
SUBSTITUTE SENATE BILL 5877

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau, Johnson and Winsley)

Read first time 03/03/1999.

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.** The registration of surgical technologists
5 is in the interest of the public health, safety, and welfare.

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

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

9 (2) "Secretary" means the secretary of health or the secretary's
10 designee.

11 (3) "Surgical technologist" means a person, regardless of title,
12 who is supervised in the surgical setting under the delegation of
13 authority of a health care practitioner acting within the scope of his
14 or her license and under the laws of this state.

15 NEW SECTION. **Sec. 3.** No person may represent oneself as a
16 surgical technologist by use of any title or description without being
17 registered by the department under the provisions of this chapter.

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

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

6 (2) The practice by an individual employed by the government of the
7 United States while engaged in the performance of duties prescribed by
8 the laws of the United States;

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

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

15 (1) Adopt rules under chapter 34.05 RCW as required to implement
16 this chapter;

17 (2) Establish all registration and renewal fees in accordance with
18 RCW 43.70.250;

19 (3) Establish forms and procedures necessary to administer this
20 chapter;

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

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

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

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

32 NEW SECTION. **Sec. 7.** The secretary shall register an applicant on
33 forms provided by the secretary. Each applicant shall pay a fee
34 determined by the secretary under RCW 43.70.250. The fee shall
35 accompany the application.

1 NEW SECTION. **Sec. 8.** The secretary shall establish by rule the
2 procedural requirements and fees for renewal of registration. Failure
3 to renew shall invalidate the registration and all privileges granted
4 by the registration.

5 NEW SECTION. **Sec. 9.** The uniform disciplinary act, chapter 18.130
6 RCW, governs unregistered practice, the issuance and denial of
7 registration, and the discipline of persons registered under this
8 chapter. The secretary shall be the disciplining authority under this
9 chapter.

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

12 (1) This chapter applies only to the secretary and the boards and
13 commissions having jurisdiction in relation to the professions licensed
14 under the chapters specified in this section. This chapter does not
15 apply to any business or profession not licensed under the chapters
16 specified in this section.

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

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

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

21 (iii) Midwives licensed under chapter 18.50 RCW;

22 (iv) Ocularists licensed under chapter 18.55 RCW;

23 (v) Massage operators and businesses licensed under chapter 18.108
24 RCW;

25 (vi) Dental hygienists licensed under chapter 18.29 RCW;

26 (vii) Acupuncturists licensed under chapter 18.06 RCW;

27 (viii) Radiologic technologists certified and X-ray technicians
28 registered under chapter 18.84 RCW;

29 (ix) Respiratory care practitioners licensed under chapter 18.89
30 RCW;

31 (x) Persons registered or certified under chapter 18.19 RCW;

32 (xi) Persons registered as nursing pool operators under chapter
33 18.52C RCW;

34 (xii) Nursing assistants registered or certified under chapter
35 18.88A RCW;

36 (xiii) Health care assistants certified under chapter 18.135 RCW;

1 (xiv) Dietitians and nutritionists certified under chapter 18.138
2 RCW;

3 (xv) Chemical dependency professionals certified under chapter
4 18.205 RCW;

5 (xvi) Sex offender treatment providers certified under chapter
6 18.155 RCW;

7 (xvii) Persons licensed and certified under chapter 18.73 RCW or
8 RCW 18.71.205;

9 (xviii) Persons registered as adult family home providers and
10 resident managers under RCW 18.48.020;

11 (xix) Denturists licensed under chapter 18.30 RCW; (~~and~~)
12 (xx) Orthotists and prosthetists licensed under chapter 18.200 RCW;
13 and

14 (xxi) Surgical technologists registered under chapter 18.--- RCW
15 (sections 1 through 9 of this act).

16 (b) The boards and commissions having authority under this chapter
17 are as follows:

18 (i) The podiatric medical board as established in chapter 18.22
19 RCW;

20 (ii) The chiropractic quality assurance commission as established
21 in chapter 18.25 RCW;

22 (iii) The dental quality assurance commission as established in
23 chapter 18.32 RCW;

24 (iv) The board of hearing and speech as established in chapter
25 18.35 RCW;

26 (v) The board of examiners for nursing home administrators as
27 established in chapter 18.52 RCW;

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

30 (vii) The board of osteopathic medicine and surgery as established
31 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
32 18.57A RCW;

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

35 (ix) The medical quality assurance commission as established in
36 chapter 18.71 RCW governing licenses and registrations issued under
37 chapters 18.71 and 18.71A RCW;

38 (x) The board of physical therapy as established in chapter 18.74
39 RCW;

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

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

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

7 (xiv) The veterinary board of governors as established in chapter
8 18.92 RCW.

9 (3) In addition to the authority to discipline license holders, the
10 disciplining authority has the authority to grant or deny licenses
11 based on the conditions and criteria established in this chapter and
12 the chapters specified in subsection (2) of this section. This chapter
13 also governs any investigation, hearing, or proceeding relating to
14 denial of licensure or issuance of a license conditioned on the
15 applicant's compliance with an order entered pursuant to RCW 18.130.160
16 by the disciplining authority.

17 (4) All disciplining authorities shall adopt procedures to ensure
18 substantially consistent application of this chapter, the Uniform
19 Disciplinary Act, among the disciplining authorities listed in
20 subsection (2) of this section.

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

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