

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

Senate Bill 610 (Senator Middleton)
Education, Health, and Environmental Affairs

Physicians - Delegation of Duties - Nonphysician Surgical Assistants

This bill authorizes a licensed physician to delegate certain duties to a nonphysician surgical assistant who provides aid under direct supervision in exposure, hemostasis, closures, and other intraoperative technical functions that assist a physician in performing a safe operation. Such an assistant must be certified by the National Surgical Assistants Association, the National Board of Surgical Technology and Surgical Assisting, the Association of Operating Room Nurses, or the American Academy of Physician Assistants.

Fiscal Summary

State Effect: None. The change would not directly affect governmental finances or operations.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: To the extent allowed by the rules, regulations, and orders of the State Board of Physicians (MBP), an individual to whom duties are delegated by a licensed physician may perform these duties without a license. Individuals to whom duties may be delegated include any individual authorized to practice any other health occupation under the Health Occupations Article or any individual licensed or certified to provide emergency medical services by the EMS Board.

MBP regulations prohibit a physician from delegating technical acts to an assistant which are exclusively limited to any individual required to be licensed, certified, registered, or otherwise recognized under the Health Occupations Article and the Education Article. A physician may delegate technical acts that are consistent with national standards in the medical community and the approved policies and procedures of the sites for the delivery of health services for • surgical technical acts that the delegating physician directly orders while present, scrubbed, and personally performing the surgery in the same surgical field; and • nonsurgical technical acts while the assistant is under the physician's direct supervision or on-site supervision if the assistant performs the act in accordance with the site's procedures.

Background: The bill is based on an Illinois law requiring the registration of surgical assistants and surgical technologists.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

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