

# Advisory Board on Surgical Assisting

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Virginia Board of Medicine

October 12, 2021

10:00 a.m.

**Advisory Board on Surgical Assisting**  
Board of Medicine  
Tuesday, October 12, 2021 @ 10:00 a.m.  
9960 Mayland Drive, Suite 201, Henrico, VA

	Page
Call to Order – Deborah Redmond, LSA, Chair	
Emergency Egress Procedures – William Harp, MD	i
Roll Call – Delores Cousins	
Approval of Minutes of June 1, 2021	1 - 3
Adoption of the Agenda	
Public Comment on Agenda Items (15 minutes)	
<b>New Business</b>	
1. 2021 Legislative Update and 2022 Proposals..... Elaine Yeatts	4 – 5
2. Regulatory Report ..... Elaine Yeatts	6 - 15
3. Correspondence re: NCCT Credential, Renewal Application, and Licensure/Certification.. Deborah Redmond	16 -22
4. Review of Licensure/Certification Requirements and Application ..... Michael Sobowale	23 – 35
5. Approval of 2022 Meeting Calendar ..... Deborah Redmond	36
6. Election of Officers ..... Deborah Redmond	-- --

Announcements:

Next Scheduled Meeting: February 7, 2022 @ 10:00 a.m.

Adjournment

**PERIMETER CENTER CONFERENCE CENTER**  
**EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS**  
(Script to be read at the beginning of each meeting.)

**PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THESE PREMISES IN THE EVENT OF AN EMERGENCY.**

**Training Room 2**

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound.

When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Exit the room using one of the doors at the back of the room. **(Point)** Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

<< DRAFT >>

ADVISORY BOARD ON SURGICAL ASSISTING

**Minutes**

June 1, 2021

The Advisory Board on Surgical Assisting held a virtual meeting on Tuesday, June 1, 2021 hosted at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Henrico, Virginia.

**MEMBERS PRESENT:** Deborah Redmond, LSA, Chair  
Thomas Gochenour, LSA  
Nicole Meredith, RN  
Jessica Wilhelm, LSA

**MEMBERS ABSENT:** Srikanth Mahavadi, MD

**STAFF PRESENT:** William L. Harp, M.D., Executive Director  
Michael Sobowale, LLM, Deputy Director, Licensure  
Elaine Yeatts, Senior Policy Analyst, DHP  
Colanthia Morton Opher, Deputy Director, Administration  
Delores Cousins, Licensing Specialist

**GUESTS PRESENT:** Jerry Gentile, DPB  
Brent Rawlings, JD, VHHA  
Steven Hammond  
Ben Traynam, JD, MSV  
Ashley Smith

**Call to Order**

Deborah Redmond, Chair, called the meeting to order at 10:00 am.

**Emergency Egress Procedures**

Dr. Harp announced the emergency egress instructions.

**Roll Call**

The roll was called; a quorum was declared.

### **Approval of Minutes**

Nicole Meredith moved to approve the minutes of the February 2, 2021 meeting. Jessica Wilhelm seconded. By roll call vote, the minutes were approved with a minor amendment to the date of the next scheduled meeting listed on page 3.

### **Adoption of Agenda**

Thomas Gochenour moved to adopt the agenda. Nicole Meredith seconded the motion. By roll call vote, the agenda was approved as presented.

### **Public Comment on Agenda Items**

None

### **New Business**

#### 1. Legislation from the 2021 General Assembly

Elaine Yeatts provided a report from the 2021 General Assembly and highlighted legislation that was of interest to the Advisory Board.

#### 2. Regulatory and Policy Actions for the Board of Medicine

Elaine Yeatts reviewed the calendar dates of future policy and regulatory actions to be taken by the Board of Medicine pursuant to various bills passed by the 2021 General Assembly.

#### 3. Regulatory Amendments for Certification of Surgical Technologists

Elaine Yeatts discussed the new legislation, which elevated surgical technologists from a registered profession to a certified one. The legislation contains a “grandfathering” provision, which provides a pathway for those who have been practicing as a surgical technologist within the six months prior to July 1, 2021. This is in lieu of a credential issued by the NBSTSA or completion of an accredited training program. To qualify for grandfathering, a surgical technologist must apply for certification with the Board by December 31, 2021.

Ms. Yeatts presented a draft of proposed amendments to conform Board regulations to the changes in the law for the certification of surgical technologists.

#### 4. Proposed Regulations Pursuant to a Notice of Intended Regulatory Action (NOIRA)

Ms. Yeatts presented the proposed amendments to the Regulations for Licensure of Surgical Assistants for discussion, along with the regulatory amendments for Certification of Surgical Technologists, pursuant to a Notice of Intended Regulatory

Action that will be published for public comment. The proposed amendments establish requirements for maintenance of credential at the time of renewal of licensure or certification. As worded, those who were grandfathered in will be exempt from a current "certification credential" at the time of renewal.

After discussion, Thomas Gochenour moved to recommend adoption of the proposed amendments to the Regulations for Licensed Surgical Assistants and Certified Surgical Technologists to the Board of Medicine. Jessica Wilhelm seconded. By roll call vote, the motion was approved.

### **Announcements**

#### Licensing Statistics:

Delores Cousins reported that there are 361 current, active surgical assistants and 235 current, active surgical technologists. Michael Sobowale added that there were 52 newly licensed surgical assistants and 3 newly registered surgical technologists in the 1<sup>st</sup> quarter of 2021.

#### Next Scheduled Meeting:

Deborah Redmond announced that the next scheduled meeting will be held on Tuesday, October 12, 2021 @ 10:00am

### **Adjournment**

With no other business to conduct, Deborah Redmond adjourned the meeting at 11:32am.

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Deborah Redmond, LSA, Chair

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William L. Harp, MD, Executive Director

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Delores Cousins, License Specialist

**Department of Health Professions  
Regulatory/Policy Actions – 2021 General Assembly  
Board on Medicine/Advisory Boards**

**EMERGENCY REGULATIONS:**

Legislative source	Mandate	Promulgating agency	Board adoption date	Effective date Within 280 days of enactment
SB1189	Occupational therapy compact	Medicine	8/6/21	<b>By 12/23/21</b>

**EXEMPT REGULATORY ACTIONS**

Legislative source	Mandate	Promulgating agency	Adoption date	Effective date
HB2039	Conform PA regs to Code	Medicine	6/24/21	9/15/21
HB2220	Change registration of surgical technologists to certification	Medicine	6/21/21	9/1/21
SB1178	Delete reference to conscience clause in regs for genetic counselors	Medicine	6/24/21	

**APA REGULATORY ACTIONS**

Legislative source	Mandate	Promulgating agency	Adoption date	Effective date
HB1953	Licensure of certified midwives	Nursing & Medicine	NOIRA Nursing – 7/20/21 Medicine – 8/6/21	Unknown

**NON-REGULATORY ACTIONS**

Legislative source	Affected agency	Action needed	Due date
HB793 (2018)	Medicine & Nursing	To report data on the number of nurse practitioners who have been authorized to practice without a practice agreement, the geographic and specialty areas in which nurse practitioners are practicing without a practice agreement, and any complaints or disciplinary actions taken against such nurse practitioners, along with any recommended modifications to the requirements of this act including any modifications to the clinical experience requirements for practicing without a practice agreement	November 1, 2021
Budget bill	Department	To study and make recommendations regarding the oversight and regulation of advanced practice registered nurses (APRNs). The department shall review recommendations of the National Council of State Boards of Nursing, analyze the oversight and regulations governing the practice of APRNs in other states, and review research on the impact of statutes and	November 1, 2021

		regulations on practice and patient outcomes.	
HB1953	Department	To convene a work group to study and report on the licensure and regulation of certified nurse midwives, certified midwives, and certified professional midwives to determine the appropriate licensing entity for such professionals.	November 1, 2021

**Future Policy Actions:**

**HB2559 (2019)** - requires the Secretary of Health and Human Resources to convene a work group to identify successes and challenges of the electronic prescription requirement and offer possible recommendations for increasing the electronic prescribing of controlled substances that contain an opioid and to report to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2022.



