

Surgical First Assistant Act

Reference: Nebraska Revised Statutes

38-3501. Act, how cited.

Sections 38-3501 to 38-3517 shall be known and may be cited as the Surgical First Assistant Practice Act.

Source:Laws 2016, LB721, § 1. **Operative Date: January 1, 2017**

38-3502. Legislative findings.

The Legislature finds that:

- (1) Surgical assisting is an established health profession in Nebraska;
- (2) Surgical first assistants aid in ensuring a safe surgical environment by maximizing patient safety by using appropriate techniques for processes, including, but not limited to, maintaining hemostasis, proper patient positioning, clear visualization of the operative site, proper closure of the operative site, and correct dressing of a wound; and
- (3) It is necessary to encourage the most effective utilization of the skills of surgical first assistants by enabling them to perform tasks delegated by a licensed physician.

Source:Laws 2016, LB721, § 2. **Operative Date: January 1, 2017**

38-3503. Definitions, where found.

For purposes of the Surgical First Assistant Practice Act and elsewhere in the Uniform Credentialing Act, unless the context otherwise requires, the definitions found in sections 38-3504 to 38-3510 apply.

Source:Laws 2016, LB721, § 3. **Operative Date: January 1, 2017**

38-3504. Approved certifying body, defined.

Approved certifying body means a national certification organization which is approved by the board, certifies qualified surgical first assistants, has eligibility requirements related to education and practice, and offers an examination in an area of practice which meets guidelines and tests approved by the board.

Source:Laws 2016, LB721, § 4. **Operative Date: January 1, 2017**

38-3505. Approved surgical first assistant education program, defined.

Approved surgical first assistant education program means a program accredited by the Commission on Accreditation of Allied Health Education Programs or the Accrediting Bureau of Health Education Schools or other accreditation entity approved by the board.

Source:Laws 2016, LB721, § 5. **Operative Date: January 1, 2017**

38-3506. Board, defined.

Board means the Board of Medicine and Surgery.

Source:Laws 2016, LB721, § 6. **Operative Date: January 1, 2017**

38-3507. Licensed surgical first assistant, defined.

Licensed surgical first assistant means a person licensed to practice surgical assisting under the Surgical First Assistant Practice Act.

Source:Laws 2016, LB721, § 7. **Operative Date: January 1, 2017**

38-3508. Personal supervision by a physician, defined.

Personal supervision by a physician means the physical attendance of a physician in the room during the performance of a surgical procedure.

Source:Laws 2016, LB721, § 8. **Operative Date: January 1, 2017**

38-3509. Surgical assisting, defined.

Surgical assisting means the practice of promoting patient safety through provision of primary assistance to the primary surgeon during a surgical procedure.

Source:Laws 2016, LB721, § 9. **Operative Date: January 1, 2017**

38-3510. Surgical first assistant, defined.

Surgical first assistant means a person who meets the requirements of section 38-3512.

Source:Laws 2016, LB721, § 10. **Operative Date: January 1, 2017**

38-3511. Licensed surgical first assistant; activities authorized.

A licensed surgical first assistant may engage in the practice of surgical assisting, including, but not limited to, the following:

- (1) Assisting in the intraoperative care of a surgical patient;
- (2) Positioning the patient;
- (3) Preparing and draping the patient for the surgical procedure;
- (4) Providing visualization of the operative site;
- (5) Assisting with hemostasis;
- (6) Assisting with closure of body planes, including the following:
 - (a) Inserting running or interrupted subcutaneous sutures with absorbable or nonabsorbable material;
 - (b) Utilizing subcuticular closure technique with or without adhesive skin closure strips; and
 - (c) Closing skin with method indicated by surgeon, including, but not limited to, suture and staples;
- (7) Applying appropriate wound dressings;
- (8) Providing assistance in securing drainage systems to tissue;
- (9) Preparing specimens, such as grafts; and
- (10) Performing other tasks during a surgical procedure delegated by and under the personal supervision of a physician appropriate to the level of competence of the surgical first assistant.

Source:Laws 2016, LB721, § 11. **Operative Date: January 1, 2017**

38-3512. Applicant; education and examination requirements; waiver; when.

- (1) An applicant for licensure under the Surgical First Assistant Practice Act shall:
 - (a) Be certified as a surgical first assistant by an approved certifying body;
 - (b) Have successfully completed an approved surgical first assistant education program approved by the board or other experiential or training program as approved by the board;
 - (c) Have passed a nationally recognized surgical first assistant examination adopted by the board; and
 - (d) Have a high school diploma or the equivalent as determined by the board.
- (2) The department may waive the education and examination requirements under the Surgical First Assistant Practice Act for an applicant who:

(a) By January 1, 2017, submits demonstrated evidence satisfactory to the board that he or she has been functioning as a surgical first assistant as his or her primary function in a licensed health care facility within the last five years prior to September 1, 2016;

(b) By January 1, 2017, submits evidence of holding a current certification as a surgical first assistant issued by an approved certifying body; or

(c) Submits evidence of holding a credential as a surgical first assistant issued by another state or territory of the United States or the District of Columbia which has standards substantially equivalent to those of this state.

Source:Laws 2016, LB721, § 12. **Operative Date: January 1, 2017**

Cross References

- **Credentialing**, general requirements and issuance procedures, see section 38-121 et seq.

38-3513. Act; how construed.

The Surgical First Assistant Practice Act shall not be construed to:

(1) Prohibit any nurse practitioner, registered nurse, physician, or physician assistant credentialed to practice under the Uniform Credentialing Act from engaging in the practice for which he or she is credentialed; or

(2) Prohibit any student enrolled in a bona fide surgical first assistant training program recognized by the board from performing those duties which are necessary for the student's course of study, if the duties are performed under the personal supervision of a physician.

Source:Laws 2016, LB721, § 13. **Operative Date: January 1, 2017**

38-3514. Right to use title and abbreviation.

A person holding an active license as a licensed certified surgical first assistant has the right to use the title licensed surgical first assistant and the abbreviation L.S.F.A.

Source:Laws 2016, LB721, § 14. **Operative Date: January 1, 2017**

38-3515. Fees.

The department shall establish and collect fees for initial licensure and renewal under the Surgical First Assistant Practice Act as provided in sections 38-151 to 38-157.

Source:Laws 2016, LB721, § 15. **Operative Date: January 1, 2017**

38-3516. Personal supervision of physician.

A licensed surgical first assistant shall perform delegated functions only under the personal supervision of a physician.

Source:Laws 2016, LB721, § 16. **Operative Date: January 1, 2017**

38-3517. Board; duties; department; duties.

(1) The board shall, pursuant to section 38-126: (a) Recommend to the department the issuance of licenses to practice surgical assisting under the Surgical First Assistant Practice Act; (b) investigate and adopt standards based on national standards for surgical assisting and implement changes as needed to carry out the act; and (c) provide for distribution of information regarding practice of licensed surgical first assistants.

(2) The department shall: (a) Receive and investigate complaints, conduct hearings, and impose disciplinary actions in relation to complaints against licensed surgical first assistants under the Uniform Credentialing Act; and (b) perform other duties as required under the Surgical First Assistant Practice Act and Uniform Credentialing Act.

Source:Laws 2016, LB721, § 17. **Operative Date: January 1, 2017**