

Amend **HB 1366** (second reading engrossment) as follows:

(1) Add the following appropriately numbered section:

SECTION _____. Subchapter H, Chapter 301, Occupations Code, is amended by adding Section 301.354 to read as follows:

Sec. 301.354. NURSE FIRST ASSISTANTS; ASSISTING AT SURGERY BY OTHER NURSES. (a) In this section, "nurse first assistant" means a registered nurse who:

(1) has completed a nurse first assistant educational program approved or recognized by an organization recognized by the board; and

(2) is either:

(A) certified in perioperative nursing by an organization recognized by the board; or

(B) recognized by the board as an advanced practice nurse and qualified by education, training, or experience to perform the tasks involved in perioperative nursing.

(b) Unless the person is a nurse first assistant, the person may not use:

(1) the title "nurse first assistant" or "registered nurse first assistant";

(2) the abbreviation "R.N.F.A."; or

(3) any other title or abbreviation that implies to the public that the person is qualified as a nurse first assistant under this section.

(c) A health maintenance organization or an insurer, including an insurer offering a preferred provider benefit plan, may not, by contract or any other method, require a physician to use the services of a nurse first assistant.

(d) A nurse who is not a nurse first assistant may assist a physician, podiatrist, or dentist in the performance of surgery if the nurse:

(1) assists under the direct personal supervision and in the physical presence of the physician, podiatrist, or dentist;

(2) is in the same sterile field as the physician, podiatrist, or dentist;

(3) is employed by;

(A) the physician, podiatrist, or dentist;

(B) a group to which the physician, podiatrist, or dentist belongs; or

(C) a hospital licensed or owned by the state; and

(4) is qualified by education, training, or experience to perform the tasks assigned to the nurse.

(e) A patient or third-party insurer may not be billed separately for the services performed by a nurse described by Subsection (d).

(f) A registered nurse must perform circulating duties in the operating room. In accordance with approved medical staff policies and procedures, a vocational nurse or surgical technologist may assist in circulating duties under the direct supervision of the registered nurse.

(2) Strike Section 6 of the bill (page 6, line 9) and substitute the following appropriately numbered section:

SECTION _____. Sections 301.1525, 301.1526, 301.1527, and 304.010, Occupations Code, are repealed.

(3) Renumber the sections of the bill accordingly.