



Sen. M. Maggie Crotty

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09700SB2915sam002

LRB097 18271 CEL 69928 a

1 AMENDMENT TO SENATE BILL 2915

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2915 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Registered Surgical Assistant and  
5 Registered Surgical Technologist Title Protection Act is  
6 amended by changing Sections 1, 5, 10, and 50 and by adding  
7 Sections 6, 62, and 73 as follows:

8 (225 ILCS 130/1)

9 (Section scheduled to be repealed on January 1, 2014)

10 Sec. 1. Short title. This Act may be cited as the  
11 Registered Surgical Assistant and ~~Registered~~ Surgical  
12 Technologist ~~Title Protection~~ Act.

13 (Source: P.A. 93-280, eff. 7-1-04)

14 (225 ILCS 130/5)

15 (Section scheduled to be repealed on January 1, 2014)

1           Sec. 5. Legislative purpose. The purpose of this Act is to  
2 protect and benefit the public by setting standards of  
3 qualifications, education, training, and experience for those  
4 who seek to hold the title of registered surgical assistant ~~and~~  
5 ~~registered surgical technologist.~~ The practice of surgical  
6 technology in the State of Illinois is hereby declared to  
7 affect the public health, safety, and welfare and to be subject  
8 to regulation and control in the public interest. It is further  
9 declared to be a matter of public interest and concern that the  
10 practice of surgical technology, as defined in this Act, merit  
11 and receive the confidence of the public and that only  
12 qualified persons be authorized to practice surgical  
13 technology in the State of Illinois. This Act shall be  
14 liberally construed to best carry out these subjects and  
15 purposes.

16           (Source: P.A. 93-280, eff. 7-1-04.)

17           (225 ILCS 130/6 new)

18           Sec. 6. Registration as a surgical technologist. No person  
19 shall practice or attempt to practice surgical technology, as  
20 defined in this Act, without a valid registration as a surgical  
21 technologist issued by the Department.

22           (225 ILCS 130/10)

23           (Section scheduled to be repealed on January 1, 2014)

24           Sec. 10. Definitions. As used in this Act:

1 "Department" means the Department of Financial and  
2 Professional Regulation.

3 "Direct supervision" means supervision by an operating  
4 physician or other physician licensed to practice medicine in  
5 all its branches, licensed podiatrist, or licensed dentist who  
6 is physically present and who personally directs delegated acts  
7 and remains available to personally respond to an emergency  
8 until the patient is released from the operating room. A  
9 registered professional nurse may also provide direct  
10 supervision within the scope of his or her license. A  
11 registered surgical assistant or registered surgical  
12 technologist shall perform duties as assigned.

13 "Director" means the Director of Professional Regulation.

14 "Physician" or "operating physician" means a person  
15 licensed to practice medicine in all of its branches under the  
16 Medical Practice Act of 1987.

17 "Registered surgical assistant" means a person who (i) is  
18 not licensed to practice medicine in all of its branches, (ii)  
19 is certified by the National Surgical Assistant Association on  
20 the Certification of Surgical Assistants, the Liaison Council  
21 on Certification for the Surgical Technologist as a certified  
22 first assistant, or the American Board of Surgical Assisting,  
23 (iii) performs duties under direct supervision, (iv) provides  
24 services only in a licensed hospital, ambulatory treatment  
25 center, or office of a physician licensed to practice medicine  
26 in all its branches, and (v) is registered under this Act.

1           "Registered surgical technologist" means a person who  
2 meets the requirements of Section 50 of this Act, performs  
3 duties under direct supervision, ~~(i) is not a physician~~  
4 ~~licensed to practice medicine in all of its branches, (ii) is~~  
5 ~~certified by the Liaison Council on Certification for the~~  
6 ~~Surgical Technologist, (iii) performs duties under direct~~  
7 ~~supervision, (iv) provides services only in a licensed~~  
8 ~~hospital, ambulatory treatment center, or office of a physician~~  
9 ~~licensed to practice medicine in all its branches, and ~~(v) is~~~~  
10 registered under this Act.

