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SENATE BILL 6273

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State of Washington                      55th Legislature                      1998 Regular Session

By Senators Wood, Winsley, Haugen and Fairley

Read first time . Referred to Committee on .

1            AN ACT Relating to the registration of surgical technologists;  
2 adding a new chapter to Title 18 RCW; creating a new section; and  
3 providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.** Surgical technology, as an allied health  
6 profession, serves surgeons in surgical settings, and provides certain  
7 skills and aseptic techniques associated with second assisting/scrub.  
8 These services place patients at an inherent risk of harm without an  
9 assurance of competence and professional standards. Currently, the  
10 general public cannot evaluate the qualifications of surgical  
11 technologists and must depend on the varying evaluative standards set  
12 by employers. The registration of surgical technologists is necessary  
13 for the protection of the public health and safety by establishing  
14 recognized professional standards with uniform application in all  
15 surgical settings in the state.

16            NEW SECTION.    **Sec. 2.** The definitions in this section apply  
17 throughout this chapter unless the context clearly requires otherwise.

18            (1) "Department" means the department of health.

1 (2) "Secretary" means the secretary of health or the secretary's  
2 designee.

3 (3) "Surgical technologist" means a person registered under this  
4 chapter to practice surgical technology under the supervision and  
5 delegation of a physician, osteopathic physician, podiatric physician,  
6 nurse, or physician assistant licensed under the laws of this state.

7 (4) "Surgical technology" means activities and behaviors commonly  
8 associated with second assisting/scrub as determined by the secretary  
9 by rule, in consultation with the medical quality assurance commission  
10 and the nursing care quality assurance commission.

11 NEW SECTION. **Sec. 3.** No person may practice or represent oneself  
12 as a surgical technologist by use of any title or description of  
13 services without being registered to practice by the department under  
14 the provisions of this chapter, unless otherwise exempted.

15 NEW SECTION. **Sec. 4.** Nothing in this chapter shall be construed  
16 to prohibit or restrict:

17 (1) The practice of surgical technology by an individual licensed,  
18 certified, or registered under the laws of this state performing  
19 services within the scope of his or her authorized scope of practice;

20 (2) The practice of surgical technology by an individual employed  
21 by the government of the United States while engaged in the performance  
22 of duties prescribed by the laws of the United States;

23 (3) The practice of surgical technology by a person who is a  
24 regular student in an educational program approved by the secretary,  
25 and whose performance of services is pursuant to a regular course of  
26 instruction or assignments from an instructor and under the general  
27 supervision of the instructor.

28 NEW SECTION. **Sec. 5.** In addition to any other authority provided  
29 by law, the secretary has the authority to:

30 (1) Adopt rules under chapter 34.05 RCW necessary to implement this  
31 chapter;

32 (2) Establish all registration and renewal fees in accordance with  
33 RCW 43.70.250;

34 (3) Establish forms and procedures necessary to administer this  
35 chapter;

1 (4) Register an applicant or to deny registration to an applicant  
2 who does not meet the minimum qualifications. However, proceedings  
3 concerning the denial of registration based upon unprofessional conduct  
4 or impairment shall be governed by the uniform disciplinary act,  
5 chapter 18.130 RCW;

6 (5) Hire clerical, administrative, investigative, and other staff  
7 as needed to implement this chapter;

8 (6) Determine minimum education requirements and evaluate and  
9 designate those educational programs from which graduation will be  
10 accepted as proof of eligibility to take a qualifying examination for  
11 applicants for registration;

12 (7) Prepare, grade, and administer, or determine the nature of, and  
13 supervise the grading and administration of, examinations for  
14 applicants for registration;

15 (8) Determine whether alternative methods of training are  
16 equivalent to formal education, and establish forms, procedures, and  
17 criteria for evaluation of an applicant's alternative training;

18 (9) Determine which states have registration requirements  
19 equivalent to those of this state, and issue registrations to  
20 individuals registered in those states without examinations;

21 (10) Define and approve any experience requirement for  
22 credentialing;

23 (11) Implement and administer a program for consumer education;

24 (12) Adopt rules implementing a continuing competency program;

25 (13) Maintain the official department record of all applicants and  
26 licensees; and

27 (14) Establish by rule the procedures for an appeal of an  
28 examination failure.

29 NEW SECTION. Sec. 6. (1) The secretary shall issue a registration  
30 to any applicant who demonstrates to the secretary's satisfaction that  
31 the following requirements have been met:

32 (a) Certification by a nationally recognized educational program in  
33 surgical technology approved by the secretary;

34 (b) Graduation from an accredited educational program in surgical  
35 technology approved by the secretary; or

36 (c) Successful completion of alternative training meeting  
37 established criteria as determined by the secretary.

1 (2) An applicant shall identify the name and address of the  
2 applicant and other information required by the secretary necessary to  
3 establish whether there are grounds for denial of a registration or  
4 conditional registration under chapter 18.130 RCW.

5 (3) The secretary shall register an applicant practicing surgical  
6 technology on the effective date of this act notwithstanding the  
7 requirements contained in subsection (1) of this section, if an  
8 application for registration is filed with the secretary within ninety  
9 days of the effective date of this act.

10 (4) The secretary shall establish by rule what constitutes adequate  
11 proof of meeting the requirements of this section.

12 NEW SECTION. **Sec. 7.** The secretary shall establish by rule the  
13 standards and procedures for approval of educational programs and  
14 alternative training. The secretary may utilize or contract with  
15 individuals or organizations having expertise in the profession or in  
16 education to assist in the evaluations. The secretary shall establish  
17 by rule the standards and procedures for revocation of approval of  
18 education programs. The standards and procedures set shall apply  
19 equally to educational programs and training in the United States and  
20 in foreign jurisdictions. The secretary may establish a fee for  
21 educational program evaluations.

22 NEW SECTION. **Sec. 8.** Applications for registration shall be  
23 submitted on forms provided by the secretary. The secretary may  
24 require any information and documentation that reasonably relates to  
25 the need to determine whether the applicant meets the criteria for  
26 registration provided for in this chapter and chapter 18.130 RCW. Each  
27 applicant shall pay a fee determined by the secretary under RCW  
28 43.70.250. The fee shall accompany the application.

29 NEW SECTION. **Sec. 9.** The secretary shall establish by rule the  
30 procedural requirements and fees for renewal of registration. Failure  
31 to renew shall invalidate the registration and all privileges granted  
32 by the registration.

33 NEW SECTION. **Sec. 10.** The uniform disciplinary act, chapter  
34 18.130 RCW, shall govern the issuance and denial of registration,  
35 unauthorized practice, and the discipline of persons registered under

1 this chapter. The secretary shall be the disciplining authority under  
2 this chapter.

3 NEW SECTION. **Sec. 11.** Sections 2 through 10 of this act  
4 constitute a new chapter in Title 18 RCW.

5 NEW SECTION. **Sec. 12.** This act takes effect July 1, 1998.

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