

EFFECTIVE
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NEBRASKA DEPARTMENT OF
HEALTH AND HUMAN SERVICES

172 NAC 87

TITLE 172 PROFESSIONAL AND OCCUPATIONAL LICENSURE

CHAPTER 87 LICENSURE OF SURGICAL FIRST ASSISTANT

001. AUTHORITY. These regulations govern the license of the practice as a Surgical First Assistant under the Surgical First Assistant Practice Act as provided in Nebraska Revised Statute (Neb. Rev. Stat.) §§ 38-3501 to 38-3517, the Uniform Credentialing Act (UCA), and Neb. Rev. Stat. §§ 38-101 to 38-1,142.

002. DEFINITIONS. Definitions are set out in the Uniform Credentialing Act, the Surgical First Assistant Practice Act, 172 Nebraska Administrative Code (NAC) 10, and this chapter.

002.01 MODIFIED ANGOFF METHOD. A method of determining passing scores based on aggregate information obtained by having judges predict the probability that a hypothetical minimally competent candidate will correctly answer items in a test is the Angoff Method, a modified Angoff method has several review rounds.

002.02 APPROVED CERTIFYING BODIES. Approved certifying bodies include, National Board of Surgical Technology and Surgical Assisting, or a certifying body recognized by the Board of Medicine and Surgery.

002.03 APPROVED EDUCATION PROGRAMS. Programs who are accredited by the Commission on Accreditation of Allied Health Education Programs or approved as equivalent by the Board of Medicine and Surgery.

003. LICENSE REQUIREMENTS. To obtain a license to practice as a Surgical First Assistant, an individual must submit a completed application provided by the Department and provide documentation demonstrating the applicant meets the licensing requirements of Neb. Rev. Stat. § 38-3512, 172 NAC 10, and this chapter.

003.01 EDUCATION. The applicant must submit the following:

- (A) Official transcripts sent from the issuing approved education program; and
- (B) Copy of high school diploma or a diploma of high school equivalency issued by the Nebraska Commissioner of Education or a similar government official.

003.02 EXAMINATION. The individual must have sent directly to the Department from the issuing institution one of the following:

- (A) Proof of having passed the National Board of Surgical Technology and Surgical Assisting (NBSTSA) examination with a passing score as determined using the modified Angoff method;

- (B) Proof of having passed the National Commission for the Certification of Surgical Assistants (NCCSA) examination with a passing score as determined using the modified Angoff method;
- (C) Proof of having passed the American Board of Surgical Assistants (ABSA) examination with a minimum score of 70% on the General Knowledge Section and 75% on the Specialty and Practical Skills Section or above; or
- (D) Proof of having passed an equivalent nationally recognized Surgical First Assistant examination approved by the Board of Medicine and Surgery.

003.03 CERTIFICATION. Submit to the Department a copy of their certification from an approved certifying body.

003.04 RECIPROCITY. To obtain a license based on reciprocity, an applicant must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the requirements of Neb. Rev. Stat. § 38-129.02, 172 NAC 10, and this chapter. Applicants must provide documentation of the following:

- (A) Possession of a current and valid credential as a Surgical First Assistant for at least one year in another state, a territory of the United States, or the District of Columbia;
- (B) The education required to obtain the credential;
- (C) The minimum work experience and clinical supervision requirements, if any, required for the credential and the applicant's completion of the experience and clinical supervision;
- (D) Passage of an examination for the credential, if required to obtain the credential in the other jurisdiction;
- (E) That the credential has not been subject to revocation or any other disciplinary action or voluntarily surrendered while the applicant was under investigation for unprofessional conduct or any other conduct which would be subject to Neb. Rev. Stat. § 38-178 if the conduct occurred in Nebraska; and
- (F) Information about any other credential the applicant has held and whether any disciplinary action has been taken against such credential. If disciplinary action has been taken documentation must be submitted showing the status of the action and whether the cause for the action has been corrected.

003.05 RESIDENCY. All applicants receiving a license pursuant to 172 NAC 87-003.04 must submit documentation of establishing residency in Nebraska as required by Neb. Rev. Stat. § 38-129.02. Such documentation must be submitted within 30 days of establishment of residency and consist of a rental or lease agreement with the signature of the owner or landlord and the applicant, a deed or title to residential real property with the name of the applicant as an owner, or documents with the name and address of the applicant such as mortgage bills, home utility bills, medical or employee documents or similar documents that show the applicant residing in Nebraska.

004. RENEWAL. The individual must meet the requirements set out in 172 NAC 10. All licenses issued by the Department to Surgical First Assistants will expire on October 1 of each even-numbered year.

005. CONTINUING EDUCATION. On or before the license expiration date, each Surgical First Assistant holding an active license in the State of Nebraska must complete 40 hours of acceptable continuing education during the preceding 24 month period.

005.01 ACCEPTABLE CONTINUING EDUCATION. Attendance at an educational course provided by an approved continuing education provider.

005.02 APPROVED CONTINUING EDUCATION PROVIDERS.

- (A) Category 1 continuing education from institutions accredited by the Accreditation Council for Continuing Medical Education (ACCME);
- (B) Association of Surgical Technologist and Surgical First Assist (AST);
- (C) The National Surgical Assistant Association (NSAA);
- (D) The Association of Surgical Assistants (ASA); or
- (E) A nationally recognized continuing education provider approved by the Board of Medicine and Surgery.

005.03 OTHER CONTINUING EDUCATION PROVIDERS. Other providers may be approved by the Board of Medicine and Surgery if using nationally recognized quality continuing education standards.

005.04 DOCUMENTATION. Evidence of acceptable continuing education may be demonstrated by documentation that the applicant has maintained certification through the Association of Surgical Technologists and Surgical First Assist, the Association of Surgical Assistants, and the National Surgical Assistant Association.

006. SUPERVISION. Supervision must be provided by a physician who is authorized to practice medicine and surgery in the state of Nebraska in accordance with Neb. Rev. Stat. § 38-3508.

006.01 SUPERVISION BY MORE THAN ONE PHYSICIAN. Nothing in these regulations will be construed to prohibit a Surgical First Assistant from being supervised by more than one physician at any time.

007. UNPROFESSIONAL CONDUCT. Unprofessional conduct is set out in Neb. Rev. Stat. § 38-179, 172 NAC 88 as applicable to the profession of surgical first assistant, and this chapter.

- (A) Practicing as a Surgical First Assistant under a false or assumed name;
- (B) Knowingly or unknowingly, perform functions requiring professional judgment and licensure that is not part of the scope of practice for a Surgical First Assistant;
- (C) Harvesting of specimens; and
- (D) Claiming credit for any continuing education activities not actually participated in and earned.

008. REINSTATEMENT. The applicant must meet the requirements set out in 172 NAC 10.

009. FEES. Fees are set out in 172 NAC 2 and this chapter:

- (A) Initial license is \$150; and
- (B) Renewal of a license is \$110.