

# House Bill 3596

Sponsored by Representative NOSSE

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows person to practice surgical technology at health care facility if person has completed and is certified by specified apprenticeship program.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to surgical technologists; amending ORS 676.875; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 676.875, as amended by section 1, chapter 65, Oregon Laws 2022, is amended  
5 to read:

6 676.875. (1) A health care facility may not allow a person to practice surgical technology at the  
7 health care facility unless the person **provides the health care facility with documentation**  
8 **showing that the person:**

9 (a)(A) [*Provides the health care facility with documentation showing that the person*] Has com-  
10 pleted an educational program for surgical technologists accredited by a national accreditation or-  
11 ganization approved by the Oregon Health Authority by rule; and

12 [(B)(i)] (B) Holds and maintains a:

13 [(I)] (i) Surgical technologist certification issued by a nationally accredited certifying organiza-  
14 tion for surgical technologists approved by the authority by rule; or

15 [(II)] (ii) Subspecialty surgical assistant or surgical technologist certification, including but not  
16 limited to a certified ophthalmic surgical assisting credential issued by the International Joint  
17 Commission on Allied Health Personnel in Ophthalmology or its successor organization, that is ac-  
18 credited by the National Commission for Certifying Agencies or its successor organization and ap-  
19 proved by the authority by rule; [*or*]

20 [(ii)] (b) Has completed and is certified by a registered apprenticeship program in surgical  
21 technology that:

22 [(I)] (A) Is approved under ORS 660.002 to 660.210;

23 [(II)] (B) Meets the requirements for, and requires participants to receive, certification by the  
24 National Center for Competency Testing or its successor organization;

25 [(III)] (C) Upon completion awards certification accredited by the National Commission for  
26 Certifying Agencies or its successor organization; and

27 [(IV)] (D) Is approved by the authority by rule;

28 [(b)(A)] (c)(A) [*Provides the health care facility with documentation showing that the person*] Has  
29 completed a training program for surgical technologists in the Army, Navy, Air Force, Marine Corps  
30 or Coast Guard of the United States or in the United States Public Health Service Commissioned  
31 Corps; and

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 (B) Every two years [*completes*] **has completed** 16 hours of continuing education approved by  
2 the authority; or

3 [(c)(A)] **(d)(A)** [*Provides the health care facility with documentation showing that the person*]  
4 Practiced surgical technology during at least two of the three years immediately preceding January  
5 1, 2017:

6 (i) In a health care facility in Oregon or in another state; or

7 (ii) As an employee of an agency or institution of the federal government; and

8 (B) Every two years [*completes*] **has completed** 16 hours of continuing education approved by  
9 the authority.

10 (2) Notwithstanding subsection [(1)(a)(B)(i)] **(1)(a)(B)** of this section, a health care facility may  
11 allow a person who does not hold a certification described in subsection [(1)(a)(B)(i)] **(1)(a)(B)** of this  
12 section to perform surgical technology at the health care facility for 12 months after the person  
13 completes an educational program for surgical technologists accredited by a national accreditation  
14 organization approved by the authority by rule.

15 (3) Notwithstanding subsection [(1)(a)(B)] **(1)(b)** of this section, a health care facility may allow  
16 a person who does not hold a certification described in subsection (1)(a)(B) of this section to perform  
17 surgical technology at the health care facility if the person:

18 (a) Is an apprentice, as defined in ORS 660.010, actively enrolled in a registered apprenticeship  
19 program in surgical technology described in subsection [(1)(a)(B)(ii)] **(1)(b)** of this section that re-  
20 quires the person to obtain on-the-job supervised training; and

21 (b) Is at all times while performing surgical technology provided adequate direct supervision as  
22 required by the standards for the registered apprenticeship program in which the person is enrolled.

23 **SECTION 2. This 2023 Act being necessary for the immediate preservation of the public**  
24 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**  
25 **on its passage.**