*** § 2824. Central service technicians.** 1. For the purposes of this section, the terms:

(a) "central service technician" 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 other than in the course of practicing as a healthcare professional.

(b) "healthcare facility" shall mean general hospital as defined by subdivision ten of section twenty-eight hundred one of this article or a hospital as defined by subdivision one of section twenty-eight hundred one of this article operating as a diagnostic and treatment center authorized to provide ambulatory surgical services.

(c) "healthcare professional" shall mean a person licensed or certified pursuant to title eight of the education law.

2. A person shall not function as a central service technician in a healthcare facility and a healthcare facility shall not employ or otherwise contract for the services of a central service technician unless the person meets one of the following:

(a) (i) has successfully passed a nationally accredited central service exam for central service technicians; and (ii) holds and maintains one of the following credentials administered by a nationally accredited central service technician credentialing organization: the certified registered central service technician credential, the certified sterile processing and distribution technician credential or a substantially equivalent credential; or

(b) provides evidence that the person was employed or otherwise contracted for the services as a central service technician in a healthcare facility for a cumulative period of one year, occurring within the four years immediately prior to the effective date of this section. In furtherance of this paragraph, any contractor or employer of persons functioning as a central service technician on the effective date of this section shall confirm in writing to each employee or contractor his or her employment in a capacity functioning as a central service technician in a healthcare facility as of the effective date of this section; or

(c) is a student or intern performing the functions of a central

service technician if the student or intern is under the direct supervision of an appropriately licensed or certified healthcare professional and is functioning within the scope of the student's or intern's training.

3. A central service technician who does not meet the requirements of paragraph (b) of subdivision two of this section shall have eighteen months from the date of hire to obtain the certified registered central service technician credential or the certified sterile processing and distribution technician credential.

4. A person who qualifies to function as a central service technician in a healthcare facility under paragraphs (a) and (b) of subdivision two of this section must annually complete ten hours of continuing education credits to remain qualified to function as a central service technician.

5. (a) A central service technician shall document in writing good cause that prevents compliance with the continuing education requirement as prescribed in subdivision four of this section, which shall include any of the following reasons: a medical condition which requires an extended leave of absence and is documented by an appropriate healthcare professional, or extended active duty with the armed forces of the United States. If one of these conditions is met, an extension to meeting the continuing education requirement, as prescribed in subdivision four of this section, may be granted by:

(i) the accrediting agency of a central service technician qualifying under paragraph (a) of subdivision two of this section; or

(ii) a healthcare facility employing or contracting a central service technician under paragraph (b) of subdivision two of this section.

(b) If an extension is granted, a central service technician shall complete all past due continuing education requirements within ninety days upon resolution of the medical condition or termination of extended active duty with the armed forces of the United States.

6. A healthcare facility may employ or otherwise contract with a person who does not meet the requirements of subdivision two of this section to function as a central service technician in a healthcare

facility if:

(a) after a diligent and thorough effort has been made, the healthcare facility is unable to employ or contract with a sufficient number of qualified central service technicians who meet the requirements of this section;

(b) the healthcare facility makes a written record of its efforts under paragraph (a) of this subdivision and retains the record at the healthcare facility; and

(c) the person meets the requirements of paragraph (a) of subdivision two of this section within two years of the start of employment or contracting for the performance of central service technician duties.

7. A healthcare facility that employs or contracts with a central service technician shall upon request of another healthcare facility, or upon request of a central service technician employed by, formerly employed by or contracted to perform as a central service technician at the healthcare facility, verify the dates of employment or contract of such person.

8. Nothing in this section shall prohibit any healthcare professional from performing central service technicians' tasks or functions if the person is acting within the scope of his or her practice. Nothing in this section shall mean that any individual not licensed pursuant to title eight of the education law may perform tasks or functions limited to the scope of practice of a healthcare professional under such title.

9. The commissioner shall promulgate regulations as he or she may deem appropriate to effectuate the purposes of this section.

* NB There are 2 § 2824's