11           "Surgical technology" means intraoperative surgical  
12 patient care that may include the following: preparing the  
13 operating room for surgical procedures; preparing sterile  
14 supplies, instruments, and equipment using sterile technique;  
15 and performing, as directed, tasks at the sterile field to  
16 assist in the surgical procedure.

17 (Source: P.A. 93-280, eff. 7-1-04.)

18 (225 ILCS 130/50)

19 (Section scheduled to be repealed on January 1, 2014)

20           Sec. 50. Registration requirements; surgical technologist.  
21 A person shall qualify for registration as a surgical  
22 technologist if he or she has applied in writing on the  
23 prescribed form, has paid the required fees, and meets all of  
24 the following requirements:

25           (1) Is at least 18 years of age.

1           (2) Has not violated a provision of Section 95 of this  
2 Act. In addition the Department may take into consideration  
3 any felony conviction of the applicant, but a conviction  
4 shall not operate as an absolute bar to registration.

5           (3) Has completed a nationally accredited surgical  
6 technology ~~technologist~~ program approved by the Department  
7 or a surgical technology program provided by the United  
8 States Army, Navy, Air Force, Marine Corps, or Coast Guard,  
9 or the commissioned corps of the United States Public  
10 Health Service.

11           (4) Provides proof of certification as a certified  
12 surgical technologist or other surgical technology  
13 certification issued by a nationally accredited  
14 credentialing organization as approved by the Department.  
15 Individuals practicing surgical technology prior to July  
16 1, 2014 shall be considered to have met the requirements of  
17 this paragraph. ~~Has successfully completed the surgical~~  
18 ~~technologist national certification examination provided~~  
19 ~~by the Liaison Council on Certification for the Surgical~~  
20 ~~Technologist or its successor agency.~~

21           (5) (Blank).

22           (6) (Blank). ~~Is currently certified by the Liaison~~  
23 ~~Council on Certification for the Surgical Technologist or~~  
24 ~~its successor agency and has met the requirements set forth~~  
25 ~~for certification.~~

26 (Source: P.A. 93-280, eff. 7-1-04; revised 11-18-11.)

1 (225 ILCS 130/62 new)

2 Sec. 62. Continuing education. The Department may adopt  
3 rules for continuing education for persons registered under  
4 this Act that require a completion of 30 hours of approved  
5 continuing education per registration renewal period. The  
6 Department shall establish by rule a means for the verification  
7 of completion of the continuing education required by this  
8 Section. This verification may be accomplished through audits  
9 of records maintained by the registrant, by requiring the  
10 filing of continuing education certificates with the  
11 Department, or by other means established by the Department.

12 (225 ILCS 130/73 new)

13 Sec. 73. Unregistered practice; violation; civil penalty.  
14 (a) Any person who practices, offers to practice, attempts  
15 to practice, or holds oneself out to practice surgical  
16 technology without being registered under this Act or any  
17 individual or entity that causes or attempts to cause a  
18 registered surgical technologist or any other person under that  
19 individual's or entity's control to violate this Act or any  
20 other State or federal law or rule related to the practice of  
21 surgical technology shall, in addition to any other penalty  
22 provided by law, pay a civil penalty to the Department in an  
23 amount not to exceed \$10,000 for each offense as determined by  
24 the Department. The civil penalty shall be assessed by the

1 Department after a hearing is held in accordance with the  
2 provisions set forth in this Act regarding the provision of a  
3 hearing for the discipline of a registrant.

4 (b) The Department has the authority and power to  
5 investigate any and all unregistered activity.

6 (c) The civil penalty shall be paid within 60 days after  
7 the effective date of the order imposing the civil penalty. The  
8 order shall constitute a judgment and may be filed and  
9 execution had thereon in the same manner as any judgment from  
10 any court of record.

11 Section 99. Effective date. This Act takes effect July 1,  
12 2014.".