16 States With RN Supervision Language as it relates to Surgical Techs working in Hospitals

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STATE	CITATION	STATUTORY LANGUAGE	RN SUPERVISION OF ST LANGUAGE
Alabama	ALABAMA ADMINISTRATIVE CODE ALABAMA STATE BOARD OF HEALTH ALABAMA DEPARTMENT OF PUBLIC HEALTH; DIVISION OF LICENSURE AND CERTIFICATION CHAPTER 420-5-7-.17: HOSPITALS	420-5-7-.17 Surgical Services. The document entitled 42 Code of Federal Regulations, (42 C.F.R.) "Public Health" part 482.51* as revised as of October 1, 1992, is hereby incorporated by reference and made a part of this rule as if set out in full and all provisions thereof on November 16, 1994. * 42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as "scrub nurses" under the supervision of a registered nurse. (3) **Qualified registered nurses may perform circulating duties in the operating room**. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and **surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse** who is immediately available to respond to emergencies.	Under supervision using CMS language: RN supervision • Scrub role RN Circulator Supervision • Circulator role
Georgia	GA ADMINISTRATIVE CODE TITLE 290. RULES OF DEPARTMENT OF HUMAN RESOURCES SUBTITLE 290-9. OFFICE OF REGULATORY SERVICES CHAPTER 290-9-7. RULES AND REGULATIONS FOR HOSPITALS	0290-9-7-.28. Surgical Services. 5. Nurse Manager. A licensed registered nurse, who has been appropriately trained in the provision of surgical nursing services, shall manage the surgical suite(s) and shall be responsible for: (i) Ensuring that a sufficient number of nursing personnel are on duty in the surgical suite to meet the needs and safety of the patients; (ii) Ensuring that **surgical technicians perform scrub functions only under the supervision of a licensed registered nurse** who is immediately available to respond to emergencies; (iii) Delineating the duties of scrub personnel and circulating registered nurses in the surgical suite;	Under supervision of RN • Scrub role

Illinois	ILLINOIS COMPILED STATUTES ANNOTATED CHAPTER 225. PROFESSIONS AND OCCUPATIONS HEALTH ACT 130. REGISTERED SURGICAL ASSISTANT AND REGISTERED SURGICAL TECHNOLOGIST TITLE PROTECTION ACT	130/10. Definitions "Direct supervision" means supervision by an operating physician, licensed podiatrist, or licensed dentist who is physically present and who personally directs delegated acts and remains available to personally respond to an emergency until the patient is released from the operating room. **A registered professional nurse may also provide direct supervision within the scope of his or her license. A registered surgical assistant or registered surgical technologist shall perform duties as assigned.** “Registered surgical technologist” means a person who (i) is not a physician licensed to practice medicine in all of its branches, (ii) is certified by the Liaison Council on Certification for the Surgical Technologist, (iii) performs duties under direct supervision, (iv) provides services only in a licensed hospital, ambulatory treatment center, or office of a physician licensed to practice medicine in all its branches, and (v) is registered under this Act.	Under supervision of RN RN Supervision • Scrub role
	WEST'S ILLINOIS ADMINISTRATIVE CODE TITLE 68: PROFESSIONS AND OCCUPATIONS CHAPTER VII(2): DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION PART 1485: REGISTERED SURGICAL ASSISTANT AND REGISTERED SURGICAL TECHNOLOGIST TITLE PROTECTION ACT	1485.40 Supervision a) As stated in Section 10 of the Act, all registered surgical assistants and registered surgical technologists shall perform duties only under direct supervision. b) "Direct supervision" means supervision by an operating physician, licensed podiatrist, or licensed dentist who is physically present and who personally directs delegated acts and remains available to personally respond to an emergency until the patient is released from the operating room. **A registered professional nurse may also provide direct supervision within the scope of his or her license. A registered surgical assistant or registered surgical technologist shall perform duties as assigned.**	

