

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2313 Session of
2004

INTRODUCED BY BARRAR, DAILEY, ARMSTRONG, BUNT, CREIGHTON, CRUZ,
GEORGE, HORSEY, THOMAS, DENLINGER AND MILLARD, JUNE 23, 2004

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JUNE 23, 2004

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," further
8 providing for definitions; and providing for certified
9 registered nurse anesthetist qualifications.

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

12 Section 1. Section 2(1) of the act of May 22, 1951 (P.L.317,
13 No.69), known as The Professional Nursing Law, December 9, 2002
14 (P.L.1567, No.206), is amended and the section is amended by
15 adding a clause to read:

16 Section 2. Definitions.--When used in this act, the
17 following words and phrases shall have the following meanings
18 unless the context provides otherwise:

19 (1) The "Practice of Professional Nursing" means diagnosing
20 and treating human responses to actual or potential health
21 problems through such services as casefinding, health teaching,

1 health counseling, and provision of care supportive to or
2 restorative of life and well-being, and executing medical
3 regimens as prescribed by a licensed physician or dentist. The
4 foregoing shall not be deemed to include acts of medical
5 diagnosis or prescription of medical therapeutic or corrective
6 measures, except as performed by a certified registered nurse
7 practitioner acting in accordance with rules and regulations
8 promulgated by the Board. Other than the administration of
9 conscious sedation, the foregoing shall be deemed to include the
10 administration of anesthesia only if performed by a certified
11 registered nurse anesthetist.

12 * * *

13 (15) "Certified registered nurse anesthetist" means a
14 registered nurse licensed in this Commonwealth and certified by
15 the Board, pursuant to section 3.2, to administer anesthesia.

16 Section 2. The act is amended by adding sections to read:

17 Section 3.2. Certified Registered Nurse Anesthetists;
18 Qualifications.--(a) The Board shall certify a licensed
19 registered nurse as a certified registered nurse anesthetist if
20 the nurse satisfies the requirements established by this act and
21 regulations promulgated by the Board.

22 (b) Certification of a nurse under this section shall expire
23 on the same date as the license of that nurse expires.

24 (c) A licensed registered nurse shall not qualify for
25 certification by the Board under this section unless the nurse:

26 (1) has successfully completed the educational program of a
27 school for nurse anesthetists accredited by an accrediting
28 agency recognized by the Board; and

29 (2) holds certification as a certified registered nurse
30 anesthetist by a Board-recognized national certification

1 organization.

2 (d) A licensed registered nurse who is enrolled in an
3 educational program of a school for nurse anesthetists
4 accredited by an accrediting agency recognized by the Board may,
5 during such enrollment, administer anesthesia under the
6 direction of the chief or director of anesthesia services, a
7 Board-certified anesthesiologist or a certified registered nurse
8 anesthetist.

9 (e) A licensed registered nurse who has obtained the
10 education required by subsection (c) of the act, but who has not
11 yet obtained certification as a registered nurse anesthetist may
12 administer anesthesia under the direction of the chief or
13 director of anesthesia services, a Board-certified
14 anesthesiologist or a certified registered nurse anesthetist
15 until the announcement of results of the first examination taken
16 for certification for which the registered nurse is eligible. If
17 the registered nurse fails to take, or fails to pass, that
18 examination, he or she shall immediately cease practicing as a
19 nurse anesthetist, Provided, however, That the registered nurse
20 may appeal to the Board for authority to continue practicing as
21 a nurse anesthetist if, due to extenuating circumstances, he or
22 she is unable to take the examination in a time period specified
23 by the Board following attainment of the required education.

24 Section 3.3. Certified Registered Nurse Anesthetists; Scope
25 of Practice.--(a) A certified registered nurse anesthetist
26 shall administer anesthesia in cooperation with a physician,
27 dentist or podiatrist. For purposes of this section,
28 "cooperation" shall mean a process in which the certified
29 registered nurse anesthetist and the physician, dentist or
30 podiatrist work together with each contributing an area of

expertise at his or her individual and respective level of
education and training.

(b) 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 delivery facilities where anesthesia services are
not mandatory, the certified registered nurse anesthetist's
performance shall be under the overall direction of the
physician, dentist or podiatrist responsible for the patient's
care.

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

Section 3. Nothing in this act 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 act.

Section 4. This act shall take effect in 60 days.