

BILL ANALYSIS

Senate Research Center
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S.B. 930
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Health & Human Services
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

As proposed, S.B. 930 is designed to encourage hospitals and ambulatory surgical centers to hire the very best educated and trained surgical technologists with the goal of achieving the best patient outcome during surgery. Surgical technologists maintain the sterile field during a surgery and assist the surgeon by handling sterile instruments for use during the surgery. This role has become increasingly important in recent years as surgical instrumentation has expanded and become more complex.

This bill helps improve patient safety without creating a license or other new administrative framework. It merely requires hospitals and ambulatory surgical centers to attempt to employ surgical technologists who have the qualifications set out in the bill. If unable to locate an individual who meets the bill's qualifications, then they retain a record of the effort, and continue to provide surgical assistants for the operating room in the same manner that they do today.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 241, Health and Safety Code, as follows:

Sec. 241.106. SURGICAL TECHNOLOGISTS. (a) Defines "surgical technologist."

(b) Prohibits a hospital from employing an individual as a surgical technologist unless the individual meets certain requirements.

(c) Authorizes a hospital to employ a surgical technologist who does not meet the requirements of this section in certain circumstances.

(d) Authorizes a hospital, notwithstanding Subsection (b), to employ an individual as a surgical technologist if the individual provides evidence that, on September 1, 2005, the individual was participating in an on-the-job training program for surgical technologists. Provides that this subsection expires September 1, 2006.

(e) Provides that an educational program for surgical technologists is considered accredited by the Commission on Accreditation of Allied Health Education Programs for the purposes of Subsection (b) if the program is in the process of becoming accredited by that commission on September 1, 2005. Provides that this subsection expires September 1, 2007.

(f) Sets forth continuing education requirements for individuals qualified for employment as a surgical technologist.

(g) Requires a hospital that employs someone described by Subsection (f) to verify that the individual meets the continuing education requirements of Subsection (f) each year on the anniversary of the individual's employment.

Requires a hospital to adopt policies to enforce this subsection and authorizes a hospital to allow a grace period for compliance that is not longer than six months.

(h) Requires a hospital to supervise each surgical technologist employed by the hospital according to the hospital's policies and procedures.

SECTION 2. Amends Chapter 243, Health and Safety Code, by adding Subchapter C, as follows:

SUBCHAPTER C. SURGICAL TECHNOLOGISTS

Sec. 243.101. DEFINITION. Defines "surgical technologist."

Sec. 243.102. EMPLOYMENT OF SURGICAL TECHNOLOGIST. (a) Prohibits an ambulatory surgical center from employing an individual as a surgical technologist unless the individual meets certain requirements.

(b) Authorizes, notwithstanding Subsection (a), an ambulatory surgical center to employ an individual as a surgical technologist if the individual provides evidence that, on September 1, 2005, the individual was participating in an on-the-job training program for surgical technologists. Provides that this subsection expires September 1, 2006.

(c) Provides that an educational program for surgical technologists is considered accredited by the Commission on Accreditation of Allied Health Education Programs for the purposes of Subsection (a) if the program is in the process of becoming accredited by that commission on September 1, 2005. Provides that this subsection expires September 1, 2007.

(d) Requires an ambulatory surgical center to supervise each surgical technologist employed by the center according to the center's policies and procedures.

Sec. 243.103. CONTINUING EDUCATION. (a) Sets forth continuing education requirements for an individual qualified for employment as a surgical technologist.

(b) Requires an ambulatory surgical center that employs someone described by Subsection (a) to verify that the individual meets the continuing education requirements each year on the anniversary of the individual's employment. Requires an ambulatory surgical center to adopt policies to enforce this subsection and authorizes the center to allow a grace period for compliance that is not longer than six months.

Sec. 243.104. WAIVER OF REQUIREMENT. Authorizes an ambulatory surgical center to employ a surgical technologist who does not meet the requirements of this subchapter under certain conditions.

SECTION 3. Effective date: September 1, 2005.