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April 23, 2025

The Honorable Susan R. Donovan, Chair  
House Committee on Health and Human Services  
State House  
82 Smith St.  
Providence, RI 02903

**RE: H 5174 – An Act Relating to Businesses and Professions – Certified Surgical First Assistants**

Dear Chair Donovan:

I am writing with concerns about H 5174, legislation that would require the licensing of certified surgical first assistants through the Rhode Island Department of Health (RIDOH). H 5174 would also create a new seven-member licensure board. Discussions with medical staff offices and surgeons in our licensed hospitals indicate that Rhode Island may not have enough certified surgical first assistants to form a seven-member Board.

RIDOH traditionally supports requiring new licensure categories when clear evidence exists that additional regulatory oversight is needed to protect public health and safety. RIDOH is not aware of any reasons for additional oversight of these professionals. Finally, RIDOH does not have authority over Rhode Island hospitals that may require additional certification from an entity specifically approved by each Rhode Island hospital. RIDOH has not been able to identify any exclusions in current State law or regulation preventing any personnel deemed qualified by a licensed physician and healthcare facility from being a surgical assistant.

Please also be informed that a surgery policy issued by the American Medical Association in 2023 clearly notes that the responsibility for ensuring that surgical assistants are qualified and adequately supervised is on the hospitals and ambulatory surgical centers that allow them, through the medical staff credentialing and oversight process, and **not** on the licensing of a surgical assistant. The policy notes that surgical assistants may be a non-physician, but the surgical facility would be the owner of the vetting, supervision and oversight, and implementation of specific policies on what the credentialed surgical assistant may perform in the course of surgical procedures. (See [H-475.986 Surgical Assistants other than Licensed Physicians | AMA](#)). RIDOH is unclear why there is a need to license surgical assistants in Rhode Island.

RIDOH is not able to support H 5174 unless evidence is presented that it protects public health and safety and that the funding required for implementation is included in the State budget. RIDOH staff would be required to license this new class of health professionals and provide staff support to the proposed, newly created board. RIDOH currently licenses 74 categories of healthcare professionals and manages 38 boards. At least one additional FTE would be required to implement this licensure initiative, at a total cost of \$111,707 (salary and benefits) that would be subject to annual increases.

Thank you for the opportunity to comment on this legislation.

Sincerely,

A handwritten signature in black ink, reading "Jerome M. Larkin" with a stylized flourish at the end.

Jerome M. Larkin, MD  
Director

CC: The Honorable Members of the House Committee on Health and Human Services  
The Honorable David A. Bennett  
Nicole McCarty, Chief Legal Counsel to the Speaker of the House  
Lynne Urbani, Director of House Policy