

FIRST REGULAR SESSION

# SENATE BILL NO. 178

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

Read 1st time January 26, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

1054L.011

## AN ACT

To amend chapter 334, RSMo, by adding thereto one new section relating to surgical technology.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 334, RSMo, is amended by adding thereto one new section, to be known as section 334.1100, to read as follows:

**334.1100. 1. As used in this section, the following terms shall mean:**

**(1) "Health care facility", a hospital or ambulatory surgical center licensed under chapter 197;**

**(2) "Surgical technologist", a person who practices surgical technology;**

**(3) "Surgical technology", surgical patient care that includes, but is not limited to, the following tasks or functions:**

**(a) Preparing the operating room for surgical procedures by ensuring that surgical equipment is functioning properly and safely;**

**(b) Preparing the operating room and the sterile field for surgical procedures by preparing sterile supplies, instruments, and equipment using sterile technique;**

**(c) Anticipating the needs of the surgical team based on knowledge of human anatomy and pathophysiology and how they relate to the surgical patient and the patient's surgical procedure;**

**(d) As directed in an operating room setting, performing tasks at the sterile field, including:**

**a. Maintaining asepsis and correcting breaks in the sterile field;**

**b. Passing supplies, equipment, or instruments according to the needs of the surgical team;**

- 22 c. Sponging or suctioning on operative site;
- 23 d. Preparing and cutting suturing material;
- 24 e. Transferring and irrigating with fluids;
- 25 f. Transferring drugs within the sterile field;
- 26 g. Handling specimens;
- 27 h. Holding retractors and other instruments;
- 28 i. Applying electrocautery to clamps on bleeders;
- 29 j. Connecting drains to suction apparatus;
- 30 k. Applying dressings to closed wounds; and
- 31 l. Performing sponge, needle, supply, and instrument counts with
- 32 the registered nurse circulator.
- 33 2. No person shall practice as a surgical technologist in a health
- 34 care facility unless such person meets one of the following:
- 35 (1) Has successfully completed an accredited educational
- 36 program for surgical technologists and holds and maintains the
- 37 Certified Surgical Technologist credential administered by the National
- 38 Board of Surgical Technology and Surgical Assisting, or its successor
- 39 organization; or
- 40 (2) Has completed an appropriate training program for surgical
- 41 technology in the United States Army, Navy, Air Force, Marine Corps,
- 42 or Coast Guard or in Public Health Service Commissioned Corps; or
- 43 (3) Provides evidence that the person was employed to practice
- 44 surgical technology in a health care facility prior to August 28, 2011; or
- 45 (4) Is in the service of the federal government, to the extent such
- 46 person is performing duties related to such service.
- 47 3. A health care facility may employ or contract with a person to
- 48 practice surgical technology during the twelve-month period
- 49 immediately following successful completion of a surgical technology
- 50 program, but may continue to be employed or contracted with beyond
- 51 such period without documentation that the employee or contractor
- 52 holds and maintains the certified surgical technologist certification
- 53 required under subdivision (2) of subsection 2 of this section.
- 54 4. (1) A person who qualifies to be employed to practice surgical
- 55 technology in a health care facility under subdivision (2) or (3) of
- 56 subsection 2 of this section shall annually complete fifteen hours of
- 57 continuing education to remain qualified to practice as a surgical
- 58 technologist.

59           **(2) A health care facility that employs or contracts with a person**  
60 **to practice surgical technology shall verify that the person meets the**  
61 **continuing education requirements of subdivision (1) of this subsection**  
62 **and, where applicable, that the person has maintained the Certified**  
63 **Surgical Technologist credential.**

64           **5. A health care facility may employ or otherwise contract with**  
65 **a person who does not meet the requirements of subsection 2 of this**  
66 **section to practice surgical technology in a health care facility if:**

67           **(1) After a diligent and thorough effort has been made, the**  
68 **health care facility is unable to employ or contract with a sufficient**  
69 **number of qualified surgical technologists who meet the requirements**  
70 **of this section; and**

71           **(2) The health care facility makes a written record of its efforts**  
72 **under subdivision (1) of this subsection and retains the record at the**  
73 **health care facility.**

74           **6. Nothing in this section shall prohibit any licensed practitioner**  
75 **from performing surgical technology tasks or functions if the person is**  
76 **acting within the scope of such practitioner's license.**

77           **7. The department of health and senior services shall provide**  
78 **oversight for compliance with the provisions of this section.**

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