Surgical assistants and surgical technologists took to the Capitol in Richmond, Virginia, to lobby for the passage of SB 858, which provides for the licensure of surgical assistants and certification of surgical technologists in the state. Led by Sandi Luthie, CST, Virginia Commonwealth State Assembly president, committed activists — CSFAs, CSAs, CSTs, educators and students — carried the message of surgical patient safety and surgical team competency to members of the Senate Education and Health Subcommittee on Health Professions. On Wednesday, January 23, 12 hardy constituents from all over the state gathered at AST/ASA’s lobbyists’ offices for a quick session of advocacy training and strategizing. The group then moved up to the Capitol to meet with Senators Carrico, Garrett, Lucas, McWaters and Northam and seek support and a positive referral of the bill from the Dacosta to Charlottesville (Sandra Luthie, CST, and Mary Flynn, CST), to Lynchburg (Sandra Henderson, CST) and all the way west to Danville (Kim Joyce, Jennifer Turner and Felicia Thompson). They included military-trained surgical technologists from the Naval Medical Center, Portsmouth; educators and students from Miller-Motte Technical College, Lynchburg; National College, Danville; and Sentara College of Health Sciences, Chesapeake; and surgical technologist practitioners and surgical assistants. Constituents of every subcommittee member had a voice. These advocates had more than the power of their will and persuasion. Virginia grassroots members had “plowed the ground” before this Day at the Capitol. They had collected hundreds of signatures and letters from physicians, surgeons, programs and schools, nurses, hospital administration, medical colleagues, educators and patients. Three-inch portfolios of these letters and petitions of support were assembled for delivery to the Senators.

The General Assembly Building, which houses all Senate offices, was teeming with constituents and lobbyists of every persuasion. The 2013 legislative session is a short one, lasting only 46 days, so political action is the order of the day. Nevertheless, AST and ASA members navigated the crowds and prevailed on staffers and legislative

Together, Stronger

CATHY SPARKMAN,
ASA/AST GOVERNMENT AFFAIRS

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aides to arrange meetings with every subcommittee member’s office. Some discussions transpired in the Senator’s office; others were in staff and conference rooms, in the hallways, and outside the elevators. AST/ASA’s committed advocates would not take “no” — or even “later” — for an answer. They were focused, supportive, and resolute. When Senator Carrico’s answered Sandi Luthie’s opening question, “Do you know what a surgical technologist is?” with “Aren’t they the surgeon’s right hand person?” the group erupted in applause. Senator Lucas’s legislative aide was shocked to hear the breadth and complexity of the functions of the surgical assistant. The staff at Senator Northam’s office (the only physician on the subcommittee) related that the Senator is keenly interested in the bill and will be front and center at the subcommittee hearing scheduled for the next day. Staff in all subcommittee members’ offices related that the senators were looking to Dr. Northam for guidance.

The group hit its stride in front of the office of Senator McWaters, chair of the subcommittee. At the first visit, the chief of staff asked everyone to return in an hour, because the Senator’s schedule was fully booked. The group circled back, and politely waited for the Senator to conclude his current meeting (which they could observe through an open door in his office). As the Senator was leaving for the convening session, the group engaged him in the hallway. The get-together lasted nearly 15 minutes, with everyone standing and discussing the bill, its import, its detractors, and its progress through the Joint Commission on Health Care in the preceding months. Senator McWaters expressed his reservations about new regulations, and his interest in investigating and evaluating the issue closely; and he urged the group “not to give up” if they were initially unsuccessful. Sandi Luthie boldly but respectfully replied, “Sir, for you and your family, I sincerely hope that nothing adverse happens in surgery while we continue to pursue this important patient safety legislation.” The encounter was impactful, and memorable. It had repercussions that were revealed during the subcommittee hearing the following day.

The day at the Capitol was a success, even though many of the meetings were with staff and legislative aides.

PREPARATION WAS CRITICAL TO THE CAPITOL CAPSTONE DAY

Earlier efforts included mock surgeries to introduce legislators to the critical importance that surgical assistants and surgical technologists perform in patient safety.

