

TEXAS SURGICAL TECHNOLOGIST LAW

FREQUENTLY ASKED QUESTIONS

Question: Who may health care facilities hire to practice surgical technology in Texas?

Answer: To practice as a surgical technologist in Texas, a surgical technologist must provide evidence to his or her employer of meeting one of following requirements:

- (1.) Successfully completed [an accredited educational program](#) for surgical technologists **AND** holds and maintains certification as a surgical technologist by [The National Board of Surgical Technology and Surgical Assisting](#) **OR** another surgical technologist certification program approved by the Texas Department of State Health Services.
- (2.) Has completed a training program for surgical technology in the Army, Navy, Air Force, Marine Corps or Coast Guard of the United States or in the United States Public Health Service Commissioned Corps.
- (3.) Was employed to practice surgical technology in a health care facility before September 1, 2009.
- (4.) Is performing duties related to surgical technology in the service of the federal government.
- (5.) Recent graduates of surgical technology programs (see below for more information)

Question: Does a surgical assistant have to be licensed to practice in Texas?

Answer: Yes. A person must be licensed as a Surgical Assistant, Registered Nurse or Physician Assistant to perform first assistant duties in Texas. Texas law permits a licensed surgical assistant to directly bill a patient or third-party payer for services provided by the surgical assistant. Information about Surgical Assistant licensure can be found at the [Texas Medical Board website](#). The law can be found at the [Texas Constitution and Statutes website](#).

Question: Is a list of accredited programs available online for individuals that graduated from a program that was not accredited?

Answer: Yes. Visit www.arcst.org for a list of accelerated alternate delivery (“AAD”) programs.

Question: May a health care facility hire a person who recently graduated from an accredited surgical technology program but has not passed the certifying exam yet?

Answer: Yes. If a person recently graduated from an accredited surgical technology program, a health care facility may employ that person from the date of his or her graduation until the 180th day after his or her graduation.

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Question: *May a health care facility hire a person who is not certified, but was practicing as a surgical technologist in a health care facility before September 1, 2009?*

Answer: Yes. The Texas law states a health care facility may hire someone to practice surgical technology if he or she was a surgical technologist in a health care facility before September 1, 2009. However, the law does not prohibit health care facilities from hiring only Certified Surgical Technologists.

Question: *May a health care facility hire a person who is not certified, but was trained as a surgical technologist in the U.S Armed Forces?*

Answer: Yes. The Texas law states that a health care facility may hire a person if he or she provides evidence of completion of a training program for surgical technology in the Army, Navy, Air Force, Marine Corps or Coast Guard of the United States or in the United States Public Health Service Commissioned Corps.

Question: *What rules has the Department of Health Services adopted to enforce the law?*

Answer: The law is enforced as a part of the regular health facility licensure review process.

Question: *Do the certification requirements apply to “private scrubs” (individuals hired independently by surgeons or in private practice)?*

Answer: No. The law applies to surgical technologists employed or contracted with by health care facilities.

Please note: The Association of Surgical Technologists provides this information on an educational basis and does not offer legal advice. AST recommends that individuals or health care facilities consult with their attorneys for answers to legal questions.