

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

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

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

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

14 Section 8.8. Certified Registered Nurse Anesthetists.--(a)
 15 The board shall certify a registered nurse as a certified
 16 registered nurse anesthetist if the nurse satisfies the
 17 requirements established by this section and any regulations

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Reduction of Error (Mcare) Fund.

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

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