Indiana	INDIANA ADMINISTRATIVE CODE TITLE 410. INDIANA STATE DEPARTMENT OF HEALTH ARTICLE 15. HOSPITAL LICENSURE RULES RULE 1.6. OPTIONAL HOSPITAL SERVICES 410 IAC 15-1.6-8	Sec. 5. (a) Except as provided in section 4 of this chapter, an individual may not practice **surgical technology** in a health care facility unless the individual meets one (1) of the following requirements: (1) Is certified under IC 25-36.1-1. (2) Has completed a surgical technology program provided by the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or the commissioned corps of the United States Public Health Service. (3) Provides evidence to the health care facility that the individual was employed to practice surgical technology in a health care facility before July 1, 2009. (4) Is performing duties related to the individual's employment by the federal government. (5) Is practicing surgical technology during the twelve (12) month period immediately following the completion of a degree from an accredited school of surgical technology. (6) Has the appropriate abilities, as determined by the health care facility. Sec. 6. (a) **An individual described in section 5(a) of this chapter may assist an operating room circulator in performing circulating duties if the individual**: (1) has the necessary education, training, and experience, as determined by the health care facility; and (2) is: (A) assigned to perform the tasks by the health care facility; and (B) **supervised;** **by the operating room circulator**. (b) An operating room circulator that is being assisted by an individual described in section 5(a) of this chapter shall be present in the operating room for the duration of the surgical procedure. However, the operating room circulator may leave the operating room for short periods of time as prescribed by the health care facility's policies.	Under Supervision by RN Circulator • Scrub role • Circulator
Louisiana	LOUISIANA ADMINISTRATIVE CODE Title 48 PUBLIC HEALTH" GENERAL Part I. General Administration Subpart 3. Licensing Chapter 93. Hospitals Subchapter A. General Provisions	§9439. Organization and Staffing D. **A qualified registered nurse shall perform circulating duties for surgical procedures performed**. In accordance with the needs of patients and the complexity of services performed, licensed practical nurses and **operating room technicians may assist in circulatory duties under the supervision of a registered nurse** who is immediately available to respond to emergencies. Licensed practical nurses and operating room technicians may perform scrub functions under the supervision of a registered nurse.	Under supervision RN supervision • Scrub role RN Circulator Supervision • Circulator role

Massachusetts	CODE OF MASSACHUSETTS REGULATIONS TITLE 105: DEPARTMENT OF PUBLIC HEALTH CHAPTER 130.000: HOSPITAL LICENSURE SUBPART B GENERAL REQUIREMENTS MASSACHUSETTS GENERAL LAWS TITLE XVI: PUBLIC HEALTH CHAPTER 111: PUBLIC HEALTH SECTION 229	130.200: Incorporation of Medicare Conditions of Participation in Hospitals Each hospital shall meet all of the requirements of the Medicare Conditions of Participation for Hospitals, 42 C.F.R. 482.11 through 482.62 (hereinafter Conditions of Participation), and as they may be amended from time to time . . . * * 42 CFR 482.51(a): Condition of participation: Surgical services. (1) **The operating rooms must be supervised by an experienced registered nurse** or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and **surgical technologists (operating room technicians) may serve as "scrub nurses" under the supervision of a registered nurse**. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and **surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse** who is immediately available to respond to emergencies. (c) A person employed or otherwise retained to practice surgical technology in a healthcare facility may assist in the performance of operating room circulator duties under the direct clinical supervision, limited to clinical guidance, of the operating room circulator if: (1) the operating room circulator is present in the operating room for the duration of the procedure; (2) any such assistance has been assigned to such person by the operating room circulator; and (3) such assistance is consistent with the education, training and experience of the person providing such assistance.	Under supervision using CMS language RN supervision • Scrub role RN Circulator Supervision • Circulator role RN Circulator Supervision • Circulator role
Montana	ADMINISTRATIVE RULES OF MONTANA TITLE 37: DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES CHAPTER 106: HEALTH CARE FACILITIES SUB-CHAPTER 4: MINIMUM STANDARDS FOR A HOSPITAL	37.106.401 MINIMUM STANDARDS FOR A HOSPITAL: GENERAL REQUIREMENTS (3) The department hereby adopts and incorporates by reference 42 CFR 482.2 through 482.62 and 42 CFR 482.66(b), revised as of October 1, 2002. 42 CFR 482.2 through 482.62 set forth the conditions of participation a hospital must meet to participate in the Medicare program . . . . * * 42 CFR 482.51(a): Condition of participation: Surgical services. (1) **The operating rooms must be supervised by an experienced registered nurse** or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and **surgical technologists (operating room technicians) may serve as "scrub nurses" under the supervision of a registered nurse**. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and **surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse** who is immediately available to respond to emergencies.	Under supervision using CMS language RN supervision • Scrub role RN Circulator Supervision • Circulator role

