

BILL ANALYSIS

S.B. 1239
By: Johnson
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There are concerns that certain persons who practice surgical technology are exempt from continuing education requirements and that these persons can be insufficiently educated about changes or advances in the field. S.B. 1239 seeks to address these concerns by requiring such persons to meet continuing education requirements.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1239 amends the Health and Safety Code to require an applicable person employed by a health care facility to practice surgical technology to complete the number of hours of continuing education required to maintain certification by the organization that issued the certification and to submit to the facility, on the facility's request, evidence of completion of the continuing education. This requirement applies to a person who has successfully completed an accredited educational program for surgical technologists and holds and maintains certification as a surgical technologist by the following:

- the National Board of Surgical Technology and Surgical Assisting or its successor;
- the National Center for Competency Testing or its successor; or
- another surgical technologist certification program approved by the Department of State Health Services.

S.B. 1239 requires an applicable person employed by a health care facility to practice surgical technology to complete every two years 30 hours of continuing education related to surgical technology and to submit to the facility, on the facility's request, evidence of satisfactory completion of the continuing education. This requirement is applicable to a person so employed who:

- has completed an appropriate training program for surgical technology in the U.S. army, navy, air force, marine corps, or coast guard or in the U.S. Public Health Service;
- was employed to practice surgical technology in a health care facility before September 1, 2009; or
- does not meet the statutory requirements for practicing surgical technology and is

employed by a health care facility that is unable to employ a sufficient number of qualified surgical technologists who meet those requirements.

S.B. 1239 authorizes a health care facility to restrict the ability of a person employed by the facility to practice surgical technology in the facility if the person fails to complete the continuing education required by the bill. A person employed by a health care facility to practice surgical technology is not required to complete the continuing education before September 1, 2020.

EFFECTIVE DATE

September 1, 2019.