VIRGINIA ACTS OF ASSEMBLY -- 2021 SPECIAL SESSION I

CHAPTER 230

*An Act to amend and reenact § 54.1-2956.12 of the Code of Virginia, relating to surgical technologist; certification; use of title.*

[H 2220]

Approved March 18, 2021

**Be it enacted by the General Assembly of Virginia:**

**1. That § 54.1-2956.12 of the Code of Virginia is amended and reenacted as follows:**

**§ 54.1-2956.12. Registered surgical technologist; use of title; registration.**

A. No person shall *hold himself out to be a surgical technologist or use or assume the title "registered surgical technologist" of "surgical technologist" or "certified surgical technologist," or use the designation "C.S.T." or "S.T." or any variation thereof, unless such person is registered with is certified by the Board.*

B. The Board shall ~~register~~ *certify* as a ~~registered~~ surgical technologist any applicant who presents satisfactory evidence that he (i) *has successfully completed an accredited surgical technologist training program and holds a current credential as a certified surgical technologist from the National Board of Surgical Technology and Surgical Assisting or its successor,* (ii) *has successfully completed a training program for surgical technologist training program technology during the person's service as a member of any branch of the armed forces of the United States, or* (iii) *has practiced as a surgical technologist at any time in the six months prior to July 1, 2014 2021, provided he registers with the Board by December 31, 2016 2021.*

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**VIRGINIA**  
REGULATORY TOWN HALL

Agency

Department of Health Professions

Board

Board of Medicine

Chapter

Regulations Governing the Licensure of Surgical Assistants and Registration of Surgical Technologists [18 VAC 85 - 160]

**Action:** Conforming regulations to 2021 legislation - certification of surgical ...**Final Stage** 

Action 5761 / Stage 9312

 [Edit Stage](#)  [Go to RIS Project](#)

Documents		
<input checked="" type="radio"/> <a href="#">Final Text</a>	7/27/2021 9:34 am	<a href="#">Sync Text with RIS</a>
<input type="radio"/> <a href="#">Agency Background Document</a>	7/7/2021	<a href="#">Upload / Replace</a>
<input type="radio"/> <a href="#">Attorney General Certification</a>	7/12/2021	
<input checked="" type="radio"/> <a href="#">Registrar Transmittal</a>	7/12/2021	

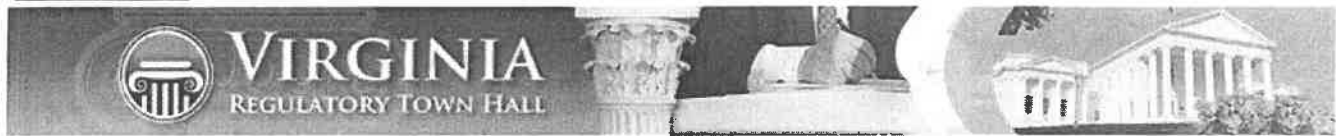
Status	
<b>Exempt from APA</b>	Yes, this action is exempt from Article 2 of the <i>Administrative Process Act</i> . The normal executive branch review process is not required.
<b>Attorney General Review</b>	Submitted to OAG: 7/7/2021 Review Completed: 7/12/2021 Result: Certified
<b>Virginia Registrar</b>	Submitted on 7/12/2021 <a href="#">The Virginia Register of Regulations</a> Publication Date: 8/2/2021 <input type="radio"/> <a href="#">Volume: 37 Issue: 25</a>
<b>Comment Period</b>	No comment period held for this exempt action/stage.
<b>Effective Date</b>	9/1/2021

Contact Information	
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This person is the primary contact for this board.

This stage was created by Elaine J. Yeatts on 07/07/2021 at 1:55pm

This stage was last edited by Elaine J. Yeatts on 07/07/2021 at 1:55pm

**Final Text**[highlight](#)**Action:** Conforming regulations to 2021 legislation - certification of ...**Stage:** Final

7/27/21 9:34 AM [latest] ▼

**18VAC85-160-30 Current name and address**

Each licensee or ~~registrant~~ certificate holder shall furnish the board his current name and address of record. All notices required by law or by this chapter to be given by the board to any such licensee or ~~registrant~~ certificate holder shall be validly given when sent to the latest address of record provided or served to the licensee or ~~registrant~~ certificate holder. Any change of name or address of record or public address, if different from the address of record, shall be furnished to the board within 30 days of such change.

**18VAC85-160-40 Fees**

A. The following fees have been established by the board:

1. The fee for licensure as a surgical assistant or ~~registration~~ certification as a surgical technologist shall be \$75.
2. The fee for renewal of licensure or ~~registration~~ certification shall be \$70. Renewals shall be due in the birth month of the licensee or ~~registrant~~ certificate holder in each even-numbered year. For 2020, the renewal fee shall be \$54.
3. The additional fee for processing a late renewal application within one renewal cycle shall be \$25.
4. The handling fee for a returned check or a dishonored credit card or debit card shall be \$50.

B. Unless otherwise provided, fees established by the board are not refundable.

**18VAC85-160-51 Requirements for ~~registration~~ certification as a surgical technologist**

A. An applicant for ~~registration~~ certification as a surgical technologist shall submit a completed application and a fee as prescribed in 18VAC85-160-40 on forms provided by the board.

B. An applicant for ~~registration~~ certification as a surgical technologist shall provide satisfactory evidence of:

1. A Successful completion of an accredited surgical technologist training program and a current credential as a certified surgical technologist from the National Board of Surgical Technology and Surgical Assisting or its successor; or
2. Successful completion of a surgical technologist training program for surgical technology during the applicant's service as a member of any branch of the armed forces of the United States.

