practitioner from performing surgical technology tasks or functions if the person is acting within the scope of his or her license.

SECTION 6. The Department of Health [or applicable hospital and ambulatory surgical center regulatory agency] shall enforce the provisions of this Act.

SECTION 7. This Act shall take effect on (Month, Date, Year).