

REGISTERED NURSE AS CIRCULATOR FOR HOSPITALS

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STATE	CITATION	STATUTORY / REGULATORY LANGUAGE
Alabama	ALABAMA ADMINISTRATIVE CODE ALABAMA STATE BOARD OF HEALTH ALABAMA DEPARTMENT OF PUBLIC HEALTH; DIVISION OF LICENSURE AND CERTIFICATION CHAPTER 420-7-.17: HOSPITALS	420-5-7-.17 Surgical Services. The document entitled 42 Code of Federal Regulations, (42 C.F.R.) "Public Health" part 482.51* as revised as of October 1, 1992, is hereby incorporated by reference and made a part of this rule as if set out in full and all provisions thereof on November 16, 1994. * 42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as "scrub nurses" under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
Alaska	ALASKA ADMINISTRATIVE CODE TITLE 7 HEALTH AND SOCIAL SERVICES PART 1 ADMINISTRATION CHAPTER 12 FACILITIES AND LOCAL UNITS ARTICLE 3 GENERAL AND ACUTE CARE AND RURAL PRIMARY CARE HOSPITAL	7 AAC 12.120. SURGICAL SERVICE (g) A registered nurse must be present to circulate for each surgical procedure.
Arizona	ARIZONA ADMINISTRATIVE CODE TITLE 9. HEALTH SERVICES CHAPTER 10. DEPARTMENT OF HEALTH SERVICES HEALTH CARE INSTITUTIONS: LICENSING: ARTICLE 2. HOSPITALS	R9-10-208. Nursing Services. C. A nurse executive shall require that: 12. If a hospital has more than one patient in a unit, there is a minimum of one registered nurse and one additional nursing personnel in the unit at all times; 13. At least one registered nurse is present and accountable for the nursing services provided to a patient: a. During the delivery of a neonate, b. In an operating room, and c. In a postanesthesia care unit; 15. A registered nurse assesses, plans, directs, and evaluates nursing services provided to a patient;
Arkansas	CODE OF ARKANSAS RULES AND REGULATIONS 007 DEPARTMENT OF HEALTH 05 HEALTH FACILITY SERVICES SECTION 26: SPECIALIZED SERVICES: SURGICAL SERVICES	A. Organization and Supervision. 2. A Registered Nurse shall be present in the operating room for the duration of the surgical procedure. Additional auxiliary personnel shall be available as necessary. 3. Only qualified Registered Nurses may perform circulating

