

5155

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

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:

3 ARTICLE 49-A

4 CENTRAL STERILE SUPPLY PERSONNEL

5 SECTION 4920. CENTRAL STERILE SUPPLY PERSONNEL.

6 S 4920. CENTRAL STERILE SUPPLY PERSONNEL. 1. DEFINITIONS. FOR THE
7 PURPOSES OF THIS SECTION, THE TERMS:

8 (A) "CENTRAL STERILE SUPPLY PERSONNEL" SHALL MEAN A PERSON WHO
9 PROVIDES THE SERVICES OF DECONTAMINATION, PREPARATION, PACKAGING, STERI-
10 LIZATION, AND STORAGE AND DISTRIBUTION OF REUSABLE MEDICAL INSTRUMENTA-
11 TION OR DEVICES IN HEALTHCARE FACILITIES.

12 (B) "HEALTHCARE FACILITY" SHALL MEAN A HOSPITAL AS DEFINED BY SUBDIVI-
13 SION ONE OF SECTION TWENTY-EIGHT HUNDRED ONE OF THIS CHAPTER OR AN AMBU-
14 LATORY SURGICAL CENTER ISSUED AN OPERATING CERTIFICATE PURSUANT TO ARTI-
15 CLE TWENTY-EIGHT OF THIS CHAPTER.

16 2. 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
20 PERSONNEL SHALL BE CERTIFIED WITHIN TWO YEARS OF EMPLOYMENT BY JANUARY
21 FIRST, TWO THOUSAND THIRTEEN, AND MAY NOT CONTINUE TO BE EMPLOYED BEYOND
22 THAT PERIOD WITHOUT DOCUMENTATION THAT SUCH EMPLOYEE IS CERTIFIED PURSU-
23 ANT TO THIS SUBDIVISION.

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

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

4 (B) A HEALTHCARE FACILITY THAT EMPLOYS A PERSON AS CENTRAL STERILE
5 SUPPLY PERSONNEL SHALL VERIFY THAT SUCH PERSON MEETS THE CONTINUING
6 EDUCATION REQUIREMENTS OF PARAGRAPH (A) OF THIS SUBDIVISION.

7 4. A HEALTHCARE FACILITY SHALL SUPERVISE EACH PERSON EMPLOYED BY SUCH
8 HEALTHCARE FACILITY TO FUNCTION AS A CENTRAL STERILE SUPPLY TECHNICIAN
9 ACCORDING TO THE HEALTHCARE FACILITY'S POLICIES AND PROCEDURES.

10 5. NOTHING IN THIS ARTICLE SHALL PROHIBIT ANY LICENSED PRACTITIONER
11 FROM PERFORMING CENTRAL STERILE SUPPLY TECHNICIANS' TASKS OR FUNCTIONS
12 IF THE PERSON IS ACTING WITHIN THE SCOPE OF HIS OR HER LICENSE.

13 6. THE NEW YORK STATE DEPARTMENT OF EDUCATION SHALL ENFORCE THE
14 PROVISIONS OF THIS ARTICLE.

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