8620

## 2011-2012 Regular Sessions

## IN ASSEMBLY

September 21, 2011

Introduced by M. of A. BRONSON -- read once and referred to the Committee on Higher Education

AN ACT to amend the public health law, in relation to the employment of persons to function as central sterile supply personnel in certain healthcare facilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The public health law is amended by adding a new article 2 49-A to read as follows:

## ARTICLE 49-A

CENTRAL STERILE SUPPLY PERSONNEL

SECTION 4920. CENTRAL STERILE SUPPLY PERSONNEL.

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- S 4920. CENTRAL STERILE SUPPLY PERSONNEL. 1. DEFINITIONS. FOR THE PURPOSES OF THIS SECTION, THE TERMS:
- (A) "CENTRAL STERILE SUPPLY PERSONNEL" SHALL MEAN A PERSON WHO PROVIDES THE SERVICES OF DECONTAMINATION, PREPARATION, PACKAGING, STERI-LIZATION, AND STORAGE AND DISTRIBUTION OF REUSABLE MEDICAL INSTRUMENTATION OR DEVICES IN HEALTHCARE FACILITIES.
- (B) "HEALTHCARE FACILITY" SHALL MEAN A HOSPITAL AS DEFINED BY SUBDIVISION ONE OF SECTION TWENTY-EIGHT HUNDRED ONE OF THIS CHAPTER OR AN AMBULATORY SURGICAL CENTER ISSUED AN OPERATING CERTIFICATE PURSUANT TO ARTICLE TWENTY-EIGHT OF THIS CHAPTER.
- 16 CERTIFICATION. CENTRAL STERILE SUPPLY PERSONNEL IN A HEALTHCARE 17 FACILITY SHALL BE CERTIFIED BY THE INTERNATIONAL ASSOCIATION OF HEALTH-18 CARE CENTRAL SERVICE MATERIEL MANAGEMENT (IAHCSMM) OR THE CBSPD NATIONAL 19 CERTIFICATION EXAM; PROVIDED, HOWEVER, THAT CENTRAL STERILE SUPPLY PERSONNEL SHALL BE CERTIFIED WITHIN TWO YEARS OF THE EFFECTIVE 20 DATE OF SECTION, AND MAY NOT CONTINUE TO BE EMPLOYED BEYOND THAT PERIOD 21 22 WITHOUT DOCUMENTATION THAT SUCH EMPLOYEE IS CERTIFIED PURSUANT TO 23 SUBDIVISION.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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3. CONTINUING EDUCATION. (A) CERTIFIED CENTRAL STERILE SUPPLY PERSON-NEL IN A HEALTHCARE FACILITY MUST COMPLETE TWELVE ANNUAL CONTINUING EDUCATION CREDITS TO REMAIN QUALIFIED FOR EMPLOYMENT.

- (B) A HEALTHCARE FACILITY THAT EMPLOYS A PERSON AS CENTRAL STERILE SUPPLY PERSONNEL SHALL VERIFY THAT SUCH PERSON MEETS THE CONTINUING EDUCATION REQUIREMENTS OF PARAGRAPH (A) OF THIS SUBDIVISION.
- 4. A HEALTHCARE FACILITY SHALL SUPERVISE EACH PERSON EMPLOYED BY SUCH HEALTHCARE FACILITY TO FUNCTION AS CENTRAL STERILE SUPPLY PERSONNEL ACCORDING TO THE HEALTHCARE FACILITY'S POLICIES AND PROCEDURES.
- 5. ANY PERSON EMPLOYED AS CENTRAL STERILE SUPPLY PERSONNEL FOR TEN YEARS OR MORE SHALL BE EXEMPT FROM THE PROVISIONS OF SUBDIVISION TWO OF THIS SECTION; PROVIDED, HOWEVER, SUCH PERSON SHALL NOT BE EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENT OF SUBDIVISION THREE OF THIS SECTION. THIS SUBDIVISION SHALL BE ENFORCED BY THE HEALTHCARE FACILITY.
- THERE SHALL BE WORKING RELATIONSHIPS AMONG MEDICAL STAFF, NURSING STAFF AND CENTRAL STERILE SUPPLY PERSONNEL TO ASSURE THAT ALL PATIENT CARE NEEDS ARE MET.
- NOTHING IN THIS ARTICLE SHALL PROHIBIT ANY HEALTHCARE PRACTITIONER LICENSED UNDER TITLE VIII OF THE PUBLIC HEALTH SERVICE ACT FROM PERFORM-ING CENTRAL STERILE SUPPLY PERSONNELS' TASKS OR FUNCTIONS IF THE PERSON IS ACTING WITHIN THE SCOPE OF HIS OR HER LICENSE.
  - 8. THE DEPARTMENT SHALL ENFORCE THE PROVISIONS OF THIS ARTICLE.
- 22 S 2. This act shall take effect on the one hundred eightieth day after 23 it shall have become a law, provided, however, that effective immediate-24 25 ly, the addition, amendment and/or repeal of any rule or regulation 26 necessary for the implementation of this act on its effective date 27 authorized and directed to be made and completed on or before such 28 effective date.