		duties in the operating room.
California	CALIFORNIA CODE OF REGULATIONS TITLE 22. SOCIAL SECURITY DIVISION 5. LICENSING AND CERTIFICATION OF HEALTH FACILITIES, HOME HEALTH AGENCIES, CLINICS, AND REFERRAL AGENCIES CHAPTER 1. GENERAL ACUTE CARE HOSPITALS ARTICLE 3. BASIC SERVICES	§ 70217. Nursing Service Staff (2) The surgical service operating room shall have at least one registered nurse assigned to the duties of the circulating nurse and a minimum of one additional person serving as scrub assistant for each patient-occupied operating room. The scrub assistant may be a licensed nurse, an operating room technician, or other person who has demonstrated current competence to the hospital as a scrub assistant, but shall not be a physician or other licensed health professional who is assisting in the performance of surgery. § 70225. Surgical Service Staff (d) There shall be sufficient nursing personnel so that one person is not serving as circulating assistant for more than one operating room.
Colorado	CODE OF COLORADO REGULATIONS 1000. DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT 1011. HEALTH FACILITIES REGULATION DIVISION 1011-1. General Licensure Standards	9 DELIVERY SUITE 9.10. NURSING. The nursing service of the delivery suite shall be under the supervision of a registered nurse qualified by training and experience to direct obstetric nursing. A registered nurse qualified by training and experience in delivery room nursing shall be present as a circulating nurse during each delivery. 23 SURGICAL SUITE AND RECOVERY ROOM(S) 23.31 NURSING. The nursing service of the surgical suite shall be under the supervision of a registered nurse qualified by training and experience to direct operating room nursing. A registered nurse qualified by training and experience in operating room nursing shall be present as a circulating nurse during operative procedures.
Connecticut	GENERAL STATUTES OF CONNECTICUT TITLE 19A. PUBLIC HEALTH AND WELL BEING, CHAPTER 368ll, SECTION 19a-903a. Circulating Nurses in Hospitals and Outpatient Surgical Facilities.	(1) "Circulating nurse" means a registered nurse licensed under chapter 378 who is educated, trained or experienced in perioperative nursing and who is responsible for coordinating the nursing care and safety needs of a patient in an operating room; (2) "Outpatient surgical facility" has the same meaning as provided in subsection (a) of section 19a-493b; and (3) "Perioperative nursing" means nursing services that are provided to patients during the preoperative, intraoperative and immediate postoperative periods of a surgical procedure. (b) Any hospital or outpatient surgical facility shall ensure that a circulating nurse is assigned to, and present for the duration of, each surgical procedure performed in an operating room of such hospital or outpatient surgical facility. While assigned to a surgical procedure, no hospital or outpatient surgical facility shall assign a circulating nurse to another procedure that is scheduled to occur concurrently or that may overlap in time with the originally assigned surgical procedure. A circulating nurse assigned to a surgical procedure shall be present for the duration of the procedure unless it becomes necessary for the nurse to leave the operating room as part of the procedure or the nurse is

		relieved by another circulating nurse.
Delaware	42 Code of Federal Regulations 482.51	42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as “scrub nurses” under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
Florida	FLORIDA ADMINISTRATIVE CODE ANNOTATED TITLE 29. PUBLIC HEALTH CHAPTER 395. HOSPITAL LICENSING AND REGULATION	Section 1. Paragraph (d) is added to subsection (2) of section 395.0191, Florida Statutes, to read: 395.0191 Staff membership and clinical privileges.-- (2) (d) Each hospital shall meet the requirements of the Medicare and Medicaid Conditions of Participation for Hospitals under 42 C.F.R. s. 482.51(a)(3) as they apply to registered nurses performing circulating duties in the operating room and as provided in the interpretive guidelines provided by the United States Department of Health and Human Services. A circulating nurse shall be present in the operating room for the duration of a surgical procedure.
Georgia	GA ADMINISTRATIVE CODE TITLE 290. RULES OF DEPARTMENT OF HUMAN RESOURCES SUBTITLE 290-9. OFFICE OF REGULATORY SERVICES CHAPTER 290-9-7. RULES AND REGULATIONS FOR HOSPITALS	0290-9-7-.28. Surgical Services. 5. Nurse Manager. A licensed registered nurse, who has been appropriately trained in the provision of surgical nursing services, shall manage the surgical suite(s) and shall be responsible for: (i) Ensuring that a sufficient number of nursing personnel are on duty in the surgical suite to meet the needs and safety of the patients; (ii) Ensuring that surgical technicians perform scrub functions only under the supervision of a licensed registered nurse who is immediately available to respond to emergencies; (iii) Delineating the duties of scrub personnel and circulating registered nurses in the surgical suite;
Hawaii	CODE OF HAWAII RULES TITLE 11. DEPARTMENT OF HEALTH CHAPTER 93. HOSPITALS	§ 11-93-35 Surgical department. (a) If surgical services are provided, the surgical department shall: (3) Have a registered professional nurse in charge of the operating room suite (c) Each operating room shall be supervised by an experienced registered professional nurse. (g) Surgical technicians and licensed practical nurses are not permitted to serve as circulating nurses in the operating rooms.
Idaho	IDAHO ADMINISTRATIVE CODE. IDAPA 16: DEPARTMENT OF HEALTH AND WELFARE TITLE 03: DIVISION OF WELFARE CHAPTER 14: RULES AND MINIMUM STANDARDS FOR HOSPITALS IN	07. Surgical Staff. The surgical staff of a hospital shall consist of the following personnel: a. A registered nurse with experience in operating room techniques who acts as supervisor; and b. Sufficient numbers of personnel to assure there is a registered nurse serving as circulating nurse for each

