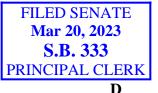
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2023



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SENATE BILL DRS45157-MG-67

Short Title:	Establish Surgical Technology Standards. (Pub	olic)				
Sponsors:	Senators Burgin, Corbin, and Krawiec (Primary Sponsors).					
Referred to:						
	A BILL TO BE ENTITLED					
AN ACT ESTABLISHING STANDARDS FOR SURGICAL TECHNOLOGY CARE IN						
HOSPIT	ALS AND AMBULATORY SURGICAL FACILITIES.					
The General	Assembly of North Carolina enacts:					
	SECTION 1. Part 2 of Article 5 of Chapter 131E of the General Statutes is amend	ded				
	new section to read:					
	4. Hospital standards for surgical technology care.					
(a) I	Definitions. – The following definitions apply in this section:					
	1) Surgical technologist. – An individual who is employed or contracted by	y a				
-	hospital to perform surgical technology tasks.					
(2) Surgical technology. – Surgical patient care that includes, but is not limi	ted				
-	to, the following perioperative tasks, as directed by the surgeon:					
	a. Preparing the operating room for surgical procedures by ensuring t	hat				

- a. <u>Preparing the operating room for surgical procedures by ensuring that</u> equipment is functioning safely and preparing supplies, instruments, and equipment using sterile technique.
- b. Assisting the surgeon with placing sterile drapes.
 - c. <u>Preparing and passing instruments and supplies.</u>
- <u>d.</u> <u>Sponging or suctioning an operative site.</u>
- e. <u>Preparing and cutting suture.</u>
 - f. Preparing and pouring solutions during procedures.
 g. Preparing and passing medications and hemostatic agents, but not
 - g. <u>Preparing and passing medications and hemostatic agents,</u> administering drugs.
 - <u>h.</u> <u>Preparing and passing off specimens.</u>
 - i. <u>Holding retractors and other instruments.</u>
 - <u>j.</u> <u>Applying electrocautery to clamps or forceps.</u>
 - <u>k.</u> <u>Connecting drains to suction apparatus.</u>
- *<u>l.</u>* <u>Preparing and applying sterile dressings to closed wounds.</u>
 - <u>m.</u> <u>Performing counts with the registered nurse circulator.</u>
 - <u>n.</u> <u>Assisting with transferring patients and positioning patients.</u>
 - o. Identifying and correcting breaks in the sterile operating field.
- 31 (b) Qualifications for Employment or Contract. Except as provided by subsection (e)
 32 of this section, a hospital shall not employ or otherwise contract a surgical technologist in that
 33 hospital unless the individual meets one of the following qualifications:
- 34(1)Provides evidence of successfully completing a nationally accredited35educational program for surgical technology and maintains an accredited36surgical technologist certification credential.



