

2016 -- H 7448

=====
LC004133
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

—————
A N A C T

RELATING TO HEALTH AND SAFETY -- LICENSING OF HEALTH CARE FACILITIES --
CIRCULATING NURSES

Introduced By: Representatives McNamara, Bennett, Diaz, Naughton, and Malik

Date Introduced: February 03, 2016

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 23-17 of the General Laws entitled "Licensing of Health Care
2 Facilities" is hereby amended by adding thereto the following section:

3 **23-17-63. Patient safety -- Circulating nurses required in operating rooms. -- (a) The**
4 **following definitions apply in this section:**

5 (1) "Circulating nurse" means registered nurse licensed to practice in the state of Rhode
6 Island who is educated and trained in perioperative nursing.

7 (2) "Perioperative nursing" means specialized area of nursing practice that involves the
8 planning, coordination, delivery, and evaluation of nursing care to patients whose protective
9 reflexes or self-care abilities are potentially compromised during surgical or other invasive
10 procedures.

11 (b) In order to enhance patient safety and protection, each hospital licensed in the state of
12 Rhode Island shall adopt rules and regulations to have a minimum of one circulating nurse
13 physically present in each operating room for the duration of each surgical procedure to:

14 (1) Coordinate the nursing care and safety needs of patients in the operating room; and

15 (2) Support the surgical team as appropriate during surgery.

16 (c) The department of health shall not issue or renew a license unless the applicant is in
17 compliance with this section.

18 SECTION 2. Section 23-17-49 of the General Laws in Chapter 23-17 entitled "Licensing

1 of Health Care Facilities" is hereby amended to read as follows:

2 **23-17-49. Surgical procedures -- General provisions.** -- (a) The director shall
3 determine through regulation categories of patients that shall be permitted to receive surgical
4 services in free standing ambulatory surgical facilities, podiatry ambulatory surgery centers and
5 physician ambulatory surgery centers providing surgical treatment based upon criteria including,
6 but not limited to:

- 7 (1) Risks related to patient characteristics;
8 (2) The type of and risks associated with the anesthesia required; and
9 (3) As appropriate, the complexity of the surgical procedure and the expected duration of
10 the surgical procedure.

11 (b) Further, the director shall determine through regulation categories of patients that are
12 prohibited from receiving surgical services in free standing ambulatory surgical facilities,
13 physician ambulatory surgery centers, podiatry ambulatory surgery centers, and physician offices
14 not licensed under this chapter based upon criteria including, but not limited to:

- 15 (1) Risks related to patient characteristics;
16 (2) The type of and risks associated with the anesthesia required; and
17 (3) As appropriate, the complexity of the surgical procedure.

18 (c) The following definitions apply in this section:

19 (1) "Circulating nurse" means registered nurse licensed to practice in the state of the
20 Rhode Island who is educated and trained in perioperative nursing.

21 (2) "Perioperative nursing" means specialized area of nursing practice that involves the
22 planning, coordination, delivery, and evaluation of nursing care to patients whose protective
23 reflexes or self-care abilities are potentially compromised during surgical or other invasive
24 procedures.

25 (d) In order to enhance patient safety and protection, each hospital licensed in the state of
26 Rhode Island shall adopt rules and regulations to have a minimum of one circulating nurse
27 physically present in each operating room for the duration of each surgical procedure to:

- 28 (1) Coordinate the nursing care and safety needs of patients in the operating room; and
29 (2) Support the surgical team as appropriate during surgery.

30 (e) The department of health shall not issue or renew a license unless the applicant is in
31 compliance with this section.

1 SECTION 3. This act shall take effect on October 1, 2016.

=====
LC004133
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- LICENSING OF HEALTH CARE FACILITIES --
CIRCULATING NURSES

- 1 This act would require hospital and ambulatory surgical facility operating rooms to have
- 2 at least one circulating nurse present in each operating room during each surgical procedure.
- 3 This act would take effect on October 1, 2016.

=====
LC004133
=====