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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1258 Session of  
2022

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INTRODUCED BY GEBHARD, MENSCH AND PITTMAN, JUNE 1, 2022

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
JUNE 1, 2022

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AN ACT

1 Amending the act of December 20, 1985 (P.L.457, No.112),  
2 entitled "An act relating to the right to practice medicine  
3 and surgery and the right to practice medically related acts;  
4 reestablishing the State Board of Medical Education and  
5 Licensure as the State Board of Medicine and providing for  
6 its composition, powers and duties; providing for the  
7 issuance of licenses and certificates and the suspension and  
8 revocation of licenses and certificates; provided penalties;  
9 and making repeals," further providing for definitions;  
10 providing for anesthesiologist assistants and for regulation  
11 of anesthesia services; and making an editorial change.

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

14 Section 1. The definitions of "board regulated practitioner"  
15 and "hospital" in section 2 of the act of December 20, 1985  
16 (P.L.457, No.112), known as the Medical Practice Act of 1985,  
17 are amended and the section is amended by adding definitions to  
18 read:

19 Section 2. Definitions.

20 The following words and phrases when used in this act shall  
21 have the meanings given to them in this section unless the  
22 context clearly indicates otherwise:

1 \* \* \*

2 "Anesthesiologist." A physician who has been granted a  
3 license without restriction to practice medicine and surgery by  
4 the board or a license without restriction to practice  
5 osteopathic medicine and surgery by the State Board of  
6 Osteopathic Medicine who either:

7 (1) has successfully completed graduate medical training  
8 in anesthesiology;

9 (2) is certified by the American Board of  
10 Anesthesiology, the American Osteopathic Board of  
11 Anesthesiology or their predecessor or successor  
12 organizations; or

13 (3) is credentialed by a licensed health care facility  
14 in this Commonwealth to practice the medical specialty of  
15 anesthesiology.

16 "Anesthesiologist assistant." An individual who:

17 (1) Graduated from an anesthesiologist assistant  
18 education program approved by CAAHEP or its predecessor or a  
19 successor agency.

20 (2) Satisfactorily completed an anesthesiologist  
21 assistant certification examination administered by NCCAA or  
22 another national anesthesiologist assistant certifying agency  
23 established for such purposes which has been reviewed and  
24 approved by the board and is currently certified.

25 (3) Is approved by the board to practice medicine under  
26 the supervision of an anesthesiologist.

27 "Anesthesiologist assistant certification examination." The  
28 initial certifying examination for an anesthesiologist assistant  
29 established for the purpose of certification and reviewed and  
30 approved by the board.

1 "Anesthesiology." The practice of medicine and surgery or  
2 the practice of osteopathic medicine and surgery dedicated to  
3 the relief of pain and the total care of a patient before,  
4 during and after a surgical, obstetrical or other necessary  
5 procedure that may induce pain. The term includes:

6 (1) The evaluation and optimization of preexisting  
7 medical conditions.

8 (2) The perioperative management of coexisting disease.

9 (3) The delivery of anesthesia and sedation, including  
10 regional, and neuraxial anesthesia.

11 (4) The management of postanesthetic recovery.

12 (5) The prevention and management of periprocedural  
13 complications.

14 (6) The practice of acute and chronic pain medicine.

15 (7) The practice of critical care medicine, including  
16 line placement, and procedures.

17 \* \* \*

18 "Assist." The action of an individual who is an  
19 anesthesiologist assistant personally performing duties and  
20 responsibilities delegated to the individual by an  
21 anesthesiologist under the supervision of an anesthesiologist.

22 \* \* \*

23 "Board regulated practitioner." A medical doctor, midwife,  
24 physician assistant, anesthesiologist assistant, respiratory  
25 therapist, licensed athletic trainer or drugless therapist or an  
26 applicant for a license or certificate the board may issue.

27 \* \* \*

28 "CAAHEP." The Commission on Accreditation of Allied Health  
29 Education Programs.

30 \* \* \*

1 "Certified registered nurse anesthetist." As defined in the  
2 act of May 22, 1951 (P.L.317, No.69), known as The Professional  
3 Nursing Law.

4 "Hospital." An institution licensed or regulated as a  
5 hospital by the Department of Health or the Department of  
6 [Public Welfare] Human Services or a facility owned or operated  
7 by the Federal Government and accredited by the Joint Commission  
8 on Accreditation of Hospitals as a hospital.

9 \* \* \*

10 "NCCAA." The National Commission on the Certification of  
11 Anesthesiologist Assistants.

12 \* \* \*

13 Section 2. The act is amended by adding sections to read:  
14 Section 13.7. Anesthesiologist assistants.

15 (a) General rule.--An anesthesiologist assistant may assist  
16 an anesthesiologist in the medical practice of anesthesiology.

