

AMENDED IN SENATE JUNE 26, 2012

AMENDED IN ASSEMBLY APRIL 26, 2012

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2561

Introduced by Assembly Member Roger Hernández

February 24, 2012

An act to add Article 25 (commencing with Section 2525.20) to Chapter 5 of Division 2 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2561, as amended, Roger Hernández. Certified surgical technologists.

Existing law provides for the licensure and regulation of healing arts licensees by boards within the Department of Consumer Affairs, including the licensure and regulation of physicians and surgeons by the Medical Board of California.

This bill would make it unlawful for a person to use the title “certified surgical technologist” unless the person meets certain educational requirements; and holds a certification by a specified entity.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares the following:

1 (a) Surgical technologists are responsible for the environmental
2 disinfection, safety, and efficiency of the operating room, and their
3 knowledge and experience with aseptic surgical technique qualifies
4 them for a role of importance in the surgical suite.

5 (b) The surgical technology profession has grown to meet the
6 continuing demand for well-educated, highly skilled, and versatile
7 individuals to work with physicians and surgeons and other skilled
8 professionals to deliver the highest possible level of patient care.

9 (c) As surgical site infections have been found to be the second
10 most common hospital-acquired infections in the United States, a
11 key purpose of this article is to encourage the education, training,
12 and utilization of surgical technologists in California, given their
13 role in surgical settings in order to take specific steps to prevent
14 surgical site infections.

15 SEC. 2. Article 25 (commencing with Section 2525.20) is
16 added to Chapter 5 of Division 2 of the Business and Professions
17 Code, to read:

18

19 Article 25. Certified Surgical Technologists

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21 2525.20. This article shall be known and cited as the Certified
22 Surgical Technologist Act.

23 2525.22. As used in this article, the following definitions shall
24 apply:

25 (a) “Certified surgical technologist” means a person who
26 practices surgical technology, and who has successfully completed
27 a nationally accredited educational program for surgical
28 technologists and holds and maintains certification as a surgical
29 technologist by any of *the* entities described in Section 2525.24.

30 (b) “Surgical technology” means intraoperative surgical patient
31 care as follows:

32 (1) Preparing the operating room for surgical procedures by
33 ensuring that surgical equipment is functioning properly and safely.

34 (2) Preparing the operating room and the sterile field for surgical
35 procedures by preparing sterile supplies, instruments, and
36 equipment using sterile technique.

37 (3) Anticipating the needs of the surgical team based on
38 knowledge of human anatomy and pathophysiology and how they
39 relate to the surgical patient and the patient’s surgical procedure.

- 1 (4) As directed in an operating room setting, performing the
2 following tasks at the sterile field:
- 3 (A) Passing supplies, equipment, or instruments.
 - 4 (B) Sponging or suctioning an operative site.
 - 5 (C) Preparing and cutting suture material.
 - 6 (D) Transferring and pouring irrigation fluids.
 - 7 (E) Transferring but not administering drugs within the sterile
8 field.
 - 9 (F) Handling specimens.
 - 10 (G) Holding retractors and other instruments.
 - 11 (H) Applying electrocautery to clamps on bleeders.
 - 12 (I) Connecting drains to suction apparatus.
 - 13 (J) Applying dressings to closed wounds.
 - 14 (K) Assisting in counting sponges, needles, supplies, and
15 instruments with the registered nurse circulator.
 - 16 (L) Cleaning and preparing instruments for sterilization on
17 completion of the surgery.
 - 18 (M) Assisting the surgical team with cleaning of the operating
19 room on completion of the surgery.
- 20 2525.24. (a) It shall be unlawful for a person to use the title
21 “certified surgical technologist” in this state unless the person
22 satisfies the following requirements:
- 23 (1) The person has successfully completed a nationally
24 accredited educational program for surgical technologists or a
25 training program for surgical technology provided by the United
26 States Army, Navy, Air Force, Marine Corps, Coast Guard, or
27 Public Health Service.
 - 28 (2) The person holds and maintains certification as a surgical
29 technologist by the National Board of Surgical Technology and
30 Surgical Assisting or its successor, or another nationally accredited
31 surgical technologist credentialing organization.
- 32 (b) A violation of this section shall not be subject to Section
33 2314.
- 34 2525.30. This article does not repeal, modify, or amend any
35 existing law relating to the supervision of surgical technologists,
36 nor shall it be construed to do so.
- 37 2525.31. This article does not prohibit or limit any ~~healing arts~~
38 ~~licensee described in this division~~ *health care practitioner* from
39 performing a task or function within ~~the~~ *his or her* scope of ~~the~~
40 ~~healing art licensee’s license~~ *practice*, nor shall it be construed as

1 such. *For purposes of this section, “health care practitioner”*
2 *means any person who engages in acts that are the subject of*
3 *licensure or regulation under this division or under any initiative*
4 *act referred to in this division.*

5 2525.32. This article does not apply to any of the following:

6 (a) A registered nurse licensed pursuant to Chapter 6
7 (commencing with Section 2700) or a vocational nurse licensed
8 pursuant to Chapter 6.5 (commencing with Section 2840).

9 (b) An individual employed by a health care facility whose
10 primary functions include the cleaning or sterilization of supplies,
11 instruments, equipment, or operating rooms.