

To: Senate Committee: Public Health and Welfare  
Chairperson: Senator Vicki Schmidt

From: Kathleen Selzler Lippert, JD Executive Director  
Kansas State Board of Healing Arts

Subject: SB 338 Relating to the practice of surgical technology

Neutral (verbal and written)

The Kansas State Board of Healing Arts (KSBHA) appreciates the opportunity to provide testimony on SB 338. The KSBHA presently licenses and regulates multiple health care professions. The mission of the KSBHA is to safeguard the public and strengthen those who practice the healing arts.

SB 338 creates a new regulated health care profession of surgical technologist. This bill provides relevant definitions and provides:

1. A medical care facility shall not employ a person to perform the tasks of a surgical technologist unless they meet the specified qualifications; however, the bill also provides and broad exception.
2. A medical care facility may employ a person to perform the tasks of a surgical technologist if, after diligent and thorough effort, the medical care facility is unable to employ or contract with person(s) who meet the requirements.

Essentially, the bill requires a medical care facility to employ credentialed individuals ... unless they can't.

SB 338 appears on it's face to create a new regulated health care profession but it does not include many of the usual provisions of a regulated profession. It does provide direction on requisite credentials; but it does not provide information on what does or does not constitute acceptable and unacceptable practice care and conduct, nor does it provide many of the other usual professional practice provisions.

If the legislature determines it is appropriate policy to create this new regulated profession, it would be appropriate to consider several balloon amendments to ensure conformity with other medical regulatory practice acts.

Kansas State Board of Healing Arts respectfully requests the Committee ensure a comprehensive professional practice act.