
ENGROSSED SUBSTITUTE HOUSE BILL 2462

State of Washington

55th Legislature

1998 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Backlund, Dyer and Anderson)

Read first time . Referred to Committee on .

1 AN ACT Relating to the registration of surgical technologists;
2 reenacting and amending RCW 18.130.040; adding a new chapter to Title
3 18 RCW; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** Surgical technology serves surgeons with
6 certain skills and aseptic techniques in surgical settings. The
7 inherent nature of surgery presents a risk of harm justifying the need
8 for regulation under the uniform disciplinary act. The registration of
9 surgical technologists is necessary for the protection of the public
10 health and safety.

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

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

14 (2) "Secretary" means the secretary of health or the secretary's
15 designee.

16 (3) "Surgical technologist" means a person registered under this
17 chapter to perform surgical technology under the supervision and

1 delegation of a physician, osteopathic physician, podiatric physician,
2 nurse, or physician assistant licensed under the laws of this state.

3 (4) "Surgical technology" means activities and duties in the
4 surgical setting as determined by the secretary by rule, in
5 consultation with the medical quality assurance commission, the nursing
6 care quality assurance commission, and the board of osteopathic
7 medicine and surgery.

8 NEW SECTION. **Sec. 3.** No person may perform or represent oneself
9 as a surgical technologist by use of any title or description of
10 services without being registered by the department under the
11 provisions of this chapter, unless otherwise exempted.

12 NEW SECTION. **Sec. 4.** Nothing in this chapter shall be construed
13 to prohibit or restrict:

14 (1) Surgical technology by an individual licensed, certified, or
15 registered under the laws of this state performing services within the
16 scope of his or her authorized scope of practice;

17 (2) Surgical technology by an individual employed by the government
18 of the United States while engaged in the performance of duties
19 prescribed by the laws of the United States;

20 (3) Surgical technology by a person who is a regular student in an
21 educational program approved by the secretary, and whose performance of
22 services is pursuant to a regular course of instruction or assignments
23 from an instructor and under the general supervision of the instructor.

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

26 (1) Adopt rules under chapter 34.05 RCW necessary to implement this
27 chapter;

28 (2) Establish all registration and renewal fees in accordance with
29 RCW 43.70.250;

30 (3) Establish forms and procedures necessary to administer this
31 chapter;

32 (4) Register an applicant or to deny registration based upon
33 unprofessional conduct or impairment governed by the uniform
34 disciplinary act, chapter 18.130 RCW;

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

1 (6) Maintain the official department record of all applicants and
2 licensees.

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

7 NEW SECTION. **Sec. 7.** The secretary shall register an applicant on
8 forms provided by the secretary. Each applicant shall pay a fee
9 determined by the secretary under RCW 43.70.250. The fee shall
10 accompany the application.

11 NEW SECTION. **Sec. 8.** The secretary shall establish by rule the
12 procedural requirements and fees for renewal of registration. Failure
13 to renew shall invalidate the registration and all privileges granted
14 by the registration.

15 NEW SECTION. **Sec. 9.** The uniform disciplinary act, chapter 18.130
16 RCW, shall govern the issuance and denial of registration, unauthorized
17 practice, and the discipline of persons registered under this chapter.
18 The secretary shall be the disciplining authority under this chapter.

19 **Sec. 10.** RCW 18.130.040 and 1997 c 392 s 516, 1997 c 334 s 14,
20 1997 c 285 s 13, and 1997 c 275 s 2 are each reenacted and amended to
21 read as follows:

22 (1) This chapter applies only to the secretary and the boards and
23 commissions having jurisdiction in relation to the professions licensed
24 under the chapters specified in this section. This chapter does not
25 apply to any business or profession not licensed under the chapters
26 specified in this section.

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

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

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

31 (iii) Midwives licensed under chapter 18.50 RCW;

32 (iv) Ocularists licensed under chapter 18.55 RCW;

33 (v) Massage operators and businesses licensed under chapter 18.108
34 RCW;

1 (vi) Dental hygienists licensed under chapter 18.29 RCW;
2 (vii) Acupuncturists licensed under chapter 18.06 RCW;
3 (viii) Radiologic technologists certified and X-ray technicians
4 registered under chapter 18.84 RCW;
5 (ix) Respiratory care practitioners licensed under chapter 18.89
6 RCW;
7 (x) Persons registered or certified under chapter 18.19 RCW;
8 (xi) Persons registered as nursing pool operators under chapter
9 18.52C RCW;
10 (xii) Nursing assistants registered or certified under chapter
11 18.88A RCW;
12 (xiii) Health care assistants certified under chapter 18.135 RCW;
13 (xiv) Dietitians and nutritionists certified under chapter 18.138
14 RCW;
15 (xv) Sex offender treatment providers certified under chapter
16 18.155 RCW;
17 (xvi) Persons licensed and certified under chapter 18.73 RCW or RCW
18 18.71.205;
19 (xvii) Persons registered as adult family home providers and
20 resident managers under RCW 18.48.020;
21 (xviii) Denturists licensed under chapter 18.30 RCW; ((and))
22 (xix) Orthotists and prosthetists licensed under chapter 18.200
23 RCW; and
24 (xx) Surgical technologists registered under chapter 18.--- RCW
25 (sections 1 through 9 of this act).
26 (b) The boards and commissions having authority under this chapter
27 are as follows:
28 (i) The podiatric medical board as established in chapter 18.22
29 RCW;
30 (ii) The chiropractic quality assurance commission as established
31 in chapter 18.25 RCW;
32 (iii) The dental quality assurance commission as established in
33 chapter 18.32 RCW;
34 (iv) The board of hearing and speech as established in chapter
35 18.35 RCW;
36 (v) The board of examiners for nursing home administrators as
37 established in chapter 18.52 RCW;
38 (vi) The optometry board as established in chapter 18.54 RCW
39 governing licenses issued under chapter 18.53 RCW;

1 (vii) The board of osteopathic medicine and surgery as established
2 in chapter 18.57 RCW governing licenses issued under chapters 18.57 and
3 18.57A RCW;

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

6 (ix) The medical quality assurance commission as established in
7 chapter 18.71 RCW governing licenses and registrations issued under
8 chapters 18.71 and 18.71A RCW;

9 (x) The board of physical therapy as established in chapter 18.74
10 RCW;

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

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

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

17 (xiv) The veterinary board of governors as established in chapter
18 18.92 RCW.

19 (3) In addition to the authority to discipline license holders, the
20 disciplining authority has the authority to grant or deny licenses
21 based on the conditions and criteria established in this chapter and
22 the chapters specified in subsection (2) of this section. This chapter
23 also governs any investigation, hearing, or proceeding relating to
24 denial of licensure or issuance of a license conditioned on the
25 applicant's compliance with an order entered pursuant to RCW 18.130.160
26 by the disciplining authority.

27 (4) All disciplining authorities shall adopt procedures to ensure
28 substantially consistent application of this chapter, the Uniform
29 Disciplinary Act, among the disciplining authorities listed in
30 subsection (2) of this section.

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

33 NEW SECTION. **Sec. 12.** This act takes effect July 1, 1999.

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