	IDAHO	separate operating room where surgery is being performed; and
Illinois	ILLINOIS COMPILED STATUTES CHAPTER 210. HEALTH FACILITIES 85. HOSPITAL LICENSING ACT	(210 ILCS 85/10.7) (2.5) A registered nurse licensed under the Nursing and Advanced Practice Nursing Act and qualified by training and experience in operating room nursing shall be present in the operating room and function as the circulating nurse during all invasive or operative procedures. For purposes of this paragraph (2.5), "circulating nurse" means a registered nurse who is responsible for coordinating all nursing care, patient safety needs, and the needs of the surgical team in the operating room during an invasive or operative procedure.
Indiana	INDIANA ADMINISTRATIVE CODE TITLE 410. INDIANA STATE DEPARTMENT OF HEALTH ARTICLE 15. HOSPITAL LICENSURE RULES RULE 1.6. OPTIONAL HOSPITAL SERVICES 410 IAC 15-1.6-8	Sec. 8. (b) The organization of the surgical services shall be appropriate, according to the scope of the services offered, as follows: (2) An experienced registered nurse shall supervise all nursing personnel in surgical services and postanesthesia care units (PACU), as follows: (A) Licensed practical nurses, operating room technicians (ORTs), obstetrical technicians (OB Techs), and surgical technologists may serve as scrub personnel under the supervision of a qualified registered nurse. (B) Circulating duties in the operating room shall be performed by a qualified registered nurse. Licensed practical nurses and surgical technologists may assist in circulating duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies, in accordance with applicable state law and approved written medical staff policies and procedures.
Iowa	IOWA ADMINISTRATIVE CODE NURSING BOARD[655] CHAPTER 6: NURSING PRACTICE FOR REGISTERED NURSES/LICENSED PRACTICAL NURSES	655-6.3(152) Minimum standards of practice for licensed practical nurses d. Operating rooms. (A licensed practical nurse may assist with circulating duties when supervised by a registered nurse circulating in the same room.) 655-6.7(152) Specific nursing practice for registered nurses. A registered nurse, while circulating in the operating room, shall provide supervision only to persons in the same operating room.
Kansas	42 Code of Federal Regulations 482.51	42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as "scrub nurses" under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.