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Agency

Department of Health Professions

Board

Board of Medicine

Chapter

Regulations Governing the Licensure of Surgical Assistants and Registration of Surgical Technologists [18 VAC 85 - 160]

**Action:** Amendments for surgical assistants consistent with a licensed profession**Proposed Stage**

Action 5639 / Stage 9324

 [Edit Stage](#)
 [Withdraw Stage](#)
 [Go to RIS Project](#)

## Documents

<input type="radio"/> <a href="#">Proposed Text</a>	8/23/2021 3:18 pm	<a href="#">Sync Text with RIS</a>
<input type="checkbox"/> <a href="#">Agency Background Document</a>	7/16/2021	<a href="#">Upload / Replace</a>
<input type="checkbox"/> <a href="#">Attorney General Certification</a>	7/29/2021	
<input type="checkbox"/> <a href="#">DPB Economic Impact Analysis</a>	9/13/2021	
<i>Agency Response to EIA</i>	<i>Not yet submitted</i>	<a href="#">Upload / Replace</a>

## Status

<b>Incorporation by Reference</b>	No
<b>Exempt from APA</b>	No, this stage/action is subject to Article 2 of the <i>Administrative Process Act</i>
<b>Attorney General Review</b>	Submitted to OAG: 7/16/2021 Review Completed: 7/29/2021 Result: Certified
<b>DPB Review</b>	Submitted on 7/29/2021 Economist: <a href="#">Larry Getzler</a> Policy Analyst: <a href="#">Jerry Gentile</a> Review Completed: 9/13/2021
<b>Secretary Review</b>	Secretary of Health and Human Resources review in progress. Day 14
<b>Governor's Review</b>	Not yet submitted
<b>Virginia Registrar</b>	Not yet submitted
<b>Comment Period</b>	You may comment on this stage in a Town Hall comment forum as soon as it is published in <i>The Virginia Register of Regulations</i> .  If you sign up for the Town Hall <a href="#">email notification service</a> , you will be notified when the comment forum opens.  The regulatory information regarding this stage is subject to change until 5 days before it is published in the Register.

## Contact Information

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*This person is the primary contact for this board.*

*This stage was created by Elaine J. Yeatts on 07/16/2021 at 1:07pm*

*This stage was last edited by Elaine J. Yeatts on 07/16/2021 at 1:07pm*



## Proposed Text

[highlight](#)**Action:** Amendments for surgical assistants consistent with a licensed ...**Stage:** Proposed

8/23/21 3:18 PM [latest] ▼

**18VAC85-160-40 Fees**

A. The following fees have been established by the board:

1. The fee for licensure as a surgical assistant shall be \$130 or registration certification as a surgical technologist shall be \$75.
2. The fee for renewal of licensure or registration as a surgical assistant shall be \$70 \$135, and certification as a surgical technologist \$70. Renewals shall be due in the birth month of the licensee or registrant certificate holder in each even-numbered year. For 2020, the renewal fee shall be \$54.
3. The additional fee for processing a late renewal application within one renewal cycle shall be \$25 \$50 for a surgical assistant and \$25 for a surgical technologist.
4. The handling fee for a returned check or a dishonored credit card or debit card shall be \$50.
5. The fees for inactive license renewal shall be \$70 for a surgical assistant and \$35 for inactive certification renewal for a surgical technologist.
6. The fee for reinstatement of a surgical assistant license that has been lapsed for two years or more shall be \$180; for a surgical technologist certification, it shall be \$90.
7. The fee for a letter of good standing or verification to another jurisdiction for a license shall be \$10.
8. The fee for reinstatement of licensure as a surgical assistant pursuant to § 54.1-2408.2 of the Code of Virginia shall be \$2,000.

B. Unless otherwise provided, fees established by the board are not refundable.

**18VAC85-160-60 Renewal of licensure for a surgical assistant.**

A. A surgical assistant who was licensed based on a credential as a surgical assistant or surgical first assistant issued by the National Board of Surgical Technology and Surgical Assisting or the National Commission for the Certification of Surgical Assistants or their successors shall attest that the credential is current at the time of renewal.

B. A surgical assistant who was licensed based on successful completion of a surgical assistant training program during the person's service as a member of any branch of the armed forces of the United States or based on practice as a surgical assistant in the Commonwealth at any time in the six months immediately prior to July 1, 2020 shall attest to completion of 38 hours of continuing education recognized by the National Surgical Assistant Association at the time of biennial renewal.

**18VAC85-160-65 Renewal of certification for a surgical technologist**

A. A surgical technologist who was certified based on certification as a certified surgical technologist from the National Board of Surgical Technology and Surgical Assisting or its successor shall attest that the credential is current at the time of renewal.

B. A surgical technologist who was certified based on successful completion of a training program for surgical technology during the person's service as a member of any branch of the armed forces of the United States, or based on practice as a surgical technologist at any time in the six months prior to July 1, 2021 shall attest to completion of 30 hours of continuing education recognized by the Association of Surgical Technologists at the time of biennial renewal.

#### **18VAC85-160-70 Reinstatement or reactivation of surgical assistant licensure**

A. A licensed surgical assistant who holds a current, unrestricted license in Virginia shall, upon a request on the renewal application and submission of the required fee, be issued an inactive license. The holder of an inactive license shall not be required to maintain hours of active practice or meet the continued competency requirements of 18VAC85-160-60 and shall not be entitled to perform any act requiring a license to practice surgical assisting in Virginia.

B. An inactive licensee may reactivate his license upon submission of the following:

1. An application as required by the board;
2. A payment of the difference between the current renewal fee for inactive licensure and the renewal fee for active licensure; and
3. Documentation of completed continued competency hours as required by 18VAC85-160-60.

C. A surgical assistant who allows his license to lapse for a period of two years or more and chooses to resume his practice shall submit a reinstatement application to the board and information on any practice and licensure or certification in other jurisdictions during the period in which the license was lapsed, and shall pay the fee for reinstatement of licensure as prescribed in 18VAC85-160-40.

D. The board reserves the right to deny a request for reactivation or reinstatement to any licensee who has been determined to have committed an act in violation of § 54.1-2915 of the Code of Virginia or any provisions of this chapter.

E. A surgical assistant whose license has been revoked by the board and who wishes to be reinstated shall make a new application to the board and payment of the fee for reinstatement of his license as prescribed in 18VAC85-160-40 pursuant to §54.1-2408.2 of the Code of Virginia.

#### **18VAC85-160-80 Confidentiality**

A practitioner shall not willfully or negligently breach the confidentiality between a practitioner and a patient. A breach of confidentiality that is required or permitted by applicable law or beyond the control of the practitioner shall not be considered negligent or willful.

#### **18VAC85-160-90 Patient records**

A. Practitioners shall comply with the provisions of § 32.1-127.1:03 of the Code of Virginia related to the confidentiality and disclosure of patient records.

B. Practitioners shall provide patient records to another practitioner or to the patient or his personal representative in a timely manner and in accordance with provisions of § 32.1-127.1:03 of the Code of Virginia.

C. Practitioners shall properly manage and keep timely, accurate, legible and complete patient records.

D. Practitioners who are employed by a health care institution or other entity in which the individual practitioner does not own or maintain his own records shall maintain patient records in accordance with the policies and procedures of the employing entity.

E. Practitioners who are self-employed or employed by an entity in which the individual practitioner does own and is responsible for patient records shall:

1. Maintain a patient record for a minimum of six years following the last patient encounter with the following exceptions:

a. Records of a minor child shall be maintained until the child reaches the age of 18 or becomes emancipated, with a minimum time for record retention of six years from the last patient encounter regardless of the age of the child;

b. Records that have previously been transferred to another practitioner or health care provider or provided to the patient or his personal representative; or

c. Records that are required by contractual obligation or federal law may need to be maintained for a longer period of time.

2. Post information or in some manner inform all patients concerning the time frame for record retention and destruction. Patient records shall only be destroyed in a manner that protects patient confidentiality, such as by incineration or shredding.

F. When a practitioner is closing, selling or relocating his practice, he shall meet the requirements of § 54.1-2405 of the Code of Virginia for giving notice that copies of records can be sent to any like-regulated provider of the patient's choice or provided to the patient.

