
HOUSE BILL 2458

State of Washington 54th Legislature 1996 Regular Session

By Representatives Backlund, Dyer and Crouse

Read first time 01/11/96. Referred to Committee on Health Care.

1 AN ACT Relating to registration of surgical technologists; amending
2 RCW 18.71.030 and 18.57.040; adding new sections to chapter 18.71 RCW;
3 and adding new sections to chapter 18.57 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 18.71.030 and 1995 c 65 s 1 are each amended to read
6 as follows:

7 Nothing in this chapter shall be construed to apply to or interfere
8 in any way with the practice of religion or any kind of treatment by
9 prayer; nor shall anything in this chapter be construed to prohibit:

10 (1) The furnishing of medical assistance in cases of emergency
11 requiring immediate attention;

12 (2) The domestic administration of family remedies;

13 (3) The administration of oral medication of any nature to students
14 by public school district employees or private elementary or secondary
15 school employees as provided for in chapter 28A.210 RCW;

16 (4) The practice of dentistry, osteopathy, osteopathy and surgery,
17 nursing, chiropractic, podiatric medicine and surgery, optometry,
18 naturopathy, or any other healing art licensed under the methods or
19 means permitted by such license;

1 (5) The practice of medicine in this state by any commissioned
2 medical officer serving in the armed forces of the United States or
3 public health service or any medical officer on duty with the United
4 States veterans administration while such medical officer is engaged in
5 the performance of the duties prescribed for him or her by the laws and
6 regulations of the United States;

7 (6) The practice of medicine by any practitioner licensed by
8 another state or territory in which he or she resides, provided that
9 such practitioner shall not open an office or appoint a place of
10 meeting patients or receiving calls within this state;

11 (7) The practice of medicine by a person who is a regular student
12 in a school of medicine approved and accredited by the commission,
13 however, the performance of such services be only pursuant to a regular
14 course of instruction or assignments from his or her instructor, or
15 that such services are performed only under the supervision and control
16 of a person licensed pursuant to this chapter;

17 (8) The practice of medicine by a person serving a period of
18 postgraduate medical training in a program of clinical medical training
19 sponsored by a college or university in this state or by a hospital
20 accredited in this state, however, the performance of such services
21 shall be only pursuant to his or her duties as a trainee;

22 (9) The practice of medicine by a person who is regularly enrolled
23 in a physician assistant program approved by the commission, however,
24 the performance of such services shall be only pursuant to a regular
25 course of instruction in said program and such services are performed
26 only under the supervision and control of a person licensed pursuant to
27 this chapter;

28 (10) The practice of medicine by a licensed physician assistant
29 which practice is performed under the supervision and control of a
30 physician licensed pursuant to this chapter;

31 (11) The practice of medicine, in any part of this state which
32 shares a common border with Canada and which is surrounded on three
33 sides by water, by a physician licensed to practice medicine and
34 surgery in Canada or any province or territory thereof;

35 (12) The administration of nondental anesthesia by a dentist who
36 has completed a residency in anesthesiology at a school of medicine
37 approved by the commission, however, a dentist allowed to administer
38 nondental anesthesia shall do so only under authorization of the
39 patient's attending surgeon, obstetrician, or psychiatrist, and the

1 commission has jurisdiction to discipline a dentist practicing under
2 this exemption and enjoin or suspend such dentist from the practice of
3 nondental anesthesia according to this chapter and chapter 18.130 RCW;

4 (13) Emergency lifesaving service rendered by a physician's trained
5 emergency medical service intermediate life support technician and
6 paramedic, as defined in RCW 18.71.200, if the emergency lifesaving
7 service is rendered under the responsible supervision and control of a
8 licensed physician;

9 (14) The provision of clean, intermittent bladder catheterization
10 for students by public school district employees or private school
11 employees as provided for in RCW 18.79.290 and 28A.210.280;

12 (15) The practice of surgical technology under the supervision and
13 control of a physician licensed under this chapter by a person
14 registered as a "surgical technologist" under sections 2 through 6 of
15 this act.

16 NEW SECTION. Sec. 2. (1) No person may practice or represent
17 himself or herself as a surgical technologist without being registered
18 as a surgical technologist under sections 2 through 6 of this act.

