



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1598

Introduced 1/28/2025, by Rep. Barbara Hernandez - Sharon Chung
and Bradley Fritts

SYNOPSIS AS INTRODUCED:

New Act

Creates the Operating Room Patient Safety Act. Provides that each surgical technologist hired or contracted by a health care facility on or after January 1, 2027 shall meet specified educational, certification, or experiential requirements. Provides that nothing in the Act prohibits an individual from performing surgical technology services if the individual is acting within the scope of the individual's license or registration or is a student or intern under the direct supervision of a licensed health care provider.

LRB104 03430 BAB 13453 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Operating Room Patient Safety Act.

6 Section 3. Purpose. It is the public policy of the State
7 that the State has a legitimate interest in ensuring that all
8 surgical procedures are performed to ensure maximum patient
9 safety. Therefore, the purpose of this Act is to:

10 (1) ensure that an operating room has been prepared by
11 qualified, trained professionals;

12 (2) ensure that surgical equipment and instruments are
13 properly sterilized and functioning safely;

14 (3) ensure that during surgical procedures, the
15 surgical team can rely on qualified, trained professionals
16 to ensure a sterile environment is maintained; and

17 (4) provide the surgical team with proper instruments
18 and supplies as requested.

19 Section 5. Definitions. As used in this Act:

20 "Health care facility" means a facility regulated under
21 the Hospital Licensing Act, the Ambulatory Surgical Treatment
22 Center Act, or the University of Illinois Hospital Act.

1 "Health care facility" does not include a health care facility
2 that is a critical access hospital as designated by the
3 Department of Public Health in accordance with 42 CFR 485,
4 Subpart F, or a rural emergency hospital as defined under
5 subsection (kkk)(2) of Section 1861 of the federal Social
6 Security Act.

7 "Surgical technologist" means an individual who is
8 employed by or contracts with a health care facility to
9 perform surgical technology services and functions.

10 "Surgical technology services" means surgical patient care
11 including, but not limited to, one or more of the following:

12 (1) preparation of an operating room and the sterile
13 operating field for surgical procedures by ensuring that
14 surgical equipment is functioning properly and safely and
15 using sterile techniques to prepare surgical supplies
16 instruments and equipment;

17 (2) intraoperative anticipation and response to the
18 needs of surgeons, nurses, and other surgical team members
19 by monitoring the sterile operating field in an operating
20 room and providing the required instruments or supplies;

21 (3) performance of tasks at the sterile operating
22 field, as directed in an operating room setting,
23 including:

24 (A) passing surgical supplies, instruments, and
25 equipment directly to a health care provider;

26 (B) sponging or suctioning an operative site;

- 1 (C) preparing and cutting suture material;
2 (D) transferring and irrigating with fluids;
3 (E) transferring, but not administering, drugs
4 within the sterile field; or
5 (F) handling surgical specimens.

6 Section 10. Requirements for surgical technologists. Each
7 surgical technologist hired or contracted by a health care
8 facility on or after January 1, 2027 shall meet one or more of
9 the following requirements:

10 (1) The surgical technologist has successfully
11 completed an educational program nationally accredited by
12 the Commission on Accreditation of Allied Health Education
13 Programs or the Accrediting Bureau of Health Education
14 Schools for surgical technologists and holds and maintains
15 certification as a surgical technologist from a national
16 certifying body that certifies surgical technologists.

17 (2) If the surgical technologist has successfully
18 completed the educational requirements under paragraph (1)
19 but has not, on the date the surgical technologist is
20 hired or enters into the contract with the health care
21 facility, obtained the national certification under
22 paragraph (1), the surgical technologist must obtain that
23 certification within 18 months after being hired or
24 entering into the contract.

25 (3) The surgical technologist is registered as a

1 registered surgical technologist under the Registered
2 Surgical Assistant and Registered Surgical Technologist
3 Title Protection Act.

4 (4) The surgical technologist has successfully
5 completed a training program for surgical technology in
6 the armed forces of the United States or the United States
7 Public Health Service.

8 (5) The surgical technologist has engaged in the
9 practice of surgical technology at a hospital licensed
10 under the Hospital Licensing Act or an ambulatory surgical
11 treatment center licensed under the Ambulatory Surgical
12 Treatment Center Act before January 1, 2027.

13 Section 15. Exemptions. Nothing in this Act prohibits an
14 individual from performing surgical technology services if the
15 individual is acting within the scope of the individual's
16 license or registration or is a student or intern under the
17 direct supervision of a licensed health care provider.