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HOUSE BILL 1864

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State of Washington                      56th Legislature                      1999 Regular Session

By Representatives Cody, Boldt, Campbell, Wood and Koster

Read first time 02/09/1999. Referred to Committee on Health Care.

1            AN ACT Relating to the registration of surgical technologists;  
2 amending RCW 18.130.040; and adding a new chapter to Title 18 RCW.

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

4            NEW SECTION.    **Sec. 1.**    Surgical technology, an allied health  
5 occupation, provides certain skills and aseptic techniques associated  
6 with the scrub role during surgery. The registration of surgical  
7 technologists is in the interest of the public health, safety, and  
8 welfare.

9            NEW SECTION.    **Sec. 2.**    The definitions in this section apply  
10 throughout this chapter unless the context clearly requires otherwise.

11            (1) "Department" means the department of health.

12            (2) "Secretary" means the secretary of health or the secretary's  
13 designee.

14            (3) "Surgical technologist" means a person registered under this  
15 chapter to practice surgical technology under the supervision and  
16 delegation of a physician, osteopathic physician, podiatric physician,  
17 nurse, or physician assistant licensed under the laws of this state.

1 (4) "Surgical technology" means scrub activities and behaviors in  
2 the surgical setting, including the maintenance of the integrity,  
3 safety, and efficiency of the sterile field and the preparation,  
4 arrangement, and provision of instruments and supplies to the surgeon  
5 and assistant throughout the surgical procedure. "Surgical technology"  
6 does not include controlling hemostasis, suturing, or tying or placing  
7 sutures in any tissues.

8 NEW SECTION. **Sec. 3.** No person may perform surgical technology or  
9 represent oneself as a surgical technologist by use of any title or  
10 description without being registered by the department under the  
11 provisions of this chapter.

12 NEW SECTION. **Sec. 4.** Nothing in this chapter may be construed to  
13 prohibit or restrict:

14 (1) The practice of an individual licensed, certified, or  
15 registered under the laws of this state and performing services within  
16 his or her authorized scope of practice;

17 (2) The practice by an individual employed by the government of the  
18 United States while engaged in the performance of duties prescribed by  
19 the laws of the United States;

20 (3) The practice by a person who is a regular student in an  
21 educational program approved by the secretary, and whose performance of  
22 services is pursuant to a regular course of instruction or assignments  
23 from an instructor and under the general supervision of the instructor.

24 NEW SECTION. **Sec. 5.** In addition to any other authority provided  
25 by law, the secretary has the authority to:

26 (1) Adopt rules under chapter 34.05 RCW as required to implement  
27 this chapter;

28 (2) Establish all registration and renewal fees in accordance with  
29 RCW 43.70.250;

30 (3) Establish forms and procedures necessary to administer this  
31 chapter;

32 (4) Register an applicant or deny registration based upon  
33 unprofessional conduct or impairment governed by the uniform  
34 disciplinary act, chapter 18.130 RCW;

35 (5) Hire clerical, administrative, investigative, and other staff  
36 as needed to implement this chapter; and

1 (6) Maintain the official department record of all applicants and  
2 persons with registrations.

3 NEW SECTION. **Sec. 6.** An applicant shall identify the name and  
4 address of the applicant and other information required by the  
5 secretary necessary to establish whether there are grounds for denial  
6 of a registration or conditional registration under chapter 18.130 RCW.

7 NEW SECTION. **Sec. 7.** The secretary shall register an applicant on  
8 forms provided by the secretary. Each applicant shall pay a fee  
9 determined by the secretary under RCW 43.70.250. The fee shall  
10 accompany the application.

11 NEW SECTION. **Sec. 8.** The secretary shall establish by rule the  
12 procedural requirements and fees for renewal of registration. Failure  
13 to renew shall invalidate the registration and all privileges granted  
14 by the registration.

15 NEW SECTION. **Sec. 9.** The uniform disciplinary act, chapter 18.130  
16 RCW, governs unregistered practice, the issuance and denial of  
17 registration, and the discipline of persons registered under this  
18 chapter. The secretary shall be the disciplining authority under this  
19 chapter.

20 **Sec. 10.** RCW 18.130.040 and 1998 c 243 s 16 are each amended to  
21 read as follows:

22 (1) This chapter applies only to the secretary and the boards and  
23 commissions having jurisdiction in relation to the professions licensed  
24 under the chapters specified in this section. This chapter does not  
25 apply to any business or profession not licensed under the chapters  
26 specified in this section.