Kentucky	KENTUCKY ADMINISTRATIVE REGULATIONS TITLE 902. CABINET FOR HEALTH SERVICES DEPARTMENT FOR PUBLIC HEALTH CHAPTER 20. HEALTH SERVICES AND FACILITIES Kentucky Board of Nursing opinion letter dated February 7, 2003 in response to a request for an opinion on the role of the registered nurse in performance of circulatory duties in a hospital operating room.	902 KAR 20:016. Hospitals; operations and services (2) Nursing service (b) There shall be a registered nurse on duty at all times. 3. There shall be additional registered nurses for surgical, obstetrical, emergency, and other services of the hospital, in keeping with their size and scope of activity. (10) Surgery services (a) A hospital in which surgery is performed shall have an operating room and a recovery room supervised by a registered nurse qualified by training, experience and ability to direct surgical nursing care. “Only qualified registered nurses who possess the cognitive knowledge, competent skills and expertise in perioperative nursing care shall function as a supervision, head nurse and/or circulating nurse in the operating room, delivery room and any area where surgical and obstetrical procedures are planned.”
Louisiana	LOUISIANA ADMINISTRATIVE CODE Title 48 PUBLIC HEALTH" GENERAL Part I. General Administration Subpart 3. Licensing Chapter 93. Hospitals Subchapter A. General Provisions	§9439. Organization and Staffing D. A qualified registered nurse shall perform circulating duties for surgical procedures performed. In accordance with the needs of patients and the complexity of services performed, licensed practical nurses and operating room technicians may assist in circulatory duties under the supervision of a registered nurse who is immediately available to respond to emergencies. Licensed practical nurses and operating room technicians may perform scrub functions under the supervision of a registered nurse.
Maine	CODE OF MAINE RULES AGENCY 10. DEPARTMENT OF HEALTH AND HUMAN SERVICES SUB-AGENCY 144. GENERAL CHAPTER 112. REGULATIONS FOR THE LICENSURE OF GENERAL AND SPECIALTY HOSPITALS IN THE STATE OF MAINE	CHAPTER XVII: COMPLEMENTARY DEPARTMENTS XVII.A. Surgical Services 2. Staffing b) A designated registered nurse, qualified by training and experience and current competence in operating room nursing, shall be in charge of the nursing care of patients. c) Each operating room shall have a registered nurse assigned as the circulating nurse.
Maryland	MARYLAND DEPARTMENT OF HEALTH AND MENTAL HYGIENE LETTER DATED 2/23/06 42 Code of Federal Regulations 482.15	“Consistent with this unambiguous opinion of the Maryland Board of Nursing as well as various principles related to patient safety, it is the position of the Office of Health Care Quality that circulating duties which occur in Maryland hospitals and ambulatory surgical facilities must be performed by a registered nurse.” 42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as “scrub nurses” under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the

		supervision of a qualified registered nurse who is immediately available to respond to emergencies.
Massachusetts	CODE OF MASSACHUSETTS REGULATIONS TITLE 105: DEPARTMENT OF PUBLIC HEALTH CHAPTER 130.000: HOSPITAL LICENSURE SUBPART B GENERAL REQUIREMENTS MASSACHUSETTS GENERAL LAWS TITLE XVI: PUBLIC HEALTH CHAPTER 111: PUBLIC HEALTH SECTION 1. SECTION 229	130.200: Incorporation of Medicare Conditions of Participation in Hospitals Each hospital shall meet all of the requirements of the Medicare Conditions of Participation for Hospitals, 42 C.F.R. 482.11 through 482.62 (hereinafter Conditions of Participation), and as they may be amended from time to time . . . * * 42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as “scrub nurses” under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies. Section 1. Section 229. (a) “operating room circulator”, a licensed registered nurse who is educated, trained and experienced in perioperative nursing, who is immediately available to physically intervene in providing care to the surgical patient. “surgical technology”, surgical patient care including, but not limited to, 1 or more of the following: (i) Collaboration with an operating room circulator prior to a surgical procedure to carry out the plan of care by preparing the operating room, gathering and preparing sterile supplies, instruments and equipment, preparing and maintaining the sterile field using sterile and aseptic technique and ensuring that surgical equipment is functioning properly and safely; (c) A person employed or otherwise retained to practice surgical technology in a healthcare facility may assist in the performance of operating room circulator duties under the direct clinical supervision, limited to clinical guidance, of the operating room circulator if: (1) the operating room circulator is present in the operating room for the duration of the procedure; (2) any such assistance has been assigned to such person by the operating room circulator; and (3) such assistance is consistent with the education, training and experience of the person providing such assistance.
Michigan	42 Code of Federal Regulations 482.51	42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as “scrub nurses” under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in