#### **18VAC85-160-100 Communication with patients; termination of relationship**

##### **A. Communication with patients.**

1. Except as provided in § 32.1-127.1:03 F of the Code of Virginia, a practitioner shall accurately present information to a patient or his legally authorized representative in understandable terms and encourage participation in decisions regarding the patient's care.

2. A practitioner shall not deliberately make a false or misleading statement regarding the practitioner's skill or the efficacy or value of a treatment or procedure provided or directed by the practitioner in the treatment of any disease or condition.

3. Practitioners shall adhere to requirements of § 32.1-162.18 of the Code of Virginia for obtaining informed consent from patients prior to involving them as subjects in human research with the exception of retrospective chart reviews.

##### **B. Termination of the practitioner/patient relationship.**

1. The practitioner or the patient may terminate the relationship. In either case, the practitioner shall make the patient record available, except in situations where denial of access is allowed by law.

2. A practitioner shall not terminate the relationship or make his services unavailable without documented notice to the patient that allows for a reasonable time to obtain the services of another practitioner.

#### **18VAC85-160-110 Practitioner responsibility**

##### **A. A practitioner shall not:**



1. Perform procedures or techniques that are outside the scope of his practice or for which he is not trained and individually competent;

2. Knowingly allow subordinates to jeopardize patient safety or provide patient care outside of the subordinate's scope of practice or their area of responsibility. Practitioners shall delegate patient care only to subordinates who are properly trained and supervised;

3. Engage in an egregious pattern of disruptive behavior or interaction in a health care setting that interferes with patient care or could reasonably be expected to adversely impact the quality of care rendered to a patient; or

4. Exploit the practitioner/patient relationship for personal gain.

B. Advocating for patient safety or improvement in patient care within a health care entity shall not constitute disruptive behavior provided the practitioner does not engage in behavior prohibited in subdivision A 3 of this section.

#### **18VAC85-160-120 Sexual contact**

A. For purposes of § 54.1-2915 A 12 and A 19 of the Code of Virginia and this section, sexual contact includes, but is not limited to, sexual behavior or verbal or physical behavior that:

1. May reasonably be interpreted as intended for the sexual arousal or gratification of the practitioner, the patient, or both; or

2. May reasonably be interpreted as romantic involvement with a patient regardless of whether such involvement occurs in the professional setting or outside of it.

#### B. Sexual contact with a patient.

1. The determination of when a person is a patient for purposes of § 54.1-2915 A 19 of the Code of Virginia is made on a case-by-case basis with consideration given to the nature, extent, and context of the professional relationship between the practitioner and the person. The fact that a person is not actively receiving treatment or professional services from a practitioner is not determinative of this issue. A person is presumed to remain a patient until the patient-practitioner relationship is terminated.

2. The consent to, initiation of, or participation in sexual behavior or involvement with a practitioner by a patient does not change the nature of the conduct nor negate the statutory prohibition.

C. Sexual contact between a practitioner and a former patient after termination of the practitioner-patient relationship may still constitute unprofessional conduct if the sexual contact is a result of the exploitation of trust, knowledge, or influence of emotions derived from the professional relationship.

D. Sexual contact between a practitioner and a key third party shall constitute unprofessional conduct if the sexual contact is a result of the exploitation of trust, knowledge or influence derived from the professional relationship or if the contact has had or is likely to have an adverse effect on patient care. For purposes of this section, key third party of a patient means spouse or partner, parent or child, guardian, or legal representative of the patient.

E. Sexual contact between a supervisor and a trainee shall constitute unprofessional conduct if the sexual contact is a result of the exploitation of trust, knowledge or influence derived from the professional relationship or if the contact has had or is likely to have an adverse effect on patient care.

#### **18VAC85-160-130 Refusal to provide information**

A practitioner shall not willfully refuse to provide information or records as requested or required by the board or its representative pursuant to an investigation or to the enforcement of a statute or regulation.

On Mon, Aug 9, 2021 at 6:52 PM Dana Van Laeys <[dana@ncctinc.com](mailto:dana@ncctinc.com)> wrote:  
Hello, Dr. Harp-

This correspondence is accompanied with the highest regard for everything you do for the people you have sworn to represent and with the belief that you honorably serve with the best of intentions. NCCT would be remiss if we didn't reach out to you on behalf of our stakeholders in the Commonwealth of Virginia and nationwide.

Please leave room to consider that **limiting the number of qualified professionals available to enter any healthcare field is not in the public's best interest** and may be an **unintended consequence if this is not amended** from its current form. I wanted to ensure that you are fully aware of nuances therein that may detract from the spirit of the legislation, thereby impacting your constituents' certification pathways.

**There are 2 fully NCCA accredited certification programs for the surgical technologist occupation.** This legislation and licensing language lists only one of the two. Along with the proposed registration vs. certification adjustments in the language, we ask that you **respectfully adjust to include both accredited and legitimate certifications.**

#### Concerns:

- **Sole Sourcing** is of primary concern as the current language includes only 1 certification and certifying body [CST(NBSTSA)] **excluding the other legitimate certification:**

- “certified surgical technologist” and “National Board of Surgical Technology and Surgical Assisting” are listed

- It was likely not your intent to name a certifier and certification at the exclusion of all others because you may have been unaware that there exists a **legitimate alternative** to the named certification. Our stakeholders would ask that you take that into consideration going forward. The **TS-C (NCCT)** is the Tech in Surgery-Certified (NCCT) credential administered by the **National Center for Competency Testing** [[www.ncctinc.com](http://www.ncctinc.com)]. This NCCT certification program **holds the same NCCA accreditation** as does the CST(NBSTSA). You can follow the link to the listing that shows NCCT's accreditation through May of 2025:

<https://ice.learningbuilder.com/Public/MemberSearch/ProgramVerification> [search Organization: 'National Center for Competency Testing' and be sure to click "I'm not a robot" then Filter]

**Language alternatives:** 18VAC85-160-51. Requirements for ~~registration~~ certification as a surgical technologist.

A. An applicant for ~~registration~~ certification as a surgical technologist shall submit a completed application and a fee as prescribed in 18VAC85-160-40 on forms provided by the board.

B. An applicant for ~~registration~~ certification as a surgical technologist shall provide satisfactory evidence of:

1. A Successful completion of an accredited surgical technologist training program ~~or~~ a current credential as a ~~certified~~-surgical technologist certified from the National Board of Surgical Technology and Surgical Assisting or the National Center for Competency Testing or its ~~their~~ successors; or
2. Successful completion of a surgical-technologist training program for surgical technology during the applicant's service as a member of any branch of the armed forces of the United States.

#### Explanation/Justification:

If a nationally recognized accrediting body for certifying agencies has assessed compliance according to its published standards, the Commonwealth of Virginia would be best served by reviewing those standards to determine whether they are sufficient for regulatory purposes. These standards address eligibility requirements, among many other aspects of a credentialing organization.

Here is the NCCT position in brief:

- (1) NCCT does not seek to introduce legislation but will support fair and equitable legislation that mandates credentialing by a "certification program" (i.e. with examination) holding accreditation by the National Commission for Certifying Agencies (NCCA).
- (2) Certification examination programs are designed to assess whether examinees meet defined entry level standards based upon a formal job analysis.

