

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 936 Session of 2011

INTRODUCED BY M. WHITE, VANCE, BREWSTER, EARLL, WAUGH AND BROWNE, APRIL 8, 2011

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, APRIL 8, 2011

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 anesthetist, certification
 9 requirements, qualifications, renewal of certification, for
 10 standards of practice and for professional liability.

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

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

16 Section 8.8. Certified Registered Nurse Anesthetist;
 17 Certification required; Qualifications; Biennial Renewal.--(a)
 18 The board shall promulgate regulations related to the
 19 certification of nurses to administer anesthesia, the conduct of
 20 nurses certified to administer anesthesia and the discipline of
 21 nurses certified to administer anesthesia. Beginning six months

1 from the effective date of the regulations, a nurse shall not
2 administer anesthesia or hold himself out as a certified
3 registered nurse anesthetist, nurse anesthetist or use the
4 initials CRNA, unless the board has certified the nurse as a
5 certified registered nurse anesthetist, and the individual has a
6 current active certification to practice. The board shall
7 establish fees for the certification of nurses as certified
8 registered nurse anesthetists, for the biennial renewal of
9 certification and for such other purposes as are necessary to
10 carry out the provisions of this act related to certified
11 registered nurse anesthetists.

12 (b) The board may certify a licensed registered nurse as a
13 certified registered nurse anesthetist if the nurse files a
14 complete application with the board, pays a fee established by
15 the board and satisfies the requirements established by this act
16 and regulations promulgated by the board. Certification of a
17 certified registered nurse anesthetist shall expire on the same
18 date as the nurse's registered nurse license. A nurse shall not
19 qualify for initial certification by the board unless the nurse:

20 (1) Has completed an educational program of a school for
21 nurse anesthetists accredited by an accrediting agency
22 recognized by the board.

23 (2) Holds current national certification as a certified
24 registered nurse anesthetist as recognized by the board.

25 (3) Meets all other board requirements to practice as a
26 certified registered nurse anesthetist.

27 (c) As a condition of biennial certificate renewal by the
28 board, a certified registered nurse anesthetist shall
29 demonstrate that the nurse holds current national certification
30 recognized by the board, shall submit a renewal application and

1 shall pay a renewal fee established by regulation.

2 Section 8.9. Standards of Practice.--(a) Certified
3 registered nurse anesthetists shall be subject to the following:

4 (1) Certified registered nurse anesthetists shall practice
5 in accordance with quality and ethical standards set forth in
6 regulations of the board.

7 (2) Certified registered nurse anesthetists shall administer
8 anesthesia in cooperation with a physician, dentist or
9 podiatrist. For purposes of this clause, the term "cooperation"
10 means a process in which a nurse anesthetist and a physician,
11 dentist or podiatrist work together with each contributing an
12 area of expertise, at their individual and respective levels of
13 education and training.

14 (3) When practicing in a health care facility licensed by
15 the Department of Health, such as a hospital, certified
16 registered nurse anesthetists shall be under the overall
17 direction of the chief or director of anesthesia services or
18 designee who is physically present in the health care facility.

19 (4) Notwithstanding paragraph (3), certified registered
20 nurse anesthetists may provide specific services without the
21 physical presence of a physician if authorized by Department of
22 Health regulations.

23 (5) When practicing in a facility not licensed by the
24 Department of Health, such as a physician's office, certified
25 registered nurse anesthetists shall be under the overall
26 direction of the physician, dentist or podiatrist responsible
27 for the patient's care, and the certified registered nurse
28 anesthetist shall have an anesthesiologist or other appropriate
29 consulting physician, as determined by the board, available by
30 physical presence or electronic communication.

1 (6) Certified registered nurse anesthetists shall abide by
2 the bylaws, rules and procedures of the facility in which they
3 provide anesthesia services consistent with the quality and
4 ethical standards of the profession.

5 (b) As used in this section, the term "overall direction"
6 means a process through which physicians, dentists or
7 podiatrists and certified registered nurse anesthetists provide
8 anesthesia services, including involvement in the patient's
9 anesthesia care plan and ongoing communication between the
10 physician, dentist or podiatrist and the certified registered
11 nurse anesthetist responsible for the patient's care during a
12 procedure.

13 Section 8.10. Professional Liability.--A certified registered
14 nurse anesthetist practicing in this Commonwealth shall maintain
15 a level of professional liability coverage as required for a
16 nonparticipating health care provider under the act of March 20,
17 2002 (P.L.154, No.13), known as the "Medical Care Availability
18 and Reduction of Error (Mcare) Act," but shall not be eligible
19 to participate in the Medical Care Availability and Reduction of
20 Error (Mcare) Fund.

21 Section 2. The State Board of Nursing shall promulgate
22 regulations to implement the addition of sections 8.8, 8.9 and
23 8.10 of the act within 24 months of the effective date of this
24 section.

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