Kudos to Sandi Luthie; Frances Dargan; Mary Flynn; Tina Putman, CST; Karen Sherback, CST, FAST; Sue Stallings, CST, RN, CNOR; Kevin Browne, CST; Suzanne Cunniff, CST, CSFA; Linda Starks, CST; Jake Jacobs, CSA; Theresa Cooper, CSFA, CSA; Mary Armstrong, CSFA, CSA; and Dwight Deadmon, CSA, who helped lead the mock surgeries around Virginia and the Capitol.

As part of the Virginia legislative strategy, preparatory grassroots efforts targeted surgeons, nurses, surgical assistants and surgical technologists. Fifty signatures from doctors, 40 signatures from surgical assistants, 75 signatures from surgical technologists and 50 signatures from nurses drove home the message of patient safety and effectively demonstrated the broad support for this legislation. Petitions and letters were solicited by Robbert Campbell, CST; Kevin Edwards, CSA; Mary Armstrong; Theresa Cooper; Jake Jacobs; Mary Flynn and Suzanne Cunniff demonstrated that physicians, nurses, surgical assistants and surgical technologists were joined in support of this bill.

Approximately, two dozen personalized letters were sent by surgeons who live in the targeted districts to legislators and special thanks to Kevin Edwards, for the outstanding letter from the physician he works with.

Mary Flynn; Frances Dargan and Sandi Luthie obtained letters from a wide variety of surgeons from different specialties. Ginny Rawls, CST; Sue Stallings and Christina Barley, CST, wrote letters on behalf of their programs and inspired their students to write. Linda Starks and Dedra Parrish sent letters on behalf of their programs. The final, official summary of letters, which was presented to the Joint Commission members, showed that the Joint Commission received 60 letters in support of surgical technology certification and surgical assistant licensure, while the Commission only received one letter in opposition.
The message was getting across, and members were sensing some momentum. The bill had never been given a Committee hearing, and the Virginia Joint Commission on Health Care had not ruled negatively on the proposition of certification and licensure, referring it back to the legislature. However, the sentiment at the Capitol was that the opponents of HB 858, chiefly the Virginia Hospital Association, would trump the efforts of AST and ASA Virginia advocates.

The Senate Subcommittee on Health Professions hearing convened the next day. The small hearing room was packed with supporters and opponents of the bills scheduled for testimony, discussion and vote. The subcommittee limited testimony on SB 858 to three proponents: Michele Satterlund, lobbyist, Sandi Luthie, and Frances Dargan, CST, CSFA. Jake Jacobs returned to Richmond after finishing assisting on surgeries that morning to stand in reserve and support the testifiers. His presence was not overlooked.

The subcommittee members were overtly engaged in SB 858, due largely to the efforts of Virginia grassroots in the days and weeks prior to the hearing. And, shortly in advance of the hearing, subcommittee members were furnished detailed information to rebut the opponents’ assertions that regulation of surgical assistants and surgical technologists would result in increased costs not only for the State of Virginia but also for its hospitals and health care facilities. Frances Dargan and Sandi Luthie spoke to the need for objectively competent members of the surgical team for the protection of surgical patients, reduction of preventable medical errors and surgical site infections, and demonstrable cost savings from fewer readmissions and “never events.” However, the most compelling remarks came from the subcommittee members themselves. Senator Carrico asked representatives of the hospital association whether they had any factual basis for claiming that the licensure and certification bill would increase costs. The answer was “no.” Senators McWaters and Northam spoke eloquently about the importance of a competent and qualified surgical team, and posed the rhetorical question why the hospital association was so opposed to a proposal to reduce surgical errors. At the conclusion of the hearing on SB 858, the committee declined to vote “aye” on the bill, but, significantly, directed representatives of the hospital association and VA-AST, on behalf of the surgical technologists and surgical assistants, to enter into discussions to address and hopefully resolve this issue.

The Senate Health Licensing Subcommittee clearly stated that the lack of regulation in the operating room is a problem that requires a solution. The Subcommittee also made clear that it is coming closer and closer to adopting the solution proposed by Senate Bill 858. As the Subcommittee said: the time for progress on surgical assistant and surgical technologist regulation is now.

Success in political affairs is often incremental. The resolution of SB 858 can certainly be called a victory: The Virginia Hospital Association must come to the table to engage in discussions about licensing surgical assistants and certifying surgical technologists in the interest of surgical patient safety. The Virginia grassroots activists who worked, planned, prepared, advocated, testified and wouldn’t give up carried the day.