I would invite you to look at other states that have sought to avoid the unintended consequence of passing sole sourcing legislation that would limit qualified practitioners' ability to practice. See attached links beginning with Section 501(1) (I)Page 7 and so on:

[https://www.iahcsmm.org/images/Advocacy/Certification\\_Bills/PA\\_HB81.pdf](https://www.iahcsmm.org/images/Advocacy/Certification_Bills/PA_HB81.pdf) and <https://www.oregonlaws.org/ors/676.875>

#### In closing:

Thank you for your time and for considering this information before limiting your constituents' access to qualified medical professionals (by default, limiting some of those qualified constituents' right to practice in their field).

Please know that I hold your service in highest esteem and would gladly serve as a certification resource if you seek clarification either now or in the future. In short, a "certification program" encompasses all aspects of a credential, from qualification to sit for an exam, to how an exam is constructed and validated, through credential maintenance and so on (there are a plethora of standards to be met and it can be a bit

confusing to those outside the certification industry). Feel free to contact me should you have further questions.

Respectfully submitted,

Dana

***Dana Van Laeys, MA Ed, MLS(ASCP)<sup>CM</sup>MB<sup>CM</sup>, CLS***

Vice President, Education Development and Marketing

National Center for Competency Testing

p 913.396.0786 | f 913.498.1243

e [dana@ncctinc.com](mailto:dana@ncctinc.com)

[www.ncctinc.com](http://www.ncctinc.com) | [Facebook](#) | [LinkedIn](#) | [Twitter](#)

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NCCT: 7007 College Boulevard, Suite 385, Overland Park Kansas 66211

Office Hours: M-F 7:30am - 7:00pm CST; Saturday 9:00am - 3:00pm CST

**Harp, William <[william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov)>**

**Aug 11,  
2021, 11:09  
AM**

to Dana,

Dear Dana:

Thank you for your message.

As you know from your research, the National Board of Surgical Technology and Surgical Assisting is the only credential specified in the Code of Virginia. The Board of Medicine does not have the authority to amend its regulations to include the TS-C (NCCT) without legislation that enables it.

This request will be referred to the Advisory Board on Surgical Assisting for review at its October 12, 2021 meeting.

With kindest regards,

William L. Harp, MD  
Executive Director  
Virginia Board of Medicine

**On Mon, Sep 6, 2021 at 11:35 AM Deborah Redmond <[beachsaofva@gmail.com](mailto:beachsaofva@gmail.com)> wrote:**

Good morning,

I do not see anything in general that is new that needs to be added. I am not sure if this can be handled through an email or we need to meet to discuss.

I think it would be helpful to get everyone up to speed on the process of disciplinary actions against a licensed practitioner. There are likely still SA's out there working without a license.....what steps should be taken now that the grace period is ending? I have had questions from local hospitals, what does this mean for them? There are still holdouts I believe, who don't think they should have to pay for something else. How does someone report an SA practicing without a license? These are questions the Advisory board needs to know the answers to.

We talked about renewal last meeting but I am not certain if the renewal application is ready to be up and running. Due to the fact that we just converted from Registration to License we will have folks up for renewal soon. I believe my date is March.

Thanks,  
Deborah  
Deborah Redmond, LSA, MSA, CSA, F-OS  
Beach Surgical Assistants of VA  
[beachsaofva@gmail.com](mailto:beachsaofva@gmail.com)  
757-343-4735

**On Fri, Sep 3, 2021 at 2:05 PM Beach SA <[beachsaofva@gmail.com](mailto:beachsaofva@gmail.com)> wrote:**

Good afternoon Dr Harp,

I did think that we needed to follow up on the renewal application process and any further discussion as to where we stand with the grace period which is about to end. I am not certain that there is any further update from the BOM on the NOIRA. I will need to check my information at home.

Deborah

Good morning, Deborah:

Thanks for your message.

We should have a Board Briefs going out in the next couple of weeks. An item about surgical assistants and surgical techs will be in it.

**From:** Deborah Redmond <[beachsaofva@gmail.com](mailto:beachsaofva@gmail.com)>  
**Subject:** questions  
**Date:** September 29, 2021 at 8:41:25 PM EDT  
**To:** "William Harp, MD" <[william.harp@dhp.virginia.gov](mailto:william.harp@dhp.virginia.gov)>

Good evening,

I am reaching out to see if we can address these types of questions that I have below at our upcoming Advisory Board meeting? These are the types of questions that SAs out in the field are reaching out and asking. I think it would be helpful if we talk about this as a board with your guidance and direction so we can be consistent in our answers.

The following was sent from an SA in the field:

At the moment Inova has several job openings advertised. They do not require a license or certification. I also learned from a friend that applied there that they would try to fight the bill

The hospital in Winchester (cannot recall the brand) is advertising. They require a CFA, which is no longer a certification, a CSTFA, which is not a "real" position or certification or a C-SA which as we know was not included in the verbiage of the licensure.

Carillon when I spoke to their recruiter from the OR laughed when I asked if they were hiring LSA's. She said, not quoting, why would we spend that money when we can get the surgical techs to do the same job.

My facility is hiring, 10 of the applicants have been, C-SA or FMGs, none with a license. Fortunately my manager has been educated by me of the differences. Talking to my manager and director, who then spoke with HR ..... they all say they were not informed by anyone of the changes, by anyone they mean the state. If it wasn't for my big mouth and insistence we would still have any warm body assisting.

It is a fantastic move that we have made to become licensed, but if the hospital systems are not made to follow the law set by the state, it makes it somewhat meaningless.

Can we get it on the list for surveyors (state, TJC, DNV) to question? Get in touch with risk managements?

Thanks so much,  
Deborah

Deborah Redmond, LSA, MSA, CSA, F-OS  
Beach Surgical Assistants of VA  
[beachsaofva@gmail.com](mailto:beachsaofva@gmail.com)  
757-343-4735

## GRACE PERIOD EXPIRING FOR LICENSED SURGICAL ASSISTANTS

The 2020 General Assembly established licensure for surgical assistants; the law became effective July 1, 2020. The regulations promulgated subsequent to the law became effective October 14, 2020. At its October 16, 2020 meeting, the Advisory Board on Surgical Assisting voted to recommend a 1-year grace period from October 14, 2020 to October 14, 2021 for surgical assistants to become licensed with the Board. After the grace period expires, late applicants may be subject to discipline for an unlicensed period of practice.

## QUICK NOTES

Physician assistants are now authorized to access the Newborn Screening Data held by the Virginia Department of Health. Here is the link to the Screening Program.

<https://www.vdh.virginia.gov/newborn-screening/>

Members of the Board of Medicine have been meeting with members of the Board of Pharmacy and other stakeholders to develop statewide pharmacy protocols for illnesses/conditions that can be treated by pharmacists without a prescription from a physician.

The Boards of Nursing and Medicine now have 3 types of midwives – Certified Nurse Midwives, Licensed Midwives and Licensed Certified Midwives. On September 8<sup>th</sup> and 27<sup>th</sup>, the Department of Health Professions held meetings with representatives of all 3 categories of midwifery to discuss various options for regulation going forward. DHP will provide a report of the discussion and recommendations supported by the 3 groups to the General Assembly within the month.

