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H.B. 455
133rd General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. T. Smith and Kelly

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SUMMARY

- Requires an individual – with certain exceptions – to register with the State Medical Board of Ohio in order to practice as a surgical assistant.
- Authorizes an individual to practice without a Board-issued registration if the individual practices as a surgical assistant only at a hospital or ambulatory surgical facility that has been granted a waiver by the Board.

DETAILED ANALYSIS

Practice of surgical assistants

H.B. 455 authorizes an individual holding a current, valid registration issued by the State Medical Board to practice as a surgical assistant.¹ It also prohibits an individual, with certain exceptions, from knowingly practicing as a surgical assistant without a Board-issued registration, but does not establish any penalties for doing so.²

Under a registration, a surgical assistant may assist a physician or podiatrist in the performance of surgical procedures by engaging in the following activities:

- Providing exposure;
- Maintaining hemostasis;
- Making incisions;
- Closing or suturing surgical sites;

¹ R.C. 4785.05.

² R.C. 4785.02.

- Manipulating or removing tissue;
- Implanting surgical devices or drains;
- Suctioning surgical sites;
- Placing catheters;
- Clamping or cauterizing vessels or tissues;
- Applying dressings to surgical sites;
- Injecting or administering anesthetics;
- Any other tasks as directed by the physician or podiatrist.³

Eligibility for registration

To be eligible for registration as a surgical assistant, an applicant must demonstrate to the Medical Board that the applicant is at least 18 years of age and has attained a high school degree or equivalent.⁴ In addition, an applicant must satisfy one of the following:

- Be credentialed as a surgical assistant by the National Board of Surgical Technology and Surgical Assistants or National Commission for Certification of Surgical Assistants;
- Have practiced as a surgical assistant at a hospital or ambulatory surgical facility located in Ohio during any part of the six months preceding the bill's effective date; or
- Have successfully completed a surgical assistant training program operated by a branch of the U.S. armed forces.⁵

Application and renewal procedures

An applicant seeking to practice as a surgical assistant must file an application with the Medical Board in a manner prescribed by the Board.⁶ After reviewing the application, if the Board determines that the applicant meets the bill's eligibility requirements, the Secretary of the Board must issue the registration to the applicant.⁷ A registration is valid for two years and may be renewed in accordance with rules adopted by the Medical Board.⁸

Exceptions to the registration requirement

The bill exempts the following individuals from its registration requirements – individuals practicing at hospitals or ambulatory surgical facilities that have been granted

³ R.C. 4785.05.

⁴ R.C. 4785.03(B).

⁵ R.C. 4785.03(B).

⁶ R.C. 4785.03(A).

⁷ R.C. 4785.03(C) and 4785.04.

⁸ R.C. 4785.04.

waivers by the Medical Board, as well as physicians, podiatrists, physician assistants, licensed practical nurses, registered nurses, and advanced practice registered nurses.⁹

Waivers

An individual may practice as a surgical assistant without holding a Medical Board-issued registration if the individual practices only at a hospital or ambulatory surgical facility that has been granted a waiver – on behalf of its current and prospective employees – by the Board.¹⁰ To be eligible for such a waiver, the hospital or facility must be located in an area of Ohio that experiences special health problems and physician or podiatrist practice patterns that limit access to surgical care.¹¹ The bill specifies that an individual practicing under such a waiver is subject to the same scope of practice as a surgical assistant registered with the Medical Board.¹²

Rulemaking

The bill requires the Board to adopt rules establishing standards and procedures for the regulation of surgical assistants, including rules that do the following:

- Establish application procedures and fees for the registration of surgical assistants;
- Establish registration renewal procedures and fees;
- Specify the reasons for which the Board may refuse to issue or renew, suspend, or revoke a registration;
- Establish procedures for waiver applications.¹³

The bill also authorizes the Board to adopt any other rules it considers necessary to implement and administer the bill's provisions. These rules may require applicants for registration or renewal to complete criminal records checks and continuing education hours.¹⁴

When adopting rules required by the bill, the Medical Board must do so in accordance with the Administrative Procedure Act.¹⁵

⁹ R.C. 4785.02(B).

¹⁰ R.C. 4785.06(B).

¹¹ R.C. 4785.06(A).

¹² R.C. 4785.06(B).

¹³ R.C. 4785.07(A).

¹⁴ R.C. 4785.07(B).

¹⁵ R.C. Chapter 119, not in the bill.

HISTORY

Action	Date
Introduced	12-17-19
