

SUBSTITUTE FOR
SENATE BILL NO. 605

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 20135.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 20135. (1) A FREESTANDING SURGICAL OUTPATIENT FACILITY OR
2 HOSPITAL LICENSED UNDER THIS ARTICLE THAT PERFORMS SURGICAL
3 PROCEDURES IN AN OPERATING ROOM OF THE FACILITY OR HOSPITAL SHALL
4 DO ALL OF THE FOLLOWING:

5 (A) DEVELOP AND MAINTAIN EFFECTIVE POLICIES AND PROCEDURES
6 REGARDING SURGICAL PRIVILEGES, MAINTENANCE OF THE OPERATING ROOMS,
7 AND EVALUATION OF THE SURGICAL PATIENT.

8 (B) MEET THE REQUIREMENTS OF THE CONDITIONS OF PARTICIPATION
9 ESTABLISHED UNDER 42 CFR 482.51 AS THEY APPLY TO REGISTERED

1 PROFESSIONAL NURSES PERFORMING CIRCULATING DUTIES IN THE OPERATING
2 ROOM AND AS PROVIDED IN THE INTERPRETIVE GUIDELINES PUBLISHED BY
3 THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES.

4 (2) THE FREESTANDING SURGICAL OUTPATIENT FACILITY OR HOSPITAL
5 DESCRIBED IN SUBSECTION (1) MAY ASSIGN A QUALIFIED REGISTERED
6 PROFESSIONAL NURSE TO BE PRESENT IN THE OPERATING ROOM FOR THE
7 DURATION OF EACH SURGICAL PROCEDURE. THIS SUBSECTION DOES NOT
8 PREVENT A QUALIFIED REGISTERED PROFESSIONAL NURSE WHO IS PERFORMING
9 CIRCULATING DUTIES FROM LEAVING THE OPERATING ROOM AS PART OF THE
10 SURGICAL PROCEDURE, LEAVING THE OPERATING ROOM FOR SHORT PERIODS,
11 OR, UNDER EMPLOYEE RULES OR REGULATIONS, BEING RELIEVED DURING A
12 SURGICAL PROCEDURE BY ANOTHER QUALIFIED REGISTERED PROFESSIONAL
13 NURSE WHO IS ASSIGNED TO CONTINUE PERFORMING CIRCULATING DUTIES FOR
14 THAT SURGICAL PROCEDURE.

15 (3) AS USED IN THIS SECTION, "REGISTERED PROFESSIONAL NURSE"
16 MEANS THAT TERM AS DEFINED IN SECTION 17201.