

HB0863/636287/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 863

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “of” insert “requiring an advanced practice registered nurse who qualifies for certain certification by having a certain privilege under the Nurse Licensure Compact to, at all times, ensure that the State Board of Nursing has certain documentation;”; in line 5, after “license;” insert “establishing the term of and expiration date for certification for certain advanced practice registered nurses;”; in line 7, strike “State”; in the same line, strike “of Nursing”; strike beginning with “provide” in line 9 down through “acts;” in line 11 and substitute “perform certain functions; providing that a certified nurse anesthetist has a certain right and obligation to refuse to perform a delegated act under certain circumstances; providing that certain provisions of this Act may not be construed to authorize a nurse anesthetist to diagnose a medical condition or provide certain care;”; in line 12, strike “administer anesthesia in collaboration” and substitute “collaborate”; in the same line, after “practitioners” insert “in a certain manner; requiring a nurse anesthetist to ensure that a certain anesthesia provider performs a certain assessment, obtains certain consent, and formulates a certain plan; requiring a nurse anesthetist as part of the standards of practice to take certain actions”; in line 13, strike “a certain provision” and substitute “certain provisions”; in line 14, before “collaboration” insert “certain”; in line 15, after “terms;” insert “providing for the construction of this Act;”; in line 20, strike “8-101(n) through (r)” and substitute “8-101(m) through (q)”; and in line 25, strike “and 8-312(a)”.

On page 2, in line 2, strike “8-101(k) and (m), 8-312(h)” and substitute “8-101(k), 8-302.1(e) and (f)”; and in line 12, strike “8-101(n) through (r)” and substitute “8-101(m) through (q)”.

AMENDMENT NO. 2

(Over)

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On page 3, strike in their entirety lines 17 through 22, inclusive, and substitute:

“8-302.1.

(E) AN ADVANCED PRACTICE REGISTERED NURSE WHO QUALIFIES FOR CERTIFICATION BY THE BOARD BY HAVING A MULTISTATE LICENSURE PRIVILEGE TO PRACTICE REGISTERED NURSING UNDER THE NURSE LICENSURE COMPACT SHALL ENSURE, AT ALL TIMES, THAT THE BOARD HAS CURRENT DOCUMENTATION OF CERTIFICATION AS AN ADVANCED PRACTICE REGISTERED NURSE BY A NATIONAL CERTIFYING BODY AS REQUIRED UNDER SUBSECTION (B)(3)(IV) OF THIS SECTION FOR THE AREA OF SPECIALTY FOR WHICH THE ADVANCED PRACTICE REGISTERED NURSE IS CERTIFIED BY THE BOARD.”;

in line 23, strike “(H)” and substitute “(F)”; in the same line, after “(1)” insert “(I)”; in the same line, strike “AN” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN”; after line 25, insert:

“(II) THE TERM OF CERTIFICATION FOR AN ADVANCED PRACTICE REGISTERED NURSE WHO QUALIFIES FOR CERTIFICATION BY THE BOARD BY HAVING A MULTISTATE LICENSURE PRIVILEGE TO PRACTICE REGISTERED NURSING UNDER THE NURSE LICENSURE COMPACT:

- 1. IS 2 YEARS; AND**
- 2. EXPIRES ON THE 28TH DAY OF THE BIRTH MONTH OF THE ADVANCED PRACTICE REGISTERED NURSE IN AN ODD-NUMBERED YEAR FOR A BIRTH DATE ENDING IN AN ODD-NUMBERED YEAR OR IN AN EVEN-NUMBERED YEAR FOR A BIRTH DATE ENDING IN AN EVEN-NUMBERED YEAR.”;**

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and in line 28, after “TERM” insert “IF THE ADVANCED PRACTICE REGISTERED NURSE IS OTHERWISE ENTITLED TO BE LICENSED”.

On page 4, in line 1, strike “§ 8-302.1(B)(3)(IV) OF THIS SUBTITLE” and substitute “SUBSECTION (B)(3)(IV) OF THIS SECTION FOR THE AREA OF SPECIALTY FOR WHICH THE ADVANCED PRACTICE REGISTERED NURSE IS CERTIFIED BY THE BOARD”.

AMENDMENT NO. 3

On page 4, in line 3, strike “(1)”; in the same line, strike “CARE” and substitute “ASSESSMENT AND MANAGEMENT”; strike beginning with the colon in line 3 down through “CARE” in line 12 and substitute “THE ASSESSMENT AND MANAGEMENT OF A PATIENT PREOPERATIVELY, INTRAOPERATIVELY, AND POSTOPERATIVELY”; in line 13, after “(B)” insert “(1)”; in the same line, after “MAY” insert “PERFORM THE FOLLOWING FUNCTIONS”; strike in their entirety lines 14 through 25, inclusive, and substitute:

“(I) PERIOPERATIVE ASSESSMENT AND MANAGEMENT OF PATIENTS REQUIRING ANESTHESIA SERVICES;

(II) ADMINISTRATION OF ANESTHETIC AGENTS;

(III) MANAGEMENT OF FLUIDS IN INTRAVENOUS THERAPY;

AND

(IV) RESPIRATORY CARE.