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	<u>(2)</u>	Provi	ides evidence of successfully complet	ing an appropriate training program
		for su	urgical technology in the United State	es Army, Navy, or Air Force.
	<u>(3)</u>	Provi	ides documentation of employment t	o practice surgical technology in a
		hospi	ital licensed under this Part or an an	nbulatory surgical facility licensed
		unde	r Part 4 of Article 6 of this Chapter of	n or before December 31, 2023.
<u>(c)</u>	Prob	ationary	<u> Practice. – A hospital may employ</u>	or contract with an individual to
practice	surgical	techno	logy during the 12-month period that	immediately follows the successful
complet	ion of a	surgical	l technology program as described in	subdivision (1) of subsection (b) of
this sect	ion. Hov	wever, t	he hospital may not continue to emp	loy or contract with that individual
beyond	the 12-	month	period without documentation that	the individual has obtained the
credentia	al descri	bed in s	subdivision (1) of subsection (b) of th	is section.
<u>(d)</u>	Exce	ption. –	- A hospital may employ or otherwis	se contract with an individual who
does not	t meet a	<u>ny of t</u> l	he qualifications specified in subsect	tion (b) of this section if all of the
followin	ig requir	ements	are met:	
	(1)	The l	hospital makes a diligent and thoroug	th effort and, after such an effort is
		<u>comp</u>	pleted, the hospital is unable to emplo	y or contract with enough qualified
		<u>surgi</u>	cal technologists who satisfy the requ	uirements of this section.
	<u>(2)</u>	The	hospital documents and retains recon	rds of its efforts made pursuant to
		subdi	ivision (1) of this subsection.	
<u>(e)</u>	Scop	e of Pra	actice Nothing in this section shall	be construed to prohibit a licensed
practitio	ner fron	n perfor	ming surgical technology tasks or fu	nctions if the practitioner is acting
within th	he scope	of his of	or her license.	
<u>(f)</u>	Adve	erse Act	ion. – The Department of Health and	Human Services may take adverse
action ag	gainst a l	nospital	under G.S. 131E-78 for a violation of	this section. A hospital may restrict
an emple	oyee's el	ligibility	y to practice surgical technology, as c	leemed appropriate by the hospital,
in the ev	vent the	employe	ee does not comply with the requirem	ents of this section."
	SEC	TION 2	2. Part 4 of Article 6 of Chapter 131E	of the General Statutes is amended
•	0		n to read:	
			atory surgical facility standards fo	
<u>(a)</u>			– The following definitions apply in	
	<u>(1)</u>		ical technologist. – An individual w	· ·
		-	ital to perform surgical technology ta	
	<u>(2)</u>		ical technology. – Surgical patient ca	
		<u>to, th</u>	e following perioperative tasks, as di	
		<u>a.</u>		urgical procedures by ensuring that
			equipment is functioning safely an	nd preparing supplies, instruments,
			and equipment using sterile technic	<u>que.</u>
		<u>b.</u>	Assisting the surgeon with placing	· · · · · · · · · · · · · · · · · · ·
			Preparing and passing instruments	and supplies.
		<u>c.</u> <u>d.</u> <u>e.</u> <u>f.</u>	Sponging or suctioning an operativ	ve site.
		<u>e.</u>	Preparing and cutting suture.	
		<u>f.</u>	Preparing and pouring solutions du	ring procedures.
		<u>g.</u>	Preparing and passing medication	ns and hemostatic agents, but not
		-	administering drugs.	-
		h.	Preparing and passing off specime	ns.
		<u>h.</u> <u>i.</u> j. <u>k.</u>	Holding retractors and other instru	
		i.	Applying electrocautery to clamps	
		k.	Connecting drains to suction appar	-
			Preparing and applying sterile dres	
		ι.	I I CDarme and annihite stories the	sings to closed wounds.
		<u>l.</u> m.		-
		<u>r.</u> <u>m.</u> <u>n.</u>	<u>Performing counts with the registe</u> Assisting with transferring patients	red nurse circulator.

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		o. Identifying and correcting breaks in the sterile ope			
<u>(b)</u>		fications for Employment or Contract Except as provide	-		
		hospital shall not employ or otherwise contract a surgical	technologist in that		
<u>hospita</u>	l unless tl	ne individual meets one of the following qualifications:			
	<u>(1)</u>	Provides evidence of successfully completing a na			
		educational program for surgical technology and main	tains an accredited		
		surgical technologist certification credential.			
	<u>(2)</u>	Provides evidence of successfully completing an appropria			
		for surgical technology in the United States Army, Navy,	-		
	<u>(3)</u>	Provides documentation of employment to practice surg			
		hospital licensed under this Part or an ambulatory surgi			
		under Part 4 of Article 6 of this Chapter on or before Dec			
<u>(c)</u>		tionary Practice A hospital may employ or contract w			
_	-	technology during the 12-month period that immediately fo			
		surgical technology program as described in subdivision (1)			
		vever, the hospital may not continue to employ or contract			
		month period without documentation that the individua	l has obtained the		
-		bed in subdivision (1) of subsection (b) of this section.			
<u>(d)</u>		ption A hospital may employ or otherwise contract with			
		ny of the qualifications specified in subsection (b) of this	section if all of the		
<u>followi</u>	ng requir	ements are met:			
	<u>(1)</u>	The hospital makes a diligent and thorough effort and, af			
		completed, the hospital is unable to employ or contract w			
		surgical technologists who satisfy the requirements of this			
	<u>(2)</u>	The hospital documents and retains records of its effort	s made pursuant to		
		subdivision (1) of this subsection.			
<u>(e)</u>	-	e of Practice. – Nothing in this section shall be construed to	•		
-		performing surgical technology tasks or functions if the p	practitioner is acting		
	-	of his or her license.			
<u>(f)</u>		rse Action. – The Department of Health and Human Service			
	-	ospital under G.S. 131E-78 for a violation of this section. A	-		
		igibility to practice surgical technology, as deemed appropr			
in the event the employee does not comply with the requirements of this section."					
	SEC'	FION 3. This act becomes effective January 1, 2024.			