## BEWARE OF SCAMMERS

You should be aware that scammers might call you from a number that displays as the Board of Medicine saying that you are under investigation and that your license is going to be suspended. These phone calls are sometimes accompanied by faxed, falsified documents appearing to come from enforcement agencies. And there can be a request that you submit money. **Know that the Board of Medicine will never communicate in a threatening manner or send a communication asking for your personal information or money.** If you get any communication that claims to be from the Board of Medicine about which you are skeptical, do not hesitate to contact the Board at 804-367-4558 or email the Board at [medbd@dhp.virginia.gov](mailto:medbd@dhp.virginia.gov) for clarification.



## PAPERLESS LICENSING

The Department of Health Professions continues to move towards paperless licensing. For those of you that renewed in 2020, the paper license you got will be your last. The same is true for those renewing in 2021. Remember that the current status of your license can be found on License Lookup at: <https://dhp.virginiainteractive.org/Lookup/Index>. All hospitals, health care organizations, employers and others can be directed to License Lookup for the real-time status of your license. Going forward, notification renewals will also be paperless. Be sure that the Board of Medicine has your correct email address to send the e-notification. Only those that do not have an email address will be sent a paper notification.

## TRAINING ON THE ELECTRONIC DEATH REGISTRATION SYSTEM

For those of you authorized to complete and sign death certificates, here are some trainings around the state that may be of help to you. Just click on the links to see the flyer, the locations, dates and times.

<https://mail.google.com/mail/u/0/#search/corie.wolf%40dhp.virginia.gov/WhctKKWxbLZlbMVppsxzWwbxNVKxxsgcnjBlwchjJvGKbLHMvnNMLmMtmRVmZDnfLXVJzJq?projector=1&messagePartId=0.1>

<https://mail.google.com/mail/u/0/#search/corie.wolf%40dhp.virginia.gov/WhctKKWxbLZlbMVppsxzWwbxNVKxxsgcnjBlwchjJvGKbLHMvnNMLmMtmRVmZDnfLXVJzJq?projector=1&messagePartId=0.3>

*Commonwealth of Virginia*



# REGULATIONS

## GOVERNING LICENSURE OF SURGICAL ASSISTANTS AND CERTIFICATION OF SURGICAL TECHNOLOGISTS

### VIRGINIA BOARD OF MEDICINE

**Title of Regulations: 18 VAC 85-160-10 et seq.**

**Statutory Authority: § 54.1-2400 and Chapter 29  
of Title 54.1 of the *Code of Virginia***

**Effective Date: September 1, 2021**

9960 Mayland Drive, Suite 300  
Henrico, VA 23233-1463

(804) 367-4600 (TEL)  
(804) 527-4426 (FAX)  
email: [medbd@dhp.virginia.gov](mailto:medbd@dhp.virginia.gov)

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**18VAC85-160-10. Definitions.**

The following word and term when used in this chapter shall have the following meaning unless the context clearly indicates otherwise:

"Board" means the Virginia Board of Medicine.

**18VAC85-160-20. Public participation.**

A separate regulation, 18VAC85-11, Public Participation Guidelines, provides for involvement of the public in the development of all regulations of the Virginia Board of Medicine.

**18VAC85-160-30. Current name and address.**

Each licensee or certificate holder shall furnish the board his current name and address of record. All notices required by law or by this chapter to be given by the board to any such licensee or certificate holder shall be validly given when sent to the latest address of record provided or served to the licensee or certificate holder. Any change of name or address of record or public address, if different from the address of record, shall be furnished to the board within 30 days of such change.

**18VAC85-160-40. Fees.**

A. The following fees have been established by the board:

1. The fee for licensure as a surgical assistant or certification as a surgical technologist shall be \$75.
2. The fee for renewal of licensure or certification shall be \$70. Renewals shall be due in the birth month of the licensee or certificate holder in each even-numbered year. For 2020, the renewal fee shall be \$54.
3. The additional fee for processing a late renewal application within one renewal cycle shall be \$25.
4. The handling fee for a returned check or a dishonored credit card or debit card shall be \$50.

B. Unless otherwise provided, fees established by the board are not refundable.

**18VAC85-160-50. Requirements for licensure as a surgical assistant.**

A. An applicant for licensure shall submit a completed application and a fee as prescribed in 18VAC85-160-40 on forms provided by the board.

B. An applicant for licensure as a surgical assistant shall provide evidence of:

1. A current credential as a surgical assistant or surgical first assistant issued by the National Board of Surgical Technology and Surgical Assisting or the National Commission for Certification of Surgical Assistants or their successors;
2. Successful completion of a surgical assistant training program during the applicant's service as a member of any branch of the armed forces of the United States; or
3. Practice as a surgical assistant in the Commonwealth at any time in the six months immediately prior to July 1, 2020.

**18VAC85-160-51. Requirements for certification as a surgical technologist.**

- A. An applicant for certification as a surgical technologist shall submit a completed application and a fee as prescribed in 18VAC85-160-40 on forms provided by the board.
- B. An applicant for certification as a surgical technologist shall provide satisfactory evidence of:
  1. Successful completion of an accredited surgical technologist training program and a current credential as a certified surgical technologist from the National Board of Surgical Technology and Surgical Assisting or its successor; or
  2. Successful completion of a training program for surgical technology during the applicant's service as a member of any branch of the armed forces of the United States.

**18VAC85-160-60. Renewal of licensure for a surgical assistant.**

A surgical assistant who was licensed based on a credential as a surgical assistant or surgical first assistant issued by the National Board of Surgical Technology and Surgical Assisting or the National Commission for the Certification of Surgical Assistants or their successors shall attest that the credential is current at the time of renewal.

<b>Profession</b>	<b>Pre-COVID Process</b>	<b>COVID Process per Executive Order 57</b>  <b>Effective March 12, 2020;</b> <b>Ended June 30, 2021</b>	<b>Recommendations</b>
<b>Licensed Surgical Assistant</b>	<ul style="list-style-type: none"> <li>• Form B / Employment Verification</li> <li>• Provide to the Board evidence or documented proof of one of the three (3) credentialing pathways.</li> <li>• Non-routine questions #6-18 answered on application require supporting documentation from the applicant.</li> <li>• Required documents received at the Board must be primary source verified, and may be electronically transmitted from the source to the licensing specialist</li> </ul>	<p style="text-align: center;"><b>Waived</b></p> <ul style="list-style-type: none"> <li>• Form B / Employment Verification</li> </ul>	

Revised 8/21 Surgical Assistant



### Application for License to Practice as a Surgical Assistant

To the Virginia Board of Medicine:

I hereby make an application for a license to practice as a Surgical Assistant in the Commonwealth of Virginia and submit the following information:

1. Name in Full (Please Print or Type)

Last	First	Middle
Date of Birth ____ _ MO DAY YEAR	Social Security No. or VA Control No.*	Maiden Name if applicable
Public Address: This address will be public information:	House No. Street or PO Box	City State and Zip
Board Address: This address will be used for Board Correspondence and may be the same or different from the public address.	House No. Street or PO Box	City State and Zip
Work Phone Number	Home/Cell Phone Number	Email Address

Please submit address changes in writing immediately to [medbd@dhp.virginia.gov](mailto:medbd@dhp.virginia.gov)

Please attach check or money order payable to the Treasurer of Virginia for \$75.00. Applications will not be processed without the fee. Do not submit the fee without an application. **IT WILL BE RETURNED.**

**APPLICANTS DO NOT USE SPACES BELOW THIS LINE – FOR OFFICE USE ONLY**

APPROVED BY

LICENSE NUMBER	PROCESSING NUMBER	FEE	Date
<b>0136- Surgical Assistant</b>		<b>\$75.00</b>	

\*In accordance with §54.1-116 Code of Virginia, you are required to submit your Social Security Number or your control number\*\* issued by the Virginia Department of Motor Vehicles. If you fail to do so, the processing of your application will be suspended and fees will not be refunded. This number will be used by the Department of Health Professions for identification and will not be disclosed for other purposes except as provided by law. Federal and state law requires that this number be shared with other state agencies for child support enforcement activities. **NO LICENSE WILL BE ISSUED TO ANY INDIVIDUAL WHO HAS FAILED TO DISCLOSE ONE OF THESE NUMBERS.**

\*\*In order to obtain a Virginia driver's license control number, it is necessary to appear in person at an office of the Department of Motor Vehicles in Virginia. A fee and disclosure to DMV of your Social Security Number will be required to obtain this number.