New Mexico	NEW MEXICO ADMINISTRATIVE CODE TITLE 7. HEALTH CHAPTER 7. HOSPITALS PART 2. REQUIREMENTS FOR ACUTE CARE, LIMITED SERVICES AND SPECIAL HOSPITALS	§ 7.7.2.26. NURSING SERVICES J. Additional Patient Care Requirements. (1) In this subsection**, "circulating nurse" means** a professional registered nurse who is present during an operation to provide emotional support to the patient, assist with the anesthesia induction, and throughout the surgical procedure or delivery, coordinate the activities of the room, monitor the traffic in the room, maintain an accurate account of urine and blood loss, and who, before the surgical procedure or delivery is completed, informs the recovery rooms of specials needs and ensures that the sponge, needle and instrument counts have been done according to hospital policy. (3) Surgical: (b) A qualified professional registered nurse shall function as the circulating nurse in the surgical and obstetrical room whenever general anesthesia is used and on all local anesthesia cases involving a high degree of patient risk. **Individual surgical technologists and licensed practical nurses may function as assistants under the direct supervision of a qualified professional registered nurse.**	Under direct supervision of RN RN Circulator Supervision • Circulator role
New York	TITLE 10. DEPARTMENT OF HEALTH CHAPTER V. MEDICAL FACILITIES SUBCHAPTER A. MEDICAL FACILITIES--MINIMUM STANDARDS ARTICLE 2. HOSPITALS PART 405. HOSPITALS--MINIMUM STANDARDS	**Section 405.12. Surgical services** If surgery is provided, the service shall be provided in a manner which protects the health and safety of the patients in accordance with generally accepted standards of medical practice. (a) Organization and direction. The surgical service shall be directed by a physician who shall be responsible for the clinical aspects of organization and delivery of all in-patient and ambulatory surgical services provided to hospital patients. That physician or another individual qualified by training and experience shall direct administrative aspects of the service. (1) The operating room shall be supervised by a registered professional nurse or physician who the hospital finds qualified by training and experience for this role. (ii) Licensed practical nurses and **surgical technologists may perform scrub functions under the supervision of a registered professional nurse**; **they may assist in circulatory duties under the supervision of a registered professional nurse** who	Under supervision of RN RN supervision • Scrub role

		is immediately available to respond to emergencies in accordance with policies and procedures established by the medical staff and the nursing service and approved by the governing body.	
North Dakota	NORTH DAKOTA ADMINISTRATIVE CODE TITLE 33. STATE DEPARTMENT OF HEALTH ARTICLE 7. LICENSING MEDICAL HOSPITALS CHAPTER 1.1. HOSPITALS	33-07-01.1-29. Surgical services. 1. The general acute hospital that provides surgical services shall have effective policies and procedures regarding surgical privileges, maintenance of the operating rooms, and evaluation of the surgical patient. d. The operating rooms must be supervised by a qualified registered nurse. (1) **A licensed practical nurse or a surgical technician may be used as "scrub nurse" under the supervision of the registered nurse**. (2) A registered nurse may perform circulating duties in the operating room in accordance with applicable state law. Licensed practical nurses and **surgical technicians may assist in circulating duties under the supervision of a registered nurse** who is immediately available to respond to emergencies.	Under supervision of RN RN supervision • Scrub role
Oklahoma	OKLAHOMA ADMINISTRATIVE CODE TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 667. HOSPITAL STANDARDS SUBCHAPTER 25. SURGICAL SERVICES	310:667-25-1. Department of surgery The department of surgery shall have effective policies and procedures regarding surgical privileges, maintenance of the operating rooms, and evaluation of the surgical patient. (4) The operating room log shall be complete and up to date and include the following information: (F) Circulating nurse. (11) **Surgical technicians and licensed practical nurses may be permitted to serve as "scrub nurses" under the direct supervision of a registered nurse**; they shall not be permitted to function as circulating nurses in the operating room.	Under supervision of RN RN supervision • Scrub role
South Carolina	SOUTH CAROLINA STATUTES TITLE 44. HEALTH ARTICLE 7. HOSPITALS, TUBERCULOSIS CAMPS, AND HEALTH SERVICES DISTRICTS ARTICLE 3. STATE CERTIFICATION OF NEED AND HEALTH FACILITY	Section 44-7-385. (A) As used in this section, an **'operating room circulator' means** a registered nurse trained, educated, or experienced in perioperative nursing who is responsible for coordinating the nursing care and safety needs of a patient in the operating room and who also meets the needs of the operating room team members during surgery. (B) **An operating room circulator** in a health care facility must be a licensed registered nurse educated, trained, and experienced in perioperative nursing. (C) A surgical technologist may not serve as the circulator in the operating room of a health care facility; however, **a person who is employed to practice surgical technology in a health care facility may assist in the performance of circulating duties**: (1) consistent with the person's education, training, and experience; and	Under supervision of RN RN supervision • Scrub role RN Circulator Supervision • Circulator role

