

- SUBJECT:** Employment qualification requirements for surgical technologists
- COMMITTEE:** Public Health — committee substitute recommended
- VOTE:** 7 ayes — Kolkhorst, Naishtat, J. Davis, Gonzales, S. King, Laubenberg, Zerwas  
0 nays  
4 absent — Coleman, Hopson, McReynolds, Truitt
- WITNESSES:** For — Jeff Feix, Texas State Assembly of the Association of Surgical Technologists; (*Registered, but did not testify:* Joanne Oliver, Texas Council of Perioperative Registered Nurses, Association of Perioperative Registered Nurses of Greater Houston; Cindy Zolnierek, Texas Nurses Association)  
Against — None
- BACKGROUND:** Surgical technologists perform duties before and after a surgery to ensure the operating room and equipment are sterile. They also may prepare a patient for surgery and assist the surgeon or surgical assistant during a surgery. There is no uniform practice standard for the surgical assistants that a health facility may hire.
- DIGEST:** CSHB 643 would define the duties of a surgical technologist, including preparation and sterilization of an operating room and operating instruments prior to surgery, assistance to a surgeon during surgery, and cleaning instruments and the operating room following surgery.  
By September 1, 2010, a health facility licensed by the Department of State Health Services (DSHS) or owned or operated by the state could not employ a person to practice surgical technology unless that person:
- had successfully completed an accredited surgical technology program and held a certification as a surgical technologist by a DSHS-approved certification program;
  - had graduated from an accredited program within the last 180 days;

- had completed a surgical technologist training program for the U.S. armed services or U.S. Public Health Service;
- was employed to practice surgical technology in a health care facility before September 1, 2009; or
- was performing as a surgical technologist in service of the federal government.

Health care facilities that were unable to employ a sufficient number of people who met these requirements despite a thorough effort could employ surgical technologists who did not meet these requirements. Such health care facilities would document and retain a record of their hiring efforts.

DSHS could adopt rules to administer and enforce these requirements. Health care facilities that did not employ surgical technologists with the required qualifications and did not make an adequate hiring effort would be subject to the penalties or other disciplinary actions standardly imposed for violations of those facilities' licensing provisions.

The bill would take effect September 1, 2009.

**NOTES:**

The companion bill, SB 2203 by Uresti, was reported favorably, as substituted, by the Senate Health and Human Services Committee on May 1 and was recommended for the Local and Uncontested Calendar.