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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 416 Session of  
2021

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INTRODUCED BY GORDNER, J. WARD, ARGALL, STEFANO, TARTAGLIONE,  
YAW, COLLETT, BAKER, HUTCHINSON, SCHWANK, SABATINA, YUDICHAK,  
MENSCH AND REGAN, MARCH 12, 2021

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
MARCH 12, 2021

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AN ACT

1 Amending the act of May 22, 1951 (P.L.317, No.69), entitled "An  
2 act relating to the practice of professional nursing;  
3 providing for the licensing of nurses and for the revocation  
4 and suspension of such licenses, subject to appeal, and for  
5 their reinstatement; providing for the renewal of such  
6 licenses; regulating nursing in general; prescribing  
7 penalties and repealing certain laws," providing for the  
8 definition of "advanced practice registered nurse-certified  
9 registered nurse anesthetist"; further providing for  
10 registered nurse, clinical nurse specialist, use of title and  
11 abbreviation "R.N." or "C.N.S." and credentials and fraud;  
12 and providing for advanced practice registered nurse-  
13 certified registered nurse anesthetist and qualifications.

14 The General Assembly of the Commonwealth of Pennsylvania  
15 hereby enacts as follows:

16 Section 1. Section 2 of the act of May 22, 1951 (P.L.317,  
17 No.69), known as The Professional Nursing Law, is amended by  
18 adding a clause to read:

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

22 \* \* \*

1       (16) "Advanced practice registered nurse-certified  
2 registered nurse anesthetist" means a registered nurse licensed  
3 in this Commonwealth who is certified by the State Board of  
4 Nursing as an advanced practice registered nurse-certified  
5 registered nurse anesthetist.

6       Section 2. Section 3 of the act is amended to read:

7       Section 3. Registered Nurse, Clinical Nurse Specialist,  
8 Certified Registered Nurse Anesthetist, Use of Title and  
9 Abbreviation ["R.N." or] "R.N.," "C.N.S.," "A.P.R.N." or  
10 "C.R.N.A."; Credentials; Fraud.--(a) Any person who holds a  
11 license to practice professional nursing in this Commonwealth,  
12 or who is maintained on inactive status in accordance with  
13 section 11 of this act, shall have the right to use the titles  
14 "nurse" and "registered nurse" and the abbreviation "R.N." No  
15 other person shall engage in the practice of professional  
16 nursing or use the titles "nurse" or "registered nurse" or the  
17 abbreviation "R.N." to indicate that the person using the same  
18 is a registered nurse, except that the title "nurse" also may be  
19 used by a person licensed under the provisions of the act of  
20 March 2, 1956 (1955 P.L.1211, No.376), known as the "Practical  
21 Nurse Law." No person shall sell or fraudulently obtain or  
22 fraudulently furnish any nursing diploma, license, record, or  
23 registration or aid or abet therein.

24       (b) An individual who holds a license to practice  
25 professional nursing in this Commonwealth who meets the  
26 requirements under sections 6.2 and 8.5 of this act to be a  
27 clinical nurse specialist shall have the right to use the title  
28 "clinical nurse specialist" and the abbreviation "C.N.S." No  
29 other person shall have that right.

30       (b.1) An individual who holds a license to practice

1 professional nursing in this Commonwealth who meets the  
2 requirements under section 8.8 of this act to be an advanced  
3 practice registered nurse-certified registered nurse anesthetist  
4 shall have the right to use the title "advanced practice  
5 registered nurse-certified registered nurse anesthetist" or  
6 "certified registered nurse anesthetist" and use the  
7 abbreviation "A.P.R.N.-C.R.N.A." or "C.R.N.A." No other person  
8 shall have that right.

9 (c) Notwithstanding subsection (a), this section shall not  
10 prohibit the use by a person of a descriptive title for nurse  
11 assistive personnel. For the purposes of this subsection, the  
12 term "nurse assistive personnel" shall mean an individual  
13 providing health care services under the supervision of a  
14 professional or practical nurse.

15 (d) The Board may issue a certification to an advanced  
16 practice registered nurse-certified registered nurse anesthetist  
17 who has completed a course of study considered by the Board to  
18 be equivalent to that required in this Commonwealth under  
19 sections 6.2 and 8.8 of this act at the time such course was  
20 completed, or who is licensed or certified by another state,  
21 territory or possession of the United States or a foreign  
22 country as deemed equivalent to Pennsylvania's certification  
23 requirements, and who has met all the requirements, including  
24 character, under this act.

25 Section 3. The act is amended by adding a section to read:

26 Section 8.8. Advanced Practice Registered Nurse-Certified  
27 Registered Nurse Anesthetist; Qualifications.--(a) The Board  
28 may certify a licensed registered nurse as an advanced practice  
29 registered nurse-certified registered nurse anesthetist if the  
30 nurse satisfies the requirements established by this act.

1 Certification of an advanced practice registered nurse-certified  
2 registered nurse anesthetist by the Board shall expire on the  
3 same date as the license of that nurse expires. Beginning on the  
4 effective date of this section, a nurse shall not qualify for  
5 initial certification by the Board unless the nurse holds a  
6 master's degree, doctoral degree or post-master's certificate  
7 from an accredited educational program in nurse anesthesia that  
8 has been approved by the Board and that prepares graduates to  
9 practice as a certified registered nurse anesthetist and:

10 (1) holds current national certification as a certified  
11 registered nurse anesthetist from a Board-recognized national  
12 certification organization which required passing of a national  
13 certifying examination in nurse anesthesia; and

14 (2) meets all other Board requirements to practice as an  
15 advanced practice registered nurse-certified registered nurse  
16 anesthetist.

17 (b) A registered nurse who does not have a graduate degree  
18 as required under subsection (a) shall be qualified for  
19 certification as a certified registered nurse anesthetist if  
20 that nurse:

21 (1) meets the educational requirements for certified  
22 registered nurse anesthetists that were in effect in this  
23 Commonwealth at the time the nurse completed a nurse anesthesia  
24 educational program; and

25 (2) submits evidence of recertification as a certified  
26 registered nurse anesthetist from a Board-recognized national  
27 certification organization which required passing of a national  
28 certifying examination in nurse anesthesia.

29 (c) As a condition of biennial certificate renewal by the  
30 Board, an advanced practice registered nurse-certified

1 registered nurse anesthetist must:

2 (1) Verify that the nurse holds current recertification from  
3 a Board-recognized national certification organization which  
4 required passing of a national certifying examination in nurse  
5 anesthesia.

6 (2) Submit a renewal application to the Board.

7 (3) Pay a renewal fee as set by the Board.

8 (4) In the two years prior to certification renewal,  
9 complete at least thirty (30) hours of continuing education  
10 approved by the Board, as required by section 12.1 of this act.

11 (d) For certification under this act, a licensed registered  
12 nurse shall file a Board-prepared application with the Board and  
13 pay a fee as established by the Board by regulation.

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

22 Section 4. The State Board of Nursing shall promulgate  
23 regulations to implement the amendment or addition of sections  
24 2(16), 3 and 8.8 of the act within 18 months of the effective  
25 date of this section.

26 Section 5. This act shall take effect in 60 days.