

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 1866** Session of
2009

INTRODUCED BY GERGELY, BARRAR, BARBIN, BELFANTI, BRADFORD, BRENNAN, BRIGGS, BURNS, CALTAGIRONE, CARROLL, CLYMER, COHEN, CUTLER, DAY, DeLUCA, GALLOWAY, GEIST, GEORGE, GOODMAN, GRUCELA, HANNA, HARHAI, HARRIS, HENNESSEY, HUTCHINSON, JOSEPHS, KORTZ, KOTIK, KULA, LEVDANSKY, LONGIETTI, MAHONEY, MANDERINO, MARSHALL, MILNE, MUNDY, MURPHY, MURT, M. O'BRIEN, PETRI, PHILLIPS, PRESTON, SANTONI, SAYLOR, SIPTROTH, K. SMITH, SONNEY, STABACK, STERN, SWANGER, WATSON, WHITE, YOUNGBLOOD AND FARRY, JULY 16, 2009

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JULY 16, 2009

AN ACT

Amending the act of May 22, 1951 (P.L.317, No.69), entitled, as amended, "An act relating to the practice of professional nursing; providing for the licensing of nurses and for the revocation and suspension of such licenses, subject to appeal, and for their reinstatement; providing for the renewal of such licenses; regulating nursing in general; prescribing penalties and repealing certain laws," providing for certified registered nurse anesthetists.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The act of May 22, 1951 (P.L.317, No.69), known as The Professional Nursing Law, is amended by adding a section to read:

Section 8.8. Certified Registered Nurse Anesthetists.--(a)

The board shall certify a registered nurse as a certified registered nurse anesthetist if the nurse satisfies the requirements established by this section and any regulations

promulgated by the board. The certification of a nurse under this section shall expire on the same date as the nurse's license expires. The following apply:

(1) In order to be certified, a registered nurse must satisfy the following criteria:

(i) Completion of the educational program of a school for nurse anesthetists accredited by an accrediting agency recognized by the board.

(ii) Receipt of certification as a certified registered nurse anesthetist by a board-recognized national certification organization.

(2) A registered nurse who is enrolled in an educational program of a school for nurse anesthetists accredited by an accrediting agency recognized by the board may, during such enrollment, administer anesthesia under the direction of the chief or director of anesthesia services, an anesthesiologist or a certified registered nurse anesthetist.

(3) A registered nurse who has obtained the education required by this section but who has not yet obtained certification as a certified registered nurse anesthetist may administer anesthesia under the direction of the chief or director of anesthesia services, an anesthesiologist or a certified registered nurse anesthetist until the announcement of results of the first examination taken for certification for which the registered nurse is eligible. If the registered nurse fails to take or fails to pass that examination, the registered nurse shall immediately cease practicing as a nurse anesthetist, provided, however, that the registered nurse may appeal to the board for authority to continue practicing as a nurse anesthetist if, due to extenuating circumstances, the registered

nurse is unable to take the examination in a time period specified by the board following completion of the required education.

(4) A certified registered nurse anesthetist shall be subject to all of the following:

(i) A certified registered nurse anesthetist shall administer anesthesia under the overall direction of a physician or dentist.

(ii) A certified registered nurse anesthetist's performance shall be under the overall direction of the chief or director of anesthesia services, provided, however, that in situations or health care facilities where anesthesia services are not mandatory, the certified registered nurse anesthetist's performance shall be under the overall direction of the physician or dentist.

(iii) When the operating or anesthesia team consists entirely of nonphysicians, an anesthesiologist or consulting physician of the certified registered nurse anesthetist's choice shall be available to the certified registered nurse anesthetist by physical presence or electronic communication.

(5) Nothing in this section shall be construed to prohibit the continued practice of certified registered nurse anesthetists who were authorized to practice in this Commonwealth on the effective date of this section.

(b) A certified registered nurse anesthetist practicing in this Commonwealth whose employer does not provide professional liability coverage shall maintain a level of professional liability coverage required by law of a physician providing similar health care services in this Commonwealth, but shall not be eligible to participate in the Medical Care Availability and

Reduction of Error (Mcare) Fund.

Section 2. The State Board of Nursing shall promulgate regulations to implement the addition of section 8.8 of the act within 18 months of the effective date of this act.

Section 3. This act shall take effect in 60 days.