2. List in chronological order all professional practices including each location of service since completion of a surgical assistant training program, including after obtaining credential as a surgical assistant, hospital affiliations and absences from work. Also, list all periods of non-professional activity or employment. **PLEASE ACCOUNT FOR ALL TIME.** If engaged in private practice, list all clinical affiliations.

From	To	Name and Address of Location Where Service was Provided	Position Held
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

3. Do you intend to engage in the active practice of surgical assisting in the Commonwealth of Virginia?  Yes  No

If Yes, give location \_\_\_\_\_

4. List all jurisdictions in which you have been issued a license to practice or registered as a surgical assistant: include all active, inactive, expired, suspended or revoked licenses/registrations. Indicate number and date issued.

Jurisdiction	Number Issued	Active/Inactive/Expired

5. How did you obtain your credential as surgical assistant?  NBSTSA  NCCSA  Completion of a Surgical Assistant training program in the US armed forces  Practice as a surgical assistant in Virginia prior to July 1, 2020



**QUESTIONS MUST BE ANSWERED.** If any of the following questions (6-18) is answered Yes, explain and Substantiate with documentation.

**Yes No**

- 6. Have you ever been denied a license or the privilege of taking a licensure/competency examination by any testing entity or licensing authority?
  
- 7. Have you ever been convicted of a violation of/or pled Nolo Contendere to any federal, state, or local statute, or regulation or ordinance, or entered into plea bargaining relating to a felony or misdemeanor? (Excluding traffic violations, except convictions for driving under the influence.) **Additionally, any information concerning an arrest, charge, or conviction that has been sealed, including arrests, charges, or convictions for possession of marijuana, does not have to be disclosed.**
  
- 8. Have you ever been denied privileges or voluntarily surrendered your clinical privileges for any reason?
  
- 9. Have you ever been placed on a corrective action plan, placed on probation or been dismissed or suspended or requested to withdraw from any professional school, training program, hospital, etc?
  
- 10. Have you ever been terminated from employment or resigned in lieu of termination from any training program, hospital, healthcare facility, healthcare provider, provider network or malpractice insurance carrier?
  
- 11. Do you have any pending disciplinary actions against your professional license/certification/permit/registration related to your practice of surgical assisting?
  
- 12. Have you voluntarily withdrawn from any professional society while under investigation?
  
- 13. Within the past five years, have you exhibited any conduct or behavior that could call into question your ability to practice in a competent and professional manner?
  
- 14. Within the past five years, have you been disciplined by any entity?
  
- 15. Do you currently have any physical condition or impairment that affects or limits your ability to perform any of the obligations and responsibilities of professional practice in a safe and competent manner? "Currently" means recently enough so that the condition could reasonably have an impact on your ability to function as a practicing surgical assistant.
  
- 16. Do you currently have any mental health condition or impairment that affects or limits your ability to perform any of the obligations and responsibilities of professional practice in a safe and competent manner? "Currently" means recently enough so that the condition could reasonably have an impact on your ability to function as a practicing surgical assistant.
  
- 17. Do you currently have any condition or impairment related to alcohol or other substance use that affects or limits your ability to perform any of the obligations and responsibilities of professional practice in a safe and competent manner? "Currently" means recently enough so that the condition could reasonably have an impact on your ability to function as a practicing surgical assistant.
  
- 18. Within the past 5 years, have you any condition or restrictions been imposed upon you or your practice to avoid disciplinary action by any entity?

**Military Service:**

- 19. Are you a spouse of someone who is on a federal active duty orders pursuant to Title 10 of the U.S. Code or of a veteran who has left active-duty service within one year of submission of this application and who is accompanying your spouse to Virginia or an adjoining state or the District of Columbia?
  
- 20. Are you active duty military?

21. AFFIDAVIT OF APPLICANT

I, \_\_\_\_\_, am the person referred to in the foregoing application and supporting documents.

I hereby authorize all hospitals, institutions, or organizations, my references, personal physicians, employers (past and present), business and professional associates (past and present), and all governmental agencies and instrumentalities (local, state, federal, or foreign) to release to the Virginia Board of Medicine any information, files or records requested by the Board in connection with the processing of individuals and groups listed above, any information which is material to me and my application.

I have carefully read the questions in the foregoing application and have answered them completely, without reservations of any kind, and I declare under penalty of perjury that my answers and all statements made by me herein are true and correct. Should I furnish any false information in this application, I hereby agree that such act shall constitute cause for the denial, suspension, or revocation of my license to practice as a surgical assistant in the Commonwealth of Virginia.

I have carefully read the laws and regulations related to the practice of my profession which are available at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) and I understand that fees submitted as part of the application process shall not be refunded.

---

Signature of Applicant

<b>Profession</b>	<b>Pre-COVID Process</b>	<b>COVID Process per Executive Order 57</b>  <b>Effective March 12, 2020;</b> <b>Ended June 30, 2021</b>	<b>Recommendations</b>
<b>Surgical Technologists</b>	<ul style="list-style-type: none"> <li>• Form B / Employment Verification</li> <li>• Provide to the Board evidence or documented proof of one of the three (3) credentialing pathways.</li> <li>• Non-routine questions #4-16 answered on application require supporting documentation from the applicant.</li> <li>• Required documents received at the Board must be primary source verified, and may be electronically transmitted from the source to the licensing specialist</li> </ul>	<p style="text-align: center;"><b>Waived</b></p> <ul style="list-style-type: none"> <li>• Form B / Employment Verification</li> </ul>	

Revised 8/21 Surgical Technologist

 Virginia Department of <b>Health Professions</b>	<b>Board of Medicine</b>	
	9960 Mayland Drive, Suite 300 Henrico, Virginia 23233-1463 Email: <a href="mailto:medbd@dhp.virginia.gov">medbd@dhp.virginia.gov</a>	Phone: (804) 367-4600 Fax: (804) 527-4426

## Application for Certification as a Surgical Technologist

To the Board of Medicine of Virginia:

I hereby make an application for certification to practice as a Surgical Technologist in the Commonwealth of Virginia and submit the following statements:

1. Name in Full (Please Print or Type)

Last	First	Middle
Date of Birth  ____ _ MO DAY YEAR	Social Security No. or VA Control No.*	Maiden Name if applicable
Public Address: This address will be public information:	House No. Street or PO Box	City State and Zip
Board Address: This address will be used for Board Correspondence and may be the same or different from the public address.	House No. Street or PO Box	City State and Zip
Work Phone Number	Home/Cell Phone Number	Email Address

