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## HOUSE BILL NO. 2222

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the Senate Committee on Education and Health  
on February 16, 2023)

(Patron Prior to Substitute—Delegate Hayes)

A BILL to amend and reenact §§ 54.1-2956.12 and 54.1-2956.13 of the Code of Virginia, relating to surgical technologists and surgical assistants; practice prior to certification or licensure; emergency.

Be it enacted by the General Assembly of Virginia:

1. That §§ 54.1-2956.12 and 54.1-2956.13 of the Code of Virginia are amended and reenacted as follows:

**§ 54.1-2956.12. Certified surgical technologist; use of title; certification.**

A. No person shall hold himself out to be a surgical technologist or use or assume the title of "surgical technologist" or "certified surgical technologist," or use the designation "S.T." or any variation thereof, unless such person is certified by the Board. No person shall use the designation "C.S.T." or any variation thereof unless such person (i) is certified by the Board and (ii) has successfully completed an accredited surgical technologist training program and holds a current credential as a certified surgical technologist from the National Board of Surgical Technology and Surgical Assisting or its successor an entity approved by the Board.

B. The Board shall certify as a surgical technologist any applicant who presents satisfactory evidence that he (i) has successfully completed an accredited surgical technologist training program and holds a current credential as a certified surgical technologist from the National Board of Surgical Technology and Surgical Assisting or its successor an entity approved by the Board, (ii) has successfully completed a training program for surgical technology during the person's service as a member of any branch of the armed forces of the United States, or (iii) has practiced as a surgical technologist or attended a surgical technologist training program at any time prior to October 1, 2022, provided that he registers with the Board by December 31, 2022 December 31, 2023.

C. Notwithstanding the provisions of subsection A, a person who has successfully completed an accredited surgical technologist training program may practice with the title "surgical technologist, certificate applicant" until he has received a failing score on any examination for national certification by an entity approved by the Board or six months from the date of program completion, whichever occurs sooner. Any person practicing pursuant to this subsection shall be identified with the title "surgical technologist, certificate applicant" on any identification issued by an employer and in conjunction with any signature in the course of his practice.

**§ 54.1-2956.13. Licensure of surgical assistant; practice of surgical assisting; use of title.**

A. No person shall engage in the practice of surgical assisting or use or assume the title "surgical assistant" unless such person holds a license as a surgical assistant issued by the Board. Nothing in this section shall be construed as prohibiting any professional licensed, certified, or registered by a health regulatory board from acting within the scope of his practice.

B. The Board shall establish criteria for licensure as a surgical assistant, which shall include evidence that the applicant:

1. Holds a current credential as a surgical assistant or surgical first assistant issued by the National Board of Surgical Technology and Surgical Assisting; or the National Commission for Certification of Surgical Assistants, or their successors;

2. Has successfully completed a surgical assistant training program during the person's service as a member of any branch of the armed forces of the United States; or

3. Has practiced as a surgical assistant in the Commonwealth at any time in the six months immediately prior to July 1, 2020.

C. For renewal of a license, a surgical assistant who was licensed based on a credential as a surgical assistant or surgical first assistant issued by the National Board of Surgical Technology and Surgical Assisting, or the National Commission for the Certification of Surgical Assistants or their successors shall attest that the credential is current at the time of renewal.

D. Notwithstanding the provisions of subsection A, a person who has graduated from a surgical assistant training program as required to take a national certification examination given by the any entity listed in subdivision B 1 may practice with the title "surgical assistant, license applicant" until he has received a failing score on the national certification examination or six months from the date of graduation, whichever occurs sooner. Any person practicing pursuant to this subsection shall be identified with the title "surgical assistant, license applicant" on any identification issued by an employer and in conjunction with any signature in the course of his practice.

2. That the Board of Medicine shall communicate to stakeholders, including hospitals and related

60 practitioner organizations, the availability of the certification grandfathering process for surgical  
61 technologists that have practiced as a surgical technologist or attended a surgical technologist  
62 training program at any time prior to October 1, 2022.  
63 3. That an emergency exists and this act is in force from its passage.