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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- CENTRAL SERVICE TECHNICIANS

Introduced By: Representatives Millea, McKiernan, Craven, Jacquard, and O'Brien

Date Introduced: February 26, 2020

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 5 of the General Laws entitled "BUSINESSES AND PROFESSIONS"
2 is hereby amended by adding thereto the following chapter:

3 CHAPTER 90

4 CERTIFICATION OF CENTRAL SERVICE TECHNICIANS

5 **5-90-1. Short title.**

6 This chapter shall be known and may be cited as the "Certification of Central Service
7 Technicians Act."

8 **5-90-2. Definitions.**

9 As used in this chapter, the following terms shall have the following meanings:

10 (1) "Allied health professional" means a person who holds and maintains a registration,
11 certification, or license to perform health care services by a state or a nationally accredited
12 credentialing organization.

13 (2) "Central service technician" means any person, who decontaminates, inspects,
14 assembles, packages, and sterilizes reusable medical instruments or devices in a freestanding,
15 emergency-care facility, freestanding ambulatory surgical center, health care facility, hospital,
16 physician ambulatory-surgery center, and podiatry ambulatory-surgery center.

17 (3) "Department" means the Rhode Island department of health.

18 (4) "Director" means the director of the Rhode Island department of health.

19 (5) "Freestanding ambulatory surgical center" means an establishment or place which may

1 be a public or private organization equipped and operated exclusively for ambulatory patients for
2 the purpose of performing surgical procedures which have the approval of the governing body and
3 which in the opinion of the surgeon and anesthesiologist can be performed safely without requiring
4 extensive anesthesia or overnight stay.

5 (6) "Freestanding, emergency-care facility" shall have the same meaning as such term is
6 defined in § 23-17-2.

7 (7) "Health care facility" means any institutional health-service provider, facility, or
8 institution, place, building, agency, or portion thereof, whether a partnership or corporation,
9 whether public or private, whether organized for profit or not, used, operated, or engaged in
10 providing health care services, including, but not limited to: hospitals; facilities providing surgical
11 treatment to patients not requiring hospitalization (surgi-centers); and physician ambulatory-
12 surgery centers and podiatry ambulatory-surgery centers providing surgical treatment. The term
13 "health care facility" also includes organized ambulatory care facilities that are not part of a hospital
14 but that are organized and operated to provide health care services to outpatients, such as: central-
15 services facilities serving more than one health care facility or health care provider. The term
16 "health care facility" shall not apply to organized, ambulatory care facilities owned and operated
17 by professional service corporations as defined in chapter 5.1 of title 7, as amended (the
18 "professional service corporation law"), or to a private practitioner's (physician, dentist, or other
19 health care provider) office or group of the practitioners' offices (whether owned and/or operated
20 by an individual practitioner, alone or as a member of a partnership, professional service
21 corporation, organization, or association).

22 (8) "Health care provider" means any person licensed by this state to provide or lawfully
23 providing health care services, including, but not limited to, a physician, hospital, intermediate-
24 care facility or other health care facility, dentist, nurse, optometrist, podiatrist, physical therapist,
25 psychiatric social worker, pharmacist, or psychologist, and any officer, employee, or agent of that
26 provider acting in the course and scope of his or her employment or agency related to or supportive
27 of health services.

28 (9) "Hospital" means a person or governmental entity licensed in accordance with chapter
29 17 of title 23 to establish, maintain, and operate a hospital.

30 (10) "Physician ambulatory-surgery center" shall have the same meaning as such term is
31 defined in § 23-17-2.

32 (11) "Podiatry ambulatory-surgery center" shall have the same meaning as such term is
33 defined in § 23-17-2.

34 **5-90-3. Certification.**

1 (a) A freestanding, emergency-care facility, freestanding ambulatory surgical center, health
2 care facility, hospital, physician ambulatory-surgery center, and podiatry ambulatory-surgery
3 center, as defined herein, shall not employ or otherwise retain the services of a central service
4 technician unless the person:

5 (1) Has successfully passed a nationally accredited central service exam for central service
6 technicians, and holds and maintains one of the following credentials administered by a nationally
7 accredited central service technician credentialing organization: the certified registered central
8 service technician credential, the certified sterile processing and distribution technician credential
9 or a substantially equivalent credential; or

10 (2) Provides evidence that the person was employed as a central service technician in a
11 health care facility on or before December 31, 2020.

12 (b) A central service technician who does not meet the requirements of § 5-90-3(a)(2) shall
13 have eighteen (18) months from the date of hire to obtain the certified registered central service
14 technician credential or the certified sterile processing and distribution technician.

15 (c) A freestanding emergency-care facility, freestanding ambulatory surgical center, health
16 care facility, hospital, physician ambulatory-surgery center, and podiatry ambulatory-surgery
17 center shall, upon the written request of a central service technician, verify, in writing, the central
18 service technician's dates of employment or the contract period during which the central service
19 technician provided services to freestanding, emergency-care facility, freestanding ambulatory
20 surgical center, health care facility, hospital, physician ambulatory-surgery center, or podiatry
21 ambulatory-surgery.

22 **5-90-4. Continuing education.**

23 (a) A person who qualifies to function as a central service technician in a freestanding,
24 emergency care facility, freestanding ambulatory surgical center, health care facility, hospital,
25 physician ambulatory-surgery center, or podiatry ambulatory-surgery center under § 5-90-3 must
26 annually complete ten (10) hours of continuing education credits to remain qualified to function as
27 a central service technician.

28 (b) The continuing education required under this section shall be in areas related to the
29 functions of a central service technician.

30 **5-90-5. Health care provider and allied health professionals.**

31 (a) Nothing in § 5-90-3 shall prohibit the following persons from performing the tasks or
32 functions of central service technicians:

33 (1) A health care provider;

34 (2) An allied health professional;

1 (3) A student or intern performing the functions of a central service technician under the
2 direct supervision of a health care provider as part of the student's or intern's training or internship.

3 **5-90-6. Department of health.**

4 The director of the department of health may adopt regulations necessary to carry out the
5 provisions of this chapter.

6 **5-90-7. Severability.**

7 If any provision of this chapter or the application of any provision to any person or under
8 any circumstances is held invalid by any court of competent jurisdiction, the invalidity does not
9 affect any other provision or the application of the provision, and it is declared to be the legislative
10 intent that this chapter and the provisions of this chapter would have been enacted if the invalid
11 parts had not been included in the chapter.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- CENTRAL SERVICE TECHNICIANS

1 This act would provide for the licensing and regulation of central service technicians, i.e.,
2 any person who decontaminates, inspects, assembles, packages, and sterilizes reusable medical
3 instruments or devices in a freestanding, emergency care facility, freestanding ambulatory surgical
4 center, health care facility, hospital, physician ambulatory-surgery center, or podiatry ambulatory-
5 surgery center.

6 This act would take effect upon passage.

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