		the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
Minnesota	42 Code of Federal Regulations 482.51	42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as “scrub nurses” under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
Mississippi	42 Code of Federal Regulations 482.51	42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as “scrub nurses” under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
Missouri	MISSOURI CODE OF STATE REGULATIONS TITLE 19 - DEPARTMENT OF HEALTH AND SENIOR SERVICES DIVISION 30 - DIVISION OF SENIOR SERVICES AND REGULATION CHAPTER 20 – HOSPITALS	30-20.140 Surgical Services in Hospitals (3) The surgical suite shall be supervised by a qualified registered professional nurse with relevant education, experience and demonstrated current competency. This supervisor shall have the authority to implement hospital policies and procedures for the surgical suite and shall have the responsibility for evaluating all nursing personnel assigned to the surgical suite. (4) A qualified registered professional nurse shall be assigned circulating duties for surgical procedures performed.
Montana	ADMINISTRATIVE RULES OF MONTANA TITLE 37: DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES CHAPTER 106: HEALTH CARE FACILITIES SUB-CHAPTER 4: MINIMUM STANDARDS FOR A HOSPITAL	37.106.401 MINIMUM STANDARDS FOR A HOSPITAL: GENERAL REQUIREMENTS (3) The department hereby adopts and incorporates by reference 42 CFR 482.2 through 482.62 and 42 CFR 482.66(b), revised as of October 1, 2002. 42 CFR 482.2 through 482.62 set forth the conditions of participation a hospital must meet to participate in the medicare program * * 42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as “scrub nurses” under the supervision of a registered nurse.

		(3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
Nebraska	42 Code of Federal Regulations 482.51	42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as “scrub nurses” under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
Nevada	NEVADA ADMINISTRATIVE CODE CHAPTER 449. MEDICAL AND OTHER RELATED FACILITIES HOSPITALS Policies and Procedures for Operation of Hospital	449.385 Surgical services. (NRS 449.037) 2. The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. 4. Circulating duties in an operating room must be performed by a qualified registered nurse, who shall not perform circulating duties in more than one operating room at a time.
New Hampshire	42 Code of Federal Regulations 482.51	42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as “scrub nurses” under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
New Jersey	NEW JERSEY ADMINISTRATIVE CODE TITLE 8. DEPARTMENT OF HEALTH AND SENIOR SERVICES CHAPTER 43G. HOSPITAL LICENSING STANDARDS SUBCHAPTER 32. SAME-DAY STAY; SUBCHAPTER 34. SURGERY; SUBCHAPTER 7. CARDIAC;	§ 8:43G-32.3 Same-day surgery services policies and procedures (c) A registered professional nurse shall be assigned to circulating nurse duties in each room where same-day surgery is being performed. § 8:43G-34.5 Surgery staff time and availability (a) A registered professional nurse shall be assigned to circulating nurse duties in each room where surgery is being performed. § 8:43G-7.16 Cardiac catheterization staff time and availability (a) The following staff shall be present for all cardiac catheterization procedures: 2. A registered professional nurse, trained and experienced in assisting in cardiac catheterization procedures, who acts as the circulating nurse; and § 8:43G-7.30 PTCA staff time and availability

		(a) The following staff shall be present for all PTCA procedures: 2. A registered professional nurse certified in basic cardiac life support, and trained and experienced in cardiac catheterization and PTCA who acts as the circulating nurse; and . . .
New Mexico	NEW MEXICO ADMINISTRATIVE CODE TITLE 7. HEALTH CHAPTER 7. HOSPITALS PART 2. REQUIREMENTS FOR ACUTE CARE, LIMITED SERVICES AND SPECIAL HOSPITALS	§ 7.7.2.26. NURSING SERVICES J. Additional Patient Care Requirements. (1) In this subsection, "circulating nurse" means a professional registered nurse who is present during an operation to provide emotional support to the patient, assist with the anesthesia induction, and throughout the surgical procedure or delivery, coordinate the activities of the room, monitor the traffic in the room, maintain an accurate account of urine and blood loss, and who, before the surgical procedure or delivery is completed, informs the recovery rooms of special needs and ensures that the sponge, needle and instrument counts have been done according to hospital policy. (3) Surgical: (b) A qualified professional registered nurse shall function as the circulating nurse in the surgical and obstetrical room whenever general anesthesia is used and on all local anesthesia cases involving a high degree of patient risk. Individual surgical technologists and licensed practical nurses may function as assistants under the direct supervision of a qualified professional registered nurse.
New York	NEW YORK PUBLIC HEALTH LAW CHAPTER 45 ARTICLE 28	§ 2805-s Circulating nurses required. A registered nurse, qualified by training and experience in operating room nursing, shall be present as a circulating nurse in any and each operating room where surgery is being performed for the duration of the operative procedure. Nothing in this section precludes a circulating nurse from leaving the operating room for short periods; or, in accordance with employee rules or regulations, being relieved during an operative procedure by another circulating nurse assigned to continue the operative procedure.
North Carolina	42 Code of Federal Regulations 482.51	42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as "scrub nurses" under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
North Dakota	NORTH DAKOTA	33-07-01.1-29. Surgical services.

