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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **3305**

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The bill was read for the first time and referred to the Committee on Health Care and Human Services Policy and Oversight

1.1 A bill for an act
1.2 relating to health professions; requiring qualification for employment as a surgical
1.3 technologist; proposing coding for new law in Minnesota Statutes, chapter 144.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. [144.587] SURGICAL TECHNOLOGISTS.

1.6 Subdivision 1. Definitions. (a) For the purposes of this section, the terms defined in
1.7 this subdivision have the meanings given.

1.8 (b) "Health care facility" means a health care facility licensed under section 144.50,
1.9 subdivision 1.

1.10 (c) "Surgical technology" means surgical patient care that involves:

1.11 (1) preparing the operating room for surgical procedures by ensuring that surgical
1.12 equipment is functioning properly and safely;

1.13 (2) preparing the operating room and sterile field for surgical procedures by
1.14 preparing sterile supplies, instruments, and equipment using sterile techniques;

1.15 (3) anticipating the needs of the surgical team based on knowledge of human
1.16 anatomy and pathophysiology and how they relate to the surgical patient and the patient's
1.17 surgical procedure; and

1.18 (4) as directed in an operating room setting, performing tasks at the sterile field,
1.19 including:

1.20 (i) passing supplies, equipment, or instruments;

1.21 (ii) sponging or suctioning an operative site;

1.22 (iii) preparing and cutting suture material;

1.23 (iv) transferring and irrigating with fluids;

1.24 (v) transferring but not administering drugs within the sterile field;

- 2.1 (vi) handling specimens;
2.2 (vii) holding retractors; and
2.3 (viii) assisting in counting sponges, needles, supplies, and instruments.

2.4 Subd. 2. **Surgical technologists; employment.** (a) A health care facility shall not
2.5 employ or retain the services of an individual to perform surgical technology tasks or
2.6 functions unless the individual:

2.7 (1) has successfully completed an accredited educational program for surgical
2.8 technologists and holds and maintains a certified surgical technician credential from
2.9 a nationally recognized surgical technologist certifying body accredited by the National
2.10 Commission for Certifying Agencies and recognized by the American College of
2.11 Surgeons and the Association of Surgical Technologists;

2.12 (2) provides verification that the individual is employed to practice surgical
2.13 technology in a health care facility in this state on the effective date of this section;

2.14 (3) has successfully completed an appropriate training program for surgical
2.15 technology in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United
2.16 States or in the United States Public Health Service; or

2.17 (4) is in the service of the federal government, to the extent the person is performing
2.18 duties related to that service.

2.19 (b) A health care facility may employ an individual to perform surgical technology
2.20 tasks who does not meet the requirements of paragraph (a) under the following conditions:

2.21 (1) after making a diligent and thorough effort, the health care facility is unable to
2.22 employ a sufficient number of individuals who meet the requirements of paragraph (a); and

2.23 (2) the health care facility makes a written record of its efforts under subdivision 1,
2.24 and retains the record at the health care facility.

2.25 (c) Nothing in this section shall prohibit:

2.26 (1) any licensed practitioner from performing surgical technology tasks or functions
2.27 if the individual is acting within the scope of that practitioner's license; or

2.28 (2) any student in training to be licensed as a health care practitioner from performing
2.29 surgical technology tasks or functions if under the supervision of a licensed physician.

2.30 (d) This section does not repeal or modify any law relating to the supervision
2.31 of surgical technologists.

2.32 Subd. 3. **Continuing education.** An individual who qualifies to be employed under
2.33 subdivision 2, paragraph (a), clause (2) or (3), shall complete 15 hours of continuing
2.34 education annually to remain qualified for employment by a health care facility.