17 (b) Authorized services.--An anesthesiologist assistant may  
18 only perform anesthesia services and procedures delegated by an  
19 anesthesiologist, including, but not limited to, the following  
20 duties:

21 (1) Developing and implementing an anesthesia care plan  
22 for a patient.

23 (2) Obtaining a comprehensive patient history and  
24 performing relevant elements of a physical exam.

25 (3) Performing preoperative and postoperative anesthetic  
26 evaluations and maintaining patient progress notes.

27 (4) Ordering and performing preoperative patient  
28 consultations.

29 (5) Ordering preoperative medications, including  
30 controlled substances, that may be administered before the

1 supervising anesthesiologist cosigns.

2 (6) Changing or discontinuing a medical treatment plan  
3 after consulting with the supervising anesthesiologist.

4 (7) Obtaining informed consent for anesthesia or related  
5 procedures.

6 (8) Ordering the perioperative continuation of current  
7 medications that may be administered before the supervising  
8 anesthesiologist cosigns.

9 (9) Pretesting and calibrating anesthesia delivery  
10 systems and obtaining and interpreting information from the  
11 systems and from monitors.

12 (10) Implementing medically accepted monitoring  
13 techniques.

14 (11) Performing basic and advanced airway interventions,  
15 including, but not limited to, endotracheal intubation,  
16 laryngeal mask insertion and other advanced airways  
17 techniques.

18 (12) Establishing peripheral intravenous lines,  
19 including subcutaneous lidocaine use.

20 (13) Performing invasive procedures, including, but not  
21 limited to, arterial lines, central lines, transesophageal  
22 echocardiograms and Swan Ganz catheters.

23 (14) Performing general anesthesia, including induction,  
24 maintenance, emergence and procedures associated with general  
25 anesthesia, such as gastric intubation.

26 (15) Administering anesthetic drugs, adjuvant drugs and  
27 accessory drugs.

28 (16) Administering vasoactive drugs and starting and  
29 titrating vasoactive infusions to treat patient responses to  
30 anesthesia.

1           (17) Performing, maintaining, evaluating and managing  
2 epidural, spinal and regional anesthesia, including  
3 catheters.

4           (18) Performing monitored anesthesia care.

5           (19) Obtaining venous and arterial blood samples.

6           (20) Administering blood, blood products and supportive  
7 fluids.

8           (21) Performing, ordering and interpreting appropriate  
9 preoperative, point of care, intra-operative or postoperative  
10 diagnostic tests or procedures.

11           (22) Obtaining and administering perioperative  
12 anesthesia and related pharmaceutical agents, including  
13 intravenous fluids and blood products.

14           (23) Managing the patient while in the preoperative  
15 suite, recovery area or labor suites.

16           (24) Ordering postoperative sedation, anxiolysis or  
17 analgesia, postoperative respiratory therapy and medicines to  
18 treat patient responses to anesthesia and ordering  
19 postoperative oxygen therapy, including initial ventilator  
20 therapy and ordering, that may be administered before the  
21 supervising anesthesiologist cosigns.

22           (25) Initiating and managing cardiopulmonary  
23 resuscitation in response to a life-threatening situation.

24           (26) Participating in administrative, research and  
25 clinical teaching activities including supervising student  
26 anesthesiologist assistants and other students involved in  
27 anesthesia education.

28           (27) Performing other tasks not prohibited by law that  
29 an anesthesiologist assistant has been trained and is  
30 proficient to perform.

1 (c) Regulations.--The board may promulgate regulations  
2 consistent with this act that define the circumstances under  
3 which an anesthesiologist assistant may perform anesthesia  
4 services and procedures.

5 (d) Use of title.--An anesthesiologist assistant may use the  
6 title anesthesiologist assistant, certified anesthesiologist  
7 assistant, anesthetist or an appropriate abbreviation, such as  
8 "C.A.A.". No other person may use that title.

9 (e) Supervision.--

10 (1) An anesthesiologist assistant shall not perform an  
11 anesthesia service or procedure without the supervision of an  
12 anesthesiologist.

13 (2) For the purposes of this subsection, "supervision"  
14 means the management, or direction, or control by an  
15 anesthesiologist of a service delegated to an  
16 anesthesiologist assistant and which anesthesiologist is  
17 immediately available to the anesthesiologist assistant who  
18 assists in the delivery of medical care such that the  
19 anesthesiologist is able to intervene if needed.

20 (3) An anesthesiologist assistant may be employed by a  
21 health care facility licensed under the act of July 19, 1979  
22 (P.L.130, No.48), known as the Health Care Facilities Act,  
23 under the supervision of an anesthesiologist or group of  
24 anesthesiologists.

