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- pays a fee;
- successfully passes an exam given by a specified certification organizations;
- is mentally and physically fit;
- has no current disciplinary action being taken against a credential as a surgical assistant; and
- is approved by the board.

### **3 Protected titles and restrictions on use.** Adds § 147E.10.

**Subd. 1. Protected titles.** Restricts use of the title "surgical assistant" and other derivatives to professionals registered according to this chapter.

**Subd. 2. Health care practitioners.** Permits health professionals to perform duties ascribed to surgical assistants as long as they do not hold themselves out to be or use the title "surgical assistant."

**Subd. 3. Identification of registered practitioners.** Requires surgical assistants to wear nametags that identify them as surgical assistants.

**Subd. 4. Sanctions.** Subjects violators of this section to sanctions brought by the board.

### **4 Inactive registration.** Adds § 147E.15. Specifies procedures for surgical assistants to place their registration on inactive status. Surgical assistants on inactive status are prohibited from practicing.

### **5 Cancellation of registration for nonrenewal.** Adds § 147E.20. Direct the boards to cancel registration of surgical assistants who allow their credentials to lapse without renewing. A surgical assistant with a cancelled registration must reapply for registration.

### **6 Renewal.** Adds § 147E.25. Outlines requirements for renewal of registration.

### **7 Exemptions.** Adds § 147E.30. Exempts specified regulated professionals, students, federal employees, out of state health professionals, and others from the provisions of this chapter.

### **8 Scope of practice, delegation .** Adds § 147E.35. Permits surgical assistants to perform any surgical procedure under the direction of the operating physician.

### **9 Discipline; reporting.** Adds § 147E.40. Subjects registered surgical assistants to the same disciplinary and reporting requirements as licensed physicians.

### **10 Change of address.** Adds § 147E.45. Requires registrants to notify the board of home address changes.

### **11 Fees.** Adds § 147E.50. Sets fees for registration and renewal.

### **12 Continuing education requirements.** Adds § 147E.55.

**Subd. 1. Amount of education required.** Requires either a specified amount of continuing education, or taking the national certifying examination within the last two

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years for registration renewal or reregistration.

**Subd. 2. Type of education required.** Specifies sources of continuing education credits.

13 **Surgical assistant advisory council.** Adds § 147E.60.

**Subd. 1. Membership.** Defines advisory council membership parameters and sets term limits for members.

**Subd. 2. Organization.** Requires that the council conform to state laws governing advisory councils and commissions and directs the council to expire on June 30, 2013.

**Subd. 3. Duties.** Outlines matters on which the council must advise the board. Matters include standards for registration, enforcement, distribution of information on registration standards, applications, and complaints and enforcement regarding disciplinary matters and proceedings concerning applications.

14 **Initial registration.** Adds § 147E.65. Requires surgical assistants to be registered by July 1, 2005.

15 **Initial Advisory Counsel.** Permits initial surgical assistant advisory council members to be exempt from the registration requirements.

## Article 2

### Overview

This article makes conforming changes to certain statutes regulating health professions.

- 1 **1 Requirement.** Amends § 62A.3092. Adds surgical assistants to the list of professions that must be covered if a health plan covers surgical first assisting benefits.
- 2 **Uniform billing form HCFA 1500.** Amends § 62J.52. Adds surgical assistants to the list of health professionals required to use HCFA uniform billing procedures.
- 3 **Preparation of management plans.** Amends § 116.79. Adds surgical assistants to the list of professionals required to be listed on a person or facility's management plan for infections or pathological waste.
- 4 **License; exceptions.** Amends § 116J.70. Adds surgical assistants to the list of professions excluded from being considered a "business license" regulated by the Department of Commerce.
- 5 **Ineligible worker categories.** Amends § 116L.12. Adds surgical assistants to the list of professionals excluded from receiving Minnesota Job Skills Partnership grants.
- 6 **HIV; HBV.** Amends § 144.054. Adds surgical assistants to the list of health professionals whose patient records may be subpoenaed by the Commissioner of Health if that health professional has been infected with certain viruses.
- 7 **Exemptions.** Amends § 147.09. Adds surgical assistants to the list of people who are exempted from provisions prohibiting practicing medicine without a license.
- 8 **Grounds listed.** Amends § 147.091. Adds surgical assistants to the list of professions required to be supervised as grounds for discipline of physicians.

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- 9**        **Regulated person.** Amends § 214.18. Adds surgical assistants to the definition of "regulated persons."
- 10**        **Registered surgical assistant services.** Amends § 256B.0625 by adding a subd. Provides that medical assistance covers services of registered surgical assistants if the services are within the scope of practice and are already covered as a physician service.
- 11**        **Professional services.** Amends § 319B.02. Adds surgical assistants' services to the definition of "professional services" subject to regulation of under the Minnesota Professional Firms Act.
- 12**        **Professional health services.** Amends § 319B.40. Adds surgical assistants to the list of health professionals permitted to practice their services in combination with other health professionals.