Please submit address changes in writing immediately to [medbd@dhp.virginia.gov](mailto:medbd@dhp.virginia.gov)

Please attach check or money order payable to the Treasurer of Virginia for \$75.00. Applications will not be processed without the fee. Do not submit fee without an application. **IT WILL BE RETURNED.**

**APPLICANTS DO NOT USE SPACES BELOW THIS LINE – FOR OFFICE USE ONLY**

APPROVED BY \_\_\_\_\_

Date

LICENSE NUMBER	PROCESSING NUMBER	FEE
0137-Surg Tech		\$75.00

\*In accordance with §54.1-116 Code of Virginia, you are required to submit your Social Security Number or your control number\*\* issued by the Virginia Department of Motor Vehicles. If you fail to do so, the processing of your application will be suspended and fees will not be refunded. This number will be used by the Department of Health Professions for identification and will not be disclosed for other purposes except as provided by law. Federal and state law requires that this number be shared with other state agencies for child support enforcement activities. **NO LICENSE WILL BE ISSUED TO ANY INDIVIDUAL WHO HAS FAILED TO DISCLOSE ONE OF THESE NUMBERS.**

\*\*In order to obtain a Virginia driver's license control number, it is necessary to appear in person at an office of the Department of Motor Vehicles in Virginia. A fee and disclosure to DMV of your Social Security Number will be required to obtain this number.

2. How did you obtain your credential as Surgical Technologist?  Completed surgical technologist training program and NBSTSA

Completion of a surgical technologist training program in the US armed forces  Practice as a surgical technologist prior to July 1, 2021.

3. List in chronological order all professional practices including each location of service since completion of a surgical technologist training program, including after obtaining credential as a surgical technologist, hospital affiliations and absences from work. Also list all periods of non-professional activity or employment. **PLEASE ACCOUNT FOR ALL TIME.** If engaged in private practice, list all clinical affiliations.

From	To	Name and Address of Location Where Service was Provided	Position Held
_____	_____	_____ _____ _____	_____
_____	_____	_____ _____ _____	_____
_____	_____	_____ _____ _____	_____
_____	_____	_____ _____ _____	_____
_____	_____	_____ _____ _____	_____
_____	_____	_____ _____ _____	_____

Yes No

**QUESTIONS MUST BE ANSWERED.** If any of the following questions (#4-16) is answered Yes, explain and substantiate with documentation.

- 4. Have you ever been denied a license or the privilege of taking a licensure/competency examination by any testing entity or licensing authority?  Yes  No
- 5. Have you ever been convicted of a violation of/or pled Nolo Contendere to any federal, state, or local statute, or regulation or ordinance, or entered into an plea bargaining relating to a felony or misdemeanor? (Excluding traffic violations, except convictions for driving under the influence.) **Additionally, any information concerning an arrest, charges, or conviction that has been sealed, including arrests, charges, or convictions for possession of marijuana, does not have to be disclosed.**  Yes  No
- 6. Have you ever been denied privileges or voluntarily surrendered your clinical privileges for any reason?  Yes  No
- 7. Have you ever been placed on a corrective action plan, placed on probation or been dismissed or suspended or Requested to withdraw from any professional school, training program, hospital, etc.?  Yes  No

- 8. Have you ever been terminated from employment or resigned in lieu of termination from any training program, hospital, healthcare facility, healthcare provider, provider network or malpractice insurance carrier?
- 9. Do you have any past or pending disciplinary actions against your professional license/certification/permit/registration related to your practice as a surgical technologist?
- 10. Have you voluntarily withdrawn from any professional society while under investigation?
- 11. Within the past five years, have you exhibited any conduct or behavior that could call into question your ability to practice in a competent and professional manner?
- 12. Within the past five years, have you been disciplined by any entity?
- 13. Do you currently have any physical condition or impairment that affects or limits your ability to perform any of the obligations and responsibilities of professional practice in a safe and competent manner? "Currently" means recently enough so that the condition could reasonably have an impact on your ability to function as a practicing surgical technologist.
- 14. Do you currently have any mental health condition or impairment that affects or limits your ability to perform any of the obligations and responsibilities of professional practice in a safe and competent manner? "Currently" means recently enough so that the condition could reasonably have an impact on your ability to function as a practicing surgical technologist.
- 15. Do you currently have any condition or impairment related to alcohol or other substance use that affects or limits your ability to perform any of the obligations and responsibilities of professional practice in a safe and competent manner? "Currently" means recently enough so that the condition could reasonably have an impact on your ability to function as a practicing surgical technologist.
- 16. Within the past 5 years, have you any condition or restrictions been imposed upon you or your practice to avoid disciplinary action by any entity?

**Military Service:**

- 17. Are you a spouse of someone who is on a federal active duty orders pursuant to Title 10 of the U.S. Code or of a veteran who has left active-duty service within one year of submission of this application and who is accompanying your spouse to Virginia or an adjoining state or the District of Columbia?
- 18. Are you active duty military?

**19. AFFIDAVIT OF APPLICANT**

I, \_\_\_\_\_, am the person referred to in the foregoing application and supporting documents.

I hereby authorize all hospitals, institutions, or organizations, my references, personal physicians, employers (past and present), business and professional associates (past and present), and all governmental agencies and instrumentalities (local, state, federal, or foreign) to release to the Virginia Board of Medicine any information, files or records requested by the Board in connection with the processing of individuals and groups listed above, any information which is material to me and my application. I have carefully read the questions in the foregoing application and have answered them completely, without reservations of any kind, and I declare under penalty of perjury that my answers and all statements made by me herein are true and correct. Should I furnish any false information in this application, I hereby agree that such act shall constitute cause for the denial, suspension, or revocation of my license to practice as a surgical technologist in the Commonwealth of Virginia.

I have carefully read the laws and regulations related to the practice of my profession which are available at [www.dhp.virginia.gov](http://www.dhp.virginia.gov) and I understand that fees submitted as part of the application process shall not be refunded.

\_\_\_\_\_  
Signature of Applicant

**Advisory Board on:**

<b>Behavioral Analysts</b>			<b>10:00 a.m.</b>
Mon - January 31	May 23	September 19	
<b>Genetic Counseling</b>			<b>1:00 p.m.</b>
Mon - January 31	May 23	September 19	
<b>Occupational Therapy</b>			<b>10:00 a.m.</b>
Tues - February 1	May 24	September 20	
<b>Respiratory Care</b>			<b>1:00 p.m.</b>
Tues - February 1	May 24	September 20	
<b>Acupuncture</b>			<b>10:00 a.m.</b>
Wed - February 2	May 25	September 21	
<b>Radiological Technology</b>			<b>1:00 p.m.</b>
Wed - February 2	May 25	September 21	
<b>Athletic Training</b>			<b>10:00 a.m.</b>
Thurs - February 3	May 26	September 22	
<b>Physician Assistants</b>			<b>1:00 p.m.</b>
Thurs - February 3	May 26	September 22	
<b>Midwifery</b>			<b>10:00 a.m.</b>
Fri - February 4	May 27	September 23	
<b>Polysomnographic Technology</b>			<b>1:00 p.m.</b>
Fri - February 4	May 27	September 23	
<b>Surgical Assisting</b>			<b>10:00 a.m.</b>
Mon - February 7	Tues - May 31	September 26	