

By: Carona

S.B. No. 769

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of surgical assistants.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 206.203(b), Occupations Code, is amended to read as follows:

(b) In addition to meeting the requirements of Subsection (a), a person must:

(1) pass the examination required by Section 206.204;

(2) hold at least an associate's degree based on completion of an educational program that is substantially equivalent to the education required for a registered nurse or physician assistant who specializes in surgical assisting;

(3) demonstrate to the satisfaction of the medical board the completion of full-time work experience performed in this country under the direct supervision of a physician licensed in this country and consisting of at least 1,200 [~~2,000~~] hours of performance as an assistant in surgical procedures for the three years preceding the date of application; and

(4) possess a current certification by a national certifying body approved by the medical board.

SECTION 2. Section 206.205, Occupations Code, is amended by amending Subsections (b) and (c) and adding Subsection (d) to read as follows:

(b) A person who is otherwise eligible for a license under

1 Section 206.203 is not required to meet the educational
2 requirements under Section 206.203(b)(2) if:

3 (1) the person applies for a license under this
4 section before September 1, 2002, and:

5 (A) [~~(1)~~] will complete before the third
6 anniversary of the date the license is issued under this
7 subdivision [~~subsection~~] the following academic courses approved
8 by the medical board:

9 (i) [~~(A)~~] anatomy;

10 (ii) [~~(B)~~] physiology;

11 (iii) [~~(C)~~] basic pharmacology;

12 (iv) [~~(D)~~] aseptic techniques;

13 (v) [~~(E)~~] operative procedures;

14 (vi) [~~(F)~~] chemistry; and

15 (vii) [~~(G)~~] microbiology; or

16 (B) [~~(2)~~] has been continuously certified since
17 September 30, 1995, as a surgical assistant by a national
18 certifying body approved by the medical board and has practiced
19 full-time as a surgical assistant under the direct supervision of a
20 physician licensed in this country; or

21 (2) the person applies for a license under this
22 section before September 1, 2007, holds at least an associate's
23 degree, and:

24 (A) has successfully completed academic courses
25 approved by the medical board in anatomy, physiology, basic
26 pharmacology, chemistry, and microbiology and clinical instruction
27 approved by the medical board in aseptic techniques and operative

1 procedures; or

2 (B) has graduated from a surgical assistant
3 program approved by the board.

4 (c) A license issued under Subsection (b)(1) may not be
5 renewed after the third anniversary of the date of issuance unless
6 the license holder completes the academic courses described by
7 Subsection (b)(1)(A) [~~(b)(1)~~].

8 (d) The medical board may approve:

9 (1) academic courses and clinical instruction under
10 Subsection (b)(2)(A) only if the courses or instruction meet or
11 exceed the standards adopted by the Commission on Accreditation of
12 Allied Health Education Programs; and

13 (2) a surgical assistant program under Subsection
14 (b)(2)(B) only if the program:

15 (A) is recognized and accredited by the
16 Commission on Accreditation of Allied Health Education Programs; or

17 (B) has educational standards that are
18 equivalent to or exceed the standards adopted by the Commission on
19 Accreditation of Allied Health Education Programs.

20 SECTION 3. Section 206.210(a), Occupations Code, is amended
21 to read as follows:

22 (a) A surgical assistant license expires on the second
23 anniversary of the date of issuance. The medical board by rule
24 shall provide for the [~~annual~~] renewal of a surgical assistant
25 license.

26 SECTION 4. Subchapter F, Chapter 206, Occupations Code, is
27 amended by adding Section 206.2525 to read as follows:

1 Sec. 206.2525. REIMBURSEMENT FOR SERVICES. (a) This
2 chapter does not limit the way in which a surgical assistant
3 licensed under this chapter may be reimbursed for services.

4 (b) A surgical assistant licensed under this chapter may
5 directly bill a patient or third-party payor for services provided
6 by the surgical assistant.

7 SECTION 5. (a) This Act takes effect September 1, 2003.

8 (b) Section 206.210(a), Occupations Code, as amended by
9 this Act, applies only to the expiration of an original or renewal
10 license that is issued on or after the effective date of this Act.