	LICENSURE ACT	(2) **as assigned and supervised by a registered nurse circulator** who must be present in the operating room for the duration of the surgical procedure.	
Tennessee	RULES AND REGULATIONS OF THE STATE OF TENNESSEE DEPARTMENT OF HEALTH AND TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION BUREAU OF MANPOWER AND FACILITIES; DIVISION OF HEALTH CARE FACILITIES CHAPTER 1200-8-1 STANDARDS FOR HOSPITALS	1200-8-1-.07 OPTIONAL HOSPITAL SERVICES (1) Surgical Services. (c) **The operating rooms must be supervised by an experienced registered nurse** or a doctor of medicine or osteopathy. (d) Licensed **practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as "scrub nurses" under the supervision of a registered nurse**. (e) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable state laws and approved medical staff policies and procedures, LPNs and **surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse** who is immediately available to respond to emergencies.	Under supervision of RN RN supervision • Scrub role RN Circulator Supervision • Circulator role
Texas	TEXAS ADMINISTRATIVE CODE TITLE 25. HEALTH SERVICES PART 1. DEPARTMENT OF STATE HEALTH SERVICES CHAPTER 133. HOSPITAL LICENSING SUBCHAPTER C. OPERATIONAL REQUIREMENTS	AS AMENDED BY HB 1718 (2005): Sec, 241.0262. CIRCULATING DUTIES FOR SURGICAL SERVICES **Circulating duties in the operating room must be performed by qualified registered nurses**. In accordance with approved medical staff policies and procedures, licensed vocational nurses and **surgical technologists may assist in circulatory duties under the direct supervision of a qualified registered nurse circulator**. (Eff. September 1, 2005) Sec. 259.003. SUPERVISION OF SURGICAL TECHNOLOGISTS. This chapter does not repeal or modify any law relating to the supervision of surgical technologists	Under supervision of RN RN Circulator Supervision • Circulator role
Utah	UTAH ADMINISTRATIVE CODE R432. HEALTH SYSTEMS	R432-100-14. Surgical Services. (1) Surgical services provided by the hospital shall be integrated with other departments or services of the hospital. The relationship, objective, and scope of all surgical services shall be specified in writing.	Under supervision of RN RN supervision

	IMPROVEMENT, LICENSING. R432-100. GENERAL HOSPITAL STANDARDS	(g) **Surgical technicians and licensed practical nurses may serve as scrub nurses under the direct supervision of a registered nurse**, but may not function as circulation nurses in the operating rooms, unless the scrub nurse is a registered nurse.	• Scrub role
Wisconsin	WISCONSIN ADMINISTRATIVE CODE DEPARTMENT OF HEALTH AND FAMILY SERVICES CHAPTER HFS 124. HOSPITALS SUBCHAPTER IV – SERVICES	HFS 124.13 Nursing services (7) ADDITIONAL PATIENT CARE REQUIREMENTS. (a) Definition. In this subsection, "**circulating nurse" means** a registered nurse who is present during an operation or infant delivery to provide emotional support to the patient, assist with the anesthesia induction and, throughout the surgical procedure or delivery, to coordinate the activities of the room, monitor the traffic in the room and maintain an accurate account of urine and blood loss and who, before the surgical procedure or delivery is completed, informs the recovery room of special needs and ensures that the sponge, needle and instrument counts have been done according to hospital policy. (b) Obstetrical. Every patient admitted in labor shall be assessed initially by a registered nurse. There shall be a circulating nurse at every infant delivery. (c) Surgical. 1. A registered nurse shall supervise the operating rooms. 2. A qualified registered nurse shall function as the circulating nurse in the surgical and obstetrical room whenever general anesthesia is used and on all local cases involving a high degree of patient risk. **Individual surgical technologists and licensed practical nurses may function as assistants under the direct supervision of a qualified registered nurse**.	Under supervision of RN RN Circulator • Circulator role