

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 341 Session of
2007

INTRODUCED BY BARRAR, GERGELY, BAKER, BENNINGTON, BEYER,
CALTAGIRONE, CAPPELLI, CLYMER, COHEN, CONKLIN, DeLUCA,
FREEMAN, GEIST, GRELL, HARHART, HENNESSEY, HERSHEY,
HUTCHINSON, JAMES, LEVDANSKY, PETRONE, PHILLIPS, SCAVELLO,
STERN, THOMAS, WATSON, YOUNGBLOOD AND YUDICHAK,
FEBRUARY 9, 2007

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
FEBRUARY 9, 2007

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, amended December
14 9, 2002 (P.L.1567, No.206), is amended and the section is
15 amended by 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

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

14 * * *

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

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

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

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

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

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

1 (2) holds certification as a certified registered nurse
2 anesthetist by a Board-recognized national certification
3 organization.

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

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

27 Section 3.3. Certified Registered Nurse Anesthetists; Scope
28 of Practice.--(a) A certified registered nurse anesthetist
29 shall administer anesthesia in cooperation with a physician,
30 dentist or podiatrist. For purposes of this section,

1 "cooperation" shall mean a process in which the certified
2 registered nurse anesthetist and the physician, dentist or
3 podiatrist work together with each contributing an area of
4 expertise at the individual and respective level of education
5 and training of the certified registered nurse anesthetist and
6 the physician, dentist or podiatrist.

7 (b) A certified registered nurse anesthetist's performance
8 shall be under the overall direction of the chief or director of
9 anesthesia services: Provided, however, That in situations or
10 health care delivery facilities where anesthesia services are
11 not mandatory, the certified registered nurse anesthetist's
12 performance shall be under the overall direction of the
13 physician, dentist or podiatrist responsible for the patient's
14 care.

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

20 Section 3. Nothing in this act shall be construed to
21 prohibit the continued practice of certified registered nurse
22 anesthetists who were authorized to practice in this
23 Commonwealth on the effective date of this act.

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