	ADMINISTRATIVE CODE TITLE 33. STATE DEPARTMENT OF HEALTH ARTICLE 7. LICENSING MEDICAL HOSPITALS CHAPTER 1.1. HOSPITALS	1. The general acute hospital that provides surgical services shall have effective policies and procedures regarding surgical privileges, maintenance of the operating rooms, and evaluation of the surgical patient. d. The operating rooms must be supervised by a qualified registered nurse. (1) A licensed practical nurse or a surgical technician may be used as "scrub nurse" under the supervision of the registered nurse. (2) A registered nurse may perform circulating duties in the operating room in accordance with applicable state law. Licensed practical nurses and surgical technicians may assist in circulating duties under the supervision of a registered nurse who is immediately available to respond to emergencies.
Ohio	42 Code of Federal Regulations 482.51	42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as "scrub nurses" under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
Oklahoma	OKLAHOMA ADMINISTRATIVE CODE TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 667. HOSPITAL STANDARDS SUBCHAPTER 25. SURGICAL SERVICES	310:667-25-1. Department of surgery The department of surgery shall have effective policies and procedures regarding surgical privileges, maintenance of the operating rooms, and evaluation of the surgical patient. (4) The operating room log shall be complete and up to date and include the following information: (F) Circulating nurse. (11) Surgical technicians and licensed practical nurses may be permitted to serve as "scrub nurses" under the direct supervision of a registered nurse; they shall not be permitted to function as circulating nurses in the operating room.
Oregon	OREGON REVISED STATUTES TITLE 52. OCCUPATIONS AND PROFESSIONS CHAPTER 678. NURSES; NURSING HOME ADMINISTRATORS PROFESSIONAL NURSES GENERALLY 678.362	(1) As used in this section: (a) "Circulating nurse" means a registered nurse who is responsible for coordinating the nursing care and safety needs of the patient in the operating room and who also meets the needs of operating room team members during surgery. (b) "Type I ambulatory surgical center" means a licensed health care facility for the performance of outpatient surgical procedures including, but not limited to, cholecystectomies, tonsillectomies or urological procedures, involving general anesthesia or a relatively high infection control consideration. (2)(a) The duties of a circulating nurse performed in an operating room of a Type I ambulatory surgical center or a hospital shall be performed by a registered nurse licensed under ORS 678.010 to 678.410. (b) In any case requiring anesthesia or conscious sedation, a circulating nurse shall be assigned to, and present in, an operating