(2) A NURSE ANESTHETIST HAS THE RIGHT AND OBLIGATION TO REFUSE TO PERFORM A DELEGATED ACT IF IN THE NURSE ANESTHETIST'S JUDGMENT, THE ACT IS:

(Over)

(I) UNSAFE;

(II) AN INVALIDLY PRESCRIBED MEDICAL ACT; OR

(III) BEYOND THE CLINICAL SKILLS OF THE NURSE ANESTHETIST.

(3) PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE CONSTRUED TO AUTHORIZE A NURSE ANESTHETIST TO:

(I) DIAGNOSE A MEDICAL CONDITION;

(II) PROVIDE CARE THAT IS NOT CONSISTENT WITH THE SCOPE OF PRACTICE OF NURSE ANESTHETISTS; OR

(III) PROVIDE CARE FOR WHICH THE NURSE ANESTHETIST DOES NOT HAVE PROPER EDUCATION AND EXPERIENCE.”.

On page 4, strike in their entirety lines 26 and 27 and substitute:

“(C) A NURSE ANESTHETIST SHALL COLLABORATE WITH AN ANESTHESIOLOGIST, A LICENSED PHYSICIAN, OR A DENTIST IN THE FOLLOWING MANNER:

(1) AN ANESTHESIOLOGIST, A LICENSED PHYSICIAN, OR A DENTIST SHALL BE PHYSICALLY AVAILABLE TO THE NURSE ANESTHETIST FOR CONSULTATION AT ALL TIMES DURING THE ADMINISTRATION OF, AND RECOVERY FROM, ANESTHESIA;

(2) AN ANESTHESIOLOGIST SHALL BE AVAILABLE FOR CONSULTATION TO THE NURSE ANESTHETIST FOR OTHER ASPECTS OF THE PRACTICE OF NURSE ANESTHESIA; AND

(3) IF AN ANESTHESIOLOGIST IS NOT AVAILABLE, A LICENSED PHYSICIAN OR DENTIST SHALL BE AVAILABLE TO PROVIDE THIS TYPE OF CONSULTATION.

(D) THE NURSE ANESTHETIST SHALL ENSURE THAT A QUALIFIED ANESTHESIA PROVIDER:

(1) PERFORMS A THOROUGH AND COMPLETE PREANESTHETIC ASSESSMENT;

(2) OBTAINS INFORMED CONSENT FOR THE PLANNED ANESTHETIC INTERVENTION FROM THE PATIENT OR AN INDIVIDUAL RESPONSIBLE FOR THE PATIENT; AND

(3) FORMULATES A PATIENT-SPECIFIC PLAN FOR ANESTHESIA CARE.

(E) THE NURSE ANESTHETIST AS PART OF THE STANDARDS OF PRACTICE SHALL:

(1) IMPLEMENT AND ADJUST AN ANESTHESIA CARE PLAN AS NEEDED TO ADAPT TO THE PATIENT'S RESPONSE TO THE ANESTHESIA;

(2) MONITOR A PATIENT'S PHYSIOLOGIC CONDITION FOR UNTOWARD IDENTIFIABLE REACTIONS AND INITIATE APPROPRIATE CORRECTIVE ACTIONS AS REQUIRED;

(Over)

(3) ENTER PROMPT, COMPLETE, AND ACCURATE DOCUMENTATION OF PERTINENT INFORMATION ON A PATIENT'S RECORD;

(4) TRANSFER RESPONSIBILITY FOR CARE OF A PATIENT TO OTHER QUALIFIED PROVIDERS IN A MANNER THAT ENSURES CONTINUITY OF CARE AND PATIENT SAFETY;

(5) ENSURE THAT APPROPRIATE SAFETY PRECAUTIONS ARE TAKEN TO MINIMIZE THE RISKS OF FIRE, EXPLOSION, ELECTRICAL SHOCK, AND EQUIPMENT MALFUNCTION;

(6) MAINTAIN APPROPRIATE INFECTION CONTROL STANDARDS;

(7) EVALUATE ANESTHESIA CARE TO ENSURE ITS QUALITY;

(8) MAINTAIN CONTINUAL COMPETENCE IN ANESTHESIA PRACTICE; AND

(9) RESPECT AND MAINTAIN THE BASIC RIGHTS OF PATIENTS.”.

AMENDMENT NO. 4

On page 5, in line 1, strike “(2)” and substitute “(F)”; in the same line, strike “PARAGRAPH (1) OF THIS SUBSECTION” and substitute “THIS SECTION”; in line 2, after the first “A” insert “WRITTEN”; in line 3, strike “A PODIATRIST,”; after line 3, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act may not be construed to expand the current scope of practice of a certified registered nurse anesthetist.”;

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and in line 4, strike “3.” and substitute “4.”.