



## 2009 SENATE BILL 660

April 2, 2010 – Introduced by Senator ROBSON, cosponsored by Representative PASCH. Referred to Committee on Health, Health Insurance, Privacy, Property Tax Relief, and Revenue.

1     **AN ACT to amend** subchapter II (title) of chapter 50 [precedes 50.20], 50.33 (title)  
2             and 257.01 (8); and **to create** 50.20, 50.22, 50.36 (7), 146.997 (1) (d) 13m.,  
3             252.14 (1) (ar) 16. and 257.01 (12) of the statutes; **relating to:** qualification  
4             requirements for performing surgical technology for a hospital or ambulatory  
5             surgery center.

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### *Analysis by the Legislative Reference Bureau*

This bill imposes qualification requirements for persons employed by a hospital or ambulatory surgery center to perform surgical technology. The bill defines surgical technology as surgical patient care that involves preparing the sterile field, equipment, and supplies for surgery, and performing various tasks during surgery, including handling equipment and supplies and irrigating and sponging an operative site. Under the bill, a hospital or ambulatory surgery center may not employ a person to perform surgical technology unless the person is certified by the National Board of Surgical Technology and Surgical Assisting; has completed training in surgical technology while serving in the U.S. armed forces or the federal public health service; is employed to perform surgical technology on the effective date of this bill; or is a licensed nurse, physician, or physician assistant or is otherwise accredited by the Department of Regulation and Licensing to perform surgical technology. The bill also requires those persons who qualify on the basis of



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1           6. Handling specimens.

2           7. Counting sponges, needles, supplies, and instruments.

3           **SECTION 3.** 50.22 of the statutes is created to read:

4           **50.22 Surgical technologists at ambulatory surgery centers.** (1) An  
5 ambulatory surgery center may not employ a person to perform surgical technology  
6 unless at least one of the following applies:

7           (a) The person has successfully completed an accredited educational program  
8 for surgical technology and holds a valid surgical technologist certification issued by  
9 the National Board of Surgical Technology and Surgical Assisting or a successor  
10 organization.

11           (b) The person successfully completed a training program for surgical  
12 technology while serving in the U.S. armed forces or in the federal public health  
13 service.

14           (c) The person is employed to perform surgical technology on the effective date  
15 of this paragraph .... [LRB inserts date].

16           (d) The person is licensed as a nurse under ch. 441 or is licensed as a physician  
17 or a physician assistant under ch. 448; the person is licensed or certified by the  
18 department of regulation and licensing or by a board under s. 15.405 or 15.406 to  
19 provide a health care service and the scope of the practice for which the person is  
20 licensed or certified includes providing care in an operating room or a preparation  
21 area for an operating room; or the person is participating in a training program that  
22 is required to obtain a license or certification described under this paragraph.

23           **(2)** A person who is employed by an ambulatory surgery center to perform  
24 surgical technology to whom sub. (1) (b), (c), or (d) does not apply shall complete 60  
25 hours of continuing education that are specifically related to surgical technology

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1 every four years. The person shall maintain records demonstrating proof of  
2 completion of the continuing education hours, and upon request by the ambulatory  
3 surgery center, shall submit a copy of the records to the ambulatory surgery center.

4 **SECTION 4.** 50.33 (title) of the statutes is amended to read:

5 **50.33 (title) Definitions; hospitals.**

6 **SECTION 5.** 50.36 (7) of the statutes is created to read:

7 50.36 (7) (a) A hospital may not employ a person to perform surgical technology  
8 unless at least one of the following applies:

9 1. The person has successfully completed an accredited educational program  
10 for surgical technology and holds a valid surgical technologist certification issued by  
11 the National Board of Surgical Technology and Surgical Assisting or a successor  
12 organization.

13 2. The person successfully completed a training program for surgical  
14 technology while serving in the U.S. armed forces or the federal public health service.

15 3. The person is employed to perform surgical technology on the effective date  
16 of this subdivision .... [LRB inserts date].

17 4. The person is licensed as a nurse under ch. 441 or is licensed as a physician  
18 or a physician assistant under ch. 448; the person is licensed or certified by the  
19 department of regulation and licensing or by a board under s. 15.405 or 15.406 to  
20 provide a health care service and the scope of the practice for which the person is  
21 licensed or certified includes providing care in an operating room or a preparation  
22 area for an operating room; or the person is participating in a training program that  
23 is required to obtain a license or certification described under this subdivision.

24 (b) A person who is employed by a hospital to perform surgical technology to  
25 whom par. (a) 2., 3., or 4. does not apply shall complete 60 hours of continuing

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1 education that are specifically related to surgical technology every 4 years. The  
2 person shall maintain records demonstrating proof of completion of the continuing  
3 education hours, and upon request by the hospital, shall submit a copy of the records  
4 to the hospital.

5 **SECTION 6.** 146.997 (1) (d) 13m. of the statutes is created to read:

6 146.997 (1) (d) 13m. A person employed to perform surgical technology, as  
7 defined in s. 50.20 (2).

8 **SECTION 7.** 252.14 (1) (ar) 16. of the statutes is created to read:

9 252.14 (1) (ar) 16. A person employed to perform surgical technology, as defined  
10 in s. 50.20 (2).

11 **SECTION 8.** 257.01 (8) of the statutes, as created by 2009 Wisconsin Act 42, is  
12 amended to read:

13 257.01 (8) "Practitioner" means a behavioral health provider, clinical  
14 laboratory technician, emergency medical services provider, funeral director, health  
15 care provider, nurse aide, pupil services provider, ~~or~~ substance abuse prevention  
16 provider, or surgical technologist.

17 **SECTION 9.** 257.01 (12) of the statutes is created to read:

18 257.01 (12) "Surgical technologist" means any of the following:

19 (a) An individual who satisfies the criteria under s. 50.36 (7) (a) and, if  
20 applicable, (b) to perform surgical technology at a hospital or satisfies the criteria  
21 under s. 50.22 (1) and, if applicable, (2) to perform surgical technology at an  
22 ambulatory surgery center.

23 (b) An individual who was at any time within the previous 10 years, but is not  
24 currently, certified as a surgical technologist by the National Board of Surgical

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1 Technology and Surgical Assisting or a successor organization, if the individual's  
2 certification was never revoked limited, suspended, or denied renewal.

3 **SECTION 10. Effective date.**

4 (1) This act takes effect on August 1, 2011.

5 (END)