

House Bill 263

By: Representatives Stephens of the 164th, Parsons of the 42nd, Sims of the 169th, and Manning of the 32nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to health
2 care facilities, so as to provide for certain requirements relating to surgical technologists; to
3 provide for definitions; to provide minimum requirements relating to education and
4 experience; to prohibit a health care facility from employing a surgical technologist who does
5 not meet requirements; to provide continuing education requirements; to provide for
6 exceptions; to provide for statutory construction; to provide for enforcement; to provide for
7 related matters; to provide for an effective date; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to health care
12 facilities, is amended by adding a new article to read as follows:

13 style="text-align:center">"ARTICLE 16

14 31-7-420.

15 As used in this article, the term:

16 (1) 'Health care facility' means a hospital, freestanding surgical outpatient facility, or
17 other similar entity that utilizes surgical technologists.

18 (2) 'Surgical technologist' means a person who practices surgical technology.

19 (3) 'Surgical technology' means surgical patient care that includes, but is not limited to,
20 the following tasks or functions:

21 (A) Preparing the operating room for surgical procedures by ensuring that surgical
22 equipment is functioning properly and safely;

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

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

28 (D) As directed, performing tasks at the sterile field including:

29 (i) Identifying and correcting asepsis and breaks in the sterile field;

30 (ii) Passing supplies, equipment, or instruments;

31 (iii) Sponging or suctioning an operative site;

32 (iv) Preparing and cutting suture material;

33 (v) Transferring and irrigating with fluids;

34 (vi) Transferring drugs within the sterile field;

35 (vii) Handling specimens;

36 (viii) Holding retractors and other instruments;

37 (ix) Applying electrocautery to clamps on bleeders;

38 (x) Connecting drains to suction apparatus;

39 (xi) Applying dressings to closed wounds; and

40 (xii) Performing sponge, needle, supply, and instrument counts with the registered
41 nurse circulator.

42 31-7-421.

43 (a) A person may not practice surgical technology in a health care facility unless the
44 person meets one of the following criteria:

45 (1) Has successfully completed a nationally accredited educational program for surgical
46 technologists and holds and maintains the Certified Surgical Technologist credential
47 administered by the National Board of Surgical Technology and Surgical Assisting or its
48 successor;

49 (2) Has completed an appropriate training program for surgical technology in the United
50 States Army, Navy, Air Force, Marine Corps, Coast Guard, or Public Health Service
51 Commissioned Corps;

52 (3) Provides evidence that the person was employed to practice surgical technology in
53 a health care facility on January 1, 2012; or

54 (4) Is in the service of the federal government, to the extent the person is performing
55 duties related to that service.

56 (b) A person may be employed or contracted to practice surgical technology during the 12
57 month period immediately following successful completion of a surgical technology
58 program but may not continue to be employed or contracted with beyond that period
59 without documentation that the employee or contractor holds and maintains the Certified

60 Surgical Technologist credential required in paragraph (1) of subsection (a) of this Code
61 section.

62 (c) A health care facility shall not employ or otherwise contract for the services of a
63 surgical technologist unless the person meets the requirements of this Code section.

64 31-7-422.

65 (a) A person who qualifies to practice surgical technology in a health care facility pursuant
66 to paragraph (2) or (3) of subsection (a) of Code Section 31-7-421 must annually complete
67 15 hours of continuing education to remain qualified to practice as a surgical technologist.

68 (b) A health care facility that employs or contracts with a person to practice surgical
69 technology shall verify that the person meets the continuing education requirements of
70 subsection (a) of this Code section and, where applicable, that the person has maintained
71 the Certified Surgical Technologist credential required in subsection (a) of Code Section
72 31-7-421.

73 31-7-423.

74 A health care facility may employ or otherwise contract with a person who does not meet
75 the requirements of Code Section 31-7-421 to practice surgical technology in a health care
76 facility if:

77 (1) After a diligent and thorough effort has been made, the health care facility is unable
78 to employ or contract with a sufficient number of qualified surgical technologists who
79 meet the requirements of this article; and

80 (2) The health care facility makes a written record of its efforts under paragraph (1) of
81 this Code section and retains the record at such health care facility.

82 31-7-424.

83 (a) Nothing in this article shall be construed to repeal or modify any law relating to the
84 supervision of surgical technologists.

85 (b) Nothing in this article shall be construed to prohibit any licensed health care
86 practitioner from performing surgical technology tasks or functions if the person is acting
87 within the scope of his or her license.

88 31-7-425.

89 The Department of Community Health shall be responsible for ensuring that health care
90 facilities are in compliance with this article."

91 **SECTION 2.**

92 This Act shall become effective on January 1, 2012.

93 **SECTION 3.**

94 All laws and parts of laws in conflict with this Act are repealed.