25 (f) Drugs.--

26 (1) An anesthesiologist assistant may dispense and  
27 administer drugs, including legend drugs and Schedule II  
28 through Schedule V controlled substances as defined in act of  
29 April 14, 1972 (P.L.233, No.64), known as The Controlled  
30 Substance, Drug, Device and Cosmetic Act, that are required

1 to perform anesthesia services or procedures delegated to  
2 them by an anesthesiologist.

3 (2) The dispensing and administration of drugs shall be  
4 at all times under the supervision of an anesthesiologist.

5 (3) An anesthesiologist assistant shall not  
6 independently prescribe or dispense drugs.

7 (4) The board may promulgate regulations consistent with  
8 this section defining the circumstances under which  
9 anesthesiologist assistants may dispense and administer  
10 drugs.

11 (g) Construction.--

12 (1) Nothing in this section or the regulations  
13 authorized by this section shall be construed to prohibit an  
14 anesthesiologist assistant who is licensed or certified to  
15 practice another profession by a Commonwealth agency or board  
16 from practicing within the scope of that license or  
17 certificate or as otherwise authorized by law.

18 (2) Nothing in this section shall be construed to:

19 (i) Supersede the authority of the Department of  
20 Health and the Department of Human Services to regulate  
21 the types of health care professionals who are eligible  
22 for medical staff membership or clinical privileges.

23 (ii) Restrict the authority of a health care  
24 facility to determine the scope of practice and  
25 supervision or other oversight requirements for health  
26 care professionals practicing within the facility.

27 Section 36.3. Anesthesiologist assistant license.

28 (a) General rule.--An anesthesiologist assistant license  
29 empowers the holder to practice medicine and perform anesthesia  
30 under the delegation of an anesthesiologist in the provision of



1 medical care and services as provided in this act.

2 (b) Requirements.--No anesthesiologist assistant license may  
3 be issued to the applicant unless the requirements specified by  
4 this act and such rules and regulations issued by the board are  
5 met, including requirements for the anesthesiologist assistant  
6 training and educational programs which shall be formulated by  
7 the board in accordance with such national criteria as are  
8 established by national organizations or societies as the board  
9 may accept.

10 (c) Criteria.--The board shall grant anesthesiologist  
11 assistant licenses to applicants who have fulfilled the  
12 following criteria:

13 (1) Satisfactory completion of a program for the  
14 training and education of anesthesiologist assistants  
15 certified by CAAHEP or its predecessor or a successor agency.

16 (2) Satisfactory performance on an anesthesiologist  
17 assistant certification examination administered by NCCAA or  
18 another national anesthesiologist assistant certifying agency  
19 established for such purposes and approved by the board.

20 (d) Biennial renewal.--An anesthesiologist assistant license  
21 shall be subject to biennial renewal by the board. As part of  
22 biennial renewal, an anesthesiologist assistant shall complete  
23 continuing medical education as required by the National  
24 Commission on Certification of Anesthesiologist Assistants.

25 (e) Penalties.--The board may refuse to renew, and may  
26 revoke, suspend or restrict a license or take other disciplinary  
27 action.

28 Section 45.1. Provision and supervision of anesthesiology and  
29 anesthesia services.

30 (a) General rule.--The practice of anesthesiology,

1 including, but not limited to, anesthesia services provided in  
2 hospitals, ambulatory care facilities and other health care  
3 facilities, shall be regulated by the board.

4 (b) Anesthesia services.--Anesthesia services in a health  
5 care facility shall only be provided by:

6 (1) An anesthesiologist.

7 (2) A physician enrolled in a graduate medical training  
8 program in anesthesiology or oral and maxillofacial surgery.

9 (3) A dentist permitted by the State Board of Dentistry  
10 or the act of May 1, 1933 (P.L.216, No.76), known as The  
11 Dental Law, to administer, supervise or direct anesthesia  
12 services.

13 (4) A certified registered nurse anesthetist under the  
14 overall direction of the following:

15 (i) an anesthesiologist;

16 (ii) the physician or podiatrist performing the  
17 operation or other procedure requiring anesthesia  
18 services; or

19 (iii) a dentist permitted by the State Board of  
20 Dentistry or The Dental Law to administer, supervise or  
21 direct anesthesia services.

22 (5) An anesthesiologist assistant under the supervision  
23 of an anesthesiologist as required by this act.

24 (6) A supervised student nurse trainee enrolled in a  
25 course approved by the American Association of Nurse  
26 Anesthetists.

27 (7) A supervised student anesthesiologist assistant  
28 enrolled in a course approved by CAAHEP.

29 (c) Construction.--Nothing in this section shall be  
30 construed to:

1           (1) Supersede the authority of the Department of Health  
2           and the Department of Human Services to regulate the types of  
3           health care professionals who are eligible for medical staff  
4           membership or clinical privileges.

5           (2) Restrict the authority of a health care facility to  
6           determine the scope of practice and supervision or other  
7           oversight requirements for health care professionals  
8           practicing within the facility.

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