B-Engrossed
House Bill 4106
Ordered by the Senate February 23
Including House Amendments dated February 11 and Senate Amendments
dated February 23

Sponsored by Representatives SCHOUTEN, MOORE-GREEN, Senator PATTERSON, Representative ZIKA; Repre-
sentatives ALONSO LEON, CAMPOS, DEXTER, EVANS, FAHEY, GRAYBER, HAYDEN, HELM, HIEB, HOY,
HUDSON, KROFF, LIVELY, MARSH, MCLAIN, NOBLE, REYNOLDS, RUIZ, STARK, WEBER, WILDE, Sen-
ators BEYER, FREDERICK, KENNEMER, PROZANSKI (Presession filed.)

SUMMARY
The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject
to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the
measure.

Allows person employed by health care facility to practice surgical technology if person has
completed and is certified by specified apprenticeship program. Becomes operative January 1, 2023.

Directs State Apprenticeship and Training Council, in coordination with Bureau of Labor and
Industries, to study registered apprenticeship programs in surgical technology. Requires report to
interim committee of Legislative Assembly related to health care no later than September 1, 2025.
Sunsets January 1, 2026.

Declares emergency, effective on passage.

A BILL FOR AN ACT
Relating to surgical technologists; creating new provisions; amending ORS 676.875; and declaring
an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 676.875 is amended to read:

676.875. (1) A health care facility may not allow a person to practice surgical technology at the
health care facility unless the person:

(a)(A) Provides the health care facility with documentation showing that the person has com-
pleted an educational program for surgical technologists accredited by a national accreditation or-
organization approved by the Oregon Health Authority by rule; and

(B)(i) Holds and maintains a:

(I) Surgical technologist certification issued by a nationally accredited certifying organization
for surgical technologists approved by the authority by rule; or

(ii) Has completed and is certified by a registered apprenticeship program in surgical
technology that:

(I) Is approved under ORS 660.002 to 660.210;

(II) Meets the requirements for, and requires participants to receive, certification by the
National Center for Competency Testing or its successor organization;

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted.
New sections are in boldfaced type.
(III) Upon completion awards certification accredited by the National Commission for  
Certifying Agencies or its successor organization; and  
(IV) Is approved by the authority by rule;
(b)(A) Provides the health care facility with documentation showing that the person has com-
pleted a training program for surgical technologists in the Army, Navy, Air Force, Marine Corps 
or Coast Guard of the United States or in the United States Public Health Service Commissioned  
Corps; and
(B) Every two years completes 16 hours of continuing education approved by the authority; or
(c)(A) Provides the health care facility with documentation showing that the person practiced 
surgical technology during at least two of the three years immediately preceding January 1, 2017:
(i) In a health care facility in Oregon or in another state; or
(ii) As an employee of an agency or institution of the federal government; and
(B) Every two years completes 16 hours of continuing education approved by the authority.
(2) Notwithstanding subsection (1)(a)(B)(i) of this section, a health care facility may  
allow a person who does not hold a [surgical technologist] certification described in subsection (1)(a)(B)(i) 
of this section to perform surgical technology at the health care facility for 12 months after the person 
completes an educational program for surgical technologists accredited by a national ac-
creditation organization approved by the authority by rule.
(3) Notwithstanding subsection (1)(a)(B) of this section, a health care facility may allow 
a person who does not hold a certification described in subsection (1)(a)(B) of this section to 
perform surgical technology at the health care facility if the person:
(a) Is an apprentice, as defined in ORS 660.010, actively enrolled in a registered appren-
ticeship program in surgical technology described in subsection (1)(a)(B)(ii) of this section 
that requires the person to obtain on-the-job supervised training; and
(b) Is at all times while performing surgical technology provided adequate direct super-
vision as required by the standards for the registered apprenticeship program in which the 
person is enrolled.
SECTION 2. The State Apprenticeship and Training Council, in coordination with the 
Bureau of Labor and Industries, shall study registered apprenticeship programs in surgical  
technology, including graduation and placement rates. The council shall submit findings and  
recommendations to an interim committee of the Legislative Assembly related to health care 
not later than September 1, 2025.
SECTION 3. Section 2 of this 2022 Act is repealed on January 1, 2026.
SECTION 4. (1) The amendments to ORS 676.875 by section 1 of this 2022 Act become  
operative on January 1, 2023.
(2) The Oregon Health Authority and the State Apprenticeship and Training Council may  
take any action before the operative date specified in subsection (1) of this section that is 
necessary to enable the authority and the council to exercise, on and after the operative date 
specified in subsection (1) of this section, all of the duties, functions and powers conferred  
on the authority and the council by the amendments to ORS 676.875 by section 1 of this 2022 
Act.
SECTION 5. This 2022 Act being necessary for the immediate preservation of the public  
peace, health and safety, an emergency is declared to exist, and this 2022 Act takes effect 
on its passage.