

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1256 Session of  
2007

INTRODUCED BY GERGELY, CALTAGIRONE AND MANDERINO, MAY 21, 2007

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MAY 21, 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," 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 8.5. 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  
18 promulgated by the board. The certification of a nurse under  
19 this section shall expire on the same date as the nurse's  
20 license expires. The following apply:

21 (1) In order to be certified, a registered nurse must

1 satisfy the following criteria:

2 (i) Completion of the educational program of a school for  
3 nurse anesthetists accredited by an accrediting agency  
4 recognized by the board.

5 (ii) Receipt of certification as a certified registered  
6 nurse anesthetist by a board-recognized national certification  
7 organization.

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

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

30 (4) A certified registered nurse anesthetist shall be

1 subject to all of the following:

2 (i) A certified registered nurse anesthetist shall  
3 administer anesthesia in collaboration with a physician or  
4 dentist.

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

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

17 (5) Nothing in this section shall be construed to prohibit  
18 the continued practice of certified registered nurse  
19 anesthetists who were authorized to practice in this  
20 Commonwealth on the effective date of this section.

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

28 Section 2. The State Board of Nursing shall promulgate  
29 regulations to implement the addition of section 8.5 of the act  
30 within 18 months of the effective date of this act.

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