

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 823 Session of
2001

INTRODUCED BY CIVERA, STETLER, MAJOR, SCRIMENTI, MAYERNIK,
MAHER, READSHAW, BOYES, ALLEN, YEWCIC, HORSEY, KELLER,
LAWLESS, LAUGHLIN, ROEBUCK, MICOZZIE, BASTIAN, BLAUM,
BUTKOVITZ, CASORIO, L. I. COHEN, CRUZ, DeLUCA, DERMODY,
FICHTER, GANNON, HERSHEY, LaGROTTA, LEDERER, MANN, McCALL,
McGEEHAN, PIPPY, RAYMOND, SATHER, SCHULER, SEMMEL, SOLOBAY,
STAIRS, R. STEVENSON, STURLA, SURRA, TANGRETTI, TIGUE, TRICH,
WALKO, WANSACZ, WOGAN, WOJNAROSKI, C. WILLIAMS, THOMAS,
FRANKEL, PALLONE, WASHINGTON, RUBLEY, CLYMER, LUCYK, TRELLO
AND DeWEESE, MARCH 8, 2001

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 6, 2001

AN ACT

1 Amending the act of July 19, 1979 (P.L.130, No.48), entitled "An
2 act relating to health care; prescribing the powers and
3 duties of the Department of Health; establishing and
4 providing the powers and duties of the State Health
5 Coordinating Council, health systems agencies and Health Care
6 Policy Board in the Department of Health, and State Health
7 Facility Hearing Board in the Department of Justice;
8 providing for certification of need of health care providers
9 and prescribing penalties," providing for anesthesia
10 services.

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

13 Section 1. The act of July 19, 1979 (P.L.130, No.48), known
14 as the Health Care Facilities Act, is amended by adding a
15 section to read:

16 Section 203. Anesthesia services.

17 (A) GENERAL RULE.--Anesthesia shall be provided by a

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1 qualified physician, anesthesiologist, resident physician in
2 training, dentist anesthetist, qualified nurse anesthetist or a
3 supervised nurse trainee enrolled in a course approved by the
4 American Association of Nurse Anesthetists. Anesthesia shall be
5 administered in accordance with department regulations, which
6 shall include the requirement that anesthesia be administered
7 under the supervision of the operating physician or
8 anesthesiologist who is physically present in the health care
9 facility when the anesthesia is administered.

10 (B) LIMITATION OF SUBSECTION (A).--SUBSECTION (A) DOES NOT <—
11 REQUIRE THE PHYSICAL PRESENCE OF AN ANESTHESIOLOGIST IN AN
12 AMBULATORY SURGICAL FACILITY.

13 (C) LIMITATION OF SUBSECTION (A).--SUBSECTION (A) DOES NOT
14 PROHIBIT A HEALTH CARE PROVIDER WHO IS LICENSED OR CERTIFIED BY
15 A COMMONWEALTH AGENCY FROM PRACTICING WITHIN THE SCOPE OF THAT
16 LICENSE OR CERTIFICATE OR AS OTHERWISE AUTHORIZED BY LAW.

17 Section 2. This act shall take effect in 60 days.