		room for the duration of the surgical procedure unless it becomes necessary for the circulating nurse to leave the operating room as part of the surgical procedure. While assigned to a surgical procedure, a circulating nurse may not be assigned to any other patient or procedure. (c) Nothing in this section precludes a circulating nurse from being relieved during a surgical procedure by another circulating nurse assigned to continue the surgical procedure. (3) At the request of a Type I ambulatory surgical center or a hospital, the Oregon Health Authority may grant a variance from the requirements of this section based on patient care needs or the nursing practices of the surgical center or hospital.
Pennsylvania	PURDON'S PENNSYLVANIA STATUTES AND CONSOLIDATED STATUTES TITLE 35 P.S. HEALTH AND SAFETY PA ST 35 P.S. § 449.101	The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: Section 1. Short title. This act shall be known and may be cited as the Circulating Nurse Act. Section 2. Purpose. The purpose of this legislation is to require a registered nurse to be the circulating nurse in an operating room for the safety of the patient. Section 3. Definitions. The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise: "Health care facility." Any hospital or class C ambulatory surgical facility as defined by 28 Pa. Code Pt. IV (relating to health facilities). "Operating room of the facility." The phrase shall only include the number of operating rooms covered by a health care facility's license issued by the Department of Health. "Registered nurse." An individual licensed under the laws of this Commonwealth to practice professional nursing. Section 4. Operating room staff. Only a registered nurse, licensed in this Commonwealth, qualified by training and experience in operating room nursing shall function as a circulating nurse during all surgical procedures performed in an operating room of a Health Care Facility.
Rhode Island	42 Code of Federal Regulations 482.51	42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as "scrub nurses" under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
South Carolina	SOUTH CAROLINA STATUTES TITLE 44. HEALTH ARTICLE 7.	Section 44-7-385. (A) As used in this section, an 'operating room circulator' means a registered nurse trained, educated, or

	HOSPITALS, TUBERCULOSIS CAMPS, AND HEALTH SERVICES DISTRICTS ARTICLE 3. STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT	experienced in perioperative nursing who is responsible for coordinating the nursing care and safety needs of a patient in the operating room and who also meets the needs of the operating room team members during surgery. (B) An operating room circulator in a health care facility must be a licensed registered nurse educated, trained, and experienced in perioperative nursing. (C) A surgical technologist may not serve as the circulator in the operating room of a health care facility; however, a person who is employed to practice surgical technology in a health care facility may assist in the performance of circulating duties: (1) consistent with the person's education, training, and experience; and (2) as assigned and supervised by a registered nurse circulator who must be present in the operating room for the duration of the surgical procedure.
South Dakota	42 Code of Federal Regulations 482.51	42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as “scrub nurses” under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
Tennessee	RULES AND REGULATIONS OF THE STATE OF TENNESSEE DEPARTMENT OF HEALTH AND TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION BUREAU OF MANPOWER AND FACILITIES; DIVISION OF HEALTH CARE FACILITIES CHAPTER 1200-8-1 STANDARDS FOR HOSPITALS	1200-8-1-.07 OPTIONAL HOSPITAL SERVICES (1) Surgical Services. (c) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (d) A hospital may use scrub nurses in its operating rooms. For the purposes of this rule, a “scrub nurse” is defined as a registered nurse or either a licensed practical nurse (LPN) or a surgical technologist (operating room technician) supervised by a registered nurse who works directly with a surgeon within the sterile field, passing instruments, sponges, and other items needed during the procedure and who scrubs his or her hands and arms with disinfecting soap and wears surgical gowns, caps, eyewear, and gloves, when appropriate. (e) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable state laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
Texas	TEXAS ADMINISTRATIVE CODE TITLE 25. HEALTH SERVICES PART 1. DEPARTMENT OF STATE HEALTH SERVICES CHAPTER 133.	AS AMENDED BY HB 1718 (2005): Sec. 241.0262. CIRCULATING DUTIES FOR SURGICAL SERVICES Circulating duties in the operating room must be performed by qualified registered nurses. In accordance with approved medical staff policies and procedures, licensed vocational nurses and

