

CIRCULATING NURSES

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Senate Bill 605 (Substitute S-1)

Sponsor: Sen. Roger Kahn, M.D.

House Committee: Health Policy

Senate Committee: Health Policy

Complete to 3-22-10

A SUMMARY OF SENATE BILL 605 AS PASSED BY THE SENATE 11-12-09

The bill would require a freestanding surgical outpatient facility or hospital that performs surgical procedures in an operating room to establish policies and procedures regarding surgical privileges, maintenance of operating rooms (ORs), and evaluation of the surgical patient; require these facilities to meet federal regulations and guidelines as they pertain to registered professional nurses (RNs) performing circulating duties in the OR; and to permit facilities to assign a qualified RN to be present in the operating room for the duration of a surgical procedure.

Specifically, Senate Bill 605 would add a new section to the Public Health Code addressing policies and procedures used in operating rooms and the use of circulating nurses. According to the Association of periOperative Registered Nurses (AORN), a circulating nurse is an RN who "circulates" throughout the OR – outside of the sterile field. The circulating nurse is responsible for managing the nursing care of the patient and coordinating the needs of surgical team members and other care providers needed for each procedure. Duties include a preoperative patient assessment, developing and implementing an individualized plan of care, and continuously evaluating patient outcomes during the surgical procedure.

Required actions

A state-licensed freestanding surgical outpatient facility or hospital that performs surgical procedures in an operating room of that facility would be required to do both of the following:

**** Develop and maintain effective policies and procedures regarding surgical privileges, maintenance of the operating rooms, and evaluation of the surgical patient.**

**** Meet the requirements of the conditions for participation in the Medicaid and Medicare programs for surgical services under federal regulations as they apply to RNs performing circulating duties in the operating room and as provided in the interpretive guidelines published by the U.S. Department of Health and Human Services.**

Permitted actions

The facilities could assign a qualified RN to be present in the OR for the duration of each surgical procedure, though the RN who was performing the duties of a circulating nurse

would not be prevented by the bill from leaving the OR as part of the surgical procedure, leaving the OR for short periods, or, under employee rules or regulations, being relieved during the surgical procedure by another qualified RN who was assigned to assume the circulating duties for that surgical procedure.

"Registered professional nurse" is defined in Section 17201 of the code to mean "an individual licensed under this article to engage in the practice of nursing which scope of practice includes the teaching, direction, and supervision of less skilled personnel in the performance of delegated nursing activities."

MCL 333.20135

FISCAL IMPACT:

SB 605, as passed by the Senate, will have no fiscal impact on the state or local government.

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