

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 81

Session of 2019

INTRODUCED BY KAUFFMAN, MURT, PYLE, ZIMMERMAN, READSHAW, HILL- EVANS, JOZWIAK AND KORTZ, JANUARY 28, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, FEBRUARY 20, 2019

AN ACT

1 Providing for certification of central service technicians;
2 imposing continuing education requirements on central service
3 technicians; providing for duties of hospitals and ambulatory
4 surgical facilities and the Department of Health; and
5 regulating the practice of surgical technology and surgical
6 technologists.

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6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 CHAPTER 1

9 PRELIMINARY PROVISIONS

10 Section 101. Short title.

11 This act shall be known and may be cited as the Central  
12 Service Technician and Surgical Technologist Regulation Act.

13 Section 102. Definitions.

14 The following words and phrases when used in this act shall  
15 have the meanings given to them in this section unless the  
16 context clearly indicates otherwise:

17 "Ambulatory surgical facility." As defined in section 802.1  
18 of the act of July 19, 1979 (P.L.130, No.48), known as the  
19 Health Care Facilities Act.

20 "Central service technician." An individual who provides the  
21 services of inspecting, assembling, decontamination,  
22 preparation, packaging and sterilization of reusable medical  
23 instruments or devices in a hospital or an ambulatory surgical  
24 facility.

25 "Department." The Department of Health of the Commonwealth.

26 "Health care facility." A hospital, ambulatory surgical  
27 center or freestanding surgical outpatient facility.

28 "Health care practitioner." As defined in section 103 of  
29 the Health Care Facilities Act.

30 "Hospital." As defined in section 802.1 of the Health Care

1 Facilities Act.

2 "Surgical technologist." An individual who is employed or  
3 contracted by a health care facility to perform surgical  
4 technology tasks and functions as directed.

5 "Surgical technology." Surgical patient care that includes,  
6 but is not limited to, the following tasks or functions:

7 (1) preparing the operating room and the sterile  
8 operating field for surgical procedures by ensuring that  
9 surgical equipment is functioning properly and safely and  
10 using sterile technique to prepare supplies, instruments and  
11 equipment;

12 (2) assisting the surgeon with placing sterile drapes on  
13 the patient to establish the sterile operating field;

14 (3) participating in the time-out process of verifying  
15 the correct patient, procedure and surgical site;

16 (4) anticipating the needs of the surgeon, based on  
17 knowledge of human anatomy and pathophysiology, by preparing  
18 and passing instruments and supplies during a surgical  
19 procedure;

20 (5) sponging and suctioning the operative site;

21 (6) preparing and cutting suture material;

22 (7) preparing and pouring irrigation solutions during a  
23 surgical procedure;

24 (8) preparing and passing medications and hemostatic  
25 agents during a surgical procedure;

26 (9) transferring and administering drugs within the  
27 sterile field in accordance with the applicable laws of this  
28 Commonwealth;

29 (10) preparing and passing off specimens;

30 (11) holding retractors or other instruments;



1 and maintains one of the following credentials:

2 (1) Certified registered central service technician  
3 credential.

4 (2) Certified sterile processing and distribution  
5 technician credential.

6 (b) Exemption.--The certification requirement under  
7 subsection (a) shall not apply to an individual who has been  
8 employed or otherwise contracted for services as a central  
9 service technician in a hospital or ambulatory surgical facility  
10 on or before the effective date of this act.

11 Section 302. Employment and continuing education.

12 (a) New employees.--A central service technician who does  
13 not meet the requirements under section 301 shall have 18 months  
14 from the date of hire to comply with section 301.

15 (b) Continuing education.--An individual who qualifies to  
16 function as a central service technician in a hospital or an  
17 ambulatory surgical facility under section 301 shall annually  
18 complete 10 hours of continuing education to remain qualified as  
19 a central service technician. The continuing education required  
20 under this subsection shall be in areas related to the functions  
21 of a central service technician.

22 (c) Facility responsibility.--

23 (1) A hospital or ambulatory surgical facility shall  
24 maintain documentation to verify that an individual meets the  
25 certification requirements under section 301(a).

26 (2) If an individual does not meet the certification  
27 requirements under section 301(a), a hospital or ambulatory  
28 surgical facility shall maintain documentation of a central  
29 service technician's dates of employment or the contract  
30 period when the central service technician provided services

1 to the hospital or ambulatory surgical facility to verify  
2 that the central service technician meets the exemption  
3 requirements under section 301(b).

4 Section 303. Scope of practice.

5 Nothing in this chapter may be construed to prohibit any of  
6 the following individuals from performing the tasks or functions  
7 of a central service technician:

8 (1) A health care practitioner.

9 (2) A dental assistant or an individual who is licensed  
10 or registered under the act of May 1, 1933 (P.L.216, No.76),  
11 known as The Dental Law.

12 (3) A student or intern performing the functions of a  
13 central service technician under the direct supervision of a  
14 health care practitioner as part of the student's or intern's  
15 training or internship.

16 (4) A PERSON WHO HOLDS OR MAINTAINS A REGISTRATION, <--  
17 CERTIFICATION OR LICENSE BY A NATIONALLY ACCREDITED  
18 CREDENTIALING ORGANIZATION TO PERFORM HEALTH SERVICES.

19 Section 304. Departmental duties.

20 The department shall administer the provisions of this  
21 chapter and promulgate and adopt such regulations as may be  
22 necessary to implement this act.