19 (2) No surgical technologist may be employed or supervised by a
20 hospital or physician without a practice arrangement approved by the
21 commission. The supervising physician and surgical technologist are
22 professionally and personally responsible for any act performed by the
23 surgical technologist that constitutes the practice of medicine under
24 this chapter.

25 (3) The commission and the board of osteopathic medicine and
26 surgery shall consult in the adoption of uniform rules to implement the
27 provisions of this chapter.

28 NEW SECTION. Sec. 3. (1) "Surgical technologist" means a person
29 registered under sections 2 through 6 of this act to practice surgical
30 assisting only under the supervision and control of a physician
31 licensed under this chapter.

32 (2) The "practice of surgical assisting" consists of the
33 preparation of the operating room and the instruments, equipment and
34 supplies, passing instruments, sutures, and sponges to the surgeon at
35 sterile field and assist in circulating and positioning and preparing
36 the patient for surgery, under the direct supervision of a registered
37 nurse. It involves those tasks which assist the surgeon in the opening

1 and closing of incisions and other related technical functions under
2 the supervision and control of the surgeon, including other tasks
3 determined by the commission by rule.

4 NEW SECTION. **Sec. 4.** (1) The commission shall approve applicants
5 for registration who meet the requirements of sections 2 through 6 of
6 this act. The commission may require an approved practice arrangement
7 plan before a surgical technologist may be employed or supervised by a
8 hospital or physician. The commission shall require AIDS prevention
9 training of registrants and may adopt requirements for continuing
10 education.

11 (2) An applicant for registration must demonstrate to the
12 satisfaction of the commission that he or she has successfully
13 completed an educational program accredited by a national accrediting
14 organization approved by the commission and has been certified by a
15 national certifying organization in surgical technology determined by
16 the commission. No examination is required for registration, however
17 the commission may require any examination it deems necessary to
18 determine the applicant's physical or mental capability to safely
19 practice as a surgical technologist.

20 (3) The commission shall adopt rules to implement the registration
21 of surgical technologists under sections 2 through 6 of this act.

22 NEW SECTION. **Sec. 5.** (1) Upon the approval of the commission, the
23 secretary shall issue a registration to any applicant who submits, on
24 forms provided by the secretary, the applicant's name, address, name
25 and place of business or employer, and other information required by
26 the commission under sections 2 through 6 of this act. The
27 registration must be renewed annually.

28 (2) The secretary shall determine registration and application fees
29 pursuant to RCW 43.70.250.

30 NEW SECTION. **Sec. 6.** The uniform disciplinary act, chapter 18.130
31 RCW, governs the issuance and denial of registration, unauthorized
32 practice, and the discipline of persons registered under sections 2
33 through 6 of this act. The commission is the disciplining authority
34 under sections 2 through 6 of this act.

1 **Sec. 7.** RCW 18.57.040 and 1991 c 160 s 5 are each amended to read
2 as follows:

3 Nothing in this chapter shall be construed to prohibit:

4 (1) Service in the case of emergency;

5 (2) The domestic administration of family remedies;

6 (3) The practice of midwifery as permitted under chapter 18.50 RCW;

7 (4) The practice of osteopathic medicine and surgery by any
8 commissioned medical officer in the United States government or
9 military service or by any osteopathic physician and surgeon employed
10 by a federal agency, in the discharge of his or her official duties;

11 (5) Practice by a dentist licensed under chapter 18.32 RCW when
12 engaged exclusively in the practice of dentistry;

13 (6) Practice by any osteopathic physician and surgeon from any
14 other state or territory in which he or she resides: PROVIDED, That
15 such practitioner shall not open an office or appoint a place of
16 meeting patients or receive calls within the limits of this state;

17 (7) Practice by a person who is a student enrolled in an accredited
18 school of osteopathic medicine and surgery approved by the board:
19 PROVIDED, That the performance of such services be only pursuant to a
20 course of instruction or assignments from his or her instructor or
21 school, and such services are performed only under the supervision of
22 a person licensed pursuant to this chapter or chapter 18.71 RCW;

