

House Bill 739

By: Representatives Jasperse of the 11<sup>th</sup>, Cheokas of the 138<sup>th</sup>, and Hawkins of the 27<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated,  
2 relating to the Georgia Composite Medical Board, so as to provide for requirements for  
3 surgical technologists; to provide for definitions; to prohibit health care facilities from  
4 employing or contracting with surgical technologists unless they meet certain requirements;  
5 to provide for continuing education requirements; to provide for statutory construction; to  
6 provide for enforcement; to provide for an exception; to provide for related matters; to repeal  
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 1 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to the  
11 Georgia Composite Medical Board, is amended by adding a new Code section to read as  
12 follows:

13 "43-34-13.

14 (a) As used in this Code section, the term:

15 (1) 'Health care facility' means a hospital or ambulatory surgical center.

16 (2) 'Surgical technologist' means an individual who is employed or contracted by a health  
17 care facility to perform surgical technology tasks and functions under the direct  
18 supervision of a surgeon.

19 (3) 'Surgical technology' means surgical patient care, including, but not limited to, the  
20 following perioperative tasks and functions:

21 (A) Preparing the operating room and the sterile operating field for surgical procedures  
22 by ensuring that surgical equipment is functioning properly and safely and using sterile  
23 techniques to prepare supplies, instruments, and equipment;

24 (B) Assisting the surgeon with placing sterile drapes on the patient to establish the  
25 sterile operating field;

- 26 (C) Participating in the 'time-out' process of verifying the correct patient, procedure,  
27 and surgical site;
- 28 (D) Anticipating the needs of the surgeon, based on knowledge of human anatomy and  
29 pathophysiology, by preparing and passing instruments and supplies during the surgical  
30 procedure;
- 31 (E) Sponging and suctioning the surgical site;
- 32 (F) Preparing and cutting suture material;
- 33 (G) Preparing and utilizing irrigation solutions during the surgical procedure;
- 34 (H) Preparing and passing medications and hemostatic agents utilized during the  
35 surgical procedure, but not administering drugs;
- 36 (I) Preparing and passing-off specimens;
- 37 (J) Holding retractors or instruments;
- 38 (K) Applying electrocautery to clamps or forceps on bleeding vessels;
- 39 (L) Operating the camera during endoscopic procedures as directed by the surgeon;
- 40 (M) Placing instruments in robotic arms during surgical procedures as directed by the  
41 surgeon;
- 42 (N) Connecting drains to suction apparatus;
- 43 (O) Performing urinary catheterization;
- 44 (P) Preparing and applying sterile dressings to closed wounds;
- 45 (Q) Performing counts of instruments and sponges with the registered nurse circulator;
- 46 (R) Assisting with transferring the patient to and positioning the patient on the  
47 operating table; and
- 48 (S) Maintaining the highest standards of sterile technique, including identifying and  
49 correcting breaks in the sterile operating field.
- 50 (b) A health care facility shall not employ or otherwise contract for the services of a  
51 surgical technologist unless the individual meets at least one of the following criteria:
- 52 (1) Has successfully completed a surgical technology program accredited by the  
53 Commission on Accreditation of Allied Health Education Programs and holds and  
54 maintains the Certified Surgical Technologist credential administered by the National  
55 Board of Surgical Technology and Surgical Assisting or its successor;
- 56 (2) Has successfully completed a surgical technologist training program during service  
57 as a member of any branch of the United States armed forces that offers such a program;  
58 or
- 59 (3) Provides evidence that the individual was employed to practice surgical technology  
60 as his or her primary function in a health care facility in this state or in any state on  
61 July 1, 2020, or at any time during the two years immediately prior to July 1, 2020;

62 provided, however, that this paragraph shall not apply to an individual hired by a health  
63 care facility on or after July 1, 2020.

64 (c) A health care facility may employ or contract with an individual who qualifies to  
65 practice surgical technology under paragraph (1) of subsection (b) of this Code section  
66 from the date such individual graduates from an accredited surgical technology program,  
67 but such individual may not continue to be employed or under contract beyond 180 days  
68 after such graduation without documentation that such individual holds and maintains the  
69 Certified Surgical Technologist credential as required in paragraph (1) of subsection (b) of  
70 this Code section.

71 (d) An individual who qualifies to practice surgical technology in a health care facility  
72 pursuant to subsection (b) of this Code section shall every two years complete 30 hours of  
73 continuing education relevant to surgical technology to remain qualified to practice as a  
74 surgical technologist in this state. Such individual shall be responsible for providing  
75 evidence to the satisfaction of his or her employing health care facility that he or she is in  
76 compliance with this subsection.

77 (e) Nothing in this Code section shall be construed to prohibit any licensed practitioner  
78 from performing surgical technology tasks or functions if such licensed practitioner is  
79 acting within the scope of his or her license.

80 (f) The board shall enforce the provisions of this Code section with respect to surgical  
81 technologists. The Department of Community Health shall enforce the provisions of this  
82 Code section with respect to health care facilities.

83 (g) This Code section shall not apply to any surgical technologist in the service of the  
84 federal government, to the extent the individual is performing surgical technology duties  
85 related to that service."

86 **SECTION 2.**

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