23 CHAPTER 5

24 SURGICAL TECHNOLOGIES

25 Section 501. Requirements for health care facilities.

26 The following apply:

27 (1) A health care facility shall not employ or otherwise  
28 contract for the services of a surgical technologist in a  
29 health care facility unless the individual meets at least one  
30 of the following:

1           ~~(i) has successfully completed a program accredited <--~~  
2           ~~by the Commission on Accreditation of Allied Health-~~  
3           ~~Education Programs or other nationally accredited-~~  
4           ~~educational program for surgical technologists and holds-~~  
5           ~~and maintains the Certified Surgical Technologist-~~  
6           ~~credential administered by the National Board of Surgical-~~  
7           ~~Technology and Surgical Assisting or its successor;~~

8           (I) HAS SUCCESSFULLY COMPLETED A PROGRAM ACCREDITED <--  
9           BY A NATIONALLY RECOGNIZED ACCREDITED EDUCATION PROGRAM  
10           OR THE UNITED STATES DEPARTMENT OF EDUCATION FOR SURGICAL  
11           TECHNOLOGISTS AND HOLDS AND MAINTAINS CREDENTIALS AS A  
12           SURGICAL TECHNOLOGIST. THE DEPARTMENT MAY PROMULGATE  
13           REGULATIONS WHICH IDENTIFY NATIONALLY RECOGNIZED  
14           ACCREDITED PROGRAMS WHICH MEET THE STANDARDS NECESSARY TO  
15           PROMOTE THE PUBLIC GOOD AND PROTECT THE HEALTH AND SAFETY  
16           OF INDIVIDUALS IN A HEALTH CARE FACILITY;

17           (ii) has successfully completed an appropriate  
18           training program for surgical technology in the United  
19           States Army, Navy, Air Force, Marine Corps or Coast Guard  
20           or in the United States Public Health Service;

21           (iii) provides evidence that the individual was  
22           employed to practice surgical technology as the  
23           individual's primary function in a health care facility  
24           on the effective date of this act or was employed to  
25           practice surgical technology during the two years  
26           immediately preceding the effective date of this act; or

27           (iv) is in the service of the Federal Government, to  
28           the extent that the individual is performing duties  
29           related to that service.

30           (2) A health care facility that employs or contracts

1 with an individual to practice surgical technology shall  
2 verify the dates of employment of the individual or contract  
3 period with the individual upon request by any of the  
4 following:

5 (i) another health care facility;

6 (ii) another individual who is employed by or  
7 contracts with the health care facility to practice  
8 surgical technology; or

9 (iii) another individual who was formerly employed  
10 by or contracted with the health care facility to  
11 practice surgical technology.

12 (3) A health care facility may employ or contract an  
13 individual to practice surgical technology during the six-  
14 month period immediately following successful completion of a  
15 surgical technology program, but may not continue to be  
16 employed or contracted with beyond that period without  
17 documentation that the employee or contractor holds and  
18 maintains the Certified Surgical Technologist credential  
19 required under paragraph (1) (i).

20 Section 502. Continuing education.

21 (a) Compliance.--An individual who is employed by or  
22 contracts with a health care facility to practice surgical  
23 technology and is certified under section 501(1) (i) shall:

24 (1) comply with the continuing education requirements as  
25 necessary to maintain the Certified Surgical Technologist  
26 credential under section 501(1) (i); and

27 (2) provide proof of compliance with the continuing  
28 education requirements to the health care facility upon  
29 request.

30 (b) Additional requirement.--An individual who is employed



1 by or contracts with a health care facility to practice surgical  
2 technology and is not certified under section 501(1)(i) or has  
3 let the individual's certification lapse shall:

4 (1) complete 30 hours of relevant continuing education  
5 every two years in order to remain eligible to practice  
6 surgical technology; and

7 (2) be responsible for proving, to the satisfaction of  
8 the health care facility, that the individual complies with  
9 this subsection.

10 (c) Verification.--A health care facility that employs or  
11 contracts with an individual to practice surgical technology  
12 shall verify that the individual meets the continuing education  
13 requirements under subsection (b) or, if applicable, that the  
14 individual holds and maintains the Certified Surgical  
15 Technologist credential as required under section 501(1)(i).  
16 Section 503. Exception.

17 A health care facility may employ or otherwise contract with  
18 an individual who does not meet the requirements of section 501  
19 to practice surgical technology in a health care facility if:

20 (1) after a diligent and thorough effort has been made,  
21 the health care facility is unable to employ or contract with  
22 a sufficient number of qualified surgical technologists who  
23 meet the requirements of section 501; and

24 (2) the health care facility makes a written record of  
25 its efforts under paragraph (1) and retains the record at the  
26 health care facility.

27 Section 504. Scope of practice.

28 Nothing in this chapter may be construed to prohibit any of  
29 the following individuals from performing the tasks or functions  
30 of a surgical technologist:

1 (1) A health care practitioner.

2 (2) A dental assistant or an individual who is licensed  
3 or registered under the act of May 1, 1933 (P.L.216, No.76),  
4 known as The Dental Law.

5 (3) A student or intern performing the functions of a  
6 surgical technologist under the direct supervision of a  
7 health care practitioner as part of the student's or intern's  
8 training or internship.

9 Section 505. Applicability.

10 Nothing in this chapter shall prohibit any licensed  
11 practitioner from performing surgical technology tasks or  
12 functions if the practitioner is acting within the scope of the  
13 practitioner's license.

14 Section 506. Departmental duties.

15 The Department of Health shall enforce the provisions of this  
16 chapter.

17 CHAPTER 21

18 MISCELLANEOUS PROVISIONS

19 Section 2101. Effective date.

20 This act shall take effect in 60 days.