	HOSPITAL LICENSING SUBCHAPTER C. OPERATIONAL REQUIREMENTS AMENDED: Subchapter B, Chapter 241, Health and Safety Code, Section 241.0262	surgical technologists may assist in circulatory duties under the direct supervision of a qualified registered nurse circulator. (Eff. September 1, 2005) Sec.A259.003.AASUPERVISION OF SURGICAL TECHNOLOGISTS. This chapter does not repeal or modify any law relating to the supervision of surgical technologists.
Utah	UTAH ADMINISTRATIVE CODE R432. HEALTH SYSTEMS IMPROVEMENT, LICENSING. R432-100. GENERAL HOSPITAL STANDARDS	R432-100-14. Surgical Services. (1) Surgical services provided by the hospital shall be integrated with other departments or services of the hospital. The relationship, objective, and scope of all surgical services shall be specified in writing. (g) Surgical technicians and licensed practical nurses may serve as scrub nurses under the direct supervision of a registered nurse, but may not function as circulation nurses in the operating rooms, unless the scrub nurse is a registered nurse.
Vermont	42 Code of Federal Regulations 482.51	42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as “scrub nurses” under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.
Virginia	VIRGINIA ADMINISTRATIVE CODE TITLE 18 PROFESSIONAL AND OCCUPATIONAL LICENSING NO. 90 BOARD OF NURSING CHAPTER 20 REGULATIONS GOVERNING THE PRACTICE OF NURSING PART VIII DELEGATION OF NURSING TASKS AND PROCEDURES	18VAC90-20-460. Nursing tasks that shall not be delegated. B. Nursing tasks that shall not be delegated to any unlicensed person are: 6. Circulating duties in an operating room.
Washington	WASHINGTON ADMINISTRATIVE CODE TITLE 246. HEALTH, DEPARTMENT OF CHAPTER 246-320. HOSPITAL LICENSING REGULATIONS PATIENT CARE	246-320-236. Surgical services. If providing surgical services, hospitals must (6) Assure that a registered nurse qualified by training and experience functions as the circulating nurse in every operating room during surgical procedures.
West Virginia	WEST VIRGINIA CODE CHAPTER 30. PROFESSIONS AND OCCUPATIONS	§30 7 19. Circulating registered nurses. A registered nurse as defined in this article, qualified by education, licensed, and

	ARTICLE 7. REGISTERED PROFESSIONAL NURSE	experienced in operating room nursing, shall be present as a circulating nurse in each operating room in a hospital, or ambulatory surgical center as defined by section one, article five-b, chapter sixteen of this code, during operative procedures.
Wisconsin	WISCONSIN ADMINISTRATIVE CODE DEPARTMENT OF HEALTH SERVICES CHAPTER HFS 124. HOSPITALS SUBCHAPTER IV – SERVICES	HFS 124.13 Nursing services (7) ADDITIONAL PATIENT CARE REQUIREMENTS. (a) Definition. In this subsection, "circulating nurse" means a registered nurse who is present during an operation or infant delivery to provide emotional support to the patient, assist with the anesthesia induction and, throughout the surgical procedure or delivery, to coordinate the activities of the room, monitor the traffic in the room and maintain an accurate account of urine and blood loss and who, before the surgical procedure or delivery is completed, informs the recovery room of special needs and ensures that the sponge, needle and instrument counts have been done according to hospital policy. (b) Obstetrical. Every patient admitted in labor shall be assessed initially by a registered nurse. There shall be a circulating nurse at every infant delivery. (c) Surgical. 1. A registered nurse shall supervise the operating rooms. 2. A qualified registered nurse shall function as the circulating nurse in the surgical and obstetrical room whenever general anesthesia is used and on all local cases involving a high degree of patient risk. Individual surgical technologists and licensed practical nurses may function as assistants under the direct supervision of a qualified registered nurse.
Wyoming	42 Code of Federal Regulations 482.51	42 CFR 482.51(a): Condition of participation: Surgical services. (1) The operating rooms must be supervised by an experienced registered nurse or a doctor of medicine or osteopathy. (2) Licensed practical nurses (LPNs) and surgical technologists (operating room technicians) may serve as “scrub nurses” under the supervision of a registered nurse. (3) Qualified registered nurses may perform circulating duties in the operating room. In accordance with applicable State laws and approved medical staff policies and procedures, LPNs and surgical technologists may assist in circulatory duties under the supervision of a qualified registered nurse who is immediately available to respond to emergencies.