27 (2)(a) The secretary has authority under this chapter in relation  
28 to the following professions:

29 (i) Dispensing opticians licensed under chapter 18.34 RCW;

30 (ii) Naturopaths licensed under chapter 18.36A RCW;

31 (iii) Midwives licensed under chapter 18.50 RCW;

32 (iv) Ocularists licensed under chapter 18.55 RCW;

33 (v) Massage operators and businesses licensed under chapter 18.108  
34 RCW;

1 (vi) Dental hygienists licensed under chapter 18.29 RCW;  
2 (vii) Acupuncturists licensed under chapter 18.06 RCW;  
3 (viii) Radiologic technologists certified and X-ray technicians  
4 registered under chapter 18.84 RCW;  
5 (ix) Respiratory care practitioners licensed under chapter 18.89  
6 RCW;  
7 (x) Persons registered or certified under chapter 18.19 RCW;  
8 (xi) Persons registered as nursing pool operators under chapter  
9 18.52C RCW;  
10 (xii) Nursing assistants registered or certified under chapter  
11 18.88A RCW;  
12 (xiii) Health care assistants certified under chapter 18.135 RCW;  
13 (xiv) Dietitians and nutritionists certified under chapter 18.138  
14 RCW;  
15 (xv) Chemical dependency professionals certified under chapter  
16 18.205 RCW;  
17 (xvi) Sex offender treatment providers certified under chapter  
18 18.155 RCW;  
19 (xvii) Persons licensed and certified under chapter 18.73 RCW or  
20 RCW 18.71.205;  
21 (xviii) Persons registered as adult family home providers and  
22 resident managers under RCW 18.48.020;  
23 (xix) Denturists licensed under chapter 18.30 RCW; (~~and~~)  
24 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;  
25 and  
26 (xxi) Surgical technologists registered under chapter 18.--- RCW  
27 (sections 1 through 9 of this act).  
28 (b) The boards and commissions having authority under this chapter  
29 are as follows:  
30 (i) The podiatric medical board as established in chapter 18.22  
31 RCW;  
32 (ii) The chiropractic quality assurance commission as established  
33 in chapter 18.25 RCW;  
34 (iii) The dental quality assurance commission as established in  
35 chapter 18.32 RCW;  
36 (iv) The board of hearing and speech as established in chapter  
37 18.35 RCW;  
38 (v) The board of examiners for nursing home administrators as  
39 established in chapter 18.52 RCW;

1 (vi) The optometry board as established in chapter 18.54 RCW  
2 governing licenses issued under chapter 18.53 RCW;

3 (vii) The board of osteopathic medicine and surgery as established  
4 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and  
5 18.57A RCW;

6 (viii) The board of pharmacy as established in chapter 18.64 RCW  
7 governing licenses issued under chapters 18.64 and 18.64A RCW;

8 (ix) The medical quality assurance commission as established in  
9 chapter 18.71 RCW governing licenses and registrations issued under  
10 chapters 18.71 and 18.71A RCW;

11 (x) The board of physical therapy as established in chapter 18.74  
12 RCW;

13 (xi) The board of occupational therapy practice as established in  
14 chapter 18.59 RCW;

15 (xii) The nursing care quality assurance commission as established  
16 in chapter 18.79 RCW governing licenses issued under that chapter;

17 (xiii) The examining board of psychology and its disciplinary  
18 committee as established in chapter 18.83 RCW; and

19 (xiv) The veterinary board of governors as established in chapter  
20 18.92 RCW.

21 (3) In addition to the authority to discipline license holders, the  
22 disciplining authority has the authority to grant or deny licenses  
23 based on the conditions and criteria established in this chapter and  
24 the chapters specified in subsection (2) of this section. This chapter  
25 also governs any investigation, hearing, or proceeding relating to  
26 denial of licensure or issuance of a license conditioned on the  
27 applicant's compliance with an order entered pursuant to RCW 18.130.160  
28 by the disciplining authority.

29 (4) All disciplining authorities shall adopt procedures to ensure  
30 substantially consistent application of this chapter, the Uniform  
31 Disciplinary Act, among the disciplining authorities listed in  
32 subsection (2) of this section.

33 NEW SECTION. **Sec. 11.** Sections 1 through 9 of this act constitute  
34 a new chapter in Title 18 RCW.

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