S T A T E O F N E W Y O R K

5155--A

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

Introduced by Sen. GRISANTI -- read twice and ordered printed, and when printed to be committed to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

ARTICLE 49-A

CENTRAL STERILE SUPPLY PERSONNEL

SECTION 4920. CENTRAL STERILE SUPPLY PERSONNEL.

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, STERILIZATION, 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.

2. CERTIFICATION. CENTRAL STERILE SUPPLY PERSONNEL IN A HEALTHCARE FACILITY SHALL BE CERTIFIED BY THE INTERNATIONAL ASSOCIATION OF HEALTHCARE CENTRAL SERVICE MATERIEL MANAGEMENT (IAHCSMM) OR THE CBSPD NATIONAL CERTIFICATION EXAM; PROVIDED, HOWEVER, THAT CENTRAL STERILE SUPPLY PERSONNEL SHALL BE CERTIFIED WITHIN TWO YEARS OF THE EFFECTIVE DATE OF THIS SECTION, AND MAY NOT CONTINUE TO BE EMPLOYED BEYOND THAT PERIOD

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

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WITHOUT DOCUMENTATION THAT SUCH EMPLOYEE IS CERTIFIED PURSUANT TO THIS SUBDIVISION.

3. CONTINUING EDUCATION. (A) CERTIFIED CENTRAL STERILE SUPPLY PERSONNEL 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.

6. THERE SHALL BE WORKING RELATIONSHIPS AMONG MEDICAL STAFF, NURSING STAFF AND CENTRAL STERILE SUPPLY PERSONNEL TO ASSURE THAT ALL PATIENT CARE NEEDS ARE MET.

7. NOTHING IN THIS ARTICLE SHALL PROHIBIT ANY HEALTHCARE PRACTITIONER LICENSED UNDER TITLE VIII OF THE PUBLIC HEALTH SERVICE ACT FROM PERFORMING 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.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law, provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.