

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1593

AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 25-36.1-2 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]:

Chapter 2. Practicing Surgical Technology

Sec. 1. As used in this chapter, "health care facility" means the following:

- (1) A hospital that is licensed under IC 16-21-2.
- (2) An ambulatory outpatient surgical center licensed under IC 16-21-2.
- (3) A birthing center licensed under IC 16-21-2.
- (4) An abortion clinic licensed under IC 16-21-2.

Sec. 2. As used in this chapter, "operating room circulator" means an individual who is:

- (1) licensed as a registered nurse under IC 25-23;
- (2) educated, trained, and experienced in perioperative nursing, as determined by the health care facility; and
- (3) responsible for coordinating all nursing care, patient safety needs, and needs of the surgical team in the operating room during a surgical procedure.

Sec. 3. As used in this chapter, "surgical technology" means intraoperative surgical patient care that involves the following:

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- (1) Preparing the operating room for surgical procedures by:
 - (A) ensuring that surgical equipment is functioning properly and safely; and
 - (B) preparing sterile supplies, instruments, and equipment using sterile technique.
- (2) Anticipating the needs of the surgical team based on knowledge of human anatomy and pathophysiology relating to the surgical patient and the patient's surgical procedure.
- (3) Performing tasks in an operating room setting in the sterile field, including the following:
 - (A) Passing supplies, equipment, or instruments.
 - (B) Suctioning or sponging an operative site.
 - (C) Preparing and cutting suture material.
 - (D) Transferring and irrigating with fluids.
 - (E) Transferring, without administering, drugs within the sterile field.
 - (F) Handling specimens.
 - (G) Holding retractors.
 - (H) Assisting in counting sponges, needles, supplies, and instruments with an operating room circulator as allowed under section 6 of this chapter.

Sec. 4. This chapter does not prohibit a licensed practitioner from performing surgical technology functions if the practitioner is acting within the scope of the practitioner's license.

Sec. 5. (a) Except as provided in section 4 of this chapter, an individual may not practice surgical technology in a health care facility unless the individual meets one (1) of the following requirements:

- (1) Is certified under IC 25-36.1-1.
- (2) Has completed a surgical technology program provided by the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or the commissioned corps of the United States Public Health Service.
- (3) Provides evidence to the health care facility that the individual was employed to practice surgical technology in a health care facility before July 1, 2009.
- (4) Is performing duties related to the individual's employment by the federal government.
- (5) Is practicing surgical technology during the twelve (12) month period immediately following the completion of a degree from an accredited school of surgical technology.
- (6) Has the appropriate abilities, as determined by the health



care facility.

(b) An individual who is:

(1) described in subsection (a)(1), (a)(2), or (a)(3); and

(2) practicing surgical technology in a health care facility; annually shall complete fifteen (15) hours of continuing education concerning surgical technology in order to continue practicing surgical technology.

(c) An individual who wants to practice surgical technology in a health care facility is responsible for establishing to the satisfaction of the health care facility that the individual has complied with this section.

(d) An individual practicing surgical technology in a health care facility is responsible for immediately notifying in writing the governing body of the health care facility, or the governing body's designee, of any changes in the individual's compliance with this section.

(e) A health care facility shall maintain copies of any written documentation provided by the individual to the health care facility under subsection (c) or (d) to show compliance with this section.

(f) This chapter does not require a health care facility to permit an individual described in subsection (a) to perform surgical technology services at the health care facility.

Sec. 6. (a) An individual described in section 5(a) of this chapter may assist an operating room circulator in performing circulating duties if the individual:

(1) has the necessary education, training, and experience, as determined by the health care facility; and

(2) is:

(A) assigned to perform the tasks by the health care facility; and

(B) supervised;

by the operating room circulator.

(b) An operating room circulator that is being assisted by an individual described in section 5(a) of this chapter shall be present in the operating room for the duration of the surgical procedure. However, the operating room circulator may leave the operating room for short periods of time as prescribed by the health care facility's policies.



Julie McMillin

President of the Senate

David Long

President Pro Tempore

B. Carl Bean

Speaker of the House of Representatives

M. B. Daniels, Jr.

Governor of the State of Indiana

Date: 5/6/09 Time: 10:54 AM