23 (8) Practice by an osteopathic physician and surgeon serving a
24 period of clinical postgraduate medical training in a postgraduate
25 program approved by the board: PROVIDED, That the performance of such
26 services be only pursuant to a course of instruction in said program,
27 and said services are performed only under the supervision and control
28 of a person licensed pursuant to this chapter or chapter 18.71 RCW;
29 ((or))

30 (9) Practice by a person who is enrolled in a physician assistant
31 program approved by the board who is performing such services only
32 pursuant to a course of instruction in said program: PROVIDED, That
33 such services are performed only under the supervision and control of
34 a person licensed pursuant to this chapter or chapter 18.71 RCW; or

35 (10) The practice of surgical technology under the supervision and
36 control of a physician licensed under this chapter by a person
37 registered as a "surgical technologist" under sections 9 through 12 of
38 this act.

1 This chapter shall not be construed to apply in any manner to any
2 other system or method of treating the sick or afflicted or to apply to
3 or interfere in any way with the practice of religion or any kind of
4 treatment by prayer.

5 NEW SECTION. **Sec. 8.** (1) No person may practice or represent
6 himself or herself as a surgical technologist without being registered
7 as a surgical technologist under sections 8 through 12 of this act.

8 (2) No surgical technologist may be employed or supervised by a
9 hospital or physician without a practice arrangement approved by the
10 board. The supervising physician and surgical technologist are
11 professionally and personally responsible for any act performed by the
12 surgical technologist that constitutes the practice of medicine under
13 this chapter.

14 (3) The commission and the board of osteopathic medicine and
15 surgery shall consult in the adoption of uniform rules to implement the
16 provisions of this chapter.

17 NEW SECTION. **Sec. 9.** (1) "Surgical technologist" means a person
18 registered under sections 8 through 12 of this act to practice surgical
19 assisting only under the supervision and control of a physician
20 licensed under this chapter.

21 (2) The "practice of surgical assisting" consists of the
22 preparation of the operating room and the instruments, equipment and
23 supplies, passing instruments, sutures, and sponges to the surgeon at
24 sterile field and assist in circulating and positioning and preparing
25 the patient for surgery, under the direct supervision of a registered
26 nurse. It involves those tasks which assist the surgeon in the opening
27 and closing of incisions and other related technical functions under
28 the supervision and control of the surgeon, including other tasks
29 determined by the commission by rule.

30 NEW SECTION. **Sec. 10.** (1) The board shall approve applicants for
31 registration who meet the requirements of sections 8 through 12 of this
32 act. The board may require an approved practice arrangement plan
33 before a surgical technologist may be employed or supervised by a
34 hospital or physician. The board shall require AIDS prevention
35 training of registrants and may adopt requirements for continuing
36 education.

1 (2) An applicant for registration must demonstrate to the
2 satisfaction of the board that he or she has successfully completed an
3 educational program accredited by a national accrediting organization
4 approved by the board and has been certified by a national certifying
5 organization in surgical technology determined by the board. No
6 examination is required for registration, however the board may require
7 any examination it deems necessary to determine the applicant's
8 physical or mental capability to safely practice as a surgical
9 technologist.

10 (3) The board shall adopt rules to implement the registration of
11 surgical technologists under sections 8 through 12 of this act.

12 NEW SECTION. **Sec. 11.** (1) Upon the approval of the board, the
13 secretary shall issue a registration to any applicant who submits, on
14 forms provided by the secretary, the applicant's name, address, name
15 and place of business or employer, and other information required by
16 the board under sections 8 through 12 of this act. The registration
17 must be renewed annually.

18 (2) The secretary shall determine registration and application fees
19 pursuant to RCW 43.70.250.

20 NEW SECTION. **Sec. 12.** The uniform disciplinary act, chapter
21 18.130 RCW, governs the issuance and denial of registration,
22 unauthorized practice, and the discipline of persons registered under
23 sections 8 through 12 of this act. The board is the disciplining
24 authority under sections 8 through 12 of this act.

25 NEW SECTION. **Sec. 13.** (1) Sections 2 through 6 of this act are
26 each added to chapter 18.71 RCW.

27 (2) Sections 8 through 12 of this act are